HOUSE OF ASSEMBLY

Wednesday, September 1, 1971

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

QUESTIONS

DEEP SEA PORT

Mr. VENNING: Will the Minister of Marine say whether he has yet received a report from the committee appointed for the purpose of recommending where the second deep sea port should be established in South Australia? When I asked a similar question of the Minister a few weeks ago, he said he expected that the committee's report would be available at the end of August. As the end of August has now passed, does he have this report?

The Hon. J. D. CORCORAN: No.

MIGRANT HOSTEL

Mr. CLARK: Will the Deputy Premier ask the Premier, who is absent, to have inquiries made about the future use of the recently vacated Commonwealth migrant hostel buildings at Smithfield, in the Elizabeth District? On March 18 this year, in reply to my question about rumours that the migrant hostel at Elizabeth was likely to be closed in future, the Premier said that he had been told by the respective Commonwealth departments that the closing of the hostel had not been considered. However, in spite of this, a few weeks ago I was notified that in fact the hostel was to be closed, and it has now been closed. As all sorts of rumours are circulating in the area about what use will be made of the former hostel, will the Deputy Premier ask the Premier to seek information on the matter?

The Hon. J. D. CORCORAN: Certainly.

SALISBURY POLLUTION

Mr. GROTH: Has the Minister of Environment and Conservation a reply to the question I asked on July 22 regarding pollution figures?

The Hon. G. R. BROOMHILL: The honourable member asked me a question following a report on air pollution figures that had been released at that time. The report referred to was based on information contained in the summary of readings for 1970 of deposit gauges, which are maintained by the Public Health Department to measure particulate matter fallout. Regarding the specific reference to the results recorded in the gauges located in Salisbury, the department maintains four fallout gauges in the Salisbury area, all of which are within an area of about a square mile near the Uniroyal tyre plant. These gauges collect particulate matter from the atmosphere in a receptacle through a 6in. conical funnel, and the resulting material is measured and expressed as an average rate of tons a square mile a month. The readings for 1970 for these gauges were 40 tons, 8.1 tons, 7.9 tons, and 7.5 tons. A normal fall-out for a residential area might be expected to be 10 tons a square mile a month, and in a light industrial area a figure of 15 tons a square mile a month could be regarded as normal. It will be noted that only one reading is above these figures, and inquiries indicated that this high reading could well have been caused by dust from an adjacent unmade road and local building work, although in the absence of a detailed analysis of the material collected it was not possible to confirm this. Following inquiries from the Mayor of Salisbury as a result of the newspaper report, the position was fully explained to the local authorities. I will watch this position closely.

COUNCIL BY-LAWS

Mr. PAYNE: Has the Minister of Local Government a reply to my question of August 17 about the availability of copies of council by-laws?

The Hon. G. T. VIRGO: My office has stated that, when the next local government bulletin is circulated, councils will be reminded of the requirements of the Local Government Act regarding the supply of a copy of a by-law and resolutions thereunder to any person paying a prescribed fee.

HACKHAM SPEED SIGN

Mr. HOPGOOD: Will the Minister of Roads and Transport ask the Road Traffic Board to consider shifting the "end 45 m.p.h." speed sign from the down track on the Main South Road, north of the old Hackham township, to a position on the same track south of the town? The effect of the position of this sign at present is that there is no speed limit through the old township of Hackham. This is not a heavily built-up area but it is one in which a school bus must do a turning manoeuvre twice a day, and it is also an area into which increased traffic is flowing from nearby Penneys Hill Road. The effect of shifting the sign would be to control traffic speed for this short distance to 45 m.p.h.

The Hon. G. T. VIRGO: I shall be pleased to refer the matter to the board.

GLENELG RAILWAY LAND

Mr. WRIGHT: Will the Minister of Roads and Transport find out what the Highways Department intends to do with the land which was occupied by the old Glenelg railway line and which is situated between McArthur Avenue and Birdwood Terrace, Marleston?

The Hon. G. T. VIRGO: This is one of the transportation corridors which I expect and hope will be developed as a public transportation route in the not far distant future. At present I have no specific proposals that can be put forward, but the land is certainly being retained for that purpose.

MASSAGE PARLOURS

Mr. SLATER: Can the Attorney-General say whether investigations have been made regarding the activities of health studios and massage parlours? There seems to have been a considerable growth in the number of these establishments. The daily press carries numerous advertisements offering treatment, but some of the advertisements show only a telephone number. In some cases a visit will be made by the masseuse to a home or a hotel. As these establishments could be a facade for nefarious activities, I ask the Attorney whether any investigations have been made into them.

The Hon. L. J. KING: Following a report by the Commissioner of Police, Cabinet approved the preparation of legislation to license massage parlours, and this legislation is with the Parliamentary Counsel at present. I do not know precisely what form it will take or when it will be possible to introduce it, but the matter has been considered.

WHYALLA HIGH SCHOOL

Mr. BROWN: Has the Minister of Education a reply to my recent question about a transformer in the grounds of the Whyalla High School?

The Hon. HUGH HUDSON: The transformer situated in the grounds of the Whyalla High School was inspected by officers of the Public Buildings Department in company with an officer of the Electricity Trust of South Australia and the Headmaster on August 11, 1971. It has been decided to replace the transformer with a fully enclosed transformer station at ground level to provide a single point of supply for all the school buildings. A suitable transformer is being ordered, but it is understood that there will be a delay of up to 12 months before the unit can be delivered. However, I have been assured that the existing installation should not prove dangerous in the interim.

SMOKING

Mr. WELLS: My question is asked of you, Mr. Speaker. Would you ask the Standing Orders Committee to consider the possibility of permitting members to smoke whilst in this Chamber? Recently, this House, in its wisdom, relaxed Standing Orders concerning dress and introduced dress reform for the comfort of members. As this was a successful move and was well received by all members, I see no reason why this relaxation should not be extended to permit members to smoke in this Chamber, as this would cause no-one any inconvenience.

The SPEAKER: I would oppose this move, but I will ask the Standing Orders Committee to consider the matter.

SOUTH-EAST SCHOOLS

Mr. RODDA: Can the Minister of Education say what progress has been made in the contractual arrangements to build new primary schools at Penola and Naracoorte, which arrangements are, I understand, being considered?

The Hon. HUGH HUDSON: At Penola we are installing, I think, a six-teacher open-space unit: it is not a complete rebuilding of the primary school. I believe that the project should begin fairly soon, as I think tenders have already been called. However, I will check on that matter for the honourable member. The rebuilding of the Naracoorte Primary School has been considered by the Public Works Committee, and the final working drawings are being prepared prior to the calling of tenders. As I am not sure of this programme, I will obtain the details for the honourable member.

LONSDALE ROAD

Mr. HOPGOOD: Has the Minister of Roads and Transport a reply to the question I asked on August 25 about a new southern arterial road from Seacliff Park to Lonsdale?

The Hon. G. T. VIRGO: Commencement of the construction of the Brighton to Christies Beach arterial road (commonly known as Lonsdale Road) is programmed for the financial year 1972-73.

GRASSHOPPERS

Mr. VENNING: I understand that the Premier has received from the Minister of Agriculture a reply to my recent question about grasshoppers. Because of the seriousness of the situation, I ask whether he will now give that reply.

The Hon. D. A. DUNSTAN: Financial provision has been sought on the 1971-72 Estimates of Expenditure to enable assistance to be given, if necessary, to councils to control serious outbreaks of plague locusts and grasshoppers within their areas. In addition, help will be available from the Agriculture Department, as has been the case in previous years. I point out, however, that landholders themselves also have a responsibility in this matter, and treatment of affected areas as soon as the first hatchings are noticed is vitally important. With regard to the reported hatchings in the Copley area, Mr. P. Birks, the Senior Research Officer (Entomology) in the Agriculture Department, has assured my colleague that no grasshopper or locust activity (either egg laying or hatching) has been reported from the Copley district to the Agriculture Department recently.

The entomologist considers that if there is activity in the area it is unlikely to be plague grasshopper: it is more likely to be plague locust or other species of grasshoppers which are sometimes locally abundant in pastoral country. Departmental officers this week have contacted several landholders in the area but no hatchings or outbreaks are known, so it would seem most unlikely that there is a widespread outbreak. I emphasize that landholders (and members) can materially assist the department in its efforts to contain this potential menace by giving accurate and detailed information to either the local district council or (in areas outside council boundaries) the Chairman of the Pastoral Board (Adelaide), or the nearest police officer. I assure the House that the situation in the Northern areas, in particular, is being and will continue to be closely watched.

OVERLAND EXPRESS

Mr. RYAN: Has the Minister of Roads and Transport further information on the daily schedule of the Overland express operating between Adelaide and Melbourne? It was announced this morning as a news item from Melbourne that the main Western Highway would not be open to traffic for at least two or three days. Assuming that this has been brought about by the recent unfortunate derailment, I should like to know whether the Overland is still running to the normal schedule or whether there will be any alteration to the schedule during the next few days.

The Hon. G. T. VIRGO: I regret that I have no more information than I gave the House yesterday, although the indication then was that it was hoped that within 24 hours something nearer the normal schedule would be resumed. However, I will inquire and let the honourable member have whatever information is available.

ABORIGINAL LORE

Mr. KENEALLY: Has the Minister of Aboriginal Affairs investigated the possibility of resuming areas of South Australia that are sacred in Aboriginal tribal lore for use by Aborigines and, if he has not, could he do so? I have been contacted on numerous occasions by Aborigines considered to be elders within their tribal lore who have asked that areas be reserved for that purpose. This matter was brought to my attention again last Monday, when I spoke to two elders of an Aboriginal tribe at Port Augusta who said that there were only 12 such initiated men within their tribe and that they did not intend to initiate any more Aborigines into tribal lore. They felt that the younger men did not appreciate the value of such tribal lore. However, should the Government be able to provide such areas, this action could encourage more Aborigines to retain an interest in their traditions and so help retain not only for the present generation but also for future generations some of the valuable Aboriginal tribal lore that we now run the risk of losing.

The Hon. L. J. KING: This difficult and important question has received deep and careful consideration. I cannot be more specific now, but this question is being studied and it may be possible to achieve something better than we have at present.

OPEN-SPACE AREAS

Mr. GROTH: As I have read a report that land has recently been purchased by the Government in certain areas, including Salisbury, can the Minister of Environment and Conservation say whether any other land will be purchased for open space in these areas? Today's *Advertiser* reports that the State Planning Authority has bought three major areas of land north of Adelaide for future recreational sites. A spokesman for the authority has stated that 522 acres east of Salisbury, 145 acres east of Elizabeth and 99 acres north of Smithfield have been purchased.

The Hon. G. R. BROOMHILL: The land referred to was purchased earlier this year and is part of the authority's development for open-space areas in the metropolitan area. The areas referred to by the honourable member are part of the land the authority will be

acquiring. I think the press article states that 522 acres has been purchased at Salisbury and it is intended that this area will be increased to 700 acres. At Elizabeth, we have purchased 145 acres, and we plan eventually to purchase an area totalling 155 acres. At Smithfield, 99 acres has been purchased, and that area will be increased to 213 acres. Up to the present, over 2,000 acres of open-space area in the metropolitan area has been purchased at a cost of over $1,400,000.

KINGSTON PARK

Mr. HOPGOOD: Can the Minister of Environment and Conservation ensure that in the allocation of Loan money of $250,000 for foreshore protection the claims of the Kingston Park area are not ignored? I have received the following letter from the Secretary of the Marino Progress Association Incorporated:

In regard to your information regarding the $250,000 Loan moneys provided for foreshore protection, this association suggests that some of this money could be spent on repairing the very bad erosion of the cliffs below the look-out at Kingston Park. It is also suggested that some money could be allocated for sand replenishment of the beach in the vicinity of Kingston Park. This beach is very stony, and appears to be getting worse. This is particularly disturbing when the number of people who use the caravan park are taken into account.

The Hon. G. R. BROOMHILL: I shall be pleased to examine the matter raised by the honourable member. I am aware that this has been a problem in the area for some time. Although the work to be undertaken in preserving and restoring the metropolitan beaches will have to be carefully determined on a priority basis, I assure the honourable member that the needs of the area to which he refers will be closely attended to.

LYNORE ROAD PROPERTIES

Mrs. BYRNE: Has the Minister of Education a reply to my question of August 12 about water flowing from the Ridgehaven Primary School property on to private property?

The Hon. HUGH HUDSON: An inspection has been made of the Ridgehaven Primary School grounds and it appears that all stormwater collected from the school buildings, playgrounds and car parks is discharged into a council drain in Lokan Road. The remaining grassed areas are situated on a gentle slope, which terminates in a natural water course in one corner of the schoolgrounds. The Director, Public Buildings Department, considers that the formation of the school oval has not aggravated the drainage problem, which is caused by the houses in question having been built across a natural water course which drains a catchment area estimated to exceed 150 acres.

TOURIST BUREAU OFFICERS

Mr. LANGLEY: Can the Premier, as Minister in charge of tourism, say whether he intends to have staff at the South Australian Government Tourist Bureau trained to speak several languages? In other countries where there are many tourist attractions, tourists seldom have trouble in finding staff at tourist agencies who have been trained to speak several languages. As it is predicted that Adelaide will soon have a hotel of international standard and as it is expected that people from all over the world will come to Adelaide, officers at the bureau who could speak several languages would be of great help to visitors who might wish to see the tourist attractions of this State.

The Hon. D. A. DUNSTAN: As the matter is being investigated, I will get a report for the honourable member.

RACISM

Mr. HOPGOOD: Is the Premier aware that this evening a meeting will be held to form a group known as the South Australian Campaign Against Racism? Assuming that this group is under representative and moderate leadership, will the Premier, as Leader of the Government that has done more than has any other Government in Australia to fight racism, take up with his Government, as a matter of policy, the suggestion that the Government should give moral and such other support as it seems able to give to this group?

The Hon. D. A. DUNSTAN: I am aware that the meeting is to be held this evening. I have been invited to attend but, because we will be sitting this evening, I have expressed my regret at not being able to attend the meeting. However, I have already written a letter giving the proposal encouragement. I believe that it is essential in South Australia to have people who will campaign against racism, which is one of the major problems affecting the world today.

SECONDHAND DEALERS ACT AMENDMENT BILL

The Hon. D. N. BROOKMAN (Alexandra) obtained leave and introduced a Bill for an Act to amend the Secondhand Dealers Act, 1919-1964. Read a first time.

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

That this Bill be now read a second time.

I introduce this Bill in order to assist in their business secondhand dealers who live outside the areas to which the early closing provisions of the Industrial Code apply. This session, I have asked the Premier several times whether the Government intends to legislate to give effect to what this Bill provides for. Although the Premier has said that he is considering the matter, he has not said whether or not he intends to introduce a Bill dealing with it. As the time for private members' business may be restricted later, I think it is appropriate to introduce my Bill now. If the Government will introduce identical or even similar legislation, I shall be happy for my Bill to make way for it, because the Government has better facilities than I have for putting through legislation.

I point out that the Secondhand Dealers Act is an old piece of legislation that was introduced in effect to protect the community from the position that would arise if it was too easy to sell quickly goods that had been stolen, as this could lead to an increase in stealing. Goods stolen and quickly sold could be lost without trace. Therefore, the legislation provided for secondhand dealers to be licensed. The legislation, which was originally introduced in another place in 1919, has operated fairly satisfactorily ever since, although there are some problems. In my district there are a few people who are called secondhand dealers and who want to trade on public holidays. The Bill provides that they shall be given the same rights as are given to garages, delicatessens, and so on, to trade on Sundays and public holidays.

One man has told me that he will not be trading on Sundays but he particularly wants to trade on public holidays, because he lives in an area on the South Coast and people choose to go to the South Coast during long weekends. Almost all public holidays are now celebrated on Mondays, and the people like to roam around the area on those days. This man gets many inquiries from people who want to buy things: some want to furnish their beach houses and travellers want to browse around and look at what he has collected.

At present, this man is prevented from doing business on these public holidays on Mondays. At the same time, many other people are allowed to sell such things as retreaded tyres within the hours referred to in the Bill. In other areas within 100 miles of Adelaide, people are also suffering hardship because legislation makes a special provision about secondhand dealers, preventing them from trading on Sundays and public holidays. There is no real reason why these people should be singled out for this restriction.

The Bill has been distributed as widely as possible to members, although it is not on the files. Clause 1 is formal. Regarding clause 2, the amendment proposed by paragraph (*a*) is consequential on the "operative amendment" proposed by paragraph (*d*) of that clause. The amendments in paragraphs (*b*) and (*c*) are in recognition of the fact that the Early Closing Act was, in 1970, repealed and to some extent re-enacted as Part XV of the Industrial Code. It is not intended to substantially alter the legal effect of the provisions of the principal Act which these paragraphs amend. The operative amendment, contained in clause 2 (*d*), provides that secondhand dealers whose premises are situated outside the metropolitan area, as defined for the purposes of the Industrial Code, may trade in secondhand goods, other than secondhand cars, from those premises on any Sunday or public holiday.

The Hon. D. A. DUNSTAN secured the adjournment of the debate.

PRISON INQUIRY

Adjourned debate on the motion of Mr. Carnie:

(For wording of motion, see page 886.)

(Continued from August 25. Page 1095.)

Dr. EASTICK (Light): I wish to briefly add my support to the motion moved by my colleague the member for Flinders, and to indicate that I found it refreshing that the Government, through the Attorney-General, had accepted the challenge that the motion brings before the House and that it did not intend to back-pedal on the statement it made before the last State election. The motion itself is fairly limited, but the problem that it highlights is extremely far-reaching and there are many associated problems.

I should like to obtain from the Attorney-General, if possible, an acknowledgement that, although a committee will be established to undertake an investigation, the many improvements that I understand are on the drafting board for associated advances will not be delayed pending production of the committee's report. I hope that whatever blueprint the Attorney has for improving, immediately or

in the foreseeable future, the situation associated with the release of prisoners will be put into effect and subsequently upgraded or integrated, as the case may be, on the basis of what the committee may recommend.

I was interested in the Attorney's statement, during his speech last week, in which he highlighted the fact that there had been many visitors to prisons in South Australia and that, more specifically, the three most consistent comments by these visitors concerned the cleanliness of the institutions, the staff-prisoner relationship, and the fact that the prisoners all seemed to do useful work. This is commendable, but I should like to highlight the statement regarding the staff-prisoner relationship. Although I do not suggest that we go back to archaic practices, I suggest to the Attorney that many people who are associated with prison activities, either directly or on the fringe, consider that there is a gradual erosion of the disciplinary and other controls available to the authorities. We have on the Notice Paper details of an alteration to the regulations regarding haircuts and shaves for prisoners. Whilst I have not yet had the opportunity to consider this alteration, I know that visiting justices and other persons fear that this is one area of erosion that could upset the present commendable balance in the staff-prisoner relationship. Although it is only one small area, collectively the loss of these controls could create a problem.

There are also many associated problems, and I will comment on several that have been represented to me. There is an urgent need to prevent the repetition of crime. I know that this matter is being considered here and elsewhere and I hope that it is foremost in the Government's mind. What is the remedial action and what value, if any, have the various deterrent factors now available? Are there too many laws? Is there a place for a considerable reduction in the number of laws relating to our existence in society? Our laws dealing with alcoholism are contained in too many pieces of legislation, whereas if placed in one measure they could be more specific and valuable. Also, I am aware of a strong body of opinion that the law concerning sexual offences is contained in too many Statutes.

We should also consider the question of meaningful fines. A $5 fine imposed on a person in a managerial position is not meaningful, whereas the same fine imposed on a person of lesser means is very meaningful, so that more opportunity should be given to courts to consider meaningful fines. Periodic detention gives a person the chance to become a responsible member of the community and it also gives him a better appreciation of his responsibility to the community and, more particularly, to his family. We also have the urgent need to consider the work-release aspect of this subject.

I believe that it is urgent that we consider the extension of the remand and assessment provisions that make it possible for those persons who are officers of the court, or who are so directed, to consider more seriously the problems of individuals. I hope that this aspect can be considered in advance of any committee report, assuming that the report may be delayed. Alcoholism, the problem of the Aboriginal, and the reason why some persons turn to crimes of violence and repeat the crimes are other aspects that should be urgently considered. The point I am making is that, even accepting that the Government will set up this committee, it should proceed with haste in those matters of importance in respect of which it has prepared legislation or which it is now investigating. The Government should avoid a period of non-action pending the receipt of the committee's report, which may take 18 months or three years to submit.

Mr. HOPGOOD (Mawson): In supporting the motion, I congratulate the mover. I also congratulate the Attorney-General and the Government on the policy decision that has been indicated during the debate. I join with the member for Light in expressing the opinion that it will not be long before we see some tenable outworkings of this inquiry. I would have preferred to use the word "humane" in the motion rather than the word "rational", but this is only a quibble. The tenor of the remarks of the member for Flinders when moving the motion showed that this is what he had in mind, and that our penal institutions should be more humane than they are at present. I realize that there is an element of rationality and that we should obtain the best results from these institutions on an efficiency basis and should not be niggardly in providing money, but it seems to me that we should ensure that the money is spent in the best possible way.

It is important to realize that a rational system of penal institutions could mean many things: perhaps even the Nazis thought they were being rational in their approach to penology. I am sure that the mover of the motion,

the Government, and I believe that we should have a humane approach to the whole question. I assume that by "humane" we mean a penal system that should be directed towards rehabilitating offenders. This has been the tenor of the remarks of Opposition members, but this attitude seems to vary slightly from their opinions of what is sometimes known as the supreme punishment. In the thinking of Opposition members there has been room to justify that punishment on grounds other than the rehabilitation of the offender, when considering what we know as capital crimes. I have found some inconsistency in this approach. I shall not dwell on the question of capital crimes, but I make the point that, with a system of capital punishment, rehabilitation is not possible.

I hope that when the House discusses capital offences some of the humanity that has come from Opposition members on this motion will be reflected in their remarks on that issue. I have not had much to say about penology since I have been a member. I have raised two issues, in each case by question, and they have been in line with some of the things we are discussing now. My first issue is that I believe I may have had some slight influence in the amending of the present regulations concerning prisoners' haircuts. During the last session, on April 6, I asked the following question:

Will the Attorney-General ask the Chief Secretary to investigate the cutting and shaving that occurs whenever a person, whose hair is somewhat longer than that of the Minister of Education or whose beard is either more or less luxuriant than that of the member for Bragg, is placed in prison? Discussion on this topic has become current in the community as a result of two well publicized cases when men were recently imprisoned and had their hair cut and beards shaved. I understand that in previous days this practice was carried out because of the dangers of lice infestation, but I consider that this could easily be covered by some sort of inspection of men when they are placed in gaol. Apart from that, it seems to me that the practice is merely a relic of nineteenth century penology.

I was pleased to see a press release from the Chief Secretary dated August 26, 1971, which states that prisoners in South Australia shall no longer be required to have their hair cut or to shave daily, and that regulations providing for these changes have been approved by Executive Council and will come into effect immediately. Under these regulations prisoners will now be allowed to grow their hair long, provided that it is clean and hygienic, and they will be able to grow beards and moustaches. They will be required to have their hair cut if it is not hygienic, but a doctor's certificate to this effect will be necessary before the hair can be cut.

The Chief Secretary has stated that the old regulations are outmoded and do not take account of modern social customs or penal methods. I cannot agree with the claims of the member for Light on this issue. The extent to which we are hairy or otherwise is a passing phase of male fashion and, with the turn of the wheel, the time may come when man regards the sort of haircut that I am sporting at present as being in fashion. No doubt by then I will be wearing my hair as long as most men seem to be wearing their hair today.

Mr. Clark: Look at the portraits of the gentleman on the wall facing you.

Mr. HOPGOOD: One has only to look at the portrait of the gentleman immediately across the Chamber and one can realize that that honourable gentleman occupied the precincts of this Chamber prior to the innovations of King Gillette. I refer now to the matter concerning weekend gaol, on which subject I recently asked the Attorney-General the following question:

It was announced in the *Advertiser* on June 18 that the Government was considering a system of weekend gaol. Can the Attorney-General say whether the introduction of such a reform is imminent?

The Attorney replied to my question at length and I will not quote his reply, but the burden of his answer was that the problem here was simply one of finding suitable accommodation in connection with this type of penal reform. I hope that the committee announced by the Attorney will examine this matter. I think it would be remiss if someone in this debate did not say something about the tremendous rehabilitation work done by private organizations. I recently attended the annual public meeting of the Prisoners Aid Association and, as a result of my attending that meeting (my attendance was curtailed because of having to be back here for the business of the House), I have learnt much about the activities of this organization.

I believe that members should try to learn as much as they can about the activities of these organizations and, to that extent, they should make an effort to be associated with them. I do not think that this is the sort of thing that should be done for political advantage; we should regard it as part of our service to the community and also as part

of our general education. I recall recently in the House that the member for Fisher made much of the fact that no member of the Government had been present to hear a speech on Aboriginal affairs given by Dr. Colin Tatz. Somehow or other, he was able to draw the conclusion from this that the Government was rather weak on Aboriginal affairs, but that argument does not stand up either inside or outside this place. As I indicated at the time by way of interjection, I had intended to attend the lecture given by Dr. Tatz and had arranged with a colleague of mine at the university to attend, but then sickness prevented me from doing so. Like the member for Fisher, I could say that members opposite were rather weak on the business of penology, because none of them was at the annual meeting of the Prisoners Aid Association; but I would not do that because, after all, perhaps the member for Fisher took ill that evening and could not attend. There could be all sorts of reason for no Opposition members attending that meeting.

Mr. Mathwin: I didn't get an invitation.

Mr. HOPGOOD: I did not get one, either, but I was there. I hope the member for Glenelg will take the point that I have just made, namely, that nothing will degrade this institution in the eyes of the public more than for members on either side to be getting up and making debating points about who was at what meeting when. The most worthwhile innovation that the Prisoners Aid Association is carrying out at present is the establishment of a post-release hostel, concerning which I have a brochure headed "Will John Return to Prison?" and stating:

He may not, if he had a home to go to. Will you help to provide a post-release house for John and many like him who seek the help of the Prisoners Aid Association of South Australia?

It goes on to say that $20,000 is needed to provide this institution and that such institutions do valuable work in New Zealand, which always seems to be ahead of Australia in providing social welfare in general. The brochure goes into some detail, stating that accommodation will be provided in this house for six to eight men, and that it is expected that between 40 and 50 men a year will be accommodated. The house would be managed by a husband-and-wife team to be specially selected for this important task. Finally, there is a coupon that can be filled in to indicate donations. I hope that the Government will closely examine the possibilities of helping this association in connection with this project.

Indeed, I notice from the association's most recent annual statement that the Government already helps it considerably in the worthwhile task that it undertakes. For example, receipts totalled $48,074, of which the Government contributed $22,000 by way of grant, and the Commonwealth Government contributed an extra $4,000. Therefore, I do not think it can be said that the Government is niggardly in its approach to this organization, but I hope that it will be possible for the Government to give additional assistance in this area. In 1970-71, the organization carried out 3,443 office interviews, 2,758 prison interviews, and 813 home visits, totalling 7,014 interviews. One sees that 9,464 articles of clothing, 1,169 pairs of shoes, and 389 blankets were distributed. Employment was found for 125 persons, and 42 travel vouchers for country employment were provided. Further, 500 food vouchers (excluding Christmas cheer) were issued, as well as 207 parcels and 751 Christmas parcels; property was collected in 112 cases; and accommodation was provided for 177 people (302 nights).

I believe that members can see from what has been stated here that this organization greatly helps prisoners; in fact, its work often begins before a prisoner is found guilty and is incarcerated. I recently accompanied one of my constituents to the magistrates court (a lady who is alone in the world except for her children), and one of the officials of the association was there that morning. Had I not been present, only this officer of the association would have been there to give comfort to a person who was facing a grave personal crisis. I believe the prime motive of incarceration of the offender must be his or her rehabilitation. I hope that in any form of punishment for any crime whatsoever the old revenge motive is something that we have completely eliminated. This is something that has been used in the past to support corporal and capital punishment. It has also been used to support the sorts of penal provision that existed in the very early days of Australia when people were locked up in complete darkness for a fortnight in order to break their spirit, and were subjected to the use of the lash and other such means of punishment. All of these things can be justified if society is exacting revenge on the offender. I hope that, where it still survives, it is a relic of the

nineteenth century and of an age that encouraged people to go into the streets to watch pickpockets and others being hanged. These are the sorts of feature in our penal system which we should quickly eliminate.

I hope also that the whole concept of the deterrent is something that we might be moving away from, because I doubt whether these extreme forms of punishment were ever much of a deterrent. Regarding capital crimes, I believe that, in the crowds which gathered at Tyburn when pickpockets were being hanged, there were many pickpockets who there and then committed the same offence for which others were paying the supreme penalty in front of their very eyes. When the incentive for crime has been sufficiently great, there have always been many people who have never been particularly frightened by the deterrent aspect of punishment. At the same time, deterrence has been used just as much as revenge in order to justify the most barbaric forms of punishment, not only for murder, rape, and so on, but also for what we regard as relatively minor offences. For this reason, I also believe that this concept of punishment should be eliminated.

All we are left with, therefore, is the rehabilitation of the offender and the regeneration of his spirit as a human being. I believe there are many ways this rehabilitation can take place through our penal system. I have already indicated the work of one such private organization that is doing considerable work in the rehabilitation field. However, I believe that the Government must take its place alongside such private institutions in this field. We are doing much now, but we would be foolish if we thought we were doing enough. I support the motion.

Mr. CARNIE (Flinders): In closing the debate, I intend to be brief. In so doing, I thank those members on both sides who have spoken in support of the motion. I had no doubt when I moved the motion that it would have the support of the House. Members on both sides have made many suggestions of vital concern to us all. I was also gratified that the Attorney-General indicated his support for the motion. I am sure that, although not many members have spoken to the motion, it would have the wholehearted and unanimous support of all members. I moved my motion two weeks ago because, although the Premier had announced a similar move, I considered that too much delay was taking place in putting an election promise into effect. As the Attorney well knows, I raised this matter last September by way of question. I followed the matter up twice this year and each time I considered that I had not been given sufficient information on what progress had been made in respect of this important matter.

To me, no real reason has ever been given why a committee of inquiry has not been formed. We have been told that the Government wanted a certain man on the committee, but that for various reasons he became unavailable. The motion is worded so that it relates to prisons and penal institutions of various kinds. However, I say, as I said when moving the motion two weeks ago, that the inquiry should go somewhat beyond that. When speaking to the motion, the Attorney-General said:

> The Government intends to establish a committee that will deal not only with the matters referred to in the motion but also with a general revision of the criminal law and of our penal and reformative methods and procedures.

Although I agree with that up to a point and have no real objection to it, I think this could widen the inquiry a little too much, because any investigation into criminal law reform should be the subject of an entirely separate investigation. The aim of the motion is the correction of the criminal by turning prisons into corrective institutions. In addition, the sentencing of people before the court must be considered. To this extent, I agree with the Attorney on this matter. However, I hope that he does not plan to widen the inquiry to such an extent that it could become bogged down with too much detail for investigation. I have said before (and other members have also said) that probation is now being used much more widely as a means of sentencing people coming before our courts. I have also said that the success rate of such a practice has not been very high, and the reason for this lack of success must also be investigated.

I think all members will appreciate that there are some people in the community for whom prison is the only answer; but there is a growing awareness that it is not always the complete answer. If a prison is needed, it must be different from the type of institution we have today. As I said when moving the motion, I consider that the Prisons Department comprises a very able body of people. The Attorney dealt with this matter in more detail than I did, and I agree wholeheartedly with what he said. Although the Prisons Department is doing the best job it can, it is operating within the limits of an outmoded system. For example, our main penal institution is Yatala,

which was built in 1851 in such a way as to express the punitive philosophy of that day, a philosophy that the only way to treat criminals was to shut them away from society in a way which today would be regarded as completely inhumane. Any money spent on Yatala or on other similar institutions would be completely wasted: money for this purpose should be spent on new medium-security prisons.

Some prisoners need maximum security, perhaps in a place such as Yatala, although I hope in institutions more modern and better equipped than Yatala. I understand that only about 2 per cent of prisoners need this type of maximum-security detention, so most of the funds available for prisons should be spent on the newer concept of prisons, namely, medium-security prisons. Today, developments in the treatment of adult offenders are occurring throughout the world which render many of our current physical features completely obsolete, because these changes lead to a lesser use of prisons. The main change taking place is taking the form of a greater use of alternatives to prison. Certainly we are beginning to use a different type of prison. As I said before, I prefer to use the term "corrective institution" rather than "prison". The prison farm at Cadell and the prison at Port Lincoln are two examples of the more modern type of penal institution.

What is needed is a complete study of the entire adult correctional system, both institutional and non-institutional, and I hope the committee will be empowered to consider this in the broadest aspect. I hope that, when the committee is formed, as the Attorney-General has assured us that it will be, no economies will be attempted, because the whole future of our correctional effort will be determined by this investigation; the members of the committee must not be hamstrung too greatly. We must have a broad study in depth. I have referred before to various alternatives to prisons as we know them. In this connection, I have referred to part-time and weekend imprisonment. In my earlier speech I referred to Sweden, which is in the forefront of countries that are carrying out prison reform. In one experiment being carried out in Sweden home leave is granted. I have a document which states:

> In Sweden, home leaves have become a valuable part of treatment. Every day dozens of men go out through a prison gate or leave an open institution in civilian dress, with money in their pockets and with a return railway ticket. Although this system is applied with considerable care, there are of course failures; it is difficult to stand up to the pressure of a semi-liberty. The rate of success, however, is fairly high. Roughly 90 per cent get back in time. Among those who fail a majority has had too much to drink and are soon brought back by police. Only a few take home leave as an opportunity to commit new crimes.

From that, it seems that, if a prisoner is put on his honour, in most cases that honour is not abused.

The Hon. D. N. Brookman: You wouldn't do this with dangerous prisoners.

Mr. CARNIE: No, this system is applied with considerable care to selected prisoners, the success rate with such prisoners being 90 per cent. I repeat that there must be no more delay in setting up this committee. For reasons that have not been made terribly clear, we have now had 15 months' delay. In his speech last week, the Attorney-Genera] said:

> It is with that in mind that the Government is intent on establishing the committee that has been mentioned. We hope that, as a result of its investigations, the committee will be able to make recommendations that will give a new direction towards corrective and reformative methods in this State . . . However, I assure the honourable member that at present I am busily engaged in getting the committee established, and I believe I shall be able to make an announcement regarding its composition and commencement of work reasonably soon.

I hope that the announcement is made reasonably soon. Since last September, the Attorney-General has been saying that the committee would soon be appointed. Let us approve this motion without further delay. Let the Government appoint this committee and give it broad terms of reference, so that a blueprint for the conduct of penal institutions can be laid down for many years to come, and so that all Government expenditure in this field will be able to follow that blueprint. I commend the motion to the House.

Motion carried.

SPECIAL EDUCATION

Adjourned debate on the motion of Mr. Goldsworthy:

(For wording of motion, see page 889.)

(Continued from August 18. Page 893.)

The Hon. HUGH HUDSON (Minister of Education): Although I do not want to reflect in any way on the intention of the member for Kavel in moving this motion, as I am confident his aim was entirely worthy and worth while, I believe I must oppose the motion for several reasons. First, as the number of these voluntary organizations is getting large indeed, the

question of getting a workable committee from representatives of them is likely to become more and more difficult. One has only to look at the development in the crippled children area of the Muscular Dystrophy Association of South Australia Incorporated, the Spina Bifida Association of South Australia and so on to appreciate the way in which this whole area of voluntary organization is fragmenting. Secondly, with regard to basic advice, the Minister of Education of the day must rely on professional advice available to him in any area. In certain respects, he may disagree with the professional advice, or he may not fully accept it, but nevertheless that advice must be the basic advice that influences the way in which decisions are made.

The composition of voluntary organizations is not always oriented towards the professional side; these organizations are not necessarily equipped to provide the amount of professional advice that may be required by the Minister. There is already professional representation from the department on some of these voluntary organizations. The Chief Psychologist of the Education Department and Mrs. Johnson, who is a lecturer at the Western Teachers College, are two of the main advisers of the Autistic Children's Association of South Australia Incorporated, and that fact has affected the relationship of that association and the department in the way in which the department has sought to assist the carrying out of certain experimental work by the association.

I also make the point (and I think this point needs to be made carefully and that it has some validity) that many parents of handicapped children exhibit considerable anxiety with regard to the future of their children. That is completely natural and understandable. However, this affects fundamentally the kind of approach that they tend to make to the special problems of their children. The state of anxiety can reach the stage where the parents believe that their children are not suffering from the difficulty or handicap that a professional would diagnose, and we have noticed, in relation to campaigns conducted by the Specific Learning Difficulties of South Australia Incorporated (known as Speld), that it is a comfort to some parents to believe that their child is suffering not from a general mental retardation, for example, but from some kind of specific learning difficulty which, if it could be attended to, would enable the child to lead a normal educational life.

The fact that some parents have this kind of attitude is quite understandable. I should think that any person associated day in and day out with children who had problems of this kind would have an extremely difficult life. I do not think it should be left unsaid that, in the vast majority of cases, the parents of such handicapped children, whatever the handicap, are willing to spend time and money to the limit of their resources in caring for their children. I have known of numerous cases where this characteristic is the outstanding one.

Of course, this fact does not relieve their anxiety about the future of their child, but I respectfully suggest to the member for Kavel that, while such a person is more than a valuable member of the community, he may not necessarily be well placed to give the appropriate kind of advice.

Mr. Goldsworthy: They wouldn't be in these organizations, would they?

The Hon. HUGH HUDSON: They are in education, yes.

Mr. Goldsworthy: Are you saying they are in the wrong organization?

The Hon. HUGH HUDSON: No, I am not saying that. They are in organizations like Speld, the Mentally Retarded Childrens Society of S.A. Inc., the Crippled Childrens Association of S.A. Inc., the Spina Bifida Association of South Australia, and the Muscular Dystrophy Association of South Australia Incorporated, but I am not saying that they are all parents who want to believe that their child has something different from what it has. I am just saying that they are anxious persons and that it is understandable that they should have such anxiety, but I believe that such anxiety would put them in a position where they were not well placed to give the appropriate advice.

I consider that we must encourage the development of the role of the professional, both within the department and within the voluntary organizations, and the professional development in this area and the professional knowledge that can be built up over a period of time constitute the critical process that we must be considering. If we, as a community, are to expand our knowledge on some of these difficult areas of mental and physical handicap, we must look to the development of professionalism in each of the Government or voluntary organizations concerned with a certain area of handicap.

This is not to say that the department is not interested in establishing more formal relationships with these voluntary organizations. For example, we have had established for some period of time the Advisory Panel for Deaf

and Hard-of-Hearing Children, which is a joint departmental and outside organization that makes recommendations on a series of matters relating to the special area with which those bodies are concerned. For example, on the placement of children, they consider whether a child should go to the South Australian School for Deaf and Blind Children at Townsend House or whether he should go into one of the speech and hearing centres of the Education Department. Again, they consider the placing of children with respect to the Oral School.

That committee does exist and, as a result of the relationships that have developed between the Education Department and Speld, I wrote to the Speld organization on August 3 this year, suggesting the establishment of a joint Education Department and Speld committee to consider the ways in which Speld could most effectively assist the working of the Education Department in relation to children in this area. The suggestion is that there should be a committee comprising nine members, four being from Speld, four from the Education Department, with Mr. Manser, of the Division of Teacher Education and Services, as Chairman.

On August 3, I wrote to the honorary Executive Secretary of Speld, suggesting the establishment of this committee as a sort of committee to examine the area where children have specific learning difficulties and to consider ways and means by which the Speld organization could most effectively assist the Education Department. On August 16, I received a reply from Mrs. Dibden, the honorary Executive Secretary of Speld, telling me that that organization had accepted my invitation and notifying me of the Speld representatives on the committee. I am not sure whether the committee has met yet, but I mention this matter as an example of our willingness to involve departmental officers with outside organizations.

I think it is fair enough to say that persons like the Chief Psychologist (Mr. Lasscock) or Mrs. Sharman are actively involved in several outside organizations and, again, the Superintendent of Primary Education (Mr. Wood), who is a member of the Advisory Panel for Deaf and Hard-of-Hearing Children, is actively involved in the voluntary organizations that are working in this area. In opposing the motion, I do not want to be taken as saying that the department is not interested in developing relations between departmental officers and the activities of voluntary organizations.

This is simply not the case, but we are finding that the area of handicaps is much more complicated than had been dreamt of in the past. We are also finding that, with changes in medical science, we are getting the development of more and more voluntary organizations dealing with specific areas of difficulty. I cannot speak with complete accuracy on this, but I think the Speld organization is only of recent origin, as is the Autistic Childrens Association of S.A. Inc.

Dr. Tonkin: In South Australia.

The Hon. HUGH HUDSON: Yes, in South Australia. That also applies to the Spina Bifida Association and the Muscular Dystrophy Association. Doubtless, the member for Bragg could develop the point that the number of children who will come into the category of spinal dystrophy cases and muscular dystrophy cases in future years is likely to increase considerably. I also make the point that, while we can talk about the general area of education of the handicapped, the issues involved cover a fairly wide range of specialization. The approach that one makes to the education of a partially or profoundly deaf child as against the education of a blind child or a partially sighted child as against the problem of providing educational opportunity for those children who are mentally retarded or who suffer from some physical handicap or, again, for what seems to be becoming more and more of a problem these days—children who suffer from multiple handicaps—is becoming more and more specialized all the time. It is an open question at this stage whether over the whole field one can lay down general policy rules applicable to each field.

I think one or two general points can be made but certainly there is ground for arguing that the kind of development we should be looking to is a further development of associations between the department and outside organizations of the kind we already have, like the Speld and Education Department committee, which is in the process of being established.

Mr. Goldsworthy: You would need a lot of committees.

The Hon. HUGH HUDSON: Yes, but in each case we are dealing with specialist problems, and the problem in relation to Speld at present is defining what the problems are, or what the precise area is that we are concerned with, in order to allocate such children to the really appropriate class of procedure. There are one or two other matters I wish to deal

with in this area, because it seems to me there is a tendency to over-emphasize the role of the voluntary organization. Without detracting from the work of people in these voluntary organizations, I must refer to the Commonwealth Government legislation in this area—an Act passed last year by the Commonwealth Government called the Handicapped Children (Assistance) Act, 1970. Section 4 of that Act provides that an "eligible organization" means an organization other than an organization conducted or controlled by ... or by persons appointed by the Government of the Commonwealth or of a State.

So, an eligible organization has to be one outside the control of the State Government. As the member for Kavel made clear, South Australia is one of the three States where the Education Department has become actively involved in providing for the education of handicapped children. As I pointed out in another debate last week, over 90 per cent of handicapped children for whom special provision is made in South Australia are in schools financed by the Education Department; and this percentage is likely to rise. We propose to amend the Education Act—

Mr. Goldsworthy: Is it 90 per cent?

The Hon. HUGH HUDSON: Yes, over 90 per cent. I think the only two schools that are not under our direct financial control are Sunneden School and the South Australian Oral School. If honourable members check, I think they will find that the Education Department in those two cases meets almost 90 per cent, or at least somewhere between 80 per cent and 90 per cent, of the running costs of the schools conducted by those organizations. Therefore, effectively, we are responsible financially for the running costs of virtually all the schools that deal with handicapped children in South Australia.

This Commonwealth Act passed last year provides capital subsidy for the construction of new buildings, and so on, for the teaching of the handicapped, but only voluntary organizations qualify for support. The consequence of this is that in South Australia, Tasmania, and Western Australia, where the Education Departments have been most active in making provision in this field, fewer children will qualify for Commonwealth support than in the other States. This Act is directly discriminatory and is unsound so far as basic educational principles in this field are concerned.

Mr. Goldsworthy: Is it the same thinking as applies in relation to aid to independent schools?

The Hon. HUGH HUDSON: Yes, but in this area it is not well based on educational principles. I think, as the member for Kavel made clear in his opening remarks, it is more and more the case that handicapped children should be educated in the normal school environment, if possible. Of course, voluntary organizations, when establishing schools in the past, have established them as special schools outside the normal school environment altogether. So that, from an educational point of view, Commonwealth assistance, as it encourages the provision of schools concerned with children with a special handicap and does not encourage special education within the normal schools, is in direct conflict with the educational principle I have just stated and with the educational principle that I think the member for Kavel would support.

I do not want to be taken as saying that all education of handicapped children should take place in the normal school environment. The argument has to be stated in the form of "where possible" it should be undertaken in the normal school environment. It can best be illustrated, perhaps, in relation to the children who suffer some form of hearing loss. If one can make a distinction between those children who suffer from a partial hearing loss and those who suffer from a profound hearing loss, clearly for the former children one would aim, if it could be done, to integrate them into the normal school environment as a first step towards integrating them into the normal social environment. Clearly, too, we must move away in this sort of case from isolating those children into a special class of their own. This may even be true for some children who suffer a profound hearing loss but who are capable of being integrated into the normal environment because they are capable of learning how to lip-read and to take part in normal social activities.

For this reason, the Education Department has pioneered the development of speech and hearing centres in both primary and secondary schools in South Australia, located in normal Education Department schools. While there has been some controversy over these developments, it is clear that they have been a great success, even more successful than many people expected them to be. The experiment has been fully justified, and obviously as a result of the success of the speech and hearing centres such experiments will be further extended. In relation to children who are partially sighted, or even in some cases children who are completely blind, I believe that the possibility of educating

such children in the normal school environment must be fully investigated. If a partially sighted person can be integrated into a normal school environment, the first step has been taken for the integration of that person into the normal social environment. The same applies in relation to any handicap, even to mental retardation.

The more one avoids the need for special schools dealing with mentally retarded children only, the better. The more one can cope in the normal school environment with children in this category the more satisfactory the solution is likely to be for the ultimate health and welfare of the child. However, we have to recognize that this is not always possible: for example, in relation to children who suffer from physical handicaps it is often necessary to have specialist services available throughout the school day. The community can effectively provide these services only if the children are located together in a special school. The same thing applies to children who suffer severe mental retardation.

This means that developments in education for the handicapped are likely to continue along two roads: first, the development of the means of coping with handicapped children, whatever the handicap may be, within the normal school environment; and, secondly, the development to special schools. Even with special schools the Education Department is heavily involved. We staff completely the Minda school, which has 350 children; we staff and fully pay for the running cost of the South Australian School for Deaf and Blind Children at Townsend House; several special schools have been established by the department; and we are building new special schools in this category.

Mr. Goldsworthy: That reflects great credit on the former Administration.

The Hon. HUGH HUDSON: It reflects great credit on the previous Government and on the present Government, which is continuing this policy. However, in certain aspects criticism must be made of the record: for example, as the honourable member would know I think South Australia is worse off than any other State in providing guidance officers. Presumably, if one follows the line of thought of the member for Kavel, this would reflect great criticism on previous Liberal and Country League Administrations. One cannot have it both ways, but I think in a discussion on this question, when one is dealing with a matter of such importance, it is better that Party politics be omitted and that the argument be conducted on the basis of what needs to be done, what the priorities are, and what the deficiencies are within the existing set-up.

The general point I wish to make is that the Commonwealth Government's Handicapped Children (Assistance) Act is, I believe, a backward step, in that it excludes Education Department schools from capital assistance and that, particularly in Queensland, Victoria and New South Wales, it discourages the departments in those States from becoming effectively involved in the responsibility for educating handicapped children and, therefore, must discourage in those States the integration of the education of handicapped children as far as possible within the normal school environment. I refer to a letter that was written to the Commonwealth Minister for Social Services by Mr. Gordon Geeves (President of the Australian Council for the Mentally Retarded) on April 6, 1970. Mr. Geeves referred specifically to the Handicapped Children (Assistance) Act, 1970, and stated:

The Commonwealth Government has heretofore declined to grant assistance in this direction on the grounds that education is the responsibility of the State Governments. The various State Governments have afforded assistance in a variety of forms. In South Australia, Western Australia and Tasmania the Education Departments have accepted the responsibility to provide free education for all children. The other States have provided financial assistance to enable parents and health departments to co-operate in providing "training centres" and more recently, to enable parents to provide schools staffed by Education Department teachers. This assistance is better than nothing at all, but falls far short of the standard set by the first-named States, which provide properly established schools staffed by departmentally trained teachers for all children, handicapped or not.

In these circumstances, exclusion of the State Education Departments from the benefits envisaged by the Act would have the result (1) that those States which have left to voluntary organizations the bulk of the responsibility to provide training facilities for their handicapped children are now to be relieved of a very substantial proportion of their existing contribution, and (2) those States which have accepted full responsibility to provide appropriate professional educational facilities are specifically excluded from the Commonwealth assistance available under the provisions of this Bill. Even more serious is the fact that the provision of Commonwealth money on the basis envisaged (that is, to voluntary organizations and excluding State Education Departments) may possibly lead to the abandonment of State schools for the disabled in those States presently providing them. It will certainly

mean the end of any possibility of a unified nation-wide system of free education for the handicapped.

I think the principle stated in this letter is completely valid, and I hope the Commonwealth Government will heed these representations. The administration of the Act so far has been quite strict; for example, the $2 for $1 subsidy is paid only to a private organization on money that that organization raises itself. If the State Government provides money to a private organization for a building, that money does not qualify for the $2 for $1 subsidy. We had this example in South Australia last year concerning the Oral School, at which a building has just been completed. If the State Education Department had continued with the proposal that it had accepted to help with the cost of the new building for this school, the money we had provided could not have been used to attract the Commonwealth subsidy. Only the funds raised by the voluntary organization could attract the Commonwealth subsidy.

Mr. Goldsworthy: Would you like to see the Act repealed?

The Hon. HUGH HUDSON: No, but I should like to see it extended, and I should like to see (as I think should be clear from the tenor of my remarks) a situation developed in which the emphasis was placed more on the aspect of integrating the handicapped child into the normal school environment, where that could be done. One of the big problems we are confronted with in this area is the lack of qualified personnel, be they guidance officers, teachers of the handicapped, or speech therapists. Whatever the special skill we are considering, there is no training institution for teachers of handicapped children in Australia, except for one institution in Melbourne and one in Sydney dealing with the training of teachers of deaf children. Teachers can get qualifications in other special skills only in other countries. We have started special courses in our teachers colleges in South Australia; this year at Western Teachers College we are starting an advanced diploma course for teachers of the handicapped but, of course, that can go only a limited way. It does not provide for the kind of specialist needed throughout this field.

At the last conference of Ministers of Education in Brisbane I proposed to the Australian Education Council that the States and the Commonwealth should combine to provide a national training college for teachers of the handicapped. When we consider all the different specialties needed in this area, it is clear that the smaller States particularly cannot establish a training college on a sufficiently large scale to justify it. It is clear, however, that, if all the States got together, with Commonwealth assistance it would be possible to establish in Australia effective teacher-training establishments appropriate for this area. I do not believe that it would be necessary to establish a college dealing with the full training from start to finish of the teacher of the handicapped. One could approach this matter largely through a college concerned with advanced diplomas in various specialties, taking the recruits from the teacher trainees in the various States who had already completed their basic teaching diploma.

This matter was referred by the Australian Education Council to the Directors-General of Education to see whether they could agree on a suitable proposal to put to a future council meeting. I hope that something will come out of the proposal, because it is patently clear that, in order to provide the kinds of facility necessary within our ordinary schools, we must have many more specially qualified teachers than we have at present. This is one of the areas of greatest priority, but it is also one of the areas of greatest difficulty. If we established crash training courses in this State to cope with the problem of children with dyslexia or some other specific learning difficulty and took out many teachers from the schools and put them into these courses, there would be an adverse effect on teaching in the schools, because of the reduced number of teachers.

In the area of specific learning difficulties, it is clear that much of our future work will be related to the normal class teacher noticing problems at an early stage within the normal classroom situation. He will recognize problems and then call in specialist help to take the child for, say, an hour a day out of the classroom into a special situation. However, for the rest of the day the child will be in the normal classroom situation. To get that sort of scheme going effectively involves a further reduction in class sizes.

It is not possible for many teachers operating with classes of 40 children or more to notice this type of difficulty at an early enough stage, because the teacher in that situation is unable to give enough individual attention to the children under his care. There is a very great difference in the amount of individual attention that can be given to a child when

the class size is reduced from 40 to between 27 and 30. Anyone with experience of the problems of teaching children will appreciate that. If we are to get our ordinary teachers to notice children with specific difficulties we must get smaller classes and we must train more specialists, so that, when a teacher comes across a child with a specific difficulty, immediate reference to the appropriate specialist can be made and the specialist services can be readily available for use in the school.

We need basically to be able to have guidance officers available to the schools on a regional basis, ultimately with one guidance officer available for every group of children numbering about 1,000 or more. So, if a couple of primary schools each have 500 children they may have the services of a guidance officer. That might be idealistic, because it would imply that we had more than 200 guidance officers available throughout the State, whereas at present we have only 25 such officers.

I have made these points to make it clear to members just how far we have to go in training teachers for appropriate specialties and in getting the general run of class sizes down to appropriate levels. The investment involved in that kind of development is huge, and it cannot be produced overnight. I realize that I have strayed from the motion, but I thought that the attention the member for Kavel had paid to the problem deserved a full and detailed reply covering some of the main problems experienced in this area.

I repeat that, while it may be appropriate at some future date to establish the kind of committee that the honourable member is seeking to establish, it is clear that at present we are not properly placed to provide an overall advisory committee to cover all the areas of special handicap. However, I assure the honourable member and other members that the professional officers of the Education Department are very concerned to develop facilities in this area, to continue the responsible attitude that has been taken over a number of years in South Australia (despite the discriminatory characteristics of the Commonwealth Handicapped Children (Assistance) Act), and to see to it that there is effective liaison between the various voluntary organizations in the area and professional officers and teachers in the department.

I think the member for Kavel would be aware of the role that has started to develop for the Special Class Teachers Association, which is now holding annual conferences and other meetings and which is developing within the Education Department itself a professionalism of its own. If any advisory committee were established, that association would have just as much right to representation as would any of the other outside voluntary organizations. So, while I am sympathetic to the motives of the honourable member and agree that he has displayed a genuine concern about the problems being experienced in this area, I regret that at this stage I must oppose the motion.

Dr. TONKIN (Bragg): I support the motion and congratulate the member for Kavel on moving it. Indeed, I congratulate the Minister on the excellent speech he has just made. I think we would all agree that he has gone into the matter in much depth, and he has explained the difficulties that face various people and bodies regarding the education of handicapped children. The only time that the Minister has gone off the rails, so far as I can see, is at the beginning and at the end of his rather long speech. Every point that he made was in support of establishing a committee; there was not a thing that he said that did not point to the urgent need for establishing a committee such as that suggested by the member for Kavel. I notice that the Minister has not reflected on the intentions of the honourable member, and I am not surprised. The Minister says that the aims are worth while, and I thoroughly agree. He obviously agrees with this all the way through, except that he just says at the beginning and at the end of his speech, "I oppose the motion."

The Hon. Hugh Hudson: I said more than that.

Dr. TONKIN: I am disappointed in the Minister. I made one or two notes of what he said. First, he said that he opposed the suggestion, because there are now many voluntary organizations.

Mr. Goldsworthy: I referred to nine.

Dr. TONKIN: I understand there may well be more. Surely this is even more argument why a committee should be established. The Minister said that perhaps a workable committee could not be formed because it might be too fragmented. I believe that this demonstrates a real need for such a committee. Secondly, the Minister said that a Minister must always rely on the professional advice available from any area, whether voluntary or departmental; and he said that he might not agree with or accept all the professional

advice he was given but that this advice was necessary to help him make up his mind. He said that the composition of voluntary organizations was not always professionally oriented. Then, in slight contradiction, he said that many of these bodies have professional representation from the Education Department. It seems to me that, on this one point alone, the Minister is specifically supporting the introduction of a committee. What else would be better?

If the Minister agrees that there must be more liaison between voluntary organizations and the department and that such liaison exists on a limited scale already, why not advance this situation and have a committee embracing all these people, so as to build up even more liaison? If it can happen with the autistic children, as the Minister has suggested, why not with others? Why not have one all-embracing committee? Thirdly, the Minister pointed out, very rightly, that the parents of handicapped children become somewhat emotional and anxious about their children, and this is understandable; it happens frequently. I think that none of us is particularly anxious to accept unpalatable facts. The Minister referred to the extreme anxiety and, therefore, the sometimes unreasonable responses and actions of parents, and I agree here. One often sees this attitude in the parents of handicapped children, parents who cannot accept the diagnosis and who cannot always bring themselves to hold the objective attitude and outlook that is so necessary for the adequate treatment of these young people.

But, once again, although I agree with the Minister that such parents may expect more than it is possible for the Education Department to give, this committee could surely provide a basis for two-way communication. Admittedly, it is suggested that the committee is to advise the Minister, but it would be a wonderful forum wherein officers of the department could explain their difficulties to the representatives of the voluntary organizations concerned. If there were not this two-way communication, it would be a poor committee. I believe that the Minister has advanced yet another pertinent point in favour of appointing this committee. I think his statement that a critical point in developing the education of handicapped children will come with the encouragement of professionals, both in the Education Department and in voluntary organizations, supports the need for close liaison. The Minister concluded by saying that the department was interested in establishing more formal relationships with some organizations. I hope he is interested in maintaining good relations with all voluntary organizations without being selective in any way.

The Minister cited the advisory panel associated with deaf and hard-of-hearing children and said that its recommendations frequently resulted in the correct placement of children; this highlights the point that becomes so important in the education of handicapped children, namely, the fact that every handicapped child is an individual, and his requirements are individual. I was pleased indeed to hear that the Minister has suggested setting up a committee combining representatives of Speld and representatives of the Education Department. This is exactly the sort of thing we want, but why not take it a little further?

The Hon. Hugh Hudson: It is not an advisory committee strictly concerned with determining general policy, which is what the motion is all about.

Dr. TONKIN: I think the Minister is hedging a little but, nevertheless, I am pleased to hear that Speld is at last getting a go, as are other organizations. Why should we not have one all-embracing committee whereby each organization can learn to understand the problems of the other organizations? This matter is so vital; many of the voluntary organizations are understandably wrapped up in their own problems and do not realize the difficulties that the Minister has outlined or the problems that face other similar organizations. I believe that the whole matter comes down to one of communication and that the communication between these bodies and the Education Department can best be served by the establishment of an advisory committee. Although the Minister has demonstrated a tremendous (almost impressive) grasp of the subject, I think he would be the last to say that he knew everything about all the problems and all the voluntary organizations in the field. I am sure that the Minister does not come into the arrogant category of the person who says that he knows it all and who refuses advice when it is offered by experts.

I have touched on the liaison provided by officers of the Psychology Branch of the Education Department who are already active in voluntary organizations. The fact that they are co-operating in such a way favours the establishment of a committee. The Minister pointed out, correctly, that this whole subject of the education of handicapped children is becoming

more complicated, and many facets are coming to light. The Karmel report estimates that about 10 per cent of the school-going population has some sort of mental or physical handicap. That is a fairly optimistic assessment, as other sources in medical spheres put the figure as high as 25 per cent. Of course, there are both physical and mental defects, and some people suffer from both.

The Minister said that a proportion of people suffer from multiple defects; I believe that the figure is extremely high. I think most honourable members are aware of the physical defects from which one can suffer. The muscular and skeletal defects are usually handled by the Crippled Children's Association and other bodies, and there are also hearing and visual defects. Honourable members appreciate the tremendous work done by the Oral School and Townsend House in this respect. These defects are relatively easy to deal with, as society knows about them and is able to define them. This does not mean that, because a child suffers from one of these disabilities, his education has to be affected.

Frequently, these defects are associated with mental retardation. About 70 per cent of the permanently disabled section of the population is mentally retarded, and this raises the question of what is mental retardation. This is a descriptive term to cover children with a deficiency in any area of total aptitude. The comparative figures reported are interesting. About 3,000 out of each 100,000 persons, or about 3 per cent of the population, are mentally retarded, whereas 200 people out of 100,000 people, or .2 per cent, suffer from blindness. This is compared with the figure of .7 per cent of the population suffering from rheumatic heart disease. Mental retardation has a fairly high incidence in our population. In this respect, I refer to a book on mental retardation published by Holt, Rinehart and Winston, and edited by Jerome H. Rothstein, part of which is as follows:

Mental retardation is impervious to economic status, race, colour, or religion. Simply stated, three to four children out of every 100 born are destined to be mentally retarded. It might be optimistically forecast that current studies on the prevention of mental retardation may ultimately change this picture. In summary, it must be reiterated that mental retardation is an unbelievably complex social and economic problem, the ramifications of which even the best trained professional worker cannot fully comprehend. The concept of mental retardation includes such a varying combination of factors and such a lack of uniformity in definition, terminology, classification, treatment and training that its challenge may be considered of equal importance with any known to man.

The term "mental deficiency" has been used in the past together with other less palatable terms which, fortunately, have now disappeared from the medical categories and the Acts that were passed many years ago in this House. The whole subject devolves around the degree of mental retardation. At the head of the scale is physical disability; then there are childhood psychotic defects, for example, childhood schizophrenia, and autism; then mental retardation and, lastly, pseudo-mental retardation. All members agree that mentally retarded children are entitled to receive the kind of education and training that will enable them to contribute to society and to their own future needs. This must be done in accordance with their capabilities, of course.

I agree with the Minister that these children must be trained (and that is the operative word) as much as possible in a normal environment; in other words, in a normal school, if that is possible. If special services are necessary, some sort of compromise must be reached, and those special services should be available within a normal school.

The problem of assessment and diagnosis, although a difficult one, is completely vital and fundamental in deciding whether or not a child can be helped and in what way he can be helped best. Schizophrenia, which is similar to but not exactly the same thing as autism, is a psychiatric condition, as is the latter. Autism occurs in three or four out of 10,000 children. Its diagnostic feature is the one that has given it its name: aloneness. Its onset occurs in early infancy, as an abnormal desire to be alone and not to react to other children or to outside stimuli. Therefore, a child's development is retarded as he has no desire to communicate with other people. The child becomes aloof and frequently sits for long periods staring into space. There is little difference in the facial expression because the child does not want to communicate and does not need to convey any emotions. Frequently, in the early stages, the autistic child is thought to be deaf because he does not respond to sound or show sympathy. He insists on the same routine day after day, and the only time he shows any form of resistance or emotional disturbance is when his normal everyday routine is upset.

Autism is not definitely related to the intelligence quotient level, although there seems to be a definite indication that these children function at a lower mental level than do normal children. The training of autistic children is complicated, involving as it does play therapy and group activity, together with a continuing assessment of the potential capacity of the child. Above all, it must break down a barrier that exists in the formation of an emotional attachment to someone; in other words, an individual must train another individual and, to get the best out of treatment, the child must learn to develop an emotional attachment to the person training him. This highlights the statements made by the Minister and the member for Kavel: that this is virtually a matter of individual teaching. Although much patience is needed and it may take many years to train a child, this work is indeed rewarding.

As well as assessment and treatment, the parents have a tremendously important part to play, and it is important that this need for emotional attachment is brought to their attention also. They can continue on with the child's education when he finally leaves school.

I turn now to mental retardation, which concerns by far the largest group of people. There are various degrees of mental retardation. There are well over 100 causes of mental retardation listed, and it is difficult indeed to pinpoint the cause in many cases. These causes can be classified into pre-natal (before birth), natal, para-natal (about the time of birth), and post-natal. About 40 per cent of the cases we know about can be classified in the pre-natal group, and these are the hereditary, familial causes or genetic causes, errors in metabolism (we have all heard recently of the P.K.I. clinic at the Adelaide Children's Hospital), endocrine disorder, especially those of the thyroid gland, and mongolism which, surprisingly, is something we know little about. With regard to pre-natal infections, I think honourable members will be aware of the effects that German measles (rubella) can have in the first three months of pregnancy when it can cause congenital cataracts, hearing loss, and mental retardation. To a lesser extent, congenital syphilis and the disease toxoplasmosis, which is not as uncommon to doctors as it might have appeared to be until recently, may also cause defects.

In the natal cases, about 10 per cent of mental retardation is caused by cerebral injury, as a result of the birth process. In some cases at the neo-natal stage there may be asphyxia, and it may be a problem when the baby is born to get it to breathe. Speaking from personal experience, I can say that this is always a tense moment. There is a horrible feeling of uncertainty until the baby takes its first breath. Sometimes permanent brain damage can be done because breathing is delayed. Then there are the cases of cerebral palsy and convulsive disorders. This is in the post-natal stage. Meningitis and encephalitis occur in the post-natal period, as does cerebral trauma. In the last Parliament, this House passed legislation relating to the battered baby syndrome. This is where wilful damage and injury is done to children, and in fact it accounts for a definite proportion of mental retardation. The assessment of the degree of mental retardation is of vital importance because on this will depend the disposal and placement of the child.

I may add that the Psychology Branch of the department has a heavy responsibility to these children. It performs a tremendously good job, but it needs more help and more back-up medical and social facilities. The diagnosis now involves many people, not only psychologists but also psychiatrists, paediatricians and social workers. The brain-injured child needs a tremendous amount of humane support. It develops severe anxieties as a rule and becomes hyperactive. Frequently there is destructive behaviour mainly as a result of the child's frustration in trying to learn new things. It is frustrated because it cannot learn. As a normal child grows up, it learns from trial and error; it tries to do something, fails the first time, partially accomplishes it the second time, and has learnt it by the third time. The brain-damaged child cannot do this, as he does not have the brain pathways. When he tries to tie up his shoelace he may never learn to do this. As a result, he becomes frustrated and vents his frustration in destructive activities. I think I have already said that parents of children must be informed and helped to take part in the education and training of their children. Indeed, they need support generally as much as the child needs it. I believe that the points made by the Minister of Education highlight this. Parents have a very necessary part to play in the education of mentally retarded children. In my opinion, if not in the opinion of the Minister, it is good to see so many organizations being formed to help parents to take an interest in the problems of their children.

I will now deal with pseudo mental retardation. I refer to a child with severe academic deficiencies, usually in reading but sometimes in arithmetic or in numbers. However, such children have an intelligence quotient well above that of the truly mentally retarded child. This is related again to the pattern-making attempts of the child following the physiological integration of pathways. In other words, he tries to learn and cannot do it. In this case it is usually reading that is at fault. First, the interpretation of the images that go to his eye and are then transmitted to his brain are faulty because his brain is unable to translate. There are many names for this: dyslexia is one and cross-laterality is another. All members know that what we see on the right-hand side we interpret on the left-hand side of the brain. In fact, the images are crossed. In the past, this has led to severe speech difficulties in young children, because a child who is naturally left-handed and who has been made to write with the right hand has often developed speech difficulties and impediments. This is to do with cross-laterality. Someone who has a right eye as the master eye and who is right handed performs normally. However, the brain of a person who has his left eye as the master eye but who is right handed must go through a complicated procedure of transferring the muscle co-ordination from being based on one eye across to the other.

I am sorry if honourable members find it difficult to follow what I am saying, but this is important, as so many young people have these difficulties in learning. I presume that all members write from left to right. Therefore, it may be hard for them to believe that some children write from right to left and see this as the perfectly normal way of writing. The newsletter of Speld makes the point, as this is called Swen, which is "news" written backwards. These children write "d" instead of "b". They do this naturally because that is what their muscle co-ordination tells them to do. However, they must conform to a convention which we just cannot do without. I believe dyslexia brings about a most unhappy state of affairs. Until recently, these children have been grossly misunderstood. Their ability to learn has been hampered by their inability to master the written word, which is of tremendous importance, as we all know. I am sure that *Hansard* reporters realize this as they do their work each day.

A surprising number of children have dyslexia. Susan Hampshire, whom I am sure we all know from the *Forsyte Saga* television series, has to learn her parts from a tape recorder, because she cannot manage to read them from a script. She has dyslexia. The unfortunate thing about this is that children with a high I.Q. who can answer mental arithmetic problems easily and can give verbal answers without difficulty at all are unable to read and comprehend and are unable to write down adequately. As a result, they are considered to be lazy and naughty. In fact, some of the spellings of the dyslexic child are remarkable. The condition is summed up by saying that dyslexia is a disorder manifested by difficulty in learning to read in spite of conventional instruction, adequate intelligence and socio-cultural opportunity. It is dependent on fundamental disabilities that are frequently of constitutional origin. There is some congenital element in this, but the main problem is one of interpretation. The condition is three or four times more common in boys than in girls. It is relatively easily diagnosed. The signs are reading and spelling well below a child's intelligence level, and the inability to deal with symbols making up letters and words is absolutely diagnostic of the condition.

These problems are common in small children as they are learning but, if they continue through their learning life, the child may be dyslexic. The important thing is to identify the condition. The Minister said that we have 25 guidance officers in South Australia. This is not nearly enough; we must have many more. It is important to identify these children as early as possible, for then they can be taken in hand before they have learnt the wrong way. What it comes down to is that if they keep on doing things the wrong way around they establish brain pathways that make it difficult for them to unlearn that way and to learn something different.

The essential point is that appropriate personalized treatment and virtual personal instruction must be given in schools. Diagnosis is very important. I have no doubt from reading the Karmel report that the members of that committee were well aware of the special education facilities that are necessary. I think the member for Kavel listed the important organizations (very worthy organizations, too) of enthusiastic and dedicated people. I cannot understand the Minister's opposition to the formation of an advisory committee. Surely he has everything to gain and nothing to lose. What has he to lose from taking a little advice? Not only that, but he would have the opportunity if he wanted to take it of instructing,

informing and reassuring all the people in those voluntary organizations who are so vitally interested in the future of their children.

The South Australian Government, as the Minister rightly said, has been actively involved in the education of handicapped children, and more than 90 per cent of this education is carried out in State schools. This is a record to be proud of. I do not particularly much care which Government gets the credit for it: the fact that South Australia is doing it well is enough for me. The fact that these children are in Education Department schools is one more reason why the Minister should take notice of the concerned voluntary organizations. This is an area for the common pooling of resources, as I said earlier, where one organization could learn the problems of another and where they could advise the Education Department and other bodies and be advised by the department, while putting their points of view to the Minister.

I agree with the Minister that there is a shortage of qualified personnel. We must have more forces. There is considerable difficulty in doing all that the department should be doing. Once again, an advisory committee meeting with the Minister and his officers on occasion could be told why these things are impossible at present. It would be better if it could all be done at once rather than piecemeal. The co-operation of parents in helping to meet this deficiency of people is also important. Recently, when I asked the Attorney-General whether there would be sufficient social workers to staff the community welfare centres that are being planned (and that concept is one that I support most wholeheartedly), he said that there probably would not be enough social workers, but we would have to depend on volunteers who would be prepared to be trained to some extent to help in community services.

This is where the voluntary organizations could come into their own. The Minister said, "We do not have enough qualified personnel," and we should be taking every opportunity to train them. I see these people coming from the voluntary organizations. We should train these people and use them, and we could never find a more enthusiastic or dedicated group of people. I congratulate the member for Kavel for moving his motion and the Minister for the excellent points he made throughout his speech. Although he said that he opposes the motion, it is quite apparent to me that he supports it in principle. I wish that he would at least be honest about it. I support the motion.

Mr. KENEALLY secured the adjournment of the debate.

SCHOOL TRANSPORT

Adjourned debate on the motion of Mr. Goldsworthy:

That in the opinion of this House the Government should bear the full cost of transporting handicapped children, recommended by the Psychology Branch of the Education Department, to schools with special classes when these children are unable to use public transport because of their disability,

which the Minister of Education had moved to amend by leaving out all the words after "children," first occurring, and inserting in lieu thereof "to and from school when the necessary finance can be made available,".

(Continued from August 25. Page 1096.)

The Hon. HUGH HUDSON (Minister of Education): Last week, when speaking to this motion, I moved an amendment to it, the effect of which was that the Government was prepared to accept the principle of meeting the full cost of the transportation of handicapped children to and from school, but that the implementation of this principle would have to await the availability of funds. In the course of my remarks I tried to set out some of the other priorities involved in this field. I wanted to suggest, particularly to the member for Kavel, that the principle in his motion is not an absolute principle that must be fulfilled no matter what the cost or the effect in other areas.

I pointed out some of the general problems in relation to the provision of education services for handicapped children and the costs involved in the provision of these services, the great need to expand the effort we are currently making in the provision of staff for special schools, teacher aides for special schools, equipment, the building of new schools, the provision of more guidance officers, social workers, speech therapists, etc., all of which cost money. Whether or not we like it, the money necessary to pay for the transport of handicapped children to and from school to relieve the parents of their share of the burden would compete with money that is used to expand the provision of education services for handicapped children. The Government has been involved in very considerable expansion in this area, and I should like to detail a few things that have been done, because I believe that members should be made

aware of the Education Department's activities in this area and, therefore, should be given an idea of the costs involved.

I shall give some examples of these activities. First, we are planning increased accommodation by way of three new special schools in solid construction that are at present being designed. Secondly, accommodation in existing schools is being upgraded. Thirdly, a one-term course of training for teachers of handicapped children has been held successfully during 1971 for 18 teachers and ex-teachers, and a similar course for 25 teachers has been planned for the first term of 1972.

Fourthly, an Advanced Diploma (Special Education) has been established and three fully trained teachers have been released this year on full pay for the academic year, to enable them to increase their academic qualifications by gaining this advanced diploma. Of course, the more we take special teachers out of the schools and put them on the diploma course, the greater is the temporary problem that we have in schools. Fifthly, there has been an increase in the number of teacher-aides and clerical assistants in special schools.

Sixthly, inservice courses and conferences have been held and are now a regular and developing feature of our work in this area. Seventhly, schools have been reclassified to allow for greater promotion possibilities within the field of special education. Eighthly, additional guidance officers are being appointed at the rate of eight a year in order to bring the standard of the services provided to that provided in other States. As I have pointed out before, this is an area in which our standard is below that of the other States. Ninthly, regional guidance officers have been appointed to country areas and, as we develop further regional education offices, there will be a need for further development in that area. Finally, teachers from special schools have been granted release-time scholarships to help them increase their academic qualifications.

Those are just some developments, each of which costs money in some way or other and competes, along with the need to help parents, for the scarce financial resources that can be made available. I should like to be able, in this area, as in many others, to wave the magic wand and produce all the finance that is necessary but, unfortunately, that is not always possible.

I should like to mention one other aspect before concluding my remarks. That relates to arrangements we are making for changing over from subsidies to a grant system in respect of parent organizations. In 1969-70, a little more than $3,000 was provided by the Education Department for subsidies for special schools of one kind or another, such as the schools at Minda Home, Somerton Crippled Children's Home, and Townsend House. Last year, over $6,000 was provided in subsidies and, under formulas that I have approved today, by the new grants system about $10,400 will be provided as grants to the parent organizations or school committees at these various special schools.

Again, we must consider whether we should give the many parents of handicapped children the choice about whether they want us to spend money in providing better conditions for their children, as a first priority, or to what extent relief from transport costs is a first priority. I consider that we must do both, but I think I have said sufficient to indicate the reasons for my amendment. I hope the member for Kavel accepts it, because I think it can be shown clearly that the principle of the Government's meeting the full costs of transporting handicapped children to and from school, whilst being a principle that we can accept, is not one the fulfilment of which must be given absolute priority over other developments in the same general area of special education.

Mr. EVANS (Fisher): I support the motion. I shall refer later to the Minister's amendment, because the words of concern in it are these: "when the necessary finance can be made available". I know the type of argument that the Minister would have used when he was in Opposition if he had had to face those words in an amendment moved by a Minister in the Liberal and Country League Cabinet. There is hardship not only to the child that is handicapped but also to the parents and, in particular, to any other children in the family, children who may be normal. I refer to one case that involved great difficulty in obtaining for the child transport to a school of the kind suitable to help the child to develop something of what would help it to lead a reasonable life. This child, as a State child, was adopted by the parents at a very early age. Psychiatrists as well as other doctors and specialists in the field examined the child and said that it was a normal child, and on this basis the family adopted it.

About two years later, it was obvious to all concerned that the child was not normal and that there was some mental retardation in

this case. Unfortunately for the family, which was an average working-class family living in what is now the declared metropolitan area, it was outside the area of normal public transport. The family could not ask the State to take the child back, because the child had been adopted and was the family's responsibility. The State said, "Bad luck, it's yours now. We will give you all the help we can in all the fields normally available, but there is no accommodation in homes for the child to spend the normal school week in the home near one of the classes suitable for its education."

The struggle was on to obtain help with transport, and I must admit that, eventually, help was obtained, but only after the parents could take the child some distance (from Clarendon, where they lived) to a bus that passed through a neighbouring area along the Main South Road. I understand that eventually accommodation was made available for the child in a home near the classes, but that is what happened in this case of an adopted child. It happened not since the present Minister took office but in the term of office of the previous L.C.L. Government. This is a set of circumstances that can arise. I used an extreme case because I knew that the specialist at the time would have some difficulty in diagnosing the retardation that was eventually evident in this child's character.

The point is that hardship was inflicted on this average working-class couple, who had two other children, by having this mentally retarded child on their hands—something they had never budgeted for, something they had attempted to take all precautions to avoid. Unfortunately, however, they were unlucky. There would be many similar cases of families suffering hardship, and $40,000 a year, or about that much, could relieve some of that hardship. That is all we are considering. We all know that soon the Budget will be brought into this Chamber. Members can look at many aspects of it and say, "There is room here to take away $40,000 because we believe it would benefit a minority group in unfortunate circumstances."

We believe that the Budget could be trimmed. Most of the 67 State Parliamentarians are expecting to receive some sort of increase in salary soon. There is talk of the increase being about $2,500 or $3,000 for each member. We should have to make a sacrifice of only $500 each (that is all it would mean) to be able to give a little voluntary help, if we wished to. After all, the Minister thanks voluntary organizations for the help they give this underprivileged group. He recognizes the voluntary help they give, as I do. I appreciate the help given by voluntary organizations to the parents of handicapped children and to the handicapped children themselves. It is about time we set a similar example. If we talk in terms of not being able to find the money, that is not true, because it is readily available. We admit that by our own attitude. In fact, much more than $40,000 is readily available.

We speak of giving a land tax concession of at least $16,000 a year to some business enterprise in the State. That is well on the way towards half the amount of money required in a year. The Minister has told us that this $40,000 is a recurring expense. Of course it is, and so is the concession that has been offered by the Government to a semi-private enterprise—a hotel in Victoria Square. That is the sort of priority the present Government asks us to accept.

Since the Labor Party Government has been in office, it has spent roughly $70,000 on a referendum. That money would virtually have paid for two years' transport for this group of children, because we need only $40,000 a year. We would have been within $10,000 of giving that service for two years if we had been willing to decide in that way. We know the decision eventually made was not the one expected by the people, who were forced to cast their votes on that day and who could not give an honest decision because of the way in which the question was framed.

A pamphlet has been produced about the proposed hotel in Victoria Square. How much did it cost to produce that pamphlet? How do we arrange our priorities? We could ask the Attorney-General (I believe the figure was mentioned in this Chamber) how much it cost to try to encourage people to become Legislative Council voters, to be enrolled on the Legislative Council roll. The Attorney would know as well as I know. Every adult is supposed to know the law of the land. It is no defence in court to say that one has no knowledge of the law, so I take it that the Attorney-General, too, would agree that there was no need to send out all those notices to people to become enrolled on the Legislative Council roll when the money involved could have been spent in providing services for this group of underprivileged people needing the help of the community.

The Hon. Hugh Hudson: That is why members opposite wanted elections on separate days: so that they could spend more!

Mr. EVANS: If the Minister likes to draw a comparison here, he will find that it would not cost much more to hold elections on separate days.

The Hon. Hugh Hudson: It costs $100,000 every time it happens.

Mr. EVANS: I know the Minister would go to untold lengths to advertise his own Party, by the type of literature, attacking the Commonwealth Government, sent out from his own department recently, in answer to a request made at a meeting at the Norwood Town Hall. We are talking about 622 underprivileged children, children that we know and are told (and the Minister accepts this) are underprivileged; and $40,000 a year is all the money we are considering. The Minister says "when the money is available". His exact words are "when the necessary finance can be made available". What does he mean by that? If a crisis arose tomorrow in any sphere of Government activity, $40,000 could be found in any one of the fields of the 10 Ministers in this State. If the Government suddenly needed $40,000 (even a year) it could find it.

Mr. Millhouse: We could even cut down on the number of Ministers.

Mr. EVANS: That is a point, but I believe there is a need for the present number of Ministers, because they work hard and I respect them for that. I would not advocate a reduction in numbers, even though some members might like to see that. The present number of Ministers is necessary. If we wished to, we could have the money included in the Budget tomorrow to cover this pressing need; we could find the $40,000. So, when the Minister says "when the necessary finance can be made available", he should say "when the necessary finance is made available by the Government". The money is there; it can be found. For that reason I cannot accept the amendment. Even if the Minister has shown a sympathetic attitude towards this area of concern, he and his Cabinet colleagues and Government could have been more sympathetic and said, "Yes; we can make the necessary finance available."

With those few words, I strongly support the motion asking the Government to make money available so that this group of handicapped children can be given the full cost of transportation to their necessary classes to enable them to carry their education as far as possible, considering their disabilities.

Mr. CLARK (Elizabeth): I sincerely offer my honest commendation to the member for Kavel for moving this motion and the other motion which has been debated this afternoon and to which I hope to speak later. This debate has been a particularly good one. Good speeches have been made, but I was disappointed and disturbed that the member for Fisher should have spoken in the tone that he did on a matter on which I believe every member would agree generally, but would not agree as to when it should be done for various reasons that I think the Minister has considered fully. I do not wish to make this a political speech or make acrimonious comments, but I think the member for Fisher must have his priorities rather mixed. I was disappointed to hear him refer to matters that seem to have only a vague connection with this discussion.

I was sorry to hear the honourable member speaking about Parliamentary salaries but, after all, those who know him know that it is a part of his individualism to oppose some things that matter to members, although he is one of the first to make use of the advantages that later accrue. I shall not continue in this strain, because I am sympathetic about the reasons for the moving of this motion. I should like to think that the honourable member's reason for moving this motion is that he was, like me, a teacher for many years, and realizes more than those who have had little to do with teaching the real problems that exist from the teacher's point of view concerning retarded children. However, it is a good thing to remember that times have changed.

Those who are older will recall that, when we went to school, the retarded boy or girl at school was, generally, the poor unhappy butt for many of the children and, unfortunately, at times for the teacher as well. In those days there was a tendency for people who had a retarded child (through no fault of their own) to keep the child hidden. Those of us who were brought up in country areas know that in nearly every country town there was at least one poor boy or girl who was seldom seen in the community. Thank goodness those days are over, and parents realize that it is no shame to have a retarded child. After all, it must be remembered that having children is a gamble.

I remember some years ago, when visiting Melbourne with the Public Works Committee which was inquiring into a hospital extension project, we inspected a large centre at

which retarded children were cared for in one of the suburbs. The Headmaster was pleased that he had a strong school committee: he said that this was because many retarded children seemed to be born into the homes of professional men and women or to people who seemed to be regarded as having more intellect than other people. This meant that some of the cream of Melbourne were members of his school council.

I support the Minister's amendment, but that does not alter the fact that I am most interested in the motion. Perhaps it will give the necessary impetus to make the payment of these costs available sooner than would otherwise have been the case. A few months ago, together with other members, I discussed with the Minister of Education the matter of the full payment for the transport of such children. I have been, and still am, particularly interested in the Elizabeth Special School and have been closely associated with it. When I made my representations, the members for Salisbury, Playford, and Light also made similar representations to the Minister, perhaps other members too, including the member for Kavel, but I do not know whether they did. The reply we were given was similar to what the Minister has said in this debate. Some of us have been seeking this payment for a long time and urgently hope that our representations will be successful.

As the Minister and the member for Kavel have both said, the Government pays two-thirds of the cost, with parents meeting the remainder of the cost. I know of some cases in which it has been difficult for the parents, because of circumstances, to meet this cost. However, as a member of the Public Works Committee, I know that the Education Department is trying to improve the standards of accommodation and teaching for these children more than has happened before in the history of South Australia. I have been particularly interested in the Elizabeth Special School: I have opened fetes and visited the school regularly, and I take a genuine interest in it. Similar schools are situated throughout the State; the Government is planning to build a new special school at Elizabeth; and I know that plans for two other special schools are on the drawing board. Any member who has not seen these schools in action would find it worth while to visit such a school, and I should be pleased to arrange such a visit for any member who wished to see the work being done at the Elizabeth Special School.

When I have attended this school I have been amazed at the interest that is shown in the school, particularly by members of the school council, some of whom are not parents of retarded children. Many of them are genuinely interested in this problem, are sympathetic, and want to help. At gala days and fetes, many pupils of the school are actively engaged working to raise funds for the school: they are capable and eager to help their school. Another important aspect in this respect is the number of people who, without having any real relationship to the school, willingly help by manning stalls and making gifts to swell the funds. When attending a fete last year I spoke to a man living nearby whom I have known for several years. He had made about a dozen excellent articles of carpentry that he had donated to the school for sale at the gala day in order to help raise funds for the school. This spirit pervades these schools wherever they are established, and I commend such people for helping others in unfortunate circumstances.

The Public Works Committee recently considered a proposal to erect a new special school at Elizabeth. The committee's report on the matter has been tabled and ordered to be printed, but it is not yet in members' hands because the printing has not been completed. One of the chief witnesses who assisted the committee on the matter was Mr. N. L. Haines (Superintendent of Education Services) who attended the teachers college at the same time as I did. I shall quote some of the evidence given by Mr. Haines to the committee in order to give members some idea of the work being done in South Australia for retarded children. Regarding the need for a new occupation centre, Mr. Haines said:

There are in our community some thousands of children whose educational progress does not follow the normal pattern. These children may be considered under four main groups:

(1) Those children who have temporary specific difficulty with learning and who are catered for in remedial classes or with as much individual attention as possible in normal classes. These children are regarded as part of the normal stream.

(2) Those children who experience difficulty in dealing with regular grade work but are able to fit into the general school social pattern. These are taught in opportunity classes attached to primary schools or in special senior classes attached to secondary schools.

(3) Those children who because of mental handicap are unable to participate even socially in normal school routines.
(4) Those children who are severely mentally handicapped and need institutional care.

Some children in the above educational categories may suffer additionally through physical handicap.

It is more than common, unfortunately, for these children to be not only mentally handicapped but also physically handicapped. When I visit the Elizabeth Special School I sometimes do not realize that some children are not normal until I talk to them. Of course, it is obvious from the appearance of some children that they are retarded. Mr. Haines continued:

In South Australia we have not attempted to provide special education facilities according to particular medical categories, such as autistic, dyslexic and so on but have attempted to provide education appropriate to need within as near normal a situation as possible, that is, within the normal school. Special schools previously known as occupation centres, such as the Elizabeth proposal, are established for children in the third group above—that is, those who are unable to participate even socially in normal school routines.

It is amazing what an improvement is wrought in many such children. Mr. Haines continued:

Most of these children will not learn to read and write although some do at a relatively late age—12 years or even later. The general intention of the special school is to enable the child to live an independent purposeful adult life in the community. The alternative is for them eventually to be institutionalized with little sense of individual purpose or achievement and at considerable expense to the State.

So, the work being done in these schools obviously pays dividends in the life of the State as well as in the life of the unfortunate individual. Mr. Haines continued:

Experience in recent years has shown that the work of special schools has enabled quite a large number of mentally handicapped persons to work and live independently in the community with or without recourse to pensions and to accept normal employment or employment offered in sheltered workshops. It would be true to say that without the assistance given by the special schools most of these children would be more or less idle and non-productive members of society.

Members who are older will remember that in the olden days this type of child became virtually a vegetable in the community. The facilities needed in special schools cause the cost of such schools to be very much greater than that of normal schools of the same size. Dealing with such facilities, Mr. Haines said:

The South Australian Education Department has accepted the responsibility for the education of mentally retarded children aged five to 19 years inclusive.

To carry out this work covering such a wide age range, provision should be made in special schools for—

(1) Class sizes of 10 children.
(2) Facilities for toilet training, and this is most necessary with the younger children.

One thing that always interests visitors to the school is the very obvious curiosity of the children. When our cars pulled up there, the cars and the drivers were immediately surrounded by 20 or 30 young people, all eager to talk to the drivers, who showed the children the engines of the cars. During the term of office of the previous Government new toilets were to be built at the school, but one of the biggest nuisances experienced was that the children were so interested in what was going on that the workmen had difficulty in proceeding with their work. Continuing to deal with requirements in a special school, Mr. Haines said:

(3) Facilities for teaching a variety of craft subjects to boys and girls. Such subjects include various domestic activities such as food preparation, house care, laundry work in surroundings approximating to the home situation. Other crafts should include working in wood, metal, plastics, paper and such media. A wet area is necessary for clay and allied crafts.

When the Public Works Committee visited the school three of the little girls proudly ushered us in and prepared morning tea for us. When they were thanked for their work by the committee members they showed very real pleasure at having done something worthy of praise. Mr. Haines continued:

(4) Facilities for training in social living such as provided by an activity dining room.

The boys and girls learn to set the table and behave properly at the table. Mr Haines continued:

(5) A quiet or withdrawal area.
(6) Sport and physical education facilities.
(7) Facilities for training to meet the demands of modern living, such as street crossing, carrying out simple shopping exercises and using public transport.

Normal children learn many of these things at home or during their first year in infants school, but it takes much longer to teach retarded children these things. It is interesting to note that the Chief Psychologist of the Education Department carried out a survey showing the need for special education throughout the State.

This survey showed that, generally, there was one mentally handicapped child for every 1,000 persons in the community. Although this may not be a large percentage, it nevertheless means, when we consider the size of the community, that there are many retarded children.

The Public Works Committee received evidence about the type of school required, this evidence coming from Mr. Bob Johns, the Supervising Architect of the Public Buildings Department. Specifying the type of building required for these children, he made it fairly obvious that, although the numbers at the school are not great, the cost compares with that of an ordinary primary school where the enrolment is much larger. In regard to the function of special schools, the effect of Mr. Johns's evidence was as follows:

The centres provide training and instruction to stimulate self-help, self-expression and socialization. The majority of the training is fundamental but is of vital importance to the child in the development of ability, self-confidence and self-esteem, all of which lead towards the subsequent acceptance of the mentally retarded child by the community. Therefore children, who are incapable of being taught in normal school situations, learn basic processes which will allow them to fend for themselves and work after leaving the centres, thereby avoiding the necessity of providing institutions for them later in life.

The planning takes place in two stages and is described as follows:

Stage I provides accommodation units for 40 five to nine-year-old children, and 40 nine to 12-year-old children. Basically, the two teaching areas are similar, having small home bases, each 20ft. x 16ft., for four groups of 10 children, grouped around an activity/dining area 24ft. x 28ft. Accessible from this area are the various ancillary facilities which are dependent on the age and development of the children. The five to nine-year-olds have a small kitchen 12ft. x 8ft. for preparing mid-day meals, a withdrawal room 16ft. x 12ft., a wet area 20ft. x 16ft. and store rooms. Because an emphasis is placed on self-care this age group has toilets with associated bath, dressing area and lockers all of which are accessible from the activity area. As the nine to 12-year-olds receive instruction in craft work and domestic activities, a craft room 16ft. x 16ft. and a larger teaching kitchen 12ft. x 12ft. are provided. The teaching kitchen is open to the activity/dining area allowing demonstrations to take place and kitchen chores to be performed by expanding into the adjacent area. Using the space in this way prevents increasing the kitchen to a size that will accommodate a complete class and keeping the kitchen to a similar size as in a domestic situation is desirable. A withdrawal room 12ft. x 12ft., a wet area 20ft. x 16ft. and store room are again provided but the toilet areas are smaller and approaching conditions that would normally be encountered in every-day situations.

A reference there to the wet area, where, for instance, the children paint, reminds me of one little chap we saw whose face was painted all colours of the rainbow but who was nevertheless very happy. One little girl seemed to be able to paint well, and was in full control of the use of her hands yet she could not speak at all. The second stage of planning relates to the administrative block, to which it is not necessary for me to refer during this debate. As well as this school, the construction of which has been recommended by the Public Works Committee at a cost of $300,000, the committee is at present considering a project involving retarded children, namely, the proposed Enfield adolescent unit.

The child guidance centre in the city has become crowded, and it is intended to assist those children who are disturbed mentally and psychologically, their problem being largely the same as that of retarded children. I understand that the cost of this latter project will be $420,000, although it must be remembered that such projects nearly always cost more than the original estimate. I know of two other centres, and I point out that no-one is more anxious than I am to see the total cost of transport provided for the children concerned paid by the Government, and I hope this will come soon. I assure the member for Kavel that, although I do not always agree with him, I strongly support the idea behind the motion, but I must agree with the Minister that what the motion seeks will have to wait a little longer. My experience in Parliament over about 20 years has been that, bearing in mind that many projects are considered necessary, members have sometimes had to give the Minister concerned a healthy nudge to get things done.

I hope that the member for Kavel and other members will continue to nudge my colleague the Minister of Education, as I, too, and others on this side will be nudging him. I am glad that, in the main, this debate has not been treated as a political matter; indeed, I assure honourable members that this is not a political matter at all. Had Government members been sitting in Opposition with a Liberal Government in office, I think some of us would be moving a motion similar to that moved by the member for Kavel. Most members believe it would be highly desirable if the Government were able completely to finance this project. I hope that

will soon be possible and that honourable members will keep pushing this matter until that desirable end is achieved. At present, I must, unfortunately, support the amendment.

Mr. MATHWIN secured the adjournment of the debate.

REFERENDUM PROSECUTIONS

Adjourned debate on the motion of Mr. Millhouse:

(For wording of motion, see page 894.)

(Continued from August 18. Page 896.)

The Hon. L. J. KING (Attorney-General): The motion urges that no prosecutions for offences under the Act should proceed against persons who failed to vote at the shopping hours referendum and that those who have paid a monetary penalty to avoid prosecution should have their money refunded. The motion appears primarily, at all events, to be based upon the fact that the time expired for the laying of complaints in certain cases, as a result of which the offenders involved escaped prosecution. However, in his speech the member for Mitcham placed much more emphasis upon the argument that the persons who failed to vote at the referendum should not be prosecuted because it is undesirable that anyone should be prosecuted for failing to vote at a referendum or a Parliamentary election, as voting in both cases ought to be voluntary, not compulsory.

Mr. Millhouse: I was dealing with this particular circumstance.

The Hon. L. J. KING: The honourable member based an argument upon this predilection for a system of voluntary voting.

Mr. Millhouse: That was only one point I made.

The Hon. L. J. KING: I will deal with the honourable member's other arguments shortly but at present let us examine the first one, which occupied the major part of his speech. The honourable member demonstrated his predilection for this doctrine of voluntary voting, which has acquired such popularity on the Opposition benches since the redistribution of the electoral boundaries in this State that deprived the Liberal and Country League of the advantage that it had hitherto enjoyed as a result of gerrymandered electoral boundaries.

The L.C.L. now favours a system of voluntary voting, a policy in relation to which the honourable member has been a leading spokesman. This doctrine has found favour with the L.C.L. since the electoral set-back it suffered in the 1970 general elections which resulted, of course, from the redistribution of electoral boundaries. The attitude now taken that persons should not be prosecuted because voting should not be compulsory is a change of attitude by the Party to which the member for Mitcham belongs, and it is made even more extraordinary when one reflects that the system of compulsory voting was introduced into every State in this country except Western Australia and into the Commonwealth Parliament when Governments of a conservative political persuasion held a majority of seats. It was first introduced in Queensland by a Nationalist Party Government (that is one of the names by which the conservative political forces in this country have chosen to be known at some stages of our history).

In the Commonwealth Parliament it was introduced while a Conservative Party held a majority, as it was in the other States, except Western Australia. In South Australia in 1942, when the Liberal and Country League (I think that is still the name of that Party, or is it the Liberal and Country Party now?) held a majority in this House compulsory voting was introduced. The reason for this is simply and shortly stated, and it is that both political Parties in this country have recognized for a long time that the exercise of the franchise is an important duty of citizenship, and it is a duty which it is proper for the law to enforce. Most of the important duties of citizenship are enforced by law. Therefore, there seems no reason (and indeed none has ever really been suggested) why the exercise of the franchise should be distinguished in this regard from other important duties of citizenship. I was interested to read recently the speech made in 1942 by a predecessor of the member for Mitcham and me, Sir Shirley Jeffries, who was then Attorney-General.

Mr. Coumbe: He was the member for Torrens, too.

The Hon. L. J. KING: Yes, he was also a predecessor of the member for Torrens, and a distinguished member of this Parliament for many years. In 1942, in speaking to the Bill to introduce compulsory voting, he had some interesting things to say. I remind members of his Party of the wisdom which the distinguished gentleman expressed in that speech as follows:

However, the members of the Government intend to support the compulsory voting provisions. I remember Mr. Christian speaking in opposition to this alteration in 1938. I cannot agree with him that people should not be

compelled to do things which this Parliament considers are in the interests and welfare of the government of the country. He drew a broad distinction between compulsion in regard to the criminal code and compulsion in regard to this matter, and said:

> "Forcing the performance of a right degenerates the act into an odious obligation not valued by the doers, for which they therefore do not trouble to fit themselves."

It seems to me that there is a responsibility on every citizen to take part in the Government, and if he does not do it voluntarily pressure should be brought to bear to see that he does. There is not such a great distinction between the law which compels a parent to send a child to school until it is 14, and this law. If a parent does not do what this Parliament considers is in the best interests of his child he is compelled to do it and is subject to heavy fines. It is a great pity that laws of that nature are necessary. It is also regrettable that electors should be compelled to vote, but it seems that it is absolutely necessary. At the last elections there were 5,962 electors on the roll in the Chaffey District but only 2,778 voted. The present member for that district received only 1,723 votes. In connection with this measure he said, "Those who do not vote at elections have given up hope."

The reasons which the then Attorney-General put forward are still valid, and a reversion, as suggested by the member for Mitcham, to a system long discarded of voluntary voting would simply throw us back to the situation where elections could be influenced and in some cases decided by variable elements; the state of the weather on the day of the poll, other counter attractions in the form of sporting functions, or something else might exist to distract voters from their duty on the day of the poll. What is worse, elections could be influenced and, in some cases, decided not on the merits of the arguments presented to the electors but on the wealth and resources of a Party which, by the use of that wealth and resources, would be able to get more of its supporters to the poll. That is the experience in countries where voluntary voting is still used.

Mr. Goldsworthy: What has that to do with the motion?

The Hon. L. J. KING: I remind the honourable member that I am following the excellent example of the member for Mitcham, who devoted three-quarters of his speech to a discussion of this topic on which he based his principal argument against compulsory voting. If South Australia were to revert to a system of voluntary voting we would be taking a step backwards. The member for Mitcham put a further point of principle which I have no doubt, if he were Attorney-General at present, he would not countenance for a moment. It is fortunate for the State that, while the member for Mitcham was Attorney-General, he did not apply the sort of principle he now asks the Government to apply in connection with this situation.

What he is now saying is that, because certain complaints were not laid because the time for laying them had expired, other people who offended against the same law at the same time should therefore escape the penalty for their action. That is a remarkable proposition and, if generally applied, would mean that in every situation where a number of people were involved in the commission of an offence, if for some reason, technical or otherwise, prosecutions were not laid in respect of some of those persons, prosecutions should not be proceeded with in respect of any of them. That is a completely untenable proposition for which the honourable gentleman adduced absolutely no argument at all. Were it not for his distaste in present circumstances for the system of compulsory voting, the thought would never have even crossed his mind.

Mr. Millhouse: It is my penchant for justice.

The Hon. L. I. KING: If the honourable member experiences in his soul the passion for justice to which he has just referred, he would judge that when persons have offended against the law the fact that other persons have escaped penalty because of a technicality should be no reason why others should escape a penalty.

The Hon. D. N. Brookman: It was because of a blunder that some have not been prosecuted.

The Hon. L. I. KING: I am sure that officers of the Electoral Department will be grateful to the honourable member for that observation. The sequence of events was set out in an answer that I gave to the House, and the honourable member knows the facts. If he wishes to use the expression "blunder" about what took place, that is his choice of expression. I did not use that expression at all. I have explained to the House what took place on that occasion, and I have the greatest sympathy for officers in the Electoral Department who were subjected to some pressures at that time. As I said before, no-one could feel satisfied about the fact that complaints that should have been laid within time were not laid in time. However, I do not intend to stand in this Parliament and belabour and criticize and

use epithets about the officers who did their best under extremely difficult and trying circumstances.

Let me repeat what I said earlier, that the member for Mitcham, struggling to achieve a political advantage if he could see one to be achieved, sought to set up that, because some people escaped prosecution owing to the complaints being laid out of time, no-one should be prosecuted for the same offence. He did not try to justify that or say on what principle this decision could be made. He did not say how wide the application of this principle was, or whether he would seek to apply the principle to all branches of the law.

Mr. Millhouse: The principle is in the motion itself.

The Hon. L. J. KING: The motion does not state whether it is based upon some general principle in the administration of justice to which the member for Mitcham subscribes. I think not, because I think his own record as Attorney-General suggests that he would have been unlikely to lay down a rule during his occupancy of the office that, if a number of people had committed an offence and if one or more of them could not be prosecuted, for one reason or another, all persons ought to escape. I hope the honourable member does not accept that principle, because if he did he would not be fit to occupy the position of Attorney-General.

Mr. Millhouse: I will lay it down next time I am Attorney-General.

Members interjecting:

The Hon. L. J. KING: The member for Mitcham, by interjection, has said that when next he occupies the office of Attorney-General, he will lay down a principle that, when a number of people have been found guilty of an offence and one or more of them escape prosecution for some reason, no-one should be prosecuted. I can only say that I hope he was not serious or that, if he was serious, he never again occupies the position of Attorney-General.

Mr. CARNIE (Flinders): When the Attorney-General was speaking I noticed that he was replying to a motion moved by the member for Mitcham but, as far as I could see, he did little to speak to that motion. He spoke about the need to retain compulsory voting and he said that the member for Mitcham had spent about three-quarters of his time dealing with voluntary voting, and he justified his comments on compulsory voting on this basis. I suggest that the Attorney-General should read the speech made by the member for Mitcham because, whilst the matter of voting came into it, it did not take up anywhere near as much time as the Attorney has taken on it. In all the Attorney's speech was the old, old theme we have come to expect so often, namely, that compulsory voting operates in this State because it was introduced by Liberal or Conservative Governments.

The Hon. G. R. Broomhill: Well, wasn't it?

Mr. CARNIE: Of course it was but, if I may be permitted to say so, so what? Times have changed and we do not accept that, once one has made up his mind on something, it is completely inflexible. Why did the Attorney not speak to the motion? I think that was because he did not have the answer to it. I think that, deep down, the Attorney honestly considers that these people should not be prosecuted. He knows that no charges should have been laid in the first place, but to accept the motion moved by the member for Mitcham would mean admitting that that honourable member was right, and the Government benches could not admit that! I commend the member for Mitcham for moving the motion and I deplore the attempt by the Attorney-General two or three weeks ago to imply that the member for Mitcham was trying to have people prosecuted. The Attorney did this to cover his own deficiencies in this regard, and it does him little credit.

The whole inefficient muddle we are debating now was a continuation of the muddle with the shopping hours referendum last year. That referendum was the result of the political mess in which the Government found itself. Many thousands of words have been spoken about that referendum, and I do not intend to rehash the history of the whole situation. All members know the facts and that, first, the referendum was unnecessary and, secondly, that the question was worded badly. The whole thing was framed stupidly. The Opposition and the public have pointed this out many times, and the Government members who are most aware of this whole sorry mess are those who represent the areas affected by the referendum. I am sure that the disenchantment of the people in those districts will show up at the next election.

The Government is saying that a few people must suffer, first, because it blundered and, secondly, because administrative bungling has allowed more than half the persons who committed the same misdemeanour to escape scot-free. As the member for Mitcham has said, that whole exercise showed the futility of

compulsory voting. The honourable member, when speaking to the motion, gave figures disclosing that, with the high percentage of informal votes, together with the number who did not vote at all, about 80 per cent of those who were eligible did vote. That is about the percentage that votes in countries that have voluntary voting, and I stress again that all countries in the world, except about nine, have voluntary voting.

The Attorney has tried to defend compulsory voting, as he has done previously, but on this occasion he has been a little weak and has given the impression that his heart is not really in it. Perhaps as he spoke he was thinking that, if this vote had been voluntary, he would not be in the embarrassing position that he was placed in by questions asked by the member for Mitcham and the member for Alexandra, questions that have directly brought about the moving of this motion. The Attorney had to admit publicly his own deficiencies in this matter.

We are told that 50,000 people who have broken the law will not be prosecuted. Whether we agree with the law is immaterial: it is the law. If most of those concerned are to be let off, all should be let off. After this debacle, perhaps the Attorney-General will have second thoughts about compulsory voting as against voluntary voting. In conclusion, I can do nothing more than support the statement by the member for Mitcham, in concluding his speech, that it is unfair and unjust that this small percentage of people should be prosecuted while other persons who have committed the same misdemeanour will not be prosecuted, because of deficiencies in the Attorney-General's administration.

Dr. EASTICK secured the adjournment of the debate.

[*Sitting suspended from* 6 *to* 7.30 *p.m.*]

PAY-ROLL TAX BILL

A message was received from the Legislative Council requesting a conference, at which it would be represented by five managers, on its suggested amendments Nos. 1 and 4 to 9, upon which it insisted.

The Hon. D. A. DUNSTAN (Premier and Treasurer) moved:

That the proceedings held on August 31 with respect to the suggested amendments of the Legislative Council in the Bill be vacated.

Mr. MILLHOUSE (Mitcham): Mr. Speaker—

The Hon. G. T. Virgo: Get your facts right!

Mr. MILLHOUSE: It is all very well for the Minister to tell me to get my facts right. It seems to me that the Government should be getting its facts right. This is a most unusual procedure. As I understand it, what the Treasurer is saying, without giving any explanation to anyone, is that the Government is going back on the stand it took last night when it rejected the Legislative Council's amendments. It now becomes plain why those amendments were handled not by the Treasurer but by his Deputy. Obviously, the Treasurer wanted to leave a loophole open to himself so as not to cause himself personal embarrassment. One suspects that the Treasurer intended to do this all along. Last night, I attempted to persuade the Committee to support those amendments, but the Minister who was then in charge of the Bill said that they did not mean much. That is what *Hansard* says.

Now, the Treasurer comes along and wants to wipe out all that we did last night in rejecting the amendments of the Legislative Council, presumably so that we can now accept them! Members on this side have said, not once but on many occasions, that one cannot rely on a thing the Government does, and particularly what the Treasurer does. The Treasurer got out of it last night by leaving it to his Deputy. This is one more example of that.

The Hon. G. T. Virgo: Now your Leader has got out of it by leaving it to you.

Mr. MILLHOUSE: I do not think we can blame the Leader for this, because even he with his perspicacity and prescience could not possibly have anticipated that this would happen in his absence. It is simply one more example of the way in which the Government turns its coat when it suits it. Last night, we heard that these amendments did not mean much, that the Government would not have a bar of them, that the Committee should reject them, that there would be a conference on them, and so on. Now, less than 24 hours later, the Treasurer moves to annul everything we have done. I am glad this has happened, because I supported the amendments last night. I think they are good. I am glad that, apparently, the Government has come round to my way of thinking on this; but it is a remarkable performance by the Government. It merely confirms us and, if we have anything to do with it, the public of South Australia in the opinion we have formed of the Government, that one cannot rely on a thing it does.

The Hon. D. A. DUNSTAN (Premier and Treasurer): We have seen another example of the Deputy Leader's adulthood.

Mr. Venning: Speak up, we cannot hear.

The Hon. D. A. DUNSTAN: Perhaps if the honourable member were a little younger he might be able to, but I will try to increase the decibels. The position of the Government in this matter is that it does not like the amendments of the Legislative Council one bit: what it has done is to maintain in this measure the same appeal provisions as exist in every other taxation measure in South Australia, all of them having been introduced by the Governments of Opposition members.

The Hon. J. D. Corcoran: What about the gift duty tax? That is the same.

The Hon. D. A. DUNSTAN: Exactly the same, and it was introduced by the Government in which the member for Mitcham was rather less vociferous than he is in Opposition. The Legislative Council has put forward these amendments and insisted on them. We do not like them, but we are faced with the fact that if we go to a conference, which the Legislative Council has requested (we have not), we do not have a proposition for compromise to put forward. Either one position or the other has to be taken on this matter, and it is evident that the Legislative Council will insist on its amendments. It is better to accept the amendments than to lose the Bill.

Mr. Millhouse: I have never heard you take this line before.

The Hon. D. A. DUNSTAN: Then the honourable member has not listened very often.

Mr. Millhouse: Tell me when you last did it: you cannot, because you have never done it.

The Hon. D. A. DUNSTAN: The Government has decided it is better to have the Bill than to lose it over these amendments relating to the appeal provisions. This will cost us more money, but obviously the member for Mitcham does not mind that, as long as he has initiated it. However, if anything is initiated on this side that costs money he says we are flinging money about and being wasteful. When his side introduces a more expensive and time-wasting procedure, he thinks that is all to the good. We prefer to have these amendments than to lose the Bill, so we will go along with the Opposition. However, we do not like them. The member for Mitcham knows this perfectly well, but he is having one of his usual juvenile exercises.

Motion carried.

Consideration in Committee of the Legislative Council's message.

The Hon. D. A. DUNSTAN (Premier and Treasurer) moved:

That the Legislative Council's suggested amendments Nos. 1 to 10 be agreed to.

Mr. MILLHOUSE: I recollect that last evening I was in favour of these amendments. I am glad that the Government is doing this. I wish to refer to the strictures that I cast on the Government when we were going into Committee. I take issue with the Treasurer on some of the reasons he gave for going back on the Government's actions of less than 24 hours ago. First, he suggested that these provisions would mean that appeals in pay-roll tax matters would be on a different basis from appeals in any other taxation matters in South Australia. What the Treasurer has omitted to say (I do not believe he overlooked it) is that these amendments are clearly designed to establish in South Australia a body like a Commonwealth taxation board of review, to which in the past those who have desired to appeal on pay-roll taxation matters have been able to go. So, these amendments simply allow the same kind of machinery, now that the tax is a State tax, as people always had during the time the tax was administered by the Commonwealth.

In all fairness, the Treasurer should have said that. It was on this basis that I dealt with the amendments last night in the few minutes I had before the Deputy asked us to reject them. These amendments are sensible, and I am confident that they will improve the working of the administrative machinery under this Bill, if it is granted that we must have a taxation measure of this kind (and we are agreed on that). I take it that the Treasurer, because of the all-embracing motion he has put, is also going back on the 14-day and 7-day limit for lodging returns.

The Hon. J. D. Corcoran: That was done last night.

Mr. MILLHOUSE: As I understand it, we are now undoing that position as well. Mr. Chairman, does the motion provide that the Committee accept all the amendments of the Legislative Council?

The CHAIRMAN: The motion is "That the Legislative Council's suggested amendments Nos. 1 to 10 be agreed to."

Mr. MILLHOUSE: I can now see what we are doing. If the Treasurer had given a better explanation in the first place, it would not have been necessary for me to work this out while I was on my feet. It was extraordinary to hear the Treasurer's reason for

accepting the Legislative Council's amendments: he said that there was no room for compromise because the Government wanted the Bill passed and because he knew that the Council would insist on its amendments, and that we must therefore give in. I have never before heard the Treasurer use such an extraordinary argument. He is usually breathing fire and fury and saying that he will bring the Council to heel: I remind him that during both his and my time in this place there have been many occasions when one House or the other has completely given way and there has been no compromise. On one occasion I introduced a Bill that went to a conference, and we got everything we wanted: the Council simply gave way. That Bill was the Wills Act Amendment Bill. Why does the Treasurer consider that, in this matter, it would not happen again? Of course, the answer is that the Government now realizes that these are good amendments.

Mr. Coumbe: Why? They don't mean anything.

Mr. MILLHOUSE: That is what the Deputy Premier said last night, but tonight the Treasurer said they were bad amendments. In its usual churlish way, the Government must blame the Legislative Council and get every ounce of political advantage that it can possibly squeeze out of the situation, if it can pull the wool over people's eyes. I only hope that when next there is a disagreement between the two Chambers regarding good amendments proposed by the Legislative Council (good in the eyes of those on this side, anyway) the Treasurer will adopt the same line as he has adopted on this occasion.

Motion carried.

ELECTORAL ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

DAYLIGHT SAVING BILL

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation) obtained leave and introduced a Bill for an Act to promote the longer use of daylight in certain months of the year and to provide for matters incidental thereto. Read a first time.

The Hon. G. R. BROOMHILL: I move:

That this Bill be now read a second time.

Its purpose is to introduce daylight saving in South Australia for a trial period during the coming summer season on lines similar to those proposed in the Eastern States. In consequence of the proposal by the Governments of New South Wales and Victoria to adopt one hour of daylight saving between October 31, 1971, and February 27, 1972, the Government caused an investigation to be made on the implications of that proposal regarding South Australia and its citizens.

At present, standard time in the Eastern States is half an hour in advance of standard time in this State which, in turn, is 1½ hours in advance of standard time in Western Australia. In this connection, it would be of interest to honourable members if I gave them a short history of the adoption of standard times in Australia. In the early 1890's, an inter-colonial conference of surveyors held in Melbourne considered, among other things, the advantages of introducing the system of standard time in Australia. Following this conference and a postal and telegraph conference held in Brisbane in 1893, and yet another conference held the following year, it was decided to make the initial meridian that of Greenwich and to change the local standard time by whole hours according to the longitude east or west of that of Greenwich. Thus, for every difference of 15 degrees in longitude a change of one hour would be required.

To give effect to this decision, it was also decided that Australia should be divided into three zones, the standard time for each being, respectively, the mean solar times of the meridians of 120 degrees, 135 degrees and 150 degrees east longitude, thus making standard times for the zones eight, nine and 10 hours respectively ahead of Greenwich time. The 120-degree zone was to comprise Western Australia, the 135-degree zone was to comprise South Australia and the Northern Territory, and the 150-degree zone was to comprise Queensland, New South Wales, Victoria and Tasmania. These decisions were given effect by legislation in the respective colonies and provinces in 1894 and 1895, the South Australian Act being known as the Standard Time Act, 1894.

However, in 1898 the South Australian Parliament repealed the 1894 Act and replaced it with the Standard Time Act, 1898, which adopted the mean time of the meridian of longitude 142½ degrees east of Greenwich as standard time for South Australia, thus reducing the difference between the standard time of Adelaide and that of the capitals of the Eastern colonies from one hour to half an hour. For many years, and especially since the end of the Second World War, industrial

and commercial interests in South Australia have regularly and frequently made representations that South Australia should adopt Eastern Standard Time.

After surveying the implications of daylight saving in South Australia, the Government has decided that it would be in the best interests of the State to adopt one hour of daylight saving to coincide with the times and dates set by New South Wales and Victoria, namely, from 2 a.m. on the last Sunday in October, 1971, until 2 a.m. on the last Sunday in February, 1972, thus maintaining the present margin of difference between South Australian time and time in the major Eastern States. It is not, however, intended that the State should adopt Eastern Standard Time at this stage until the implications of daylight saving can be assessed. I should now like to mention that the decision of the Governments of New South Wales and Victoria to adopt one hour of daylight saving was announced by them without any previous consultation with this Government, and it was not until their decision was made that this Government knew of their intentions.

As a result of the decision by the Eastern States, this State was placed in a position of either lagging 1½ hours behind the Eastern States or adopting one hour of daylight saving in order to maintain the present margin of difference between South Australian time and time in the Eastern States. In making the decision to adopt daylight saving in this State for a trial period, the Government recognizes with considerable concern the difficulties this decision could cause in some industries and quarters. That decision, however, was made after much consideration of the advantages and disadvantages that daylight saving would bring to the community as a whole.

Clause 1 is formal. Clause 2 contains the definitions for the purposes of the Bill. Clause 3 is drawn in general terms and provides for South Australian summer time to be one hour in advance of South Australian standard time from 2 a.m. on the last Sunday in October until 2 a.m. on the last Sunday in the following February. Although the clause is drawn in general terms, clause 6 provides that the Bill will expire on October 15, 1972. This will enable the Government to have an assessment made between October, 1971, and February, 1972, of the benefits to the South Australian community of the trial period of daylight saving before deciding whether amending legislation should be introduced in Parliament for continuation or modification of the proposals contained in this Bill.

Clause 4 provides, in effect, that any reference to time in legislation and documents is (regarding any time between 2 a.m. on October 31, 1971, and 2 a.m. on February 27, 1972) to be a reference to South Australian summer time as prescribed in clause 3. Clause 5 contains certain essential savings provisions. Clause 6, as I have mentioned earlier, provides for the expiry of the legislation on October 15, 1972, that is, before it operates in respect of the period October, 1972, to February, 1973.

Mr. MILLHOUSE secured the adjournment of the debate.

JUVENILE COURTS BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to consolidate and amend the law relating to the commission of offences by young persons, and to neglected and uncontrolled children; to repeal the Juvenile Courts Act, 1965-1969; to amend the Offenders Probation Act, 1913-1969; and for other purposes. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

It seeks to give effect to the Government's policy regarding the treatment of juvenile offenders. Its provisions have their inspiration in the proposition that a community must regard its youth as its greatest asset and one of its greatest responsibilities. Moreover, the future way of life of each young person in the community is of importance not only to that young person and his family but also to the wider community. Where a young person shows indications of behavioural difficulties which may, if uncorrected, mar his prospects of leading a full, useful and happy life, no effort should be spared to help that young person to solve his problems. Few things in life are more tragic than the spectacle of children and young men and women destroying their own characters and their opportunity of leading the good life. The work of salvage of this human material should have a top priority in any community whose values are sound.

I wish to acknowledge my debt to recommendations which were made on this question in a report of the Social Welfare Advisory Council in May, 1970. The members of that council, including the member for Bragg, did much valuable work and produced a very useful and enlightened report. Since then there

have been further inquiries by officers of the Social Welfare and Aboriginal Affairs Department, and discussions with officers of the Police Department and legal officers. I acknowledge my debt to all who have been involved in these discussions.

The statutory provisions for dealing with juvenile offenders, neglected children and uncontrolled children at present appear in several Acts, namely, the Juvenile Courts Act, the Social Welfare Act, the Children's Protection Act, and the Offenders Probation Act. Habitual truants are dealt with in the Education Act. There are also some minor references to juveniles in the Justices Act and the Criminal Law Consolidation Act. Several of the recommendations made by the council affect the working of all of these Acts, but principally the Juvenile Courts Act and the Social Welfare Act. Another Bill (the Community Welfare Bill, which will be introduced later and is complementary in several aspects with this Bill) will deal with several measures which affect the Social Welfare Act and the Children's Protection Act.

The present Juvenile Courts Act, 1966, was proclaimed in July, 1966. At that time it represented a consolidation and up-dating of the legislation. The existing Act sets out the special powers of the Juvenile Court in dealing with children under the age of 18 years. This State can take some pride in being amongst the first in the world (if not the first) to establish a special court and procedures to deal with young offenders and neglected children. The legislation then, as now, placed emphasis upon the prime importance of the protection and welfare of each child in trouble.

The report of the Social Welfare Advisory Council points out that during the past 10 years there has been a re-appraisal in many countries of the work of juvenile courts and related measures dealing with juvenile offenders and other children in trouble. In the United Kingdom two White Papers *The Child, The Family and the Young Offender* (1965) and *Children in Trouble* (1968) were published, and subsequently amending legislation was passed which introduced several new concepts. In the United States of America there has been considerable discussion about the right of children, in view of their vulnerability, to be given at least the same protection by law as that afforded adults. At the same time, knowledge continues to grow in the fields of child development, and of the social sciences, resulting generally in an increasing awareness, both among those who are professionally involved and, importantly, in the community generally, of the necessity of giving special attention to the needs of children in trouble.

Every person who fails to achieve a way of life which is satisfying to himself, and of benefit to the community, represents a failure of our society, and a consequent wastage of human and economic resources. The Government therefore looks at the legislation from the point of view of improving and expanding the resources, facilities and procedures available for the care, training, and treatment of children and young people who are deprived or who have serious problems in conducting themselves in accordance with the accepted norms of our society.

No-one has yet found satisfactory means of solving all of the problems of juvenile delinquency, but in a dynamic and complex society, it is imperative that we be prepared to look at all new approaches and techniques so that a more flexible and effective system may be developed for the salvage of the lives of those young people whose future is in jeopardy. At the same time, it would be wrong to allow our concern for the needs of individual persons to blind us to the right of society in general to expect a reasonable degree of protection for life and property against extremes of unlawful and anti-social behaviour. The emphasis in the Bill therefore is on the welfare and rehabilitation of the young person but they do not overlook the right of the community to adequate protection from the law. The chief features of the Bill are as follows:

(1) the introduction of a scheme for the non-judicial treatment of juvenile first offenders, and certain other children;

(2) altered provisions for dealing with juvenile offenders and other children under 16 years of age;

(3) fuller assessment of the circumstances and behaviour of children prior to committal by a court;

(4) short-term treatment in the community at youth project centres;

(5) provision for the appointment of a judge in the Adelaide Juvenile Court; and

(6) the incorporation of certain of the powers which exist in the Offenders Probation Act and Juvenile Courts Act.

Some lesser amendments seek to clarify certain sections of the Act where there has been some difficulty in interpretation or administration, so that the existing law will

be more effective in dealing with children in trouble. Because of the number and type of amendments which are proposed many of the 68 sections in the existing Act required alteration. It was considered desirable, therefore, for the sake of clarity and of efficiency in administering the Act, to introduce a Bill for a new Act. This Bill therefore includes many provisions from the existing legislation without amendment and some with only minor consequential amendments. Several new provisions will be described in more detail where new concepts or major amendments are introduced.

I shall now deal with the specific clauses of the Bill. Clause 1 is formal. Clause 2 provides for the proclamation of sections of the Act at various times, so that they may be brought into operation as necessary facilities and resources are available. Clause 3 provides for the re-enactment, in more detail, of a section which appeared in the 1941 Juvenile Courts Act, and which emphasizes the major principle under which a juvenile court and a juvenile aid panel (which will be discussed later) should operate; that is, the interests of each child are to be given paramount consideration, over and above any other responsibilities which the court or the panel may have. Clause 4 sets out the arrangement of the Bill. Clause 5 deals with the definitions. There have been a few alterations and additions to those in the present Act and the significance of these will become apparent as the rest of the Bill is discussed. There are references to the Community Welfare Act and the Director-General of Community Welfare. This Act will not be proclaimed until the Community Welfare Bill (to be introduced later) is in force. Clause 6 contains a number of transitional provisions.

Clause 7 introduces Part II, which includes two important new provisions. First, it is proposed that there shall be separate provisions for dealing with children who commit offences under 16 years of age from those for dealing with children of 16 and 17 years of age. As a principle throughout the Bill, the relevant age is the age at the time of the alleged offence. The arrangements will not apply to children charged as neglected or with homicide; in both of those cases, other special provisions apply. Clause 8 provides that juvenile offenders up to 16 years of age shall not be charged with the offence as such, but the commission of an offence may constitute grounds on which to lay a complaint that a child is in need of care and control. This represents a major innovation, and means that no child under 16 will be charged with a specific criminal offence (except in the case of homicide), and no conviction will be recorded against him for such an offence. The procedure for dealing with children alleged to be in need of care and control is dealt with in more detail under clause 41. The rest of this Part, clauses 8 (3) to 16, introduces another entirely new concept, that of juvenile aid panels. The aim of these panels is to provide an alternative to court proceedings in the case of certain children involved in offences or subject to allegations of truancy or uncontrolled behaviour.

Although the juvenile court system has worked well, experience in other places has shown that many children can be dealt with satisfactorily in a non-judicial setting. About 60 per cent to 70 per cent of children appearing before courts in this State are first offenders who do not offend again. Many of the offences concerned are of a minor nature. In several other places, both in Australia and overseas, non-judicial systems (variously known as juvenile aid bureaux or juvenile crime prevention schemes) are in operation providing both a formal warning and a counselling service to parents and children. Schemes of this nature are in existence in New Zealand, Western Australia and Queensland. The scheme in New Zealand has been operating for several years and reports on its operation are particularly favourable. The scheme proposed in the legislation will introduce greater adaptability in the arrangements for dealing with young offenders and other children in trouble, by providing a screening process before court proceedings are taken.

Subclauses (3), (4) and (5) of clause 8 provide that the panels will deal with all first offenders, truants or uncontrolled children under 16 years of age in the first instance, and with children under that age involved in further offences or other misconduct if they are not under an existing court order. Subclauses (6), (7) and (8) provide that, if a child is apprehended and brought before a court, the court may deal with the child or refer him to be dealt with by a panel. Clauses 9 and 10 provide for lists of persons from whom panels may be appointed and the constitution of panels. Each panel will consist of a police officer and an officer of the Department of Social Welfare and Aboriginal Affairs. This will enable the knowledge, expertise and resources of these officers and their departments to be brought to bear on situations as

quickly as possible. Clause 11 provides that the panels shall not meet in a police office or court building.

Clause 12 enables a panel to refer a child to be dealt with by a juvenile court if the child does not appear, if the child or his parent requests it, or if the panel considers it necessary or desirable. Clause 13 provides for reports to be prepared for the assistance of the panel by the investigating police officer and, if necessary, by a social worker of the Department of Social Welfare and Aboriginal Affairs. Clause 14 sets out the powers of panels: they will have no judicial powers but may caution the child and his parents, and may arrange counselling, training or other special treatment for the child for a period of six months. The panel may refer the case to a juvenile court at any time during the six-month period. Clause 15 contains the procedure by which a panel shall refer matters to a court. Subclauses (4) and (5) prevent any proceedings of a panel being admitted as evidence before a court, except in regard to a subsequent offence. Subclause (6) extends the time limit whereby a complaint may be laid in respect of certain offences, so that a panel will not be prevented from referring a child to a court in certain circumstances.

Clause 16 prevents a child being dealt with by a court for an offence that has been dealt with by a panel, unless the panel refers the matter to a court. It is expected that the panels will be able to dispose of matters involving many children in a relatively informal setting and with a minimum of delay after any alleged misconduct by a child. As they become established and known in various areas throughout the community, it is hoped that the panels will be approached voluntarily by parents, where they will have an important role to play in the prevention of delinquent activity.

With one important new clause and some minor amendments, clauses 17 to 23, which constitute Part III of the Bill concerning the constitution and jurisdiction of juvenile courts, are similar to sections 8 to 13 (Part II) of the existing Act, in a rearranged form. Clause 17 is entirely new and provides for a judge or judges appointed under the provisions of the Local and District Criminal Courts Act, 1926-1971, to be appointed to exercise jurisdiction in a juvenile court. Consequentially, some later clauses also include a reference to a judge in the juvenile court.

Again this is a new and progressive step. So far as is known, there is no other State in Australia where a judge normally sits in the juvenile court. It is not unusual in Canada and the United States of America. The Government believes that an appointment of this nature will increase the status of the juvenile court at a time when many developments, including those outlined in this Bill, are taking place in the difficult field of the control and treatment of juvenile offenders and other children in trouble. When appointed, the judge will sit primarily in the Adelaide Juvenile Court, but will have responsibility for the functioning of juvenile courts throughout the State. This will have the effect of co-ordinating the work of such courts, and, more importantly, of enabling a person of judicial status, knowledge and experience to specialize in this field, and so provide guidance and leadership to other persons sitting in juvenile courts.

Clauses 18 and 19 provide for the constitution of juvenile courts, and have been amended to include a judge and special justices. Clause 20 sets out the powers of a juvenile court as a court of summary jurisdiction and provides for the application of the Justices Act to proceedings in a juvenile court. Subclause (4) excludes certain provisions of the Justices Act, where it is considered that, generally, the application of those proceedings in juvenile court procedure is undesirable. These provisions are sections 27a, 27b, 27c, and 27d, which provide for the service of summons by post; section 57a which provides that a plea of guilty may be made in writing; and section 70ab which provides that a bond may be ordered in addition to any other penalty.

Subclause (5) excludes the provisions of the Offenders Probation Act in relation to juveniles. Over the years there have been difficulties in administering some provisions of that Act in regard to juveniles. Recent provisions in the Act for suspended sentences are not considered desirable for juveniles. Further, the opportunity has been taken to bring into a single Act all the necessary powers for the disposition of juvenile cases. Consequently, provision is made later in this Bill for juveniles to enter into a recognizance under the Juvenile Courts Act rather than the Offenders Probation Act.

Clause 21 provides for juvenile court proceedings to be heard in special places, as far as practicable apart from adult courts. Clause 22 (section 12 of the existing Act) has been amended to delete references to the

Social Welfare Act and the Education Act, as all necessary powers will be provided in the Juvenile Courts Act. Consequential amendments to the Social Welfare Act and the Education Act are in hand. Clause 23 provides for the powers of justices and special justices in juvenile courts.

Clauses 24 to 32 (Part IV—"General Procedure and Powers of the Courts") are similar to sections 14 to 24, Part III of the existing Act, with some small amendments. Clause 24 (section 14) concerns the arrangements for a change of venue for a juvenile court, and has been amended to bring them into line with the provisions for the remand of children in clause 29. Clause 25 is procedural, dealing with arrangements to be followed where it is found that a child or an adult has been brought before a juvenile court or adult court in error. Clause 26, which is analogous to the existing section 17, concerns the procedure to be followed where a child is involved in an offence with an adult.

The clause provides that a child shall not be charged jointly with an adult, and further that a child alleged to be in need of care and control (that is, a child under 16 years of age) shall not be charged jointly with a child over 16 years charged with an offence. This provision gives further effect to the principle that children under 16 years should not be charged with or convicted of offences. There have been minor amendments to clauses 27 and 28, which provide for children to be referred from any juvenile court to the Adelaide Juvenile Court, and for the attendance of parents in court.

Clause 29 replaces section 20 of the existing Act dealing with the powers of the court to remand children in custody. There have been criticisms of the use of this power by some courts, and there have been cases where children have been remanded in custody in circumstances where a similar order would not have been made against an adult. Remand in custody deprives a person of his liberty prior to hearing and determination of guilt, or prior to the making of the order in the child's interest required by this Bill, and the power should be used only where it is unavoidable. The power should never be used as a subterfuge to enable the court to impose what is in effect a short sentence of detention. Clause 29 therefore attempts to set down clear guidelines for the court to follow when deciding whether to remand children in custody.

Clauses 30 and 31 deal with the taking and admissibility of evidence by deposition, and are substantially unaltered. Clause 32 provides for special inquiries to be made into the mental condition of certain children. Clause 33 introduces Part V—"Special Provisions Relating to the Hearing and Determination of Complaints". Clauses 33 to 39 repeat existing sections of the Act with consequential amendments and will not be dealt with in detail.

Clause 40 provides for children to be sent to an assessment centre for investigation and evaluation of their personal and social needs. Improved assessment procedures were a recommendation of the Social Welfare Advisory Council. Assessment is being performed at present at the Windana Remand Home and a non-custodial centre is planned for the future. A team of persons from various professions is available to submit a comprehensive report to the court with recommendations as to the child's treatment needs. The same report will be available to persons who may become involved in the subsequent supervision, training or treatment of the child, either in departmental homes or in the community.

Clauses 41 and 42 take the place of sections 34 to 37 of the existing Act. Those sections deal with the powers of the court as to penalty and committal. At present children charged with offences may be convicted and sent to a reformative institution or, with or without conviction, they may be placed under the formal control of the Minister, or they may be fined, or placed on a bond under the Offenders Probation Act. Clauses 41 and 42 introduce quite different provisions. First, it is considered desirable to have different arrangements for younger children, in view of their immaturity. The Social Welfare Advisory Council suggested that the upper age limit of the younger group should be 14 years. On further consideration, it has been decided to increase this to 16 years, which would include the great majority of schoolchildren.

The arrangements for first offenders and other children under 16 years of age to be dealt with by juvenile aid panels have already been described. The court will continue to deal with any cases referred by a panel (these may be serious offences, cases where the panel believes the child is in need of care, training or treatment, or where the child or parent requests that the matter go to a court), and also with recidivists. No child under 16 years of age will be convicted of an offence. In place of a charge for an offence, a complaint may be laid

that the child is in need of care and control. In dealing with such a matter the court must be satisfied that an offence has been committed, either by admission or proof but, before making an order, must also be satisfied that the child is in need of care and control of a kind that the court can provide. The orders that may be made are as follows:

(1) discharge under a recognizance, with or without supervision of an officer of the Department of Social Welfare for a period up to two years;

(2) under the recognizance, include a condition that the child attend a youth project centre as directed;

(3) place the child under the care and control of the Minister for not less than one year or for any period up to his eighteenth birthday.

As explained earlier, the recognizance provisions replace those previously applying in the Offenders Probation Act. The maximum period has been reduced from three to two years. Youth project centres are to be established under the Community Welfare Act. The centres will be non-residential, and certain youths, selected according to their personality and type of offence, will be recommended for this kind of treatment. They will attend on several evenings for training based on group therapy techniques, and on Saturdays for community work programmes.

The care and control order replaces the existing committal to a reformative institution or to the control of the Minister. The proceedings bring into focus the welfare role of the juvenile court. The appearance of any child in a court, for whatever reason, is symptomatic of personal, family or social problems that need careful assessment and dfferential treatment. A later clause provides that no child shall be placed under the care and control of the Minister or ordered to attend a youth project centre unless he has first been seen at an assessment centre, and a report has been submitted to the court. The report may make several alternative recommendations for the future care, control and treatment of the child, but the final disposition will remain with the court. However, in future, no direct committals to any institution will be made.

Separate "reformative institutions" under the Social Welfare Act are to be abolished under the proposed Community Welfare Act, and all homes established by the department will be used in a more flexible approach to the needs of the individual child. Under the proposed Community Welfare Act, the Director-General of Social Welfare may place any child under the care and control of the Minister in any home for care, control, training or treatment. Further, the period of care and control has been altered. At present, a child from eight years to 18 years can be committed only until he is 18 years of age. This order has come under criticism because of its long and, in effect, indeterminate nature. In future the order may be for a minimum of one year, or for any period up to the time at which the child attains the age of 18 years. Provision is being made in the proposed Community Welfare Act for each child under care and control to be reviewed each year with a view to release from care, and for right of appeal by parents to a judge of the juvenile court for release. In summary, the effect of clause 41 is as follows;

(1) to acknowledge that child offenders do not differ in their needs from other children in trouble; that is, they may be in need of care and control, while the nature of the offence and a criminal conviction are of secondary importance in dealing with the child;

(2) to provide a wider range of orders, including community treatment in youth project centres;

(3) to provide for a general order placing children under the care and control of the Minister in place of committal to a specific institution, thereby making for a more flexible use of training centres and children's homes according to the needs of each child; and

(4) to provide more realistic periods for children to be placed under the care and control of the Minister.

Clause 42 has provisions for dealing with children who commit offences between their 16th and 18th birthdays. The arrangements are the same as those for children under 16 except that (1) the child will be charged with the offence as such; (2) a conviction may be recorded; (3) a fine up to $100 may be imposed; (4) a fine may be imposed in addition to a recognizance; and (5) the care and control order will be for not less than one year or more than two years. Clause 43 requires the court, before an order is made placing a child under the care and control of the Minister or sending him to a youth project centre for the first time, to obtain a report from an assessment

centre regarding the background and development of the child and a recommendation regarding treatment, training, supervision or other assistance for the child.

Clause 44 introduces a further new arrangement which has been referred to earlier. It is considered desirable that where a child commits an offence he should be dealt with according to the degree of maturity existing at that time. Mention has already been made of the arrangements for dealing with children under or over 16 years according to the date on which the offence was committed. This clause applies the same principle to persons over 18 alleged to have committed offences prior to turning 18. The person concerned will appear initially in a juvenile court, where, depending on several factors, he may be dealt with by that court, or by a court of summary jurisdiction, or the court may commit him for trial to the appropriate court as an adult, in the case of an indictable offence. Clauses 45 and 47 are new and provide the procedure to be followed in an application for variation and breach of a recognizance under this Act, and are similar to provisions in the Offenders Probation Act in that regard. Clause 46 requires the court to provide a child with a simple written notice explaining the conditions of a recognizance or a variation of a recognizance. Clause 48 limits the powers of justices from placing any child under the care and control of the Minister.

Clause 49 deals with the disqualification of a driver's licence. An order for disqualification may be made for a specified or unspecified period, in addition to any other order, and in addition to the powers of the Road Traffic Act, 1961-1969. The section has been criticized because of its wide powers, especially with regard to specified periods which may be long but are not subject to review, as are indeterminate periods, under the provisions of the Road Traffic Act. A new subsection (4) has been included, therefore, providing for variation or revocation of such an order made under this clause. Clause 50 provides that only a judge of a juvenile court may exercise the powers of section 77 or 77a of the Criminal Law Consolidation Act, 1935-1969, in respect of a child. Clause 51 concerns orders for compensation or restitution. It provides that a judge in the juvenile court may order restitution or compensation up to $800, while a maximum of $400 may be ordered by a magistrate. A further subsection has been added which prevents a juvenile court making any order under the Criminal Injuries Compensation Act, 1969.

Clauses 52, 53, and 54 deal with powers of the Supreme Court in respect to child offenders, and refer to sections 41, 42, and 43 of the existing Act. They remain unchanged except for a new provision in clause 54. As it stands at present, a child convicted of murder may be ordered to be detained at the Governor's pleasure, but there is no provision for holding the child while the Governor's directions are obtained. Clause 54 (2) provides that the child may be sent to a home or other suitable place pending the Governor's directions. Clauses 55 to 62 follow sections 44 to 55 of the existing Act regarding neglected and uncontrolled children, together with new provisions regarding habitual truants. There have been criticisms of the present arrangements whereby children are "charged" as neglected or uncontrolled, and of subsequent orders where children may be "committed". Both these terms have connotations of criminality which are inappropriate and damaging to the child's status. Such children, especially neglected children, are not offenders; rather, they have been offended against, and a court appearance and possible separation from parents is traumatic enough. Even the smallest suggestion that the legal proceedings are in any way associated with criminal proceedings should be removed. These clauses have therefore been amended in the following ways:

(1) Children may be brought before a juvenile court on "a complaint alleging that a child is neglected or uncontrolled".

(2) The order, if any, will be to "place the child under the care and control of the Minister". The court will not make an order sending a child to any specific children's home. After an order is made, the Director-General may, if it is considered necessary, place a child in any suitable home for such care, training or treatment as may be appropriate.

(3) For uncontrolled children, no order may be made until the personal circumstances and psychological needs of the child have been evaluated at an assessment centre. This requirement does not apply to alleged neglected children, who are generally younger children in need of care and protection. In this case, questions of deciding the best disposition in terms of treatment and training are of less immediate concern.

Because of the nature of the social problems involved in these cases, the period of care

and control that may be ordered has not been changed, that is, for children under 16 years the order is until 18 years of age; and for children over 16 years the order is for not less than one year nor more than two years. Reference has been made to provisions in the Community Welfare Bill to ensure that each child's circumstances and those of his parents will be reviewed annually. Parents will be advised of their right to apply for the release of their children from the care and control of the Minister and of their right of appeal to a judge in the juvenile court.

Clause 56 is new and concerns habitual truants. The existing powers in the Education Act that will now be inconsistent with this Act are to be repealed and replaced with a provision that a complaint may be laid that a child is an habitual truant. The powers of the court provided in this Bill are in keeping with those for dealing with other children in trouble. Clauses 57 to 62 have been amended consequentially, but the powers have not been affected. They follow substantially sections 45 to 52 of the Act, except section 46, which has been deleted, as the powers contained therein for committing children direct to a specific institution are no longer required.

Clauses 64 and 65 are analogous to sections 53 and 54 of the Act. Clause 65 provides for reconsideration of penalty by a juvenile court. As the law stands at present, there has been difference of opinion in the courts as to which decisions of a juvenile court are subject to reconsideration under this clause. Section 65 (1) has been amended therefore to provide that "any order or adjudication" of a juvenile court may be reconsidered, subject to the further provisions of the clause. New subclauses (10) and (11) have been added to this clause, limiting the reconsideration of orders to magistrates and judges. Clause 66 sets out the procedure to be followed for determining the age of persons who might be brought before a juvenile aid panel, a juvenile court or any other court, and for the powers of the court to reconsider orders that have been made on mistaken ages. Clause 67 provides that juvenile courts shall not be open to the public, and power is given for the court to direct which persons might be present at a hearing concerning a child.

Clause 68 deals with the age of criminal responsibility of a child. The age of eight years in the existing Act has not been altered, but is now qualified by the provisions of this Bill for dealing with children under 16 years of age on complaint that they are in need of care and control. Clause 69 is a new provision giving power for a judge or special magistrate to recommend that a juvenile offender of 17 years of age be transferred to prison in certain circumstances. Although new in this legislation, similar provisions have existed in the Social Welfare Act for some time regarding children in training centres who become beyond control in that setting. These provisions are a frank recognition of the unfortunate fact that some youths have such a highly developed pattern of criminal or anti-social behaviour that they will not respond to treatment programmes in a training centre designed for persons under 18 years of age. If a child is transferred to prison under this provision, he will be eligible for parole and remissions and will remain under the care and control of the Minister until the expiration of that order. Clauses 70 and 71 are formal provisions regarding the issue of mandates by the court.

Clause 72 makes provision for dealing with a child on a warrant of commitment for non-payment of a fine or other monetary penalty. The question of the effectiveness of imposing fines on juveniles is a difficult one. Some cases have been brought to notice where a fine has been imposed without reasonable time to pay or where the child has no immediate funds to meet a heavy fine and a committal has followed automatically. In either case, the order is inappropriate. In other cases, because children are remaining at school longer parents may pay fines, and this has little effect on the child. For this reason, fines for children under 16 years have not been provided for in this Bill. The earnings and expenses of children under 18 years leave little funds available to pay a large fine without a reasonable time to pay.

No ready solution is available to overcome the various problems, but subclause (2) has been added to the clause, giving a child the opportunity to apply to a juvenile court for an extension of time to pay. Provision is made in the Community Welfare Bill that any child detained in a remand home on a warrant of commitment for any period exceeding 21 days may, by order of the Director-General, be transferred to any other suitable home for the period of the order. This will overcome to a degree the problems of a long-term stay in a remand home where the programme is not specifically designed for such children. Clauses 73 to 79 are substantially similar to

sections 62 to 68 of the Act, with consequential amendments where necessary. Clause 78 provides for the making of such regulations as may be necessary for the purposes of the new Act.

Dr. TONKIN secured the adjournment of the debate.

LAND TAX ACT AMENDMENT BILL (RURAL LAND)

(Continued from August 31. Page 1240.)

Mr. RODDA (Victoria) moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider new clauses relating to the taxable value of land used for primary production and taxes thereon.

Motion carried.

In Committee.

Clause 2—"The 1971 assessment of land used for primary production."

Mr. GUNN: This clause deals with the powers of the Commissioner to carry out a new assessment. Can the Treasurer say whether this assessment will be just a computer exercise or whether it will be a proper assessment taking into account the anomalies which existed in the old assessment and which caused many problems?

The Hon. D. A. DUNSTAN (Premier and Treasurer): It will be a complete reassessment.

Mr. RODDA: We have been led to believe that the reassessment will be completed by October. I have attended many meetings at which valuers from the department have gone to great pains to point out to landholders the considerable work involved in making valuations, so that a complete reassessment would appear to take some time. Will the Treasurer elaborate on what he means by a complete reassessment?

The Hon. D. A. DUNSTAN: It has already been under way for some time. Some time ago I authorized the work to be undertaken, anticipating that this Bill would pass. In addition, I had proposed that we go ahead with a reassessment in view of the fact that there would be not merely this amendment before the Parliament but, in due course, a new Valuation Act, which would provide for periodic general assessments.

Mr. EVANS: Concern is being expressed about the development of the catchment area, whether for housing or rural purposes. In the past, valuers have placed a value on native bushland as if it were primary-producing land. Whereas a farmer may have developed parts of his land and used only that part for primary production, the assessments have been made on the basis of the whole property. Valuations in the catchment area must be considered carefully, and I ask the Treasurer to ensure that valuers will consider only the land that is productive for primary-producing purposes. I also ask the Government to consider introducing a Bill to exempt all land in this area other than residential land from the operation of the Act. It is difficult to differentiate between primary-producing land and other land in this area. I realize we must protect the quality of our water.

The Hon. D. A. DUNSTAN: I will take the matter up with the Valuer-General.

Mr. RODDA: Land in the Keppoch and Coonawarra areas has attracted much attention, because of its specific use, and sales at $500 or more an acre have been made. Properties nearby have been valued on the basis of the valuer's opinion regarding natural resources and availability of water. Consequently, landholders who cannot use the land for grape-growing purposes are nevertheless required to pay land tax on the basis of a high value for the land and thus are incurring exorbitant charges. I ask the Treasurer whether valuers will give special consideration to these cases, of which there are many in my district and many others throughout the State.

The Hon. D. A. DUNSTAN: I will certainly discuss the matter wih the Valuer-General.

Mr. VENNING: It interests me that a general revaluation can be undertaken in four months, and it would be interesting to know what the department does during the quinquennial period in working out the next assesment.

The Hon. D. A. DUNSTAN: I will have a work study made for the honourable member to show him that, in fact, the Public Service Board is carrying out its duty to see that the persons that we employ are fully employed.

Clause passed.

Remaining clauses (3 and 4) passed.

New clause 1a—"Interpretation".

Mr. RODDA: I move to insert the following new clause:

1a. Section 4 of the principal Act is amended by inserting after the definition of "particular notice" the following definition:

"prescribed rural company" means a company engaged in the business of primary production in which there are no more than twenty shareholders:.

This new clause amends section 4 of the principal Act by adding a definition of "prescribed rural company". We have in South Australia many such companies.

The CHAIRMAN: Order! The honourable member can discuss the three new clauses at this stage but they must be voted on separately.

Mr. RODDA: Do I understand that you will take new clause 1a as the test?

The CHAIRMAN: The honourable member can discuss all three new clauses at this stage, but they will be voted on separately.

Mr. RODDA: The purpose of this amendment to section 4 is to allow the Commissioner scope to give some relief to these rural companies. I have in mind a hard-working and industrious family that has borrowed a large sum of money and has some 14,000 acres, attracting an assessed value of some $320,000. Four members of the family—the father, his son, and his two grandsons-—are concerned. They have borrowed heavily and are feeling the pinch of these capital taxes. My new clause la seeks to give consideration to this type of case. The rural community does not mind paying taxes if it has the wherewithal to do so. We must look closely at this matter of capital taxation. In this amendment I am trying to offer some relief to people in a difficult situation, where the ownership of land is vested in a company, thereby attracting capital taxation, when actually the property is divided among several members of the family. The new clause caters for the case where there are no more than 20 shareholders.

Mr. GUNN: I support the new clauses, because they will help primary producers in their present difficult situation, and will remove from this obnoxious form of taxation some of the anomalies. This tax is based on unrealistic values and not on production. Any form of capital taxation of this nature cannot be supported.

Mr. CARNIE: I, too, support the amendments, because they plan to protect arrangement that have been made for many years by farmers throughout this State and the country. It is a common practice to form a farm property into a company, because a person dies but a company continues. That system is also a taxation-saving measure for primary producers, and with the present cost structure (and a repetition of these facts must surely eventually get into the thick heads of Government members) the rural community is desperate. Some farming units that operate as companies at present are in the position where some members of the company are forced to do outside work.

Mr. VENNING: I commend the honourable member for drafting these amendments, and support them. It is common knowledge that the rural industry has been in circumstances where it was found necessary to form small companies with the father and sons working together in order to survive. These amendments would allow these small companies, which consist of genuine primary producers, a chance to survive. I therefore hope the Treasurer will support the amendments.

Mr. ALLEN: I, too, support the amendments. Nowadays we often hear that it is necessary for primary producers to get big or get out. However, anyone whose property becomes bigger and who has a title in joint names will be penalized under the Bill as it stands. This amendment will assist people with larger holdings.

The Hon. D. A. DUNSTAN: I shall have to disappoint Opposition members, because I do not support the amendment. The proposed definition of "prescribed rural company" has been characterized by the member for Victoria as catering for family companies. I point out to the honourable member that the way in which he has drafted the amendment would leave the door wide open for the most widespread tax evasion possible, and it would mean that we would collect very little from the area. The amendment may well have been designed for that very purpose. The effect of the amendment is not confined to family companies: a "prescribed rural company" could consist of 20 shareholders all of whom were companies. The definition would leave it hopelessly wide open for tax evasion. When we take into consideration new clauses lb and 1c we see what this means.

Those new clauses are designed to give prescribed rural companies as defined in new clause la special privileges in that, where land is held, the taxable value of that land is to be calculated by dividing the amount of the aggregate unimproved value of the land by the number of shareholders in the company, and the land tax payable on that land is to be calculated by multiplying the tax determined on the basis of the taxable value so calculated by the number of shareholders in the company. Thus, instead of paying the higher rate of tax based on the unimproved value of the whole land, the land is notionally fragmented and the tax will be payable at the rate applicable to each "fragment" multiplied by the number of shareholders.

Mr. Venning: There is nothing wrong with that.

The Hon. D. A. DUNSTAN: It completely does away with the whole principle of aggregation, under which land tax is, in effect, a progressive tax. It would be a means of wholesale tax evasion. If the amendments were carried all that anyone would have to do, if he had a sizeable property, would be to form a company with as many shareholders as possible. There could be 20 shareholders, but they could be a series of companies.

Mr. Rodda: You are confusing yourself.

The Hon. D. A. DUNSTAN: I can assure the honourable member that I am not confusing myself, and he is not confusing me, either. Quite clearly this is a means of getting away from the principle of aggregation and it runs completely counter to the principles of the Act, and the Government could not possibly support it. It is a means of fragmenting areas and reducing the rate of tax so that properties, although valuable, will fall into much lower taxable categories, and therefore very much less tax would be payable, despite the fact that they are units and should be considered to be units. I regret that I cannot agree to the amendments.

Mr. RODDA: What the Treasurer has said clearly underlines the difference between our two philosophies. Has the Treasurer not heard of the rural reconstruction scheme? His own Minister of Agriculture is involved in making $6,000,000 available for farm build-up. All around us are poverty-stricken men on the land, and I do not accept that the amendments cannot be made to work. We see from some of the things that the Government is doing that it is not against taking progressive action; I refer, for example, to the international hotel—

The CHAIRMAN: Order! The honourable member is out of order in referring to something not included in his amendments.

Mr. RODDA: If the rural companies had the wherewithal, they would be willing to provide the Government with the revenue it desires in order to do certain things. I am disappointed at the reception these amendments have received.

Mr. GUNN: Once again it has been proved that the Treasurer and Government members have no regard for the problems facing rural industry today. This was a clear opportunity for the Government to show where it stood but, as usual, it has failed to support amendments that would have provided some relief to primary-producing companies that are experiencing many problems. If the Treasurer were consistent in what he has been telling farmers, including those who took part in the farmers' march, he would accept the amendments. I am sorry that he would not do so.

The Hon. D. A. DUNSTAN: I have carried out everything that I told farmers at the rural march I would carry out.

Mr. Millhouse: Under pressure.

The Hon. D. A. DUNSTAN: It has not been under pressure at all.

Mr. Venning: It took you a long time, though, didn't it?

The Hon. D. A. DUNSTAN: No. I suggest that honourable members carefully read the the amendments they are proposing. As a prescribed rural company would mean a company "engaged in the business of primary production in which there are no more than 20 shareholders", I point out that any one of those shareholders can also be a prescribed rural company; so one can proliferate the number of shareholders as much as one likes by creating a series of companies, and any rural assessment can be completely fragmented. That is obvious tax evasion, and it is designed to do by the back door what the Government will not agree to do in a proposal put forward by the Leader of the Opposition.

The Committee divided on new clause la:

Ayes (15)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Millhouse, Rodda (teller), Tonkin, Venning, and Wardle.

Noes (23)—Messrs. Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan (teller), Groth, Harrison, Hopgood, Jennings, Keneally, King, Langley, McKee, McRae, Payne, Simmons, Slater, Virgo, and Wells.

Pairs—Ayes—Messrs. McAnaney and Nankivell. Noes—Messrs. Hudson and Wright.

Majority of 8 for the Noes.

New clause thus negatived.

Mr. RODDA: In view of the vote just taken, I do not wish to proceed with the other proposed new clauses.

Title passed.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That this Bill be now read a third time.

The member for Fisher has raised with me a point concerning clause 4, which amends section 23 of the Act. That section now provides:

The Commissioner shall, from time to time, assess, and add to the assessment all lands that become liable to land tax after the time for the making of any quinquennial assessment, and before the time for the making of the next such assessment.

What we are doing is striking out the words "quinquennial" and "such", so that the section as amended will provide:

The Commissioner shall, from time to time, assess, and add to the assessment all lands that become liable to land tax after the time for the making of any assessment, and before the time for the making of the next assessment.

There is provision elsewhere in the legislation for the quinquennial assessment. This amendment allows us, when we make an assessment other than the quinquennial assessment, to act in the same way. In other words, we may find from time to time that we need to make a special assessment, such as the present one. Therefore, this provision allows lands to be added in afterwards, if it is necessary to add them, and we will not have to confine ourselves to quinquennial assessments. However, provision for the quinquennial assessment as the normal assessment is made elsewhere in the legislation.

Bill read a third time and passed.

MINING BILL

Adjourned debate on second reading.

(Continued from August 19. Page 960.)

Mr. EVANS (Fisher): There is no doubt that the increased population in the world is placing big demands on the mining industry. I suppose that the first thought that enters the mind of people when reference is made to the opening of a new mine is the effect it will have on a certain environment. The second thought that perhaps a few people would have, would be about the value of the shares and whether the venture was likely to be viable. A third group, comprising perhaps members of Parliament or other persons, near to the political or financial hub of the State or country, may think of what the venture is worth to the economy of the State or country.

About the last thought that would enter the minds of most people would be one dealing with the benefits to be gained from the use within our community of the articles produced. Practically every commodity that we use has some product originating from the mining industry associated with it. I suppose the article which is most common and which has a direct effect on the environment is the popular pollution producer, the combustion motor, and the vehicles that it powers. We all think we are entitled to own a vehicle and drive it on our roads whenever we feel like doing so. Motors are also used in our factories and for railway locomotion.

However, I do not think we ever relate our thoughts to where this all originated. We would condemn the mining industry while sitting in a motor car enjoying some of the products made possibly by that industry. If the average suburban householder had a lamb delivered to his door and was told that he could get a week's supply of meat by cutting its throat, removing the skin, and butchering it, he would not accept the offer. However, all those operations are carried out before we receive our meat. A similar procedure applies to most of the articles used in the community that originate in the mining industry.

Our demands on the mining industry encourage that industry to try to meet those demands. At the same time, the mining industry should progress only as long as it is not extremely harmful to our environment. If we looked around our own back doors, we would realize that we do not do all that we should do to protect the environment. The Bill gives the Mines Department and its inspectors, as well as the present Government and future Governments more control, and I know that there are suggestions (and I cannot debate this topic) that the legislation will be amended to deal, perhaps with conservation of the environment before a new mining project operates or an existing one extends its operations. I think most members would accept a reasonable amendment of that kind. However, if it is unreasonable and forces the mining industry out of this State to some of the other States by stopping the prospecting for or the investigating of minerals in this State, we shall be the ones to suffer in the long term. So there has to be a balance between development and protecting the environment which we have all learnt to appreciate and which recently (perhaps over the last two years) we have started to talk about and say we will protect more than we have ever done in the past. With those words added to what I said a fortnight ago, I support the second reading.

Mr. MILLHOUSE (Mitcham): I do not intend to make a full-blown speech on this

topic. Several good speeches have already been made from this side, and there is no need for me to reiterate what has been said. I want to canvass only two points. The first is the most surprising omission from the Bill of any protection for the environment. Much has been written about this. I think the Minister has repented himself of his errors, and rumour has it that he intends to put some amendments on honourable members' files. They have not yet arrived. This is a glaring deficiency in the Bill because, in my view (and here I respectfully adopt many of the arguments used by the member for Fisher and others with regard to this), there should be some way in which a member of the public or a group or body of people should be able to make a protest.

In my view, the best way to do that is to set out certain criteria and then allow of an appeal to the Land and Valuation Court, which could then decide on the basis of those criteria whether the protest was or was not in order.

This protest should not be at large; it should not be at any time. I suggest we should provide that, when the Minister or the Director of the department proposes to grant an application, 30 days' notice should be given of that by advertisement in the *Government Gazette,* and during that period any interested person or group of people should be enabled to apply to the Land and Valuation Court for an adjudication on the matter. I suggest the Land and Valuation Court because it is that division of the Supreme Court to which appeals now lie from the Warden's Court, and it therefore seems to be appropriate.

The sorts of matters that should be taken into account (the criteria, as I have called them) are such things as the use and enjoyment by the public of the area and the natural beauty or other amenities of the spot; pollution from any mining operations; undue noise, dust or disturbance; and undue damage to animals or vegetation. I suggest we should take into account things of that nature. The Minister has not seen fit to put his amendments on honourable members' files. Whether they would go as far as that and whether they would go any distance at all if they ever got there, we do not know. In my opinion this is a gap in the legislation that should be filled, and it is the supreme irony that the man who has been appointed Minister of Environment and Conservation has introduced a Bill which so far ignores the very things that he has been appointed—

The Hon. G. R. Broomhill: You have not read it.

Mr. MILLHOUSE: —to look after. This should be put right, and I intend in due course to take the necessary action, but I cannot canvass amendments now. However, for the benefit of members I point out that the amendments standing in my name are not in perfect form and will be altered at the appropriate time. The other matter to which I refer has already been canvassed, that is, the provision contained in clause 16 which, by the stroke of a pen or with the use of a little printer's ink, will take away from people their mineral rights, as I understand it, in titles that were issued before 1889. The mineral rights reside in the holder of the fee simple.

Mr. Evans: And they have paid for them.

Mr. MILLHOUSE: Of course they have, but at the stroke of a pen that is to go. Clause 16 (1) provides:

> Notwithstanding the provisions of any other Act or law—

a favourite draftsman's trick to bring in everything—

> or of any land grant or other instrument, the property in all minerals is vested in the Crown.

Subclause (2) provides:

> This section shall apply in respect of all mineral lands and in respect of all other lands (including reserved lands) in the State.

Then there is the weakest of weak attempts in clause 19 to make this up, but when one peruses clause 19 one realizes that the whole thing depends on the discretion of the Government or of a Government officer, and it really means nothing at all. I do not think Parliament should take away the rights and property of people like this and, at the appropriate time, I intend to take action in this matter as well. I understand that the Minister, because of the difficulties in which he is placed, is not ready to go on and that it is intended that we will go no further than to get the Bill into Committee. That will give us time to prepare the amendments that I believe should be made before the Bill is finally passed. I support the second reading.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I appreciate the contributions of members to the debate, although perhaps I could make one exception, but that is not the member who has just spoken. Other than that exception, I believe that members have applied themselves to a complex and difficult measure which most members have suggested that they support in

principle but about which amendments may have to be introduced in Committee. I believe that it is fair to say that this is largely a Committee Bill. This legislation has been needed for many years, and, in introducing it, the Government has made a genuine attempt to cater for the needs of the industry and, at the same time, for the needs of the community in relation to environment and many other factors. This has required much attention, and I am grateful for the thought that members have given this measure.

At this stage it is impossible for me to deal with all of the aspects and questions that have been raised by members, but I must refer to some matters. The main spokesman for the Opposition, the member for Alexandra, who obviously had researched well in preparing his speech, made several points that were repeated by other Opposition members, and I shall deal with some of these matters now to indicate the extent to which some of the matters raised are open for improvement in the Committee stage. The member for Alexandra referred to the resumption of minerals by the Crown. He suggested that the sole purpose of resumption was to acquire royalties by the Crown, but that is certainly not the overriding intention. Members may recall that I have pointed out that royalties under the Bill are deferred to the Crown for at least 10 years and, in the case of mines established during this period, for the duration of the life of the mines. So, the honourable member was incorrect in his assumption.

The objective of this resumption of mineral rights is clearly to facilitate responsible exploration in areas that are at present virtually inaccessible because they are in private ownership. Under the Bill the Minister will be able to grant an exclusive exploration licence that will permit the licensee to have access to minerals on private land, whereas at present a company is required to negotiate separately with every landowner; and even then he has no protection against the landowner himself. Members may well have heard this complaint from the industry in the past; very few responsible mining companies have been willing to risk the cost involved in exploration on this type of land. The present Act has encouraged people to persuade landowners to sign over their mineral rights, after which those rights have been traded to third parties.

The Bill still requires notice of entry to be given to landowners and it extends this right to all freehold landowners, not just those who own the mineral rights. The Bill increases the notice of entry to three weeks, during which period any landowner has the right to object to entry. Members will appreciate that, under the present Act, when mineral rights are privately owned, it is still competent for an applicant to override the objections, to entry, by a landowner by application to a warden. So, the Bill does not effectively reduce the security of any owner of mineral rights. The members for Alexandra and Eyre and some other members said that they were confused by the definition in relation to royalties on precious stones. The Bill specifically excludes precious stones from the payment of royalties. That should be quite clear to any member who has read clause 17 (1), which provides:

> Subject to this section, royalty shall be payable to the Minister on all minerals recovered from mineral lands (otherwise than from a private mine) . . .

So, subclause (1) is subject to the whole provision. Subclause (11) clearly provides that royalty shall not be payable on precious stones, and clause 6 provides that the term "precious stones" includes opal. So, it is clear that opals are not subject to royalty, and that is the Government's intention. The miners on the opal fields have raised this matter, and I have assured them that we do not intend to collect royalties on precious stones.

Mr. Gunn: That isn't clear in the Bill.

The Hon. G. R. BROOMHILL: The member for Eyre might not understand the provision, but I was surprised that the member for Alexandra could not understand it. The member for Alexandra, as well as others, referred to the effect of this Bill on the Pastoral Act. Clause 80 provides that the Bill, in effect, does not derogate from any provision of the Pastoral Act. The minimum protective distances specified in the Pastoral Act apply in areas subject to that Act, but elsewhere in the State the distances specified in the Bill are effective. The somewhat greater distances are applicable in pastoral areas where buildings and fencing are sparse. If applied generally, especially in more closely settled areas, the greater exclusion would effectively exclude most land from exploration.

The member for Alexandra and other members referred to clause 14, which deals with an officer who uses for personal gain information obtained in the course of his employment. The question was asked why this did not apply to officers of the Mines Department generally. I think I have pointed out that

this provision was inserted not because problems have been encountered and we thought that action should be taken to correct the position: the provision has been inserted to ensure that there can be no suggestion that any officer of the department is using information improperly. I think the necessary protection is therefore provided for the Government, for the industry, and certainly for officers of the department. The member for Alexandra may have been under the impression that the provision covered only the Director or other senior officers of the department, but that is not the case: it applies to all officers of the department and, naturally, to all those covered by the Public Service Act.

The honourable member quoted legal opinion on the effect of the acquisition of minerals by the Crown on private agreements, and suggested that a better procedure would be for the Crown to serve notice individually on owners to show cause why their land should not be made available for mining; in other words, to reverse the procedures proposed in this Bill. The difficulty in this concept is the one which I have outlined previously, namely, that until exploration has been undertaken no-one is able to determine whether the area contains minerals or otherwise, and it is access for exploration purposes which is important to mineral development. Once minerals are discovered, the problems associated with acquisition of title and the payment of compensation and other matters are usually readily resolved. It would be impossible for a warden to serve notice on an owner on any tangible grounds that he should make his property available for mining, unless some means were available to determine whether in fact the property contained any minerals.

Several members have discussed the transferability of mineral claims. The proposals in this Bill in respect of mineral claims differ specifically from those in the Act, for a very good reason. Under the Act, any person may peg a mineral claim and proceed to mine and sell his product. Until he is mining at what is regarded as a profit, he is not required to take out a mineral lease or to pay rent or royalty. This has resulted in a vast number of mineral claims throughout this State which are worked in a desultory way without control and without any return to landowners by way of rent or royalty to the Crown. These claims are regarded under the Act as personal property and are often the subject of major deals, with the result that the provisions to which I have just referred are not applied.

The Bill permits the pegging of claims and provides 12 months during which they may be tested; it then requires that a lease be taken out. The lease is then subject to payment of rental to the landholder or occupier. Any production is subject to royalty, and the lease is subject to terms and conditions that will enable the Minister to ensure that the work is carried out satisfactorily, especially regarding the amenity of the area. At the claim stage the title is not transferable. If a claim is thought to be of such merit as to warrant its transfer or sale, it is competent for the owner to apply for a lease, whereupon its transfer can be effected. One member raised the matter of the warden's court and its status and this has also been raised by other speakers. I do not know whether honourable members realize that the Bill considerably upgrades the warden's court by making clear that it is a court in its own right.

Mr. Millhouse: What does that mean?

The Hon. G. R. BROOMHILL: This was the result of a decision taken recently and, if the honourable member can control himself, I will explain what it means. The power to grant an injunction is an important example of this upgrading. Until now, this has not been possible through the warden's court, as I should have thought the honourable member would realize. Perhaps it has been so long since he has been involved in legal matters that his memory has deserted him. At present, such injunctions are granted only by a judge of the Supreme Court but in 1966 the Full Court recommended that a warden's court should have this power. Under the Bill, all decisions of the warden's court are subject to appeal to the Land and Valuation Court.

Other members have expressed concern at the revision of clause 82, which relates to licences and which provides that the transfer of a licence shall not be made without the consent of the Minister in writing. This provision applies as a special condition on all licences granted for exploration purposes under the existing Act but is here included in the Act itself. In other words, we are providing in this Act for procedures currently being adopted in a proper way without any real problems. A similar provision is included in the Petroleum Act and in the joint State/Commonwealth Petroleum (Submerged Lands) Act. Members should perhaps remember that an exploration licence is granted for a maximum of two years, and its value for transfer purposes is therefore limited. It is an important aspect of exploration licences that the

licensee demonstrates his competence both technically and financially before the grant of the licence, and the case for transferring the licence is therefore strictly limited. However, the clause provides that the Minister may permit the licensee to transfer all or part of his interest, and this enables legitimate farm-out arrangements to be undertaken.

I should like briefly to refer to the comments of the member for Eyre, who for most of his speech spoke about the opal fields.

Mr. Venning: He made a very good speech.

The Hon. G. R. BROOMHILL: I could find little in it that I could agree with.

Mr. Venning: That is why it was a good one.

The Hon. G. R. BROOMHILL: Not necessarily. If the member for Mitcham is correct in his opinion of me, that would be so, but I believe he is in the minority in this matter. Knowing something of the involvement of the member for Eyre in this matter, I was concerned to hear that opal miners had been completely ignored during the drafting of the Bill. He referred to a telegram which he knew was only a joke when he read it.

Mr. Gunn: That's not correct.

The Hon. G. R. BROOMHILL: The opal miners have been in touch with the department for the past two years, during which time they have been provided with copies of draft legislation. They have been in constant contact with the department, the Minister of Development and Mines and me. We have received many letters from them asking questions and making suggestions, and all these letters have been replied to. At meetings with representatives of the opal miners from both these areas, we have conceded several things. We have included in the Bill certain provisions to meet their requirements, and we have spelt out certain matters that they could not fully understand.

I think that the member for Eyre was present when, with two other members of the House, I visited the opal fields. Once again, we discussed the draft Bill, giving opal miners the opportunity to submit any suggestions they had. The honourable member was present when, on that occasion, opal miners expressed their satisfaction with the Bill. I will concede that there was one exception: they have expressed some concern about clause 60, which empowers an inspector to require that a bulldozer cut be restored to a satisfactory condition. Some of the people on these fields have been misled about this (I do not know whether the honourable member has had anything to do with this). Some miners have been told that they will be required, after bulldozing, to replace all the spoil in the bulldozer cut, but that is not the case.

Mr. Gunn: That's not what they are being told up there at present.

The Hon. G. R. BROOMHILL: We have made clear that the Government intends that bulldozer operators should push back dirt into bulldozer cuts and contour the land, making the general amenity of the area a little more pleasant. The honourable member has probably not been to the area for some time, but about two weeks ago, to assure the opal miners about what the Government intended them to do, the department sent an inspector to the area. He was asked to fill in one of the bulldozer cuts, which had been left in its original state, and to contour the area in a way that would serve as an example of what the officers of the department would expect for bulldozing cuts in future. It has been reported to me that the tidying-up operation involved a cut 150ft. long, 30ft. wide and 16ft. deep. This was contoured in satisfactory condition in about five hours, and it involved about 45 per cent of the spoil. The operation involved was witnessed by the Chairman of the Coober Pedy Opal Miners Association. So, we have done all that we can to establish the position to the opal miners who conduct the bulldozing operations in this area, by arranging a demonstration of what the inspectors will require of them under this legislation. I hope that that has dispelled the fears that some people have been trying to instil in the people in the area. The Bill generally provides complete protection for the opal miners and, in most cases, does so at their own request. We have specified and declared that, in opal fields, other fields of mining are excluded, whilst on the other hand, the opal miners are free to move outside these specified fields if they so desire.

The member for Eyre, once again, has raised the matter of fees and has sought specific information in this matter. I think I have pointed out to the opal miners (and I know that the Minister of Development and Mines has done so) that the specified fees will be dealt with by regulation, but we have taken the opportunity to tell the opal miners what we intend to do about these fees. I understand that the member for Eyre, who was so vocal in claiming that the Government was trying to cover something up, is well aware

of the figures because he has mentioned some of them. However, so that there can be no further misrepresentation on the field, I think I should state the Government's intention.

The proposed fee for a prospecting permit will be $10 and the fee for registration of a claim will be $2. This compares with the present arrangement under which a miner's right costs 50c and registration of a precious stones claim costs $10. The proposal has a distinct advantage for the prospector who, through bad luck, finds it necessary to peg several claims in succession. The member for Eyre has also raised the matter of the definition of prospecting and the matter of the rights conferred in this respect by a miner's right. He asked how a person could prospect for minerals without disturbing the surface of the land, and made some play on that point.

Mr. Gunn: It's a valid point, you have to admit.

The Hon. G. R. BROOMHILL: It may be valid in the honourable member's mind, because it is obvious that he cannot read a Bill. Clause 27 makes clear that a miner's right shall not authorize the conduct of mining operations that involve the disturbance of land by machinery or explosives, but the same clause provides that a miner's right shall authorize a prospector to prospect for minerals other than for precious stones, and prospecting is defined in the Bill as including all operations conducted in the course of exploring for minerals. The purpose of these provisions is to ensure that a prospector does not unduly damage land, and it encourages him, if he desires to undertake work of a more substantial kind, to then peg a claim. In the case of opal prospecting, the prospector is restricted to looking for floaters. The honourable member for Eyre may think that they are pies, but if he inquires on the mining field, he will find that they are something different.

Mr. Gunn: This will look—

The SPEAKER: Order! The honourable member for Eyre has made his speech.

The Hon. G. R. BROOMHILL: If a prospector wishes to prospect by drilling, he must peg a claim first and that, in any case, as the honourable member may have heard from experienced persons on the field, would be a prudent procedure. There has been much comment in this debate on the conservation aspects of mining and the effect of mining on the environment. I was somewhat disturbed by the remarks made by the member for Mitcham. I do not know whether he was sincere in his attack on me or whether he simply had not taken the trouble to read the Bill properly, because I think it is clear that the Government and the Minister have received many representations from persons interested in conservation and that we have shown some concern about conservation and the environment in respect of mining interests. I do not think it is necessary for me to point out that these matters have been close to my heart. It is necessary for us only to look at the attitude of the member for Eyre, who criticizes the activities of the Government in trying to control some form of amenity on the opal fields. He attacks us by saying that we are making unnecessary demands on people in trying to make them clean up the area, but that does not tie in very well with what the member for Mitcham has just said. What members may well have missed, perhaps unintentionally, perhaps deliberately, is the fact that the Bill contains what I consider to be strong provisions for the protection of the environment.

I refer members to clauses 30 and 34, clause 30 dealing with exploration licences and clause 34 with mining leases. Clause 30 (*b*) provides:

> An exploration licence shall ... be subject to such conditions as may be prescribed and to such additional conditions as the Minister thinks fit and specifies in the licence.

There is a similar provision in respect of mining leases in clause 34.

Mr. Coumbe: That is a fairly vague provision.

The Hon. G. R. BROOMHILL: That may be true. However, I point out that one reason why the Government appointed a Minister for Conservation was to provide a Minister with the duty of assisting the Premier. The object of that move was to ensure that the Minister for Conservation was aware of the industrial activities going on within the Premier's Department, and one of the first things the Premier did, when I was appointed to this position, was to refer to me, as Minister assisting the Premier, all the terms and conditions for exploration licences and mining leases; so I was able to ensure, by checking the conditions that applied within those areas, that they were adequate for the protection of our environment. That has worked well so far.

There are some provisions that obviously the mining interests would not be pleased to see. Although the member for Torrens referred to them as being somewhat vague, I am sure

members would all agree that they are completely wide. The Government's intention in inserting this provision was to give me, as Minister assisting the Premier, the opportunity to ensure that, in respect of any exploration licence or mining lease and the conditions pertaining thereto, whatever I thought fit should be done for the purposes of preserving the environment wherever an exploration licence or mining lease was to be applied, I had a complete discretion in this respect.

Mr. Coumbe: That may have been misapplied.

The Hon. G. R. BROOMHILL: I do not think so. I agree that there are some problems but, being a reasonably honest man, I thought that this provision was one that would completely cover what I wanted to ensure was included in all exploration licences and mining leases. However, I did make a mistake, and this was pointed out by a newspaper writer, who said that this power was particularly wide and that, while it was being applied by a Minister such as I, no-one could object to it! He went on to make the point, however, that it could well happen that, first, I could be hit by a dial-a-bus or, secondly, the Government might be defeated and I might not be the Minister administering this Act. True, I might be hit by a dial-a-bus, but it is not likely that I will not continue for a considerable time in my present portfolio, so we need have no fears.

Although I did not think any alteration was necessary, I now see merit in spelling out the requirements of the Minister, whoever he may be, and some of the obligations he should undertake. Most members would be aware that, in the Bill to establish the Snowy Mountains Authority, an amenities clause was included. As that clause appeals to me, I am suggesting (and hope in this case that it will not restrict the Minister's powers) that we should add something of a similar nature to the clause, as follows:

> ...having regard to the desirability of preserving natural beauty, of conserving flora, fauna, and geological or physiographical features of special interest and of protecting buildings and other objects of architectural or historic interest, and shall take into account any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, buildings or objects.

These powers are explicit in the Bill and have been applied broadly in principle since I have been considering the applications as Minister assisting the Premier. To include them in the Bill will have merit, so that members of the public and of Parliament will know exactly what we are trying to achieve. No doubt the member for Mitcham and other members have been approached by people with strong conservationist views, with whom I am in complete sympathy and about whose objectives I cannot complain. These people make the valid point (and I have never attempted to suggest that it was not valid) that one of the features that should be included in this Bill is the right of a member of the public to object to the granting of mining tenements or to other mining activities.

On the face of it (and I think this suggestion has been supported by most Opposition members), there was a good reason for saying that members of the public should have the right to object to mining activities if they considered that the Government or the Minister was not taking the necessary protective action or that there were some aspects that they wished to draw to the attention of the public that was likely to affect the environment as a result of mining activities. However, this matter is not as simple as the conservation groups and the member for Mitcham have made it seem to be, because when one establishes a court of this nature and provides members of the public with a right to appear before that court on the general broad terms that they can object to the mining activities because it will impair the environment, it is difficult to differentiate between a frivolous application from someone who hates mining activity and an application that is a genuine attempt to place before the court the argument that the mining activity would affect the environment.

Mr. Millhouse: Why can't the court decide?

The Hon. G. R. BROOMHILL: That is a good question. It would be the court that would decide the question. However, while this action was taking place, with so many mining applications coming before the department each year (over 2,500) it would be possible for people who wanted to prevent mining in any way, and were willing to take legal action, to cause delays, and the honourable member well knows the length of delay that could occur. He would also know that some people hold extreme views and believe that no mining activities at all should be undertaken. When this Bill was being drafted I held the view that provision ought to be made for public involvement, but I could not find any useful way of doing that in relation to a court. Several methods of involving the public have appealed to me; we could perhaps provide a

committee to which every mining application could be referred so that it could examine the area, draw the Minister's attention to any problems there, and recommend any restrictions that should be written into the lease to protect the area. That procedure would avoid the lengthy and costly delays that could occur in the courts.

Mr. Millhouse: I think you are trying to magnify the difficulty in order to avoid carrying out the suggestion.

The Hon. G. R. BROOMHILL: The honourable member may have had more experience of court matters than I have had, but there is always a lawyer who is likely to advise a client that he has a chance of success. Consequently delays always occur in court activities. I do not think the honourable member could deny that.

Mr. Millhouse: The previous Government improved the judicial system in that respect.

The Hon. G. R. BROOMHILL: This Bill is very important. Members have pointed out the difficulties that the rural industry is facing at present. It could well be that properly conducted mining activities in this State could improve our economic position. In this Bill we have endeavoured to provide an opportunity for mining to proceed in such a way that the rights of the community are fully protected. I am grateful for members' submissions on this Bill.

Bill read a second time.

Mr. GUNN (Eyre) moved:

That this Bill be referred to a Joint Committee of both Houses.

The SPEAKER: I remind the honourable member that discussion must be limited to discussion on the motion itself: we must not have a supplementary second reading debate.

Mr. GUNN: I have moved my motion on behalf of the opal miners association at Andamooka and Coober Pedy with the object of having the Bill referred to a committee that will examine the Bill's effects on the mining industry. The opal mining industry is confused and concerned about the effects of this Bill. Some of that confusion has no doubt been brought about—

Mr. Payne: By you.

Mr. GUNN: I have not endeavoured to inflame the situation or cause trouble, because I want to see the mining legislation updated. To illustrate to the House the confusion that exists, I should like to read the second telegram that I have received.

Mr. Ryan: Did you write it yourself?

Mr. GUNN: I did not write it myself, and it is accompanied by 42 signatures. The telegram states:

We, the undersigned miners and citizens of Coober Pedy, declare that whether we operate bulldozers or work by hand our livelihood is still at stake. The Government seems determined to wipe out the last chances of free men of true pioneering spirit to earn an uncluttered and rewarding living. We suggest that it takes great courage to leave the cities and the unions and the bosses and to strike out on our own for a free Australia. All we ask is a true and unbiased inquiry into the whole South Australian Mining Act before it is foolishly made law.

This is actually signed by 12 people, and there are 30 other signatures attached. I could again read a telegram that I read during my second reading speech—

The SPEAKER: The honourable member is not allowed to refer to that.

Mr. GUNN: I will not pursue that matter, but I should like to quote one or two suggestions that have been made by the Secretary of the Coober Pedy Opal Miners Association (Mr. Robinson), who was severely and uncharitably criticized, as were other leaders of the industry, by the member for Stuart and the member for Mawson, both of whom have little knowledge of the industry. Mr. Robinson states:

I suggest that the smears of the characters of Mr. Buck, Mr. Konopka and myself are only an act by the Government to try and hide the true course of action which the Government has in regard to the mining industry.

When we read what the Premier said about the matter in his policy speech during the last election campaign, we realize that at that time it was part of Government policy to carry out an inquiry, and this is also evident in the Australian Labor Party rules. I will read Labor's policy on this matter, because I think it is pertinent.

The SPEAKER: Order! The honourable member is getting away from the motion.

Mr. GUNN: I will not refer to it, then, but members know that what I have said is part of A.L.P. policy. Therefore, I expect the Government to support the motion. The Premier made this promise at the last election, when he said:

South Australia was once Australia's richest area in known minerals, and our potential mineral resources are great. Our next urgent task is to revise the Mining Act to ensure

that we get the needed geophysical surveys of our mineral potential. While the rights of small opal prospectors must be maintained . . .

The Premier undertook that he would maintain those rights and, as it is A.L.P. policy to carry out an independent inquiry, I commend the motion to the House and expect support from the Government. The motion, if carried, will give opal miners an opportunity to put their points of view to members on both sides. It is moved in no way to try to delay the Bill; it is moved out of a desire to protect an important industry in this State, and I sincerely hope that the Government will accept the measure.

The House divided on the motion:

Ayes (15)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn (teller), Millhouse, Rodda, Tonkin, Venning, and Wardle.

Noes (24)—Messrs. Broomhill (teller), Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan, Groth, Harrison, Hopgood, Jennings, Keneally, King, Langley, McKee, McRae, Payne, Ryan, Simmons, Slater, Virgo, and Wells.

Pairs—Ayes—Messrs. McAnaney and Nankivell. Noes—Messrs. Hudson and Wright.

Majority of 9 for the Noes.

Motion thus negatived.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

SWINE COMPENSATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 26. Page 1161.)

Mr. ALLEN (Frome): I support the Bill. If I was asked to comment on it, I would say that it is a very small ray of sunlight on a dark and dull day for the primary producer, because though it is a small concession it is, at the same time, appreciated by primary industry. This legislation was first passed in 1936, which was in the heart of the depression. During that time, most primary producers in South Australia were described as mixed farmers. Almost every farm had a few cows and pigs. Owing to the depression, pig numbers increased considerably during that period. The Government saw fit to pass this legislation to place a small levy on the sale of every pig and so commence a swine compensation fund.

The levy was 1c for every $1 with a maximum of 25c a pig. The maximum was to be $30. In those days, $30 for a pig was a large sum because the average price of a bacon pig was about $9 and the maximum price for a chopper was $20. Therefore, the sum of $30 maximum covered almost the price of any pig, with the exception of stud pigs. The cost of the administration of the scheme was taken out of the fund, and also a total of $5,000 was taken from the fund for research. This compensation was to apply only to pigs sold at auction or pigs sold privately for slaughter. Pigs sold by one breeder to another did not attract this levy.

Members may also recall that in those days there were occasional outbreaks of swine fever, and, if a producer was unfortunate enough to have this disease in his herd, every pig on the property had to be destroyed. That caused a considerable loss to the producer concerned, and the fund was established to compensate a producer if he was unfortunate enough to have his pigs stricken with this disease.

In 1968, section 12 of the principal Act was amended to allow $50,000 to be taken from the reserve fund to establish a research piggery for the Agriculture Department at Northfield and also for $10,000 a year to be taken out of the fund thereafter for research. It is interesting to note the increase in the number of pigs in South Australia over the last 15 years. In 1955, there were 84,000 pigs in the State. Over the next five-year period, the number increased to 180,000, and over the next five-year period to 1965, the number had increased to 195,873. The number of pigs in the State in each of the subsequent years was as follows:

Year	*Number*
1966	223,586
1967	222,334
1968	242,319
1969	288,019
1970 (last year on record)	350,000

The steep increase to 350,000 in 1970 was doubtless brought about by the wheat quotas that were applied in South Australia in that year, when there was quite a big swing to pig production. The proposed decrease in the rate of levy is 40 per cent, but over the last 15-year period pig numbers in South Australia have increased by 300 per cent, so the reduction in the levy will be more than compensated for by the big increase in the number of pigs in the State. Despite the large increase in numbers, the rate of disease has been reduced considerably, proving the value of the amount taken from the fund for research.

Over the years from 1930, when the fund was started, to 1961, there were many market fluctuations in the price of pigs in this State. Honourable members are well aware that pigs increase in numbers very quickly. I suppose that, with the exception of the rabbit, the pig would be the quickest breeding animal that we have here at the present time. The market fluctuated in such a way that, when there was over-production of pigs, the price would drop considerably and producers would go out of pig production. The prices would then increase and there would be a move back to pig production again.

This pattern continued until 1961, when there was the last significant drop in the price of pigs in this State. Since that year, the price of pigs has remained fairly stable, and those persons who have had the foresight to go into the industry in a large way since 1961 have been well compensated for their action. It is interesting to note the amount of money in the fund at present and the figures over the last 4 years. The position is set out in the following table:

Year	*Amount in fund* $
1966-67	354,758
1967-68	389,744
1968-69	453,823
1969-70	509,345

Although this levy is to be reduced by 40 per cent, the amount of money in this fund will still rise because we have so many pigs in the State at present.

The rate is to be reduced from 5c for each $10 or part thereof to a new rate of lc for each $3 or part thereof, which means a reduction of 40 per cent in the levy. The maximum amount payable in respect of one pig has been reduced from 35c to 21c—also, a reduction of 40 per cent. The maximum payment of 21c a pig under the new rate is equivalent to a maximum of $63 a pig. At present a good average baconer is selling for about $42 or $44, so $63 is ample to cover practically all the pigs sold today. There will be a saving of about 14c a pig because of the reduction of this levy.

This reduction of 14c in the maximum contribution will be appreciated by producers but this reduction will be countered by a levy recently applied—the Commonwealth industry research levy, which was proposed by the Australian Commercial Pig Producers Federation with very solid support from almost every section of the pig industry. That levy has finally been passed through the Commonwealth Parliament, and has operated from July 1. It allows up to 10c a head to be levied on all pigs at the point of slaughter. A committee has been set up to carry out research into ways and means of distributing these moneys. This fund is also to be used for the promotion of the pig meats. So, although this Bill will mean a reduction of about 14c a head on the pigs sold here, another 10c levy is to be applied for Commonwealth industry research; so the producers here will have a saving of about 4c a head overall. Although it is a very small reduction, I think it will be appreciated by all producers in South Australia.

Mr. FERGUSON (Goyder): I am grateful that the Government is at last paying attention to an important section of primary industry. I am sure the House will appreciate the history of swine compensation given by the member for Frome. As is well known, the Swine Compensation Act was first introduced into this Parliament in 1936. Anybody who was associated with the pig industry in those days knows something of the difference between the conditions existing then and present-day conditions. In those days the pig industry was regarded as a mere sideline in primary industry. Either the farmer ran his pigs out in a small paddock or they were confined to a yard with a small shelter and, if it was winter time, the pigs were running in 6in. of mud. Even in those conditions it seemed that pigs did very well, but the pig industry has advanced since those days.

The member for Frome has explained why the rate of compensation should be reduced. According to the figures he has given, the pig industry has grown tremendously in the last five years. In 1969, there was an Australian record for the production of pigs of 2,253,000; the record production for 1970 in South Australia was 350,000, a large increase on the 195,000 produced in 1965-66. The production of pigs in 1965-66 came from 5,500 rural holdings, so the number of rural holdings producing pigs for pig meat in South Australia would have increased in the period from 1965-66 to 1970. However, I believe that number would not have doubled, because piggeries that have been established in South Australia in the last five years have been established for purely commercial purposes and perhaps are not attached to rural holdings.

Why has there been such an increase in the pig industry in South Australia and, indeed, in Australia, in the last five years? Several factors have effected this industry: one would

be the introduction of wheat quotas. It would be normal for a primary producer who produced more wheat than his quota to look for another outlet for it. The conditions that exist in commercial pig production today would cause him to turn to that industry in order to dispose of his surplus wheat. Another reason for the primary-producing industry to turn to pig production is the low price received today for wool. Another reason is the fact that the price a pound received by the producer for pig meat has been maintained at a payable level: in the last five years the price returned to the producer would have averaged about 28c or 30c a pound, and this would be regarded as a payable price by those engaged in the pig industry.

There are good reasons why the industry has not drawn on the Swine Compensation Fund: one is that there has been a great improvement in the husbandry of the pig farmer. When this fund was established, pigs were run under very crude conditions, but today piggeries are set up scientifically. If a pig is given housing that it appreciates, it will then produce meat very quickly, which will lead to a quick return for the producer.

One of the factors that helped the fund to grow rapidly was that in 1964 an important Act was passed to compel pigmeat producers generally to brand all pigs sold under certain conditions. That legislation enabled the pig industry, by way of inspections, to reduce the prevalence of diseases in piggeries. Through the introduction of the branding system, diseases could be traced. So, the fund has grown because of the reduced incidence of disease. The member for Frome referred to the money provided from the fund for setting up a fund on a nation-wide basis for promoting pigmeats. It is well known throughout Australia that the leaders of the pigmeat industry in South Australia were mainly responsible for setting up that fund. At that time I was a member of a deputation that waited on the then Minister of Agriculture to see whether something could be done in that direction for South Australia. As a result of that deputation, a sum was provided from the fund to assist in setting up the nation-wide fund to which I have referred.

I am sure that South Australian pigmeat producers will appreciate that consideration has been given to reducing the levy. The member for Frome said that it would reduce by 40 per cent the amount collected. My mental arithmetic tells me that the figure will be reduced by one-third. If a pigmeat producer received an income of $60,000 under the old system, he had to pay $300 into the fund. In consequence of the reduced rate, if he produces the same amount of pigmeat and receives the same income, he will have to pay only $200 into the fund. I believe that the pigmeat industry will appreciate the fact that the Government is reducing the levy and at the same time leaving enough in it for emergencies. I support the Bill.

Mr. WELLS (Florey): I, too, support the Bill. I was very interested to hear the members for Frome and Goyder discussing this matter. Without doubt they proved conclusively that they knew what they were talking about. The member for Frome disclosed a startling increase in the pig population in South Australia and referred to the healthy state of the fund. The Government, aware of this situation, has decided that this is a further opportunity to show its concern for the primary producer, and it intends to reduce payments to the fund, and effect significant savings. For instance, the maximum sum payable in respect of a pig or carcass has been reduced from 35c to 25c and the stamp duty payable on sales of pigs or carcasses has been reduced from 5c in $10 or part thereof of value to 1c in each $3 or part thereof of value, representing a saving of about 40 per cent to the pig producer.

The member for Goyder referred to problems confronting primary producers and mentioned wool prices. There is a calamity in that industry not only in South Australia but throughout the whole of Australia, and the situation indicates that what is needed in Australia, to put the primary producer back on his feet, is a Labor Government in Canberra. It has been said that the Swine Compensation Fund has grown because there has been no incidence of disease necessitating compensation payments from the fund. As a previous speaker has said, there has been less disease because piggeries are now much more modern than they were in the past, and pigs are not allowed virtually to run wild in slush, rubbish and muck which would induce the compensable diseases. Pigs are now housed properly and husbandry has improved. This has permitted the fund to reach the healthy balance that has been indicated.

Mr. Coumbe: How much do you get for your pigs?

Mr. WELLS: I have no pigs, but that is not relevant to the discussion, because all members on this side, although they may not

be primary producers or pig farmers owning herds of pigs, realize the problems of the primary producer (in this case, the pig farmer). Even though we have no pigs of our own running around our yards, we are determined to help the pig producer wherever possible.

Dr. EASTICK (Light): I have news for the member for Florey, and I would not have entered into the debate except for his contribution. It is refreshing to have a city member showing so much interest in the rural situation. The Government is again demonstrating that it is willing to accept Commonwealth funds and so reduce its own involvement. If the member for Florey cares to examine another Bill on the Notice Paper he will find in the definition of "disease" the words "swine fever". The fund to which he has just referred has been kept at a particularly high level for a long time in case an outbreak of swine fever occurs. Had that not been done, the compensation fund could have been decimated overnight. Now that this State is receiving assistance from the Commonwealth Government and other State Governments in this respect, the immediate need for funds to meet an outbreak of swine fever is greatly reduced. I, too, support the Bill, as did the member for Florey, but for a different reason.

Mr. VENNING (Rocky River): I listened with interest to the contribution made by the member for Florey, who was thinking more about his eggs and bacon.

The SPEAKER: Order! The honourable member's remarks must not be personal.

Mr. VENNING: At a time when the rural community is facing many difficulties, the pig industry has meant much to people throughout the State. It has been stated that the value of a bag of barley has been increased by 100 per cent by being fed to pigs. This has meant much to many primary producers in South Australia. Concern has been expressed that, because of the many people coming into the industry, one's future therein may be jeopardized. However, this concern has not been justified, and pigmeat prices are holding remarkably well at present. I should like to know what is the position regarding the fund, and whether it earns interest. However, I will raise those matters in Committee. I support the Bill, realizing that the Government's action will be appreciated by everyone in this industry.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Duty on sales of pigs."

Mr. ALLEN: There appears to be some confusion regarding the maximum levy to be applied on any one pig. Although the Bill provides that the maximum amount payable on any one pig or carcass is to be reduced from 35c to 21c, it is stated in *Hansard* that the rate is to be reduced from 35c to 25c. I understand also that the member for Florey referred to a similar reduction.

The Hon. J. D. CORCORAN (Minister of Works): I take it that *Hansard* has made an error. The Bill contains the correct provision and that, and not *Hansard,* will be acted upon. I draw the attention of *Hansard* to that figure which, no doubt, will be corrected in the annual publication.

Mr. VENNING: Will the Minister say whether the fund, which is now standing in credit at over $500,000, earns interest, and whether interest is paid back into the fund or into general revenue?

The Hon. J. D. CORCORAN: The fund would be held in trust, so there would be no interest accruing on it.

Mr. Venning: We get no interest on our money.

The Hon. J. D. CORCORAN: No, the money is being held in trust. If the honourable member believes that we should be getting interest, why has he not studied the Bill and prepared an amendment? Then he could move the amendment and see how it went.

Clause passed.

Title passed.

Bill read a third time and passed.

FOOT AND MOUTH DISEASE ERADICATION FUND ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 26. Page 1161.)

Dr. EASTICK (Light): I support the Bill. In 1951, at a conference in Melbourne, the Commonwealth and the States discussed ways and means of attacking the problem of a possible outbreak of foot and mouth disease. As a result of those discussions and others that followed, in 1958 the member for Alexandra, as Minister of Agriculture, introduced the original legislation. That Bill provided that, under the arrangement that existed between the

Comonwealth and the States, a scale of contributions was fixed for each State in the event of an outbreak of the disease. The formula to apply is set out at page 1618 of *Hansard* of November 6, 1958. The Commonwealth Government was to provide half, with the States contributing the other as follows:

	Per cent
New South Wales.....	29
Victoria.....	18.25
Queensland.....	20.5
South Australia.....	10
Western Australia.....	10
Tasmania.....	6.25
Northern Territory and Australian Capital Territory..	6

Actually, the amount to be contributed by South Australia in the event of an outbreak was about 6 per cent of the overall cost involved. These figures bear a relationship to the Bill we are now considering. In 1965 the then Minister of Agriculture (Hon. G. A. Bywaters) introduced a small amendment that increased the range of definition of foot and mouth disease. The legislation included other diseases that were, in the early stages of outbreak, hard to distinguish from foot and mouth disease. The present Bill includes many other diseases in the term "foot and mouth disease" and, although this may not be scientifically correct, it is an easy way to extend the influence of the legislation.

The important thing about the arrangement between the Commonwealth Government and the State Governments is that the formula that shall apply in the event of outbreak of one of these exotic diseases is tied to the population of the species of animal or animals involved. The formula I have mentioned for foot and mouth disease was determined by the species of animals that could be affected by foot and mouth disease, namely, the cloven-footed animals. In the present arrangement, in the event of an outbreak of Newcastle disease, which affects poultry, the formula to apply will again be 50 per cent from the Commonwealth Government and a variable amount for each of the States, depending on the poultry population of those States.

In the case of blue tongue which is another disease now being written into the Act, the formula will be 50 per cent from the Commonwealth Government and a percentage for each of the States based on the combined sheep and cattle population of the State. In the case of rinderpest, the formula is tied to the populations of sheep, cattle and pigs. I have been told, as a result of inquiry, that both the standing committee and the Agricultural Council have accepted these alterations. In fact, I understand that South Australia is the last State to ratify the action required to be taken as a result of the deliberations of those two bodies.

The Bill before us tends to follow the arrangement in Victoria whereby diseases can be added to the list by proclamation, and certainly this method of action speeds up and makes immediate help available in the event of an outbreak. In his explanation of the Bill, the Minister stated:

> The use of the proclamation in this matter is, it is suggested, necessary to ensure that there are no legal or financial impediments in the way of bringing to bear maximum effective eradication measures in the event of the outbreak in this country of, say, some exotic disease not mentioned above.

The important thing is that action can be taken without delay, because any delay, even for a matter of hours, can be of considerable importance if any of these exotic diseases occur in Australia. I have referred to the alteration that in due course will be consequential in the Swine Compensation Act. In the original Swine Compensation Act, the term "swine fever" was included in the definition of diseases. This is one of the exotic diseases that will be removed from that Act when it is included in the Foot and Mouth Disease Eradication Fund Act. The benefits that will accrue from that removal I outlined only a short time ago.

In conclusion, I should like to deal with the situation that exists, not only in this State but also in the other States, in the planning undertaken by the original foot and mouth committee. There is in existence now and there has been for several years a disaster plan that can be implemented without delay. It lists the halls and facilities that can be made available as quarantine centres and used for offices. Arrangements exist between the various Agriculture Departments in the different States so that veterinarians can be deployed from one State to another at a moment's notice. Provision is made for the use of Highways Department bulldozers, front end loaders and other equipment. A large volume of literature is already prepared which, with the addition of a name and a date, can be pinned up to indicate quarantine areas. Statements are prepared for Ministerial signature and dispersal. In all, I suggest that we and the other States of the Commonwealth are in a very advanced stage of preparation in case one of these diseases should break out.

When this legislation was originally considered in another place, the late Hon. F. J. Condon, a much respected member of the Legislative Council and previously of this Chamber, indicated that he believed it was a Bill of anticipation. He then proceeded to say that he hoped that, whilst it was of an anticipatory nature, it would never be necessary to use it. Those were optimistic words but they are, nevertheless, appropriate today. I support this Bill in the desire and hope that this State and the other States of the Commonwealth will never need to implement its provisions.

Bill read a second time and taken through its remaining stages.

ADJOURNMENT

At 11.7 p.m. the House adjourned until Thursday, September 2, at 2 p.m.