

**HOUSE OF ASSEMBLY**

Thursday, September 23, 1971

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

**LAND TAX ACT AMENDMENT BILL  
(REASSESSMENT)**

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

**QUESTIONS****KINGSCOTE SAND BANK**

The Hon. D. N. BROOKMAN: Will the Minister of Marine say whether he has been contacted by the Minister of Environment and Conservation regarding permission for the National Trust branch at Kingscote to replant the vegetation on the sand bank known as the Spit? Some years ago, the district council cleared this sand bank of vegetation, because of the boxthorns that were growing there and being spread by birds to the mainland. This eventually caused all the vegetation to be washed out and eroded away, and the area is now mainly just a bare stretch of sand over which the water sometimes washes. Although there was once much bird life, this has disappeared. The National Trust, which is concerned about this, wants to replant the area with native vegetation. The council has asked the Minister of Environment and Conservation about the matter and has written to the Minister of Marine asking for permission for this to be done. I have been asked to raise the matter as the time for planting this year is drawing to a close, and the National Trust is prepared to act now if permission is granted readily.

The Hon. J. D. CORCORAN: I cannot recall having received the letter to which the honourable member refers, nor can I recall receiving correspondence or a minute on the matter from the Minister of Environment and Conservation. As the honourable member has raised the matter, I will certainly check to see whether there is a letter in the department, and I will try to expedite a decision, as the time for planting is running out.

**SOUTH ROAD TRAFFIC**

Mr. HOPGOOD: Has the Minister of Roads and Transport a reply to my question of September 1 about South Road traffic?

The Hon. G. T. VIRGO: The speed zoning on the South Road through Hackham is currently under review, and it is expected that

a report will be available for consideration by the Road Traffic Board at its next meeting. I have asked the Chairman of the board to keep me informed on this matter, and I will provide the honourable member with further information on the board's decision as soon as it comes to hand.

**DOWNEY HOUSE**

Dr. TONKIN: Will the Attorney-General ask the Chief Secretary when it is estimated that Downey House, which is in the Glenside Hospital grounds and which will be required for the further development of the mining complex, will be vacated and presumably demolished, and what arrangements are being made to accommodate patients from that building? I suppose that no-one would deny that the mineral and mining complex to be developed at Glenside is extremely important. However, it seems unfortunate that the most modern building and one of the most suitable (and all honourable members would be aware of the buildings at Glenside) for the care of psychiatric patients should have to be sacrificed for the development of this complex. If this is necessary, what arrangements are being made to rehouse these people? Are they being discharged from Glenside and having to find private accommodation? Is alternative accommodation being found for them within Glenside? I have received a communication suggesting that the patients may be moved from the building into the old mental retardation wards, which have now been vacated since the opening of Strathmont. This would not provide anything like the accommodation that pertained at Downey House and it would be a most retrograde step. As many people in the community are most concerned at the shortage of psychiatric beds, especially for old people, I think this matter should receive urgent attention from the Government.

The Hon. L. J. KING: I will take up the matter with my colleague.

**KIMBA WATER SUPPLY**

Mr. GUNN: Has the Minister of Works a reply to my recent question about the supply of water to Kimba during the coming summer?

The Hon. J. D. CORCORAN: The Kimba township supply consists of two reservoirs with a combined capacity of 8,000,000gall. from which water is pumped to high level tanks with a combined capacity of 6,000,000gall. The rainfall of Kimba is erratic and for many years it has been necessary

for the department to cart water by road to maintain the township water supply. This practice will be continued during the coming summer, and the townspeople of Kimba need have no fear that they will have less water than in previous summers. The storage in the township tanks at the end of August, 1971, was 1,230,000gall. and compares with a storage of 1,011,000gall. at the end of August, 1970. During the last 12 months, the storage in the town tanks has fluctuated between 1,000,000gall. and 1,700,000gall.

### CORRESPONDENCE DELAYS

Mr. EVANS: Will the Premier say what is the reason for the delay in dealing with correspondence in the Industrial Development Branch of his department and, in particular, can he tell me why there has been a delay in replying to two letters to which I shall refer? The first letter, which is dated August 30, 1971, and addressed to the Premier's Department, refers to a firm in South Australia that manufactures billiard tables and equipment generally for billiards, snooker and pool games. It states:

Mr. Brady's recent business trip to Djakarta proved to be extremely successful and we have now appointed an agent/distributor for our products, Messrs. Baginda and Simandjuntak & Associates. They have signed a distributorship agreement calling for 54 coin-operated pool tables, these to be supplied to them over a period of 18 months. We shall also be supplying them with some of our other products, for example, home tables with accessories, cues and balls. Due to the shortness of Mr. Brady's trip he did not have time to contact the South Australian trade agent in Djakarta. However, we feel that our business in Djakarta is such that your agent will prove to be of great assistance to us in the future. Bearing this in mind we would appreciate receiving the name of the individual from Messrs. Ondang Sirejar who will be of most assistance to us. We also feel that it would be a good idea to keep the agent informed of our transactions in Djakarta, either through yourselves or by us directly. Perhaps you would let us know your views on this point. While Mr. Brady was in Djakarta he met the Director of the Indonesian Billiard Association in the Ministry of Sport who expressed great interest in our products. As a gesture of goodwill we are arranging to send him some billiard cues for presentation as prizes at the national championships which are being held from September 26 to October 2. Could these be forwarded by airfreight through the South Australian Government for presentation by the South Australian agent in Djakarta? For the National Championship next year we are offering the Indonesian Billiard Association a trophy for a major national prize. We shall also be setting up in Djakarta a training programme with Messrs. Baginda Simandjuntak & Associates for part of the tables to be manu-

factured in Djakarta. Mr. Brady is anxious to see you to discuss these points and whether the South Australian agent in Djakarta will be of assistance to us. Perhaps you could let us know a date and time convenient for a meeting with you or one of your officials.

Subsequently, a short letter was sent to the Premier's Department on September 20.

The Hon. D. A. Dunstan: Addressed to whom?

Mr. EVANS: It is addressed to Mr. Scriven, Premier's Department, and states:

On August 30, we wrote to you regarding our newly appointed agent in Djakarta, Messrs. Baginda Simandjuntak & Associates of c.v. Batuhasi. We also mentioned that we were arranging to airfreight some billiard cues for presentation as prizes at the National Championships which are being held from September 26 to October 2. As this date is rapidly approaching, we would appreciate receiving a reply from you as soon as possible.

A few moments ago I took the liberty of telephoning the firm, and it has still had no contact from the Premier's Department. I ask the Premier, having regard to the doubts that have been raised recently about the lack of, perhaps, ability by the Premier's Department to reply to correspondence, whether he will have an investigation made and give me a report on why this correspondence has not been recognized, acknowledged, or followed up.

The Hon. D. A. DUNSTAN: That Mr. Brady should have gone to the honourable member rather than refer to me if he had any questions surprises me. The letters were not addressed to me and I have not seen them. Any letters of that kind that come in directed to me are immediately acknowledged and followed up. I will inquire of Mr. Scriven what has happened about this matter, but from the nature of the letter I imagine that there has been mystification in the department, because Sirejar-Ondang International Consult, to whom the letter refers, is the South Australian agent in Djakarta.

Mr. Hall: Perhaps it went the same way as Mr. Goree's letter which was addressed to you?

The Hon. D. A. DUNSTAN: It was addressed to the Leader.

Mr. Hall: I sent the letter to you.

The Hon. D. A. DUNSTAN: Let us get it straight; but it is a minor detail. The Leader applies the Premier's office still to himself in many things.

Mr. Hall: There is no excuse for not replying to the letter.

The Hon. D. A. DUNSTAN: I will inquire about this matter, but I imagine that what has happened is that they have interpreted the

letter as not referring to Messrs. Sirejar-Ondang but to Mr. MacDonald, who is the South Australian roving trade officer for the area and who, at the time the letter was written, was still overseas. He has only just returned, and I imagine that the letter was kept to be referred to him on his return. I see that there is nothing in the letter that states specifically on which date it is requested that the things be sent to Indonesia, and I imagine that is the reason—

Mr. Evans: The championships start on September 26.

The Hon. D. A. DUNSTAN: I am sorry, I did not hear that, but I will immediately inquire about what has happened in this matter.

Mr. Evans: Surely an acknowledgment would have been the acceptable thing.

The Hon. D. A. DUNSTAN: If the letter had been sent directly to me it would have been immediately referred to the Correspondence Section of the department. An acknowledgment would then have been sent immediately, and it would have been minuted to the branch for a report. If it had been sent directly to Mr. Scriven personally, there is not the same sort of correspondence section in the Industrial Development Branch as there is in the Premier's Department and a different procedure would be followed. I have discussed this procedure with my officers. The honourable member having inquired, I will sort the matter out and give him a reply.

#### **NORTH-EAST ROAD**

Mrs. BYRNE: Will the Minister of Roads and Transport ascertain when the road-widening work on the North-East Road through Ridgehaven and Tea Tree Gully will resume? On March 3, in reply to a question, the Minister said that this work had temporarily ceased in order to allow major relocation of services and substantial accommodation works to be completed, and also to enable land acquisition to be finalized, and that these and other pre-construction phases were receiving high priority from the Highways Department.

The Hon. G. T. VIRGO: I will obtain this information for the honourable member.

#### **EARTHMOVING WORK**

Mr. GOLDSWORTHY: Has the Minister of Roads and Transport a reply to my recent question about the hiring of earthmoving equipment by the Highways Department?

The Hon. G. T. VIRGO: Because of the large quantities of earth and rock to be moved by the Highways Department on the South-Eastern Freeway in a relatively short time, it is essential that machinery be used so that the most efficient and economical working methods are achieved. Considerable investigation has been carried out into the numbers and sizes of items of earthmoving plant required so that the operations of excavation, haulage, spreading, and compaction can be co-ordinated and optimized to the best advantage. Tenders have been called for the hire of plant, which the Highways Department does not own itself, and includes the hire of five 30 cub.yds. scrapers; three 20 cub.yds. scrapers; one 20 cub.yds. elevating scraper, one class 8 dozer; one heavy rubber-tyred tractor; two self-propelled compactors; two heavy graders; two 10-ton vibrating rollers; and one off-highway water tank.

These items of plant are generally available in South Australia, and tenders have been received from South Australian contractors for all items except for the heavy rubber-tyred tractor, whereas tenders from other States have been received for all items. At present, tenders are being analysed, and the final selection will depend largely on availability of the machines for the period required, and on the rates tendered. Although it is inevitable that some tenders from other States will be accepted, it is likely that most of the contracts will be awarded to South Australian contractors.

#### **MILITARY ROAD**

Mr. BECKER: Can the Minister of Roads and Transport say what are the future plans for Military Road, West Beach, and what is the present recommended load limit for this road? I have been told by a constituent of mine who lives on Military Road that her house is suffering considerable damage, which she claims is the result of vibration set up by heavy vehicles such as cement trucks and large gravel-carrying trucks using Military Road. She also claims that every day she must reset her chiming clocks as the jarring upsets their movement.

The Hon. G. T. VIRGO: I will obtain the information for the honourable member.

#### **CONVICT LABOUR CORPS**

Mr. MATHWIN: Will the Attorney-General say whether thought has been given to setting up a convict labour corps in South Australia? If no thought has been given to this suggestion, will he consider it?

The Hon. D. H. McKee: Listen to the Pommie.

Mr. MATHWIN: The Minister will get it in a minute. The Minister will get a reply to his out-of-order interjection.

The Hon. Hugh Hudson: You couldn't do that, could you?

Mr. MATHWIN: Ask the member for Ross Smith. A report in today's *News* states that an army-styled national labour corps should be set up. This recommendation is made by Mr. Justice Lawton, a senior High Court judge in England. He suggests that the corps be set up and that selected criminals be forced to work in it for the benefit of the community. The corps could tackle such things as clearing industrial sites and preventing coastal erosion. The judge says that those drafted to the corps by the courts should have three months' training with army-type discipline and that during that time they should be made physically fit and taught the use of basic tools. He also suggests that they be paid the full rate for their work, the money going to pay for their own keep and for the support of their families. Current thought is that these people ought to be used in gainful occupations during their term of imprisonment.

The Hon. L. J. KING: Of course, the question asked by the honourable member is within the Ministerial responsibility of the Chief Secretary, to whom I will refer the question. However, I may be permitted to express a personal opinion about it and to say that the idea does not appeal to me at all. As is well known, it has been the practice in certain totalitarian countries, including the Union of Soviet Socialist Republics and the People's Republic of China, to use the labour of prisoners in this way, but in free countries the practice has been to have work of national importance done by attracting workers, who make a free decision, to work in certain employment, and they are attracted to it by the appropriate working conditions. I hope that will always be the practice followed in this country. I think that the idea of using prisoners as a kind of slave labour corps to work on projects of this kind would be repugnant to most people in a free country. However, I will refer the question to the Chief Secretary for any further comment he may wish to make.

#### LAND RESUMPTION

Mr. VENNING: Will the Minister of Works ask the Minister of Lands to consider having blocks of land transferred to the Crown free

where an owner desires to have them so transferred? This week, I have had referred to me two cases regarding people (one a pensioner) who own blocks of land in country towns, and the land tax and council and water rates owing on this land over a period now exceed its present-day value, which in many cases is practically nothing at all. These people, who wish to get rid of this encumbrance, have approached me to see whether the Minister will agree to these blocks of land returning to the Crown, leaving the sum owing on them, including a transfer fee to the Crown of about \$10.

The Hon. J. D. CORCORAN: I will refer the matter to my colleague. I understand that the present procedure is that, if people fail to pay rates and taxes on land in country areas, after a period the block is resumed by the Crown and then auctioned so as to pay the outstanding rates and taxes. One town with which I was concerned as Minister of Lands was Terowie, where there was a sharp fall in land values. The honourable member will be aware of the difficulty of the Crown's auctioning a block of land in such areas and of obtaining a sufficient return from the sale in order to pay the rates and taxes. Although I will refer the matter to my colleague, I doubt that the Crown would adopt any procedure other than that which currently applies.

#### SOUTH COAST HOSPITAL

The Hon. D. N. BROOKMAN: Has the Minister of Works a reply to my recent question about the inclusion of the South Coast District Hospital in the Victor Harbour sewerage scheme?

The Hon. J. D. CORCORAN: In view of the proposed additions to the South Coast District Hospital, a scheme will be prepared for connecting the hospital to the Victor Harbour sewerage scheme. Subject to approval, an extension to serve the hospital could be constructed by mid-1972. The honourable member's proposal regarding an extension to the service to the high school is receiving consideration.

#### BREAM

Mr. BECKER: Will the Minister of Works ask the Minister of Agriculture to obtain a report from the Fisheries and Fauna Conservation Department on the reason for the unusually large number of dead bream in the Patawalonga Lake? I have been informed by two constituents during the past few days that

for no apparent reason there are many dead bream not only in the lake but also on the shores of the lake. One person suggested that perhaps this was the result of industrial waste entering the Patawalonga Basin from the Sturt River, while another suggested that the activity of speed boats on the lake might cause concussion and kill the fish.

The Hon. J. D. CORCORAN: I will refer the matter to my colleague.

### **GLEN OSMOND SCHOOL**

Dr. TONKIN: Can the Minister of Works say when it is intended to resurface the yard at the Glen Osmond Primary School? The condition of this yard has been concerning parents for some time now, and I am informed that, although officers of the department have inspected the yard, no action has been taken. In fact, this work seems to have been deferred on several occasions, and a definite indication of when this work is to be done would be appreciated.

The Hon. J. D. CORCORAN: I will get that information, as I do not know offhand what is the programme. The work may be included in a programme involving many schools throughout the State. Contracts for this type of work are let, and it is not always possible to say exactly when a yard will be resealed, although it is possible to say whether or not a tender has been let.

### **MINERAL RIGHTS**

Mr. EVANS: In the absence of the member for Victoria, I ask the Minister of Roads and Transport whether he has a reply to the question recently asked by the honourable member about the mineral rights in respect of land acquired for freeway purposes.

The Hon. G. T. VIRGO: The Commissioner of Highways, in acquiring land for freeway purposes in the circumstances proposed by the honourable member, will also acquire any mineral rights which apply to the subject land. The acquisition of mineral rights would give the Commissioner of Highways the right to refuse any person permission to enter for mining purposes on land held in the name of the Commissioner and being used for the freeway. This would prevent unnecessary interference with the operation of the freeway. If limited mining were possible within such land without damage or interference to the road-works, this could be controlled by the Commissioner.

### **MORGAN ROAD**

Mr. ALLEN: Will the Minister of Roads and Transport have the Highways Department consider increasing grants to the District Council of Morgan in order to expedite the sealing of the road between Burra and Morgan? If the dockyard is removed from Morgan, tourism will be the only industry left in the town, and the sealing of this road would draw much more through-traffic to Morgan.

The Hon. G. T. VIRGO: I will discuss this matter with the Commissioner, but I point out that the allocations for the current financial year have already been determined.

Mr. Allen: I mean for the future.

The Hon. G. T. VIRGO: I took it that the member was referring to this financial year.

Mr. Allen: Future financial years.

The Hon. G. T. VIRGO: In that case the matter will be given proper consideration in regard to future financial years in accordance with the priorities given this work by the district council.

### **MINNIPA RESEARCH CENTRE**

Mr. GUNN: Has the Minister of Works a reply to my recent question about the future of the Minnipa Research Centre?

The Hon. J. D. CORCORAN: As I think I said to the honourable member when he first asked the question, the future of research centres (including that of the Minnipa Research Centre) will be examined in conjunction with the detailed consideration by the Government of the recommendations of the Committee of Inquiry into Agricultural Education, Research and Extension. In other words, no decision has yet been made on that report.

### **REGIONAL CENTRES**

Mr. VENNING: In the absence of the Minister of Environment and Conservation, can the Premier say whether the Government is considering helping decentralization in this State by siting Government offices in rural areas? This week I received from organizations throughout the country a letter expressing the need for a Government department to be established in rural areas to take up the slack of employment in those areas. The letter states:

Apparently in the South Australian Parliament Mr. Broomhill is preparing legislation aimed at decentralization.

If something is being done in relation to establishing offices and depots in our rural areas to help these people and also to bring about decentralization, I will support it.

The Hon. D. A. DUNSTAN: Where the Government can establish regional or country offices which would serve country areas, which would be a useful Government service, and which would not merely mean the creation of an office, we are seeking to do that and several offices are being established in this way. The regional office of the Woods and Forests Department is soon to be opened at Mount Gambier; we are examining the decentralization of the registration of motor vehicles; and a Highways Department office is to be opened at Murray Bridge. In regard to several such activities we are able to do this. I do not suggest that any one of them will create a great deal of employment, but we are doing what we can in this matter.

### SWIMMING CLASSES

Mr. BECKER: Can the Minister of Education say when the Education Department's learn-to-swim campaign will commence? I understand that, with regard to the Education Department, the swimming season was supposed to have commenced on Monday, August 13. This was postponed for two weeks and has been postponed every week since. The latest information is that it could commence on October 4. I have been told that the reason for the continual postponement is that the Minister has simply not approved the budget for this undertaking.

The Hon. HUGH HUDSON: I do not know where the honourable member gets the date of August 13: that is in the second term. If the honourable member can point to instances where swimming classes have been started towards the end of the second term, I should like to hear of them because I believe that has never occurred in the past. Normally, swimming classes are held in the period, say, six to eight weeks before the end of the school year and for the first six to eight weeks of the first term of the new year. So, swimming classes would not normally start before October. However, I will inquire and bring down a reply as soon as possible.

### OATS

Mr. GUNN: Can the Minister of Works say when it is likely that legislation will be introduced to establish a statutory oat marketing authority? Concern has been expressed to me that pressure may have been put on the Government by merchants who, because of the uncertainty of oat prices, have made a substantial income out of oats in the past.

The Hon. J. D. CORCORAN: The honourable member will appreciate that this legisla-

tion does not come within the ambit of my administration: the Minister of Agriculture is responsible for it. I shall be happy to refer the question to him and get a report.

### MELONS

Mr. NANKIVELL: When the Premier returned from Japan recently, did he say there was in Japan a potential market for melons of various types? If there is, will he ascertain what types of melon might be saleable in Japan and in what quantities, and whether anything has been done to try to develop this market? I have received a letter from a constituent in the Mallee who last year sowed melons as a crop to diversify production. He has now found that, although he could grow melons of good quality, there is only a limited sale for this type of fruit on the Australian market. Consequently, he has asked me to substantiate the Premier's statement and to ask what further can be done in this direction.

The Hon. D. A. DUNSTAN: In Japan, there is a market for several types of melon. The difficulty that the Agriculture Department sees about this is the difficulty of preserving the melons during the shipping period; given the time it takes to ship them, it is difficult to supply melons to the markets in Japan. The matter is being currently investigated to see whether we can diversify in this way. The biggest market which could be readily available to South Australia and which was reported to me as being immediately available without many problems at all was in onions. There is an enormous market in Japan for white onions; at present that market is not being satisfied at all. I will get a report from the department for the honourable member.

### INTEREST RATES

Dr. EASTICK: On August 31, the Premier, as Minister in charge of housing, was able to give me information about the interest rates applying in South Australia in respect of funds for housing. Can he say whether there is any change in that situation as a result of the meeting of Housing Ministers in Sydney last week?

The Hon. D. A. DUNSTAN: I am not certain whether the honourable member is referring to interest rates chargeable to the Housing Trust or to interest rates chargeable to the public. If he is referring to interest rates chargeable to the public on loans I do not foresee any change. Regarding the interest rate chargeable to the Housing Trust, moneys taken under a new arrangement with the Commonwealth Government which will take

the total of the Loan moneys that we are applying for welfare housing in South Australia, will in our view be available to the Housing Trust at about 2 per cent less than the bond rate of 7 per cent. Therefore, this is a further reduction of about 1 per cent, but the exact amount is still subject to arrangement. We are discussing how far we may pass on the sinking fund benefit contributions and the like, but I would think that, as a result of the Commonwealth Government's offer of \$2,750,000 to the States to offset interest payments for welfare housing and the fact that South Australia gets such a large proportion of this amount (more than \$400,000 a year out of the total), this State will be able to reduce the interest rate to the Housing Trust for low-income housing, and that will considerably relieve us, because previously we were using Housing Trust capital funds to subsidize the rentals on low-income housing, simply because, at the price we had to pay to service the loans on these houses, we could not conceivably let them at an economic rental: that is, at the rental low-income earners could afford to pay. Another effect of the lower interest rate on these houses is that we will not have to use as much from capital funds to subsidize those rentals, and this will allow us to build more low-income housing.

### WATER RATING

Mr. EVANS: Will the Minister of Works consider bringing water rates in the Blackwood-Belair district into line with those charged in the Adelaide water district? The Engineering and Water Supply Department, through the Minister, was kind enough some time ago to distribute to members a paper headed "Principles of rating and charging for water", which shows clearly how the rate is assessed in the various water districts in the State. The Adelaide metropolitan area is affected in three ways. The main Adelaide area, from Port Noarlunga to Evanston, is rated at 7½ per cent of the annual assessed value up to \$2,000 and at 5 per cent on any annual assessed value above that amount. The Blackwood-Belair water district is assessed at 9½ per cent on the first \$2,000 of annual assessed value, and I have been told that the original reason for this assessment was that that area had not developed, the prices of land and houses there were lower than in the city, and it was considered to be a semi-rural area. However, the prices of houses and blocks are now comparable with those in the middle-class areas of the suburbs and I consider that it is time this assessment was reviewed. I ask

the Minister whether he will consider this matter, as it seems unjust that persons who live within eight or nine miles of the Adelaide General Post Office must pay a special water rate that is far in excess of the rate charged in other parts of the metropolitan area.

The Hon. J. D. CORCORAN: I have said in this House several times that the Sangster committee's report on water rating is now being evaluated by a working committee in the department, and I will refer the matter the honourable member has raised to that committee.

Mr. EVANS: Will the Minister consider bringing water rates in the Onkaparinga water district into line with the rates levied in the metropolitan district? This question is entirely different from my previous question. The people in the Onkaparinga water district are concerned that they are paying 12 per cent (not 7½ per cent or 9½ per cent) on the first \$2,000 of annual assessed values. They have told me that, at the same time, they are expected to restrict the use of their land and to control pollution to a much greater extent than applies in other parts of the State. This is so that the city can receive a good water supply, yet, when this water is reticulated to their own houses, they are expected to pay almost double the water rate applicable to other parts of the metropolitan area, even though a large section of the Onkaparinga water district is in the metropolitan area as defined in the town planning report. I know that the Minister will say that this matter will be considered, and the objective of the question is that the people in this area and the evidence available will be considered, because of the unique position that that district is in through supplying water of good quality yet paying almost double the water rate that some other persons are paying.

The Hon. J. D. CORCORAN: I do not think it is reasonable that the honourable member should pre-suppose the reply to his question. The reply is that I will not consider it.

### SITTINGS

Mr. BECKER: Will the Premier say whether consideration has been given to changing the sitting hours of this House so that sittings will commence at, say, 11 a.m. or so that the House will sit four days a week? I refer to the sitting last night, when we on this side were forced to sit until 3.30 a.m. I compliment the Chairman of Committees because, if my memory serves me correctly, he was in the Chair from soon after 7.30 p.m. until 3.30 a.m., without

a break. I think it is unfair to expect members to sit for such a long time, and consideration should be given to either sitting on an additional day or starting sittings in the morning.

The Hon. D. A. DUNSTAN: The reason for the length of sittings here is that this House gives members far more latitude in the conduct of its business than is given in any other Parliament in Australia.

The Hon. J. D. Corcoran: Questions without notice last for twice as long.

The Hon. D. A. DUNSTAN: Of course, most other Parliaments in Australia do not have questions without notice.

Mr. Millhouse: So what?

The Hon. D. A. DUNSTAN: The fact is that many members use these privileges to take up much of the time of the House, and sometimes, I say with respect to all members, without much thought.

Mr. Millhouse: All members, on both sides of the House.

The Hon. D. A. DUNSTAN: I am not confining that statement to only one side of the House.

Mr. Millhouse: I thought you should make it clear, though.

The SPEAKER: Order! The Premier has been asked a question and he is entitled to be heard in silence. Honourable members are not helping solve the problem by continually interjecting, and interjections must cease forthwith. The honourable Premier.

The Hon. D. A. DUNSTAN: If members choose to use the privileges of this House to the extent that they have been using them constantly this session, I am afraid that we will have to sit here until we can get the business through. That is the only way we can conduct the business of the House and, if the honourable member considers that we should conduct the business more expeditiously, I suggest that he use his persuasive powers with his colleagues rather than with me.

### UNIVERSITY FEES

Mr. MILLHOUSE: My question is directed to the Premier in his capacity as head of the Government and as Treasurer. Will the Premier give details of the negotiations with the universities concerning the raising of fees? I may have missed one of the Premier's or the Government's announcements, but the first I knew of the proposal to increase fees for students was the passage in the Treasurer's Financial Statement in which, almost by the way and assuming that everyone knew, he said:

The estimates of grants to tertiary educational institutions have been adjusted to take account of higher fees which are proposed to operate from the beginning of 1972 and should save in grants about \$500,000 in a full year and \$250,000 in 1971-72.

One must assume from that that the increases will result in the return of these amounts respectively. I see in this morning's paper that the Premier has announced that an increase of 16.6 per cent in tertiary education tuition fees is proposed in South Australia. I missed that too, but apparently it has been announced. However, more serious than any possible attempt by the Premier to get out of making a formal announcement by assuming that it has been made is the reaction which is reported in this morning's paper and which I believe the honourable gentleman experienced when he went to the Adelaide University a few weeks ago. As this matter is not clear to me by any means (and I suspect that it is not clear to anyone outside the Government), will the Premier give details of the negotiations with the universities on this matter?

The Hon. HUGH HUDSON: As I understand it, details of the situation were announced in the Budget by the Government (and it is a Government decision), including the statement that fees would increase by one-sixth.

Mr. Millhouse: I read out the sentence.

The Hon. HUGH HUDSON: The figure of one-sixth appeared in the Budget, and if the honourable member has not found it he had better read the document again until he finds it. No public announcement or statement was made concerning the universities or the Institute of Technology before the Budget speech was given, but since then I have written to the tertiary institutions and to the Chairman of the fees concession committee outlining the Government's views on the matter and asking both Flinders and Adelaide Universities and the Institute of Technology to make the appropriate adjustments. It is expected that the total expansion in the fees concession scheme will be about 50 per cent. Although the actual Budget figure provided is less than 50 per cent, nevertheless there are some balances held in relation to that scheme, and it is expected that next year there will be a higher rate of repayment of money from previous loans that will enable increases in the scheme to be made through our use of this money. It is expected that for 1972 the total sum that will be made available through the fees concession scheme will be \$180,000, compared to the \$120,000 that was effectively



made available this year. That amounts to an overall improvement of about 50 per cent.

The Government's aim in this matter is to try to ensure that any student who is in a difficult position as a result of the increases in fees may obtain the necessary additional assistance from the operation of the fees concession scheme. I think it is important to point out once again to the honourable member that about two-thirds of the number of students receive payments for their fees either through the Commonwealth Government, through the State Education Department, or through some other authority, and that only one-third of the number of students pay fees. In relation to that one-third, as a result of the financial difficulties faced by the Government we have to ask those who can afford to pay the increase to pay it, whilst at the same time trying to arrange to provide additional assistance for those who cannot pay.

The Hon. D. N. Brookman: That's pretty tough on the one-third.

The Hon. HUGH HUDSON: In this year's Budget the Commonwealth Government has increased the allowances for taxation deductions in respect of education expenses from \$300 to \$400, and that extra \$100 gives a tax reduction benefit that can vary from \$20 to \$67.50, depending on the level of income of the taxpayer. The higher the income of the taxpayer the greater the benefit. The higher the individual's income the less assistance he is likely to get through the fees concession scheme, but the more indirect benefit he will obtain from the Commonwealth Government by a reduction in taxation as a result of the peculiar nature of the assistance given by that Government.

Mr. Millhouse: Are you giving the Commonwealth Government credit?

The Hon. HUGH HUDSON: I do not give the Commonwealth Government credit for giving more help to those who are best off in the community. This is a national scandal. I was only replying to the interjection of the member for Alexandra.

*Later:*

Mr. NANKIVELL: In the temporary absence of the Minister of Education, I ask the Premier whether, as in 1969 he and the present Minister of Education sponsored a motion that in the opinion of this House a further increase in fees in tertiary education institutions in this State would cause grave hardship to students and should not be proceeded with, he will explain how circumstances have changed and how it is that he considers

that it is now appropriate to make an increase when at that time it was not conscionable so to do?

The Hon. D. A. DUNSTAN: As the honourable member knows, there have been increases in costs and, in consequence, some means of raising the necessary money must be found. One way of doing this is to raise the fees at the university, where the impact of those fees will fall not on the fee-paying students but very largely on the Commonwealth Government, as a means of getting additional assistance from the Commonwealth Government. But this can be justified only if there is a marked improvement in the fees concession scheme to obviate any hardship to fee-paying students as a result of the change in fees. On the previous occasion referred to by the honourable member, when the Minister of Education and I spoke in this House on fees at the university, there was not such a change in the fees concession scheme. Any change in the scheme then was minor in its impact on fee-paying students. However, this time the change in the fees concession scheme has been very marked indeed, and the Government is insistent that the objective of the scheme is to ensure that the fee-paying students in South Australia will not be in a worse position as a result of the change.

*Later:*

Mr. NANKIVELL: In view of the proposed increase in fees, can the Minister say what, if anything, is intended to be done to liberalize the requirements for acceptance under the fees concession scheme? I have a letter which comes in circular form from the South Australian Institute of Technology Students Association and which states that this allocation in the Budget is an increase of \$40,000 over the sum spent last year. The letter states that this amount would cover only 200 additional students, as the average concession is about \$200. However, if the money is to be used to assist further the students already being assisted, it will not provide for 200 additional students. The point I really want to make is that, although this sum may assist further those students who are already assisted under the fees concession scheme, this involves fewer than 10 per cent of non-assisted students, leaving 90 per cent of the students who do not receive Commonwealth grants, scholarships or other forms of assistance still receiving no benefit; they will just have to pay the additional fees. Can the Minister say what assistance, if any, will be given to those

amongst this group who may now find themselves suffering hardship as a result of these increased fees?

The Hon. HUGH HUDSON: The honourable member has not fully understood my previous reply. The money allocated from the Budget is new money made available to the fees concession scheme. The money spent under the scheme consists of the sum made available through the Budget and, in addition, any other moneys which, under the fees concession scheme, have been put out on loan to students and which are subsequently repaid. Last year about \$20,000 became available for the fees concession scheme as a consequence of repayments of previous loans. That money was lent out again. Of last year's actual expenditure by the Government of \$110,000, I understand that only about \$100,000 was spent, so that the actual sum put out in 1971 in the fees concession scheme was \$100,000 by the Government, plus \$20,000 from moneys repaid from that part of the previous concessions that had been granted in the form of loans, making a total of \$120,000. For 1972 there will be \$150,000 allocated by the Government, in addition to the balance held in the scheme (about \$10,000) and an expected further \$20,000 of repayment, which will be available for re-use, so the total expenditure under this heading is likely to be about \$180,000, compared to \$120,000 this year. That is an increase of \$60,000, or 50 per cent.

The second point is that the Institute of Technology students in the past have been relatively worse off regarding the provision of Commonwealth scholarships and one favourable aspect of the Commonwealth Budget this year was an increase in the number of scholarships for colleges of advanced education of 2,000 for the whole of Australia, and I expect about 225 of those to be allocated to South Australia and available for use by students in this State, so additional assistance for Institute of Technology students should be available from that source. Although in the past it may have been true that only 10 per cent of the fee-paying students at the Institute of Technology got assistance under the fees assistance scheme, that percentage would not apply over the—

Mr. Millhouse: This is rather long, isn't it?

The SPEAKER: Interjections when the honourable Minister is replying are out of order.

The Hon. HUGH HUDSON: That percentage would not apply, I think, in relation to Flinders University and Adelaide University. The percentage of fee-paying students being

assisted under the fees concession scheme would be higher, I think, at those universities. Certainly, the position at the Institute of Technology will improve both consequent on more students being given scholarships and as a result of the increased amount being made available for the scheme.

I have written to the chairman of the committee that administers the fees concession scheme (Mr. Edgeloe), telling him of the additional money that has been made available and indicating that we would like the committee to work out an appropriate way to use the additional funds. I also asked Mr. Edgeloe to put before the committee the Government's view that the bulk of the additional assistance should go to those persons who were lower down the income scale; in other words, that the additional assistance should not be taken up in just extending the range of the means test at the upper end of the income scale.

Mr. Nankivell: What if a student failed a year?

The SPEAKER: Order! There can be only one question at a time.

The Hon. HUGH HUDSON: As the honourable member appreciates, those students who have failed are in a difficult position. If they are teachers college students, automatically they are put off allowances until they demonstrate academic recovery. If they are on a Commonwealth scholarship, they automatically lose the scholarship and, of course, if they have failed and the chances are that they are less likely to graduate, the likelihood of assistance being given under the fees concession scheme is reduced. So the penalties for failure are great and, as all tertiary institutions in South Australia previously have had extremely high failure rates and as this has involved a considerable waste of community resources, I think it is a little hard to argue against the kinds of penalty now operating.

Certainly, if the failure rates were much lower than they are at present, one would be inclined to take a different view of the matter, but we live in a world in which the students who are more likely to complete the course are those who are more likely to get assistance, whether in the form of a teachers college scholarship, a Commonwealth scholarship, or assistance under the fees concession scheme.

The SPEAKER: Order! The honourable Minister is traversing much of the ground that has been dealt with in reply to another question, and his explanation is rather long. I do not desire to cut honourable members out,

but it is apparent that the honourable member did not understand the earlier reply and the Minister has gone on to explain it. I suggest, however, that this could be done by personal deputation. I ask honourable members who do not understand explanations of policy to try to arrange a deputation to the Minister rather than to ask another question.

The Hon. HUGH HUDSON: With all due respect, I point out that, if the honourable member did not understand the situation properly, other persons in the community may not have understood something that is a matter of public importance, and the need to understand the situation properly is therefore considerable. The other point I wish to make is that, if the honourable member desires, I shall be pleased to obtain for him from Mr. Edgeloe the details of the amendments that the committee proposes to make in the scheme. As soon as I get those details, I will make them available to the honourable member and to any other honourable member who wishes to see them.

#### **NUNJIKOMPITA PRIMARY SCHOOL**

Mr. GUNN: Will the Minister of Education ask his department to rectify the unsatisfactory situation at the Nunjikompita Primary School? Recently, the District Council of Murat Bay declared the Nunjikompita school area a fly-infected area to enable the school to qualify to have fly-wire screens fitted. Members of the school committee would like this work to be done immediately, because of the impending hot weather in the coming summer. Also, the septic tank system has broken down, because of the erosion of the three-quarter inch pipeline that brings water for the system from the main.

The Hon. HUGH HUDSON: I will consider the matters raised by the honourable member.

#### **THIRD PARTY INSURANCE**

Mr. McANANEY: Does the Minister of Roads and Transport intend to introduce legislation this session in order to make it possible to pay third party insurance fees at the Motor Vehicles Department when vehicle registration is taken out? This system has been advocated by the Opposition, and several people have expressed to me their dismay that it has not been introduced.

The Hon. G. T. VIRGO: I have announced publicly and in this House numerous times that the Government will introduce this system, and I am pleased to confirm those

announcements once again for the honourable member. Because of his statement, I look forward to his support for this legislation.

#### **MAINTENANCE ORDERS**

Mr. PAYNE: I address my question to the Attorney-General.

Mr. McANANEY: When will the new system be introduced?

The Hon. G. T. Virgo: It may be—

The SPEAKER: Order! The member for Heysen asked a question, resumed his seat, and the Minister replied. There must be no discussion across the Chamber, thus depriving other honourable members of the opportunity of asking questions and having them answered. That practice must cease immediately.

Mr. PAYNE: Has the Attorney-General further information on the date of the introduction of the legislation promised by the Commonwealth Government to validate masters' maintenance orders issued in South Australia?

The Hon. L. J. KING: No. I wrote to the Commonwealth Attorney-General stressing the urgency of this problem and pointing out that the longer the legislation was delayed the greater the number of people who would be forced by circumstances to make fresh applications for orders by judges, with the consequent expense and inconvenience. The Commonwealth Attorney-General has told me that the legislation will be introduced in this session of the Commonwealth Parliament, but so far he has been unable to say when that might be. As this is a matter of great urgency, I hope that the Commonwealth Government will realize the urgency and give this legislation top priority in its programme for the current session.

#### **OCCUPATIONAL SAFETY**

Mr. JENNINGS: Has the Minister of Labour and Industry information he can give to the House regarding the industrial safety conference held in Canberra last weekend?

The Hon. D. H. McKEE: In answering a question on Tuesday, I did not refer specifically to the arrangements made this year for co-operative efforts in the accident prevention field. The need for a more intensive and effective accident prevention programme in Australia has been recognized by the Commonwealth and State labour departments and the National Safety Council of Australia and, resulting from discussions held earlier this year between the permanent heads of labour departments and the executive of the National Safety Council of Australia,

agreement was reached to seek the most effective joint arrangements for improving safety and expanding the efforts aimed at preventing injury at the work place. These discussions led to the issue of the following joint statement by the National Safety Council of Australia and the Commonwealth and State departments of labour:

It is agreed by all responsible authorities that Australia cannot afford the toll now being exacted by occupational accidents. Having regard to the loss of life, suffering, financial hardship, reduced productivity and increased costs being caused by these accidents, the Commonwealth and State departments of labour and the National Safety Council of Australia believe that there is an urgent need for a continuing and expanding nation-wide campaign directed towards the prevention of occupational accidents.

The nation-wide campaign requires the active participation of all bodies concerned with occupational safety, including Governments, the National Safety Council of Australia, employer organizations, trade unions and voluntary bodies. Accident prevention calls for the efforts of all who are required or willing to contribute and is not exclusively the concern of any one body or section of the community.

The combined efforts of the departments of labour and the National Safety Council of Australia, the two main spearheads in the industrial safety movement, employing all the resources available to them within the foreseeable future, are unlikely to achieve all that is required for the fully effective safety drive throughout industry. The needs of industry are such as to require progressive expansion of these resources.

It is essential that there should be the closest and most harmonious liaison and collaboration between the National Safety Council of Australia and the departments of labour, with the object of using the resources of each to best advantage.

State departments of labour are responsible for the administration of safety legislation which, being designed for the protection of the safety, health and welfare of people employed in industry, establishes minimum safety standards and codes of safe practice, and nothing in this statement is intended to restrict their Governments in legislative matters. All those concerned with occupational safety should co-operate in promoting a greater knowledge of safety legislation and observance of its provisions.

The demonstration of active co-operation between the departments of labour and the National Safety Council should be of considerable help in enlisting financial support for the development of occupational safety activities.

The SPEAKER: The Minister is using rather copious notes.

The Hon. D. H. McKEE: It was a very lengthy conference: it lasted the whole of the weekend. The member for Ross Smith asked

for detailed information, and I thought that I should give him full details.

The SPEAKER: It seems to be a lengthy document and, although I do not wish to curtail the activities of Ministers when they reply to questions, I think that a brief answer, together with a copy of a letter or report, would have sufficed in this case.

The Hon. D. H. McKEE: I will condense the report as much as I can. The statement continues:

This declaration marks the beginning of a new approach to the problem of industrial accident prevention in Australia. The National Conference on Industrial Safety held last week and sponsored jointly by the Commonwealth and State labour departments and the National Safety Council of Australia is further evidence of the desire by these bodies to co-operate—

The SPEAKER: Order!

The Hon. D. N. BROOKMAN: Mr. Speaker, you just said that the Minister was replying at too great length.

The SPEAKER: I said that he was using copious notes.

The Hon. D. N. BROOKMAN: The Minister, having paused while you were speaking, is now continuing just as he was doing before.

The Hon. D. H. McKEE: I've just about finished.

The SPEAKER: I should appreciate it if the Minister could make his reply a little briefer.

The Hon. D. H. McKEE: Yes, Sir. I do not want to upset the honourable member any more than he is now upset. The statement concludes:

It is intended that the Commonwealth and State Ministers concerned will confer to consider matters raised at the conference to ensure that action is taken on them.

### PAMPHLETS

Mr. MILLHOUSE: I should like to ask a question of the Minister of Education, although I do not know whether or not the Premier will answer it. Will the Minister say what action, if any, he or the Government intends to take regarding the two pamphlets which I handed to him yesterday and to which I had referred in this place on Tuesday during the debate on the motion to go into Committee of Supply? When I spoke on these matters on Tuesday, I said that if the Minister asked me for them I would give them to him, together with the name of the school at which one of the pamphlets to which I referred had appeared. Yesterday, after the member for Stuart had asked me a question (up to that time, the Minister had

not asked me or made a straight-out request for the pamphlets; he had come to me privately to ask for them and was proceeding to attach a condition to the request), the Minister made a personal explanation which, while it was not a straight-out request for the pamphlets, I construed as a request. I therefore immediately wrote the honourable gentleman a letter, which I handed to him, together with the two pamphlets in an envelope. As that was just about 24 hours ago, the Minister has had plenty of time to examine them. I added a request for their early return to me, and I therefore ask the Minister what he now intends to do, if anything.

The Hon. HUGH HUDSON: I am always delighted to receive a question from the protector of public morals, who is busily endeavouring to ensure that *Hansard* is a best seller throughout South Australia. I do not know whether he has any private shares in the Government Printing Office—

Mr. Millhouse: I take this matter seriously, even if you don't.

The Hon. J. D. Corcoran: You're only trying to get something out of it.

The Hon. HUGH HUDSON: I made those remarks advisedly, because I believe that the honourable member's role in this matter has not been completely straightforward. He was prepared to name—

Mr. MILLHOUSE: Sir, I object strongly to the inference that I have been dishonest in some way.

The Hon. J. D. Corcoran: He didn't say you were dishonest.

Mr. MILLHOUSE: The inference in the remark of the Minister of Education was that I had not been straightforward in this matter: that my role had not been straightforward. I take exception to that and ask for a withdrawal.

The SPEAKER: Order! While the statement made by the Minister is critical, I cannot see that it is unparliamentary. The Minister of Education.

The Hon. HUGH HUDSON: Mr. Speaker, I say advisedly—

The Hon. D. N. BROOKMAN: I rise on a point of order, Mr. Speaker. When it is said that a member is not being straightforward, is that not an accusation of dishonesty on his part? The honourable member complained that the Minister had said that his role in this matter had not been straightforward. The honourable member took that as a personal reflection on his honesty.

Mr. Jennings: What honesty?

The Hon. D. N. BROOKMAN: Mr. Speaker, I ask you to rule that that expression is unparliamentary. It is obviously unparliamentary.

The SPEAKER: I have already made my decision on that matter. It is a matter of opinion, and I have expressed that opinion and made a decision. There is no point of order.

Mr. MILLHOUSE: I take another point of order.

The SPEAKER: What is the point of order?

Mr. MILLHOUSE: The point of order is this: I have asked the Minister to withdraw that statement. A point of order has been taken on many occasions during this session when a member has taken exception to something that has been said, and I am thinking now particularly of members on the other side. When members opposite have taken exception to what has been said about them, you have without fail asked that the remark in question be withdrawn for that very reason and for no other reason. In this case, I take the strongest exception to what the Minister said about me; it was a clear inference of dishonesty on my part, and I ask whether you will request the Minister to withdraw what he has said, as you have done, following the practice you have adopted, on many other occasions.

The SPEAKER: I have already ruled that, in my opinion, the remarks are not unparliamentary. If the Minister desires to withdraw them, he is at liberty to do so. I was asked by the member for Mitcham to give a ruling, and I have given that ruling twice, including the ruling I made on the point of order taken by the member for Alexandra. I have stated that in my view the remarks are not unparliamentary, but if the Minister wants to withdraw the remarks he is at liberty to do so.

The Hon. HUGH HUDSON: I make the statement again for the very good reason that the honourable member has chosen to mention one school, which is not in his district and at which an incident allegedly happened outside the school gate. That incident did not involve the staff of the school in any way but, as a consequence, it gave that school adverse publicity on the front page of the *Advertiser*. However, the honourable member chose not to name the other school inside which something had occurred which was much more reprehensible. I do not intend to canvass why this is so, but the fact that this distinction occurred led me to conclude that the honourable member was

not straightforward in relation to this matter, and I adhere to that conclusion.

Mr. Millhouse: Well—

The SPEAKER: Order! The member for Mitcham is not going to continue to interject.

Mr. Millhouse: Well, he is being very provocative.

The SPEAKER: Order! I determine whether a member is provocative.

Mr. Millhouse: I see.

The SPEAKER: If the member for Mitcham interjects again while I am on my feet, I will name him immediately. The honourable Minister of Education.

The Hon. HUGH HUDSON: Concerning the unnamed school, the department has received full reports on the matter from the Headmaster. The teacher concerned in the incident has had the mistakes that were made pointed out to him and has been told that a repetition of what occurred will not be accepted in any circumstances. That action had already been taken by the department well before any statement made by the member in this House. The other matter relates to a publication by a body not under the control of the Education Department and, while it might be argued that the document concerned is in bad taste, I believe that it is not contrary to the laws of the land. It is not obscene *per se*. This material was distributed outside certain schools. The position that has been taken by me and the department on several occasions in relation either to the distribution of offensive material or of material which attempts in some way to proselytize students is still the same as it was, namely, that it will not be tolerated that this sort of material should be distributed inside a school.

As I have pointed out previously, the Education Department is not able to control directly what happens outside of schools; it is in no position to determine what is or what is not published outside of school organization. The honourable member is well aware of that and should know that the school concerned was not directly in any way associated with the publication of that material. The reply to the honourable member has already been drafted in my office this morning. I presume that the letter will be typed this afternoon, signed and no doubt the honourable member will get a reply tomorrow or, if the Postmaster-General's Department is a little lax, he will get it on Monday. I assume that even the member for Mitcham regards that as adequate service.

Mr. MILLHOUSE: I seek leave to make a personal explanation.

Leave granted.

Mr. MILLHOUSE: As members may gather and as I think you, Mr. Speaker, too, would have gathered, I very bitterly resent the turn of phrase used by the Minister of Education when he said that my role in bringing forward this matter to the House was not straightforward. I desire to explain why I did what I did in the way I did. With regard to the pamphlet or paper *Ikon*, which I said had been distributed at the Norwood High School—

The Hon. Hugh Hudson: Why did you pick on that school and name it?

Mr. MILLHOUSE: —I referred to that because it was given to me on Friday morning by the father of a pupil at the school; he brought it to my office. Furthermore, that edition of *Ikon* refers to the Norwood High School and to the Headmaster (Mr. Coward), whom it criticizes, so that anyone who looked at that newspaper (if one can call it that) would immediately connect it with the Norwood High School, because that school is named therein and that is why I used the name of the school.

Mr. Clark: Most people wouldn't have seen that.

Mr. MILLHOUSE: If that material had not been in the paper and if the paper had not been given to me directly by a parent of a student at the school, I would not have named the school. With regard to the other pamphlet, there was no reference to the school involved. I believe that action had already been taken following a complaint by the parent to the Headmaster of the school and, that being so, there was no reason to refer to the name of the school, there being no link between the document and the school, as there was in the first case. In my speech on Tuesday, I made these matters plain to all members. Unfortunately, the Minister of Education did not at that time regard the matter as sufficiently important even to stay in the House.

The SPEAKER: Order!

Mr. MILLHOUSE: If he had, he would have known about this.

The SPEAKER: Order! The honourable member for Mitcham sought leave to make a personal explanation. I will not permit him, in the course of doing that, to make personal attacks on other members.

The Hon. HUGH HUDSON: I seek leave to make a personal explanation.

Leave granted.

The Hon. HUGH HUDSON: I wish to make one point clear. At the time the honourable member was speaking on Tuesday

afternoon, I was meeting with a deputation. I was not able to come into the House without committing an act of gross discourtesy to the people who had come to see me on an important matter. I know that the honourable member will forgive me for saying that, even if I had been able to make a judgment on the decision about which was more important, I made the right decision in staying with the deputation and in not coming in to hear the honourable member.

### JUVENILE COURT REPORT

Mr. MILLHOUSE: In view of the widespread criticism of the Attorney-General's decision not to release the report of the Juvenile Court magistrate, will the Attorney reconsider that decision? Last week Opposition members raised the matter of the Attorney's announced intention not to release the report, except for the statistical part of it. Since then, there has been much criticism, both generally and by members on this side of the House, of this decision. Both Adelaide newspapers have written editorials against the decision and other—

The SPEAKER: Order! The honourable member is commenting on the question. This is also a matter that has been raised continuously in this House. The honourable member asked the Attorney-General whether he would reconsider his decision—

Mr. Millhouse: Yes, in the light of all this.

The SPEAKER: —and I will not permit an explanation of ground that has been covered over and over again on this matter. The honourable Attorney-General.

The Hon. L. J. KING: The position is still as I have explained it previously: that the release of this report would inevitably involve a member of the Judiciary in public controversy on a current issue and that it would not be consistent with my duty as Attorney-General to allow that to happen. Of course, the criticism to which the honourable member refers has been stimulated largely by himself, and the irony of that situation is that I have no doubt that, if the honourable member was occupying the position that I occupy, he would have made exactly the same decision as I have made, because his sense (which I trust he has and am prepared to believe he has) of the responsibility of the office would have led him to make exactly the same decision.

### STATE BANK OVERDRAFTS

Mr. GUNN: Can the Premier say whether the State Bank is asking certain clients to reduce their overdrafts because the Govern-

ment requires these funds to finance the \$5,500,000 arts complex? Last weekend I was told by some constituents that they had been informed that their overdraft would have to be reduced, and they had been further informed that the reason for this demand was to give the Government access to these funds.

The Hon. D. A. DUNSTAN: Do I understand the honourable member to say that a bank officer gave that as the reason?

Mr. Gunn: No.

The Hon. D. A. DUNSTAN: I see. Well, I would not have thought that he would do so, because that is completely without basis. The honourable member must know that the Government does not draw on State Bank funds to pay for Loan purchases. The State Bank is simply operating on its normal commercial basis. It carries many people in rural areas, and it has been of great benefit to them. However, naturally as a banker it operates in the normal way if, from time to time, it considers that someone's overdraft is getting beyond what it should be. In no instance has any suggestion been made to the State Bank that it must provide the Government with funds.

### SCHOOL CROSSINGS

Mr. EVANS: Can the Minister of Education say whether school committees are justified, according to the Education Department regulations, in using money from their accounts to help establish school crossings? In the *Advertiser* of February 13, 1970, in the "Day by Day" column there appears the following article, headed "Who Pays?":

"How many people are aware that school welfare clubs have to pay for school crossings?" asks Mrs. Jeanne Sharpe, of Gothic road, Bellevue Heights. She says school crossing views in this column prompted her to point out that when traffic authorities and local councils have solemnly debated whether crossings are warranted, it is the welfare clubs which pay. The estimated cost? \$400. Fund-raising by school welfare clubs was never intended to cover this.

The SPEAKER: Order! The honourable member is starting to comment.

Mr. EVANS: I am reading an article as an explanation of my question. The report continues:

Education Department rules governing them say they exist to raise funds for amenities, reading aids, sports equipment, library books. I am informed that it is possible, within the regulations, to use moneys within the school proper: in other words, for expenditure on departmental land or within school buildings.

A recent article in the *News* of September 2, headed "Moves for school lights", states that school crossing lights are being considered for Tapley Hill Road near the Jervois Street junction, Glenelg North, and that the Government will meet two-thirds of the cost, with the schools and council each meeting one-sixth of the cost. As there seems to be some concern on the part of school committees about whether they are justified in spending money in this way or whether they are acting outside the law, I should be pleased if the Minister would clarify the position.

The Hon. HUGH HUDSON: The reply to the question is "No". If there are any instances where this has occurred I would be confident that they occurred because the local council refused to provide the necessary finance to construct the school crossing. Under the provisions of present legislation, before a school crossing is installed the Road Traffic Board must undertake a traffic count to ascertain whether the crossing is warranted. The crossing has then to be installed by the council at its own expense, and it is left to the council to decide whether the crossing should be installed. The situation could occur in several council areas where the warrant has been given by the Road Traffic Board but the council has not proceeded to install the crossing and has used financial reasons to obtain funds from school committees. If any actual instances have occurred, I shall be pleased to consider them. I know that no instance has occurred in my district (to my knowledge, anyway) concerning any of the councils but, because the existing legislation leaves it to the discretion of the individual council whether the crossing is installed (even though the Road Traffic Board has issued the warrant), it may have created a situation where councils have placed pressure on school committees to provide financial support. If the honourable member has any specific example that he could give me I shall be pleased to consider it.

#### LIQUOR DELIVERY SERVICE

Mr. WELLS: Has the Attorney-General any knowledge of American Refrigeration and Investment Corporation Proprietary Limited, which is advertising for distributors to operate a liquor delivery scheme, and, if he has, does he consider that such a scheme is lawful?

The SPEAKER: Order! The honourable member is asking the Attorney-General to express a legal opinion, and I have to rule that the question is not in order.

Mr. WELLS: With your indulgence, Mr. Speaker, I will rephrase my question. Will the Attorney-General investigate this practice and report on its legality?

The SPEAKER: I will allow the question.

The Hon. L. J. KING: I have had inquiries made into the operations of this company. American Refrigeration and Investment Corporation Proprietary Limited is a New South Wales company, which is registered in South Australia as a foreign company and which has been advertising in South Australia offering distributorships in a liquor delivery scheme. I shall briefly outline the scheme as I understand it. The company apparently intends selling or leasing refrigerated beer bars to private householders, business houses, and clubs. The distributor is given a franchise to conduct a liquor delivery service to these beer bars within a defined area. For such a franchise the distributor pays \$5,000. In addition, he has the right to sell or lease beer bars within his area, for which purpose he is supplied with a unit for demonstration purposes.

Arrangements for the purchase of the liquor are to be made by the company which plans to approach local hotels and offer its services in return for a commission of 12½ per cent on each hotel's additional turnover which results from the company's sales. Of the 12½ per cent, the company would take 2½ per cent and the distributor 10 per cent. I should like to issue a warning to any person who might be contemplating taking up a distributorship with this company. It is clear that substantial sales would need to be made before a successful business could be established. However, apart from the purely economic considerations, it is my opinion that the operations of such a business would infringe the provisions of the Licensing Act.

#### SCHOOL GRANTS

Mr. VENNING: Can the Minister of Education say how schools are expected to carry on from June 30 until the new scheme of the provision of grants is implemented in 1972?

The SPEAKER: Order! My recollection is that this question has been asked previously.

The Hon. Hugh Hudson: Not today.

The SPEAKER: I want to get the position clear. I think the question has been asked this session and, as Standing Orders provide that a question that has already been asked cannot be asked again during that session, I call on the honourable member for Mitcham.



### UNIONISM

Mr. MILLHOUSE: Has the Minister of Roads and Transport a reply to my question of August 24 about unionism? Although the Minister told me he had this reply yesterday. I did not ask for it then, as it was private members' day.

The Hon. G. T. VIRGO: I am pleased to give the honourable member the reply. I did not think he was interested enough to ask for it, but I am pleased that he has asked for it now. If members are interested in getting replies to questions, one could reasonably expect them to ask for those replies.

Mr. Mathwin: We don't ask for them, because of an agreement with you.

The Hon. G. T. VIRGO: There is no agreement between the member for Glenelg and me. The reply is for the member for Mitcham. If the member for Glenelg can sit quietly and listen to the reply, he may get on a little better.

The policy of the Government is now and always has been preference for unionists. This policy was adequately debated in this House on October 14, 1970, and is recorded in *Hansard* on pages 1741 to 1766, and the member for Mitcham may desire to read the speeches to refresh his memory. This policy applies not only to those seeking employment with Government departments but also to those seeking employment with contractors who are carrying out contracts and subcontracts for the Government. In accordance with Government policy, the following clause has been embodied in all Highways Department contracts:

In engaging labour, preference of employment shall be given to financial members of a union appropriate to the position, provided that the contractor shall not be compelled to give preference to any member of such a union who may have been discharged for dishonesty, misconduct or neglect. In the event of no financial members of any union appropriate to the position of employment being adequately experienced in and competent to perform the position of employment, employment may be given to an unfinancial member or person being a non-member of a union. Should the contractor sublet any part of this contract, the contractor shall include the requirements of this clause as a term of such subletting. The contractor shall advise the Commissioner as soon as practicable of each instance that non-union labour is engaged by him or by any approved subcontractor.

In the specific instance referred to by the member for Mitcham, it was discovered that some potential contractors were supplied with a copy of the conditions of contract that did not contain the clause dealing with preference

to unionists in the approved form. This was simply a clerical error and was rectified immediately it was discovered. I can only presume that the potential contractor who previously complained to the member for Mitcham has subsequently advised him of the correction.

### TRANSPORT POLICY

Mr. HALL: I ask the Minister of Roads and Transport whether the undesirable features of the Government's approach to the Metropolitan Adelaide Transportation Plan have caused the refusal of Dr. Alston to take up his reported appointment as South Australia's Director-General of Transport? Much publicity was given to the doctor's appointment, but it would seem from the report now before us that the doctor has had second thoughts because he has seen that the Government is being less than responsible in its approach to meeting this State's transportation needs and that he is concerned that he would find himself in the most invidious position of being politically directed outside of his statistical and planning field.

*At 4 o'clock, the bells having been rang:*

The Hon. D. A. Dunstan: Did you finish your question?

Mr. Hall: Yes.

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

That Standing Orders by so far suspended as to enable the Minister of Roads and Transport to reply to the Leader's question.

Motion carried.

The Hon. G. T. VIRGO: I thank members for the courtesy of allowing me to reply to this question and I was pleased to hear the Leader say that he would be happy to get a reply. I could not but feel that he and all other members have had this information in their hands for the last 1½ hours but that he waited until 3.59 p.m. to ask a question that is obviously a slander on the Government and on Dr. Alston. For the benefit of the Leader and other members, I will read the statement that I have issued. It is as follows:

In seeking release, he has said that he has been looking forward very much to the challenge that the position of Director-General constituted.

The position in Adelaide in relation to transport was fully explained to the doctor while I was in London. I explained to him the previous Government's policy. When I said that it had adopted the M.A.T.S. plan but that this Government had withdrawn it, his attitude was one of applause and he agreed

that we should not commit ourselves irretrievably to concrete freeways. For the Leader to suggest, as he has suggested, that Dr. Alston has sought his release from employment as Director-General on the premise that he does not agree with the Government's policy is completely untrue. At a later stage, I hope to be able to tell the Leader and the public some pertinent facts about Dr. Alston, but I am bound by decency not to reveal them now. When I reveal them the Leader and the public will realize that this Government made a first-class choice when it selected Dr. Alston.

Mr. Hall: It's not so much that you don't approve of him: apparently, he doesn't approve of you.

The Hon. G. T. VIRGO: That is the type of snide comment one has come to expect from the Leader. The sooner he gets away from that sort of remark, the sooner he will be free from some of his own troubles within his political Party.

Mr. Millhouse: Why don't you give us the answer?

The Hon. G. T. Virgo: Why don't you shut up and mind your own business?

The SPEAKER: Order!

The Hon. G. T. Virgo: The bloody little rat!

Mr. HALL: The Minister is saying "a rat" when replying to a question. I refuse to be called a rat.

The SPEAKER: Order! When I rise to my feet to call for order, the Leader is under just as much obligation as any other member to be silent. The subject is closed.

### DAYLIGHT SAVING BILL

Returned from the Legislative Council without amendment.

### CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Citrus Industry Organization Act, 1965-1970. Read a first time.

The Hon. J. D. CORCORAN: I move:

*That this Bill be now read a second time.*

Its principal objects are, first, to replace the existing power of the Citrus Organization Committee to charge all growers an annual levy computed on a bushel basis with a power simply to require all growers to pay contribu-

tions from time to time towards administrative costs without prescribing any basis of computation and, secondly, to improve the penalty and evidentiary provisions of the principal Act. Recently, doubts have been cast on the constitutional validity of the levy provisions of the Act as it now stands, and the question has been raised as to whether the levy is in the nature of an excise. The committee has given much consideration to the financial provisions of the Act. Some growers and packers who do not avail themselves of the marketing services of the committee have felt that they should not be required to support the financing of the committee's marketing activities. The committee has therefore decided to divide its source of income into two areas. All persons who desire to use the marketing facilities offered by the committee will pay for this service on a fee based upon the quantity of fruit packed for sale. However, the committee provides many other services and benefits for all growers in the State; for example, promotion of the industry, research, statistics and crop estimation, control of quality of citrus fruit and general public relations.

All growers benefit from these activities and so must continue to contribute towards the cost incurred by the committee in carrying them out. The committee therefore must have the power to require payment of contributions from all growers from time to time. The Bill provides such a power without specifying the manner in which the contributions will be computed, although the committee presently envisages that such contributions will be calculated on the individual grower's acreage of fruit trees, a method with which the main body of growers appears to agree. The committee is of the opinion that income derived in such a manner will be easier to calculate and collect and also will be less fluctuating than their present income which is calculated on a bushel basis. Instead of placing an arbitrary limit on the amount the committee may charge by way of contributions (for example, 20c a bushel as the principal Act now provides), the Bill sets out a procedure whereby the growers themselves may disallow proposed contributions. If not fewer than 100 growers sign a petition requesting that a poll be taken, the State Returning Officer must conduct a poll of all growers on the question whether the proposed contributions should be charged. If the poll is not in favour of the proposed contributions, the committee can take no further action with respect thereto. An additional safeguard as far as the growers are concerned is that the

approval of the Minister must be obtained before the committee requires payment of any contributions.

The committee has found that the penalty and evidentiary provisions of the Act as it now stands are unsatisfactory. It is an unfortunate fact that offences against the Act are relatively common, although the committee does not have the funds nor the facilities to prosecute all offences. The committee is of the opinion that the very low penalties imposed in many cases are in some part responsible for the apparent attitude that the advantages to be gained from evading the provisions of the Act outweigh any fine which may result from that evasion. Experience has shown that, with respect to marketing legislation as a whole, the courts tend to impose very low penalties not only for first but also for second and subsequent offences. This is obviously unsatisfactory if prosecutions and previous convictions are to have any deterrent effect at all on the particular defendant and any other prospective offender. The committee therefore seeks to have minimum penalties imposed for both first and subsequent offences and that such penalties may not be reduced by the court once the court has proceeded to a conviction. The Bill also brings all penalties into line with one another.

Problems have also arisen during the prosecution by the committee of offences against the Act, problems with respect to proving technical matters and establishing *prima facie* cases against defendants in certain cases. The Bill seeks to short-cut the unnecessary obligations which presently fall on the committee with respect to proving internal administrative matters. With respect to breaches of marketing orders, the committee wishes to ensure that a *prima facie* case will be established against a defendant when certain basic facts have been proved by the committee, as such cases are quite frequent and sometimes turn out to be unnecessarily cumbersome, time-consuming and costly for all concerned.

I shall now deal with the clauses of the Bill. Clause 1 is formal. Clauses 2 and 3 amend sections 2a and 9 of the principal Act, by removing passages rendered obsolete by the amendment made in 1970 with respect to the constitution of the committee. Clause 4 amends section 20 of the principal Act by replacing the existing subsection (7) which provides only a single penalty of \$400. New subsection (7) provides a minimum penalty in respect of both first and subsequent offences. Clause 5 amends section 21 of the principal Act by removing that paragraph which gives the

committee power to raise moneys in the manner provided in section 23. This paragraph is unnecessary as section 23 sets out the relevant power quite adequately. New paragraph (d) gives the committee an additional power with respect to accepting payment of moneys in instalments.

Clause 6 amends section 22 of the principal Act by replacing subsection (4) which provides only a single penalty of \$400. New subsection (4) provides minimum penalties for the first and subsequent offences and also an additional penalty for a breach of a marketing order as to the harvesting or sale and purchase of citrus fruit. New subsection (5) provides a method of establishing a *prima facie* wholesale price of citrus fruit for the use of the court in calculating the additional penalty. The defendant can of course tender evidence to prove that the wholesale price was in fact not that price stated in the secretary's certificate.

Clause 7 repeals section 23 of the principal Act which gives the committee power to impose charges on all growers on a bushel basis. New section 23 is inserted. Subsection (1) of the new section gives the committee power from time to time to require all growers to pay contributions to the committee. The committee may do this only with the approval of the Minister. The method of calculating such contributions is not specified. Subsection (2) provides that the committee must give notice of every intended levy in the *Gazette* and a daily newspaper. Subsection (3) provides that, if within 30 days of that notice not fewer than 100 growers sign a petition and lodge it with the committee, the State Returning Officer must conduct a poll on the question whether the contributions should be paid. Subsection (4) provides that if no petition is received by the committee or if a poll is conducted and is in favour of the contributions then the committee may require payment by publishing a further notice in the *Gazette* and a daily newspaper. That notice must specify the day on which the contributions will be due and payable. Subsection (5) requires the committee to serve each grower with a notice with respect to the contribution payable by him. Subsection (6) provides the committee with the usual powers for recovery of unpaid and overdue contributions. Subsection (7) is a savings provision.

Clause 8 amends section 24 of the principal Act by empowering the committee to require growers to give particulars of the total acreage of trees in his orchard, and by replacing subsection (3) which provides only a single

penalty of \$200. New subsection (3) provides minimum penalties for both first and subsequent offences.

Clause 9 amends section 27 of the principal Act by deleting all penalties provided therein and by inserting new subsection (10) which provides minimum penalties for both first and subsequent offences. Clause 10 amends section 28 of the principal Act by inserting new subsection (4a) which provides minimum penalties for both first and subsequent offences. Clause 11 amends section 30 of the principal Act by substituting for the penalties in subsections (1) and (2) a new subsection (4) which provides minimum penalties for both first and subsequent offences.

Clause 12 amends section 33 of the principal Act by inserting new subsections (3) to (6). New subsection (3) enables a duly authorized officer of the committee (for example, an inspector) to institute proceedings on behalf of the committee. New subsection (4) relieves the committee of any obligation to prove certain internal or administrative matters in proceedings instituted by or on behalf of the committee. New subsection (5) provides that in proceedings for the breach of marketing orders, a *prima facie* case shall be made out against a defendant if the committee proves that at the relevant time the defendant was in possession of the citrus fruit and that he either did not produce a sales docket in respect thereto to the inspector or produced a sales docket which did not purport to have been issued and in fact had not been issued by the committee or by a licensed seller.

New subsection (6) provides that a court may not reduce the minimum penalties prescribed by the Act for a person convicted of an offence against the Act. The powers given to a court under the Justices Act and the Offenders Probation Act with respect to the reduction of penalties are therefore not available in respect of offences against the principal Act. However, the power of a court not to proceed to a conviction in certain cases has been left undisturbed. Clause 13 amends section 34 of the principal Act by giving the Governor power to make regulations with respect to polls referred to in new section 23, if necessary. I appreciate the courtesy of Opposition members in allowing the suspension of Standing Orders so that the second reading stage could proceed.

Mr. WARDLE secured the adjournment of the debate.

## AGED CITIZENS CLUBS (SUBSIDIES) ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from September 15. Page 1477.)

Dr. EASTICK (Light): I support the Bill. I have checked that the original Act received the unanimous support of members on both sides in both Chambers when it was introduced in 1963, the amendments in 1969 also receiving unanimous support. Not many issues are raised by the Bill. It is commendable that organizations seeking to build these clubs or centres will have additional funds available. The Attorney-General gave a short second reading explanation. Unfortunately, I cannot follow the logic behind some of the mathematics in that explanation. The Attorney said that the State would make available funds to a maximum of \$10,000 and that these funds must be matched by the council. The Act provides that the council can receive funds from another source and, with regard to the State, the sum that will be made available if the total cost on construction is not greater than \$30,000 will be only one-third of the sum actually spent. The Attorney-General said:

As the principal Act now stands, the Government may contribute, on a \$1 for \$1 basis with the particular council, an amount which does not exceed \$6,000 in respect of any one club or centre. The limit of \$6,000 is as provided in the original Act of 1963. The Commonwealth Government now provides a subsidy for an "approved" club of up to one-third of the total cost.

That indicates that there is no limitation, but that the Commonwealth Government makes available funds up to one-third of the total cost. The Attorney continues:

Despite this aid, the burden falling on local government bodies is onerous, as the cost of clubs and centres now ranges between \$35,000 and \$120,000. Taking the lowest amount as an example, after Commonwealth and State subsidies are deducted, the sum the council must find would be about \$17,700.

It is this sum that I find difficult to relate to the facts outlined by the Attorney and to the original Act. If, for convenience, we take the sum of \$36,000, one-third of that is \$12,000. We can take that as the one-third Commonwealth contribution, leaving a residue of \$24,000. The State will then make available funds matching the council contribution up to a maximum of \$10,000. If that sum contributed by the State is deducted from the \$24,000, the remainder is \$14,000 for the council to provide.

The Hon. L. J. King: Yes, but the \$17,700 refers to the existing set-up, and not to the proposed new set-up.

Dr. EASTICK: I accept that correction; I had overlooked that. The Attorney-General also said (in his second reading explanation):

At the present moment about four or five clubs or centres are built each year, which means that the additional cost to the Government would not be likely to exceed \$20,000 a year.

If only \$20,000 a year is spent and if each of the centres will cost the minimum of \$35,000 to which the Attorney-General referred, I suggest that the sum of \$20,000 seems deficient. However, I am willing to be corrected if I am wrong. The additional cost is pertinent to this discussion. Even with this additional amount available, considering the increased demand for activity in this quarter for the benefits that may accrue to councils from the alterations outlined in another Bill before the House, these additional funds will not necessarily be adequate for the increased activity. I accept that \$20,000 is not the total cost, that it is the amount of additional funds, but I doubt that this will be the Government's only commitment.

When the original legislation was before the House in 1963, Mr. Frank Walsh moved an amendment to allow councils to accept financial aid from other places. In 1969 an alteration of real consequence was made, when the word "wholly" was removed. Before that amendment was made, section 3 (2) provided:

A payment shall not be made under this Act unless the Treasurer is satisfied that any land, building, furniture, or equipment to be purchased or constructed is or are intended to be used wholly for the purpose of a club for the provision of physical and mental recreation of aged citizens.

Other amendments made in 1969 made it possible for aged citizens clubs to be called aged citizens centres, and the use to be made of halls was dealt with, but the amendment on which I desire to concentrate is the removal of the word "wholly". Organizations conducting these facilities were the only persons who were able to use them. The clubs were not able to obtain from the community at large the benefit of hiring the facilities when they were not required for the clubs' purposes, and I suggest that that amendment was most desirable. In fact, it is still desirable, because of the increased cost of maintaining these units. I would hope that the situation would never arise whereby the activities of a club were closed down or limited so that the facilities could be hired.

I will not deal with the statistics of the number of units that have been built and where they are situated. It is sufficient to say that the *Senior Citizens News*, which circulates in this State, lists an ever-increasing number of senior citizens clubs. I have attended many of these clubs with representative groups from the community in which I live and we have been able to see the clubs at work. Therefore, I know that they provide a magnificent opportunity for people who have reached this stage of life. I do not hesitate to support the Bill, and I suggest that all other members should also support it.

Mr. LANGLEY (Unley): I join with the member for Light in supporting this measure. The honourable member has referred to the amount of \$20,000 to be made available, and I think he will find that already \$30,000 has been set aside and that the \$20,000 comprises five amounts of \$4,000, making a total of \$50,000 available for distribution to the clubs this financial year. The Aged Citizens Clubs (Subsidies) Bill was introduced many years ago by the Playford Government, with the wholehearted support of both sides of the House. Similarly, I am sure that this Bill will have the support of all members.

This short measure increases the maximum subsidy from \$6,000 to \$10,000. Although only one amendment is made, the alteration is important and the increased amount will assist clubs that are building during the present financial year. These halls and buildings are mushrooming throughout the State, and I suppose that the Unley Senior Citizens Club is the most outstanding in South Australia. The Minister has explained that the cost of clubs and centres now ranges between \$35,000 and \$120,000, and the cost of the Unley centre is probably in the \$120,000 bracket. Of course, some smaller buildings have been erected, several of them in the Unley District.

It is fitting that the Labor Government is increasing the subsidy by more than 60 per cent on this occasion. The subsidy has been static for a long time and the elderly citizens will be pleased about the increase, because it will help improve their buildings and facilities. Building costs, like other costs, are increasing all the time, and the building of kitchens, provision of toilet facilities, and the provision of many helpful aids for senior citizens, are costing more money. Councils usually help these clubs with land, and the subsidy provided enables a shell to be built.

The elderly citizens can gather informally in these clubs, which are well patronized, as

the member for Light has said. These people make their own fun and they have concerts, art afternoons, and games such as bowls, amongst many other enjoyable entertainments. They also get together on trips and they invite guest speakers to their functions. The comradeship and fellowship of these people, who otherwise would not have such an opportunity to mix in the community, is outstanding. If a club member is sick other members are willing to visit and spend a little time with the sick person. This is the type of comradeship we find. The members of the clubs seem to be one big happy family.

I must give credit to the Unley City Council for the help it has given elderly citizens in that district, which is one of the oldest established districts in South Australia, although I do not say it is the oldest. It has been found that the percentage of elderly people in the Unley area is high. Several buildings for elderly people have been erected in the area, and two more are mooted for erection this year. Unley will have the \$10,000 subsidy plus the Commonwealth subsidy and the help of the Unley City Council with land, and all these things will amount to money well spent. When the buildings are erected, of course, extra help is needed in furnishing and providing amenities for the clubs, and here I give credit to the community groups and organizations in the district. I am sure the Bill will have the support of all members.

Mr. COUMBE (Torrens): I support the Bill, as I supported the original legislation when it was introduced by Sir Thomas Playford in 1963. The help provided under this legislation will be of great value to the clubs. I take issue on a light note with the member for Unley. I have possibly one of the best clubs in my district, and all three clubs in the Torrens District do a wonderful job.

Since the original legislation was introduced, many of these clubs have been built in the metropolitan area as well as in country areas. As members have said, they do a very worthwhile job. It is surprising to see how the movement has grown, and one of the pleasing features is that clubs have regular outings to visit other clubs.

Looking at the Bill itself, with the Commonwealth giving one-third and the extra contribution being made by the State Government, together with the contribution of the council, more clubs can be built, or at least they will be able to catch up with the escalation of costs which has occurred since 1963.

There is, however, one anomaly in this Act, and I raised it when speaking on this matter some years ago. Section 3(4) provides that the money can only be given once to a club. It provides:

The aggregate of all payments made by the Minister under this Act in respect of any one club or centre shall not exceed six thousand dollars—

or, as the Bill is now, \$10,000. There is an anomaly here, and I have seen it in two clubs out of the three in my district, with all of which I have been closely associated, having opened one and assisted with the others: it is that one club that was established a few years ago has now grown to such a size that it is literally bursting at the seams. More and more people are attending it because they have got to appreciate the valuable friendship and fellowship that is available there. But the club cannot attract additional Government subsidy: once the original subsidy is given, that is the end of it.

Certainly, the council or the public may contribute, if they wish to, although the council's contribution is laid down in the Act. It means that the only way in which that club can expand adequately to cater for the needs of its members is by getting sources of money other than from authority: that is, from the club itself or from the public, which is not easy because at least 95 per cent of the people who go to these clubs are either pensioners or superannuated folk. It raises a problem.

I realize that, if the Act was amended in the way I should like to see it amended, it might well mean that, if there was an overall limit on the sum to be given by the State in any one year, there would be fewer clubs. That is obvious. I point out constructively to the Attorney-General that section 3(4) imposes a limitation of one contribution to a club in its lifetime, which inhibits expansion. I could take the Attorney-General to a club and show him how this is causing it hardship. What I think will happen in that club is that it has grown to such an extent that there may be an appeal and it will try to raise funds locally (with council assistance, if possible) to extend the club.

Dr. TONKIN (Bragg): I, too, support the Bill. The very success of these elderly citizens clubs demonstrates how necessary they are. The increase to \$10,000 in the maximum grant is valuable. I remember being associated with the Burnside Lions club in its Dulwich senior citizens project. I pay a tribute to all service organizations that work so hard to raise funds

and devote so much time and effort to making these projects possible. The corporations and the councils, too, are to be congratulated on the part they play. It is an absolutely necessary part of our way of life.

I remember elderly citizens clubs where there was some early reticence on the part of the people in the district to come and use the facilities, but that initial shyness did not last long and soon the clubs were filled to overflowing; their members were taking part in the every-day administration and running of the clubs and it was not long before extensions were found to be necessary. I echo the member for Torrens in saying that I believe that, when such clubs start in a small way, some provision could well be thought of for major extensions later. After all, it is good business. These clubs provide company.

One of the most difficult things about old age is the loneliness that often ensues when either a wife or husband dies and leaves the partner on his or her own. It is hard to make new friends at that stage. There is a natural tendency for people to want to remain independent in the marital home. I think more people now are prepared to move into cottage homes or similar institutions, but there is a considerable and significant number of people who want to remain independent and in their own homes. There, they suffer the tragedy of loneliness.

In an elderly citizens club they have the means of occupying their time: they have organized outings and activities and, what is more to the point, they have access to certain professional facilities, if necessary on a part-time basis but generally on a full-time basis, if required. It is here that occupational therapists can play a good part; it is here that social workers can counsel people; it is here that the paramedical services (including chiropody and physiotherapy) are available, if required. It is good business economically for any Government to support this. The increase in the grant now proposed will be more than amply repaid in the resultant saving to the community. These activities are part of an overall scheme of community welfare, particularly as it affects the aged. It is a widespread and growing activity that will keep people out of hospital.

One of our major problems is the number of elderly people now requiring nursing home or hospital care. One of the matters I raised earlier today was the accommodation at Downey House at Glenside, an excellent geriatric hospital. It is a pity we may lose those facilities but I am sure we would need far more

than those facilities if elderly citizens clubs were not introduced in the area. There is a greater emphasis these days on domiciliary care, district nursing services, Meals on Wheels, the Red Cross and many other organizations too numerous to mention which have contact with these elderly people. They are trying to help their elderly citizens clubs. I congratulate all members of the organizations that have been responsible for the establishment of these clubs, and all councils that have supported them.

The Hon. L. J. KING (Attorney-General): I do not wish to say much in reply to this debate but I have one or two remarks to make. The member for Light, I think, rather suggested that the additional provision of \$20,000 was inadequate for the purpose. We all would like to see more money made available in this area, and in so many other areas, of Government assistance, but the ability to provide additional funds is limited, of course, and it is believed that this increase will be of substantial assistance to those people endeavouring to have these clubs established.

The point raised by the member for Torrens about the extension of existing clubs is of some importance. It obviously presents difficulties, not the least of which is that, while funds are limited, as they always will be, for assistance in providing new clubs, it is perhaps a little difficult to justify increasing assistance for the extension of clubs already in existence. I realize there may be circumstances in which there is a real need for assistance to extend clubs. I shall draw that point to the attention of the Chief Secretary and ask him to consider the implications of increasing financial assistance in that direction.

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

#### **CAPITAL PUNISHMENT ABOLITION BILL**

Adjourned debate on second reading.

(Continued from August 12. Page 767.)

Mr. MILLHOUSE (Mitcham): The Government is dealing with the Notice Paper today as though it was a series of yo-yo's. We believed at one time that the Mining Bill would be the first business to be discussed. It was shown first on the Notice Paper after the Estimates yesterday, but now it has zoomed to the bottom. Today's Notice Paper, which I received during the morning when I came to the House, notified members that the Door to Door Sales Bill would be the first item debated. In fact, the Government chose No. 7 and brought it to the top of the Notice Paper, but now we are to go on with debate on the

Capital Punishment Abolition Bill. The Government will be pleased to know that I am ready to debate this Bill.

This is the third or fourth time I have debated it since I became a member, and it is only a few months since I spoke on the Bill and, I hope, made my position clear to members. My views have not changed. I do not intend to repeat the material I used at that time, when I said that I did not intend to use the material I had used on an earlier occasion. Therefore, I can speak shortly on the Bill, and say that I oppose it. I believe that there are some crimes that are of such a dreadful nature that the only appropriate penalty is death. I do not believe it is possible to define these crimes in a Statute. Therefore, I believe that it is necessary for the ultimate decision, and therefore the responsibility, to be taken by the Executive, which is the present position in this State. I believe that there are, in the present temper of the community, very few occasions on which the appropriate penalty would be the death penalty, but there are some occasions, and for that reason I believe the death penalty should remain on the Statute Book.

That, I think, sums up my views on the matter, but I have one further point to make. I am not sure whether I made it the last time, but I certainly did not make it the first time I spoke, because circumstances had not arisen that gave it any significance. In our considerations of the crime of murder, which inevitably is the crime we think of when considering capital punishment, I think that all of us think of crimes of violence and passion and so on, because these are classically the circumstances in which murder has been committed. One of the sad developments in our community in the last few years (very recently, really) has been the growth of disorder and the increase in the number of political crimes of violence. Thank goodness it has not happened yet in Australia, although there have been one or two attempts, but in overseas countries crimes of violence for political motives have increased. In some cases there have been political assassinations, particularly in the United States of America where Senator Robert Kennedy and his brother President Kennedy were both assassinated and there have been others. In this country an attempt was made, I think by a madman, to murder the then Leader of the Labor Party in the Commonwealth Parliament, Arthur Calwell.

The Hon. D. H. McKee: Have you had any threats lately?

Mr. MILLHOUSE: The Minister may make jocular interjections, but this is, I fear, a serious matter.

The Hon. D. H. McKee: I was concerned about you when I asked the question.

Mr. MILLHOUSE: I do not believe that the Minister was concerned about me. What has happened in other countries is, regrettably, likely to happen in this country and, therefore, we shall be lucky if we avoid in Australia this sort of crime. In my opinion this sort of crime, which is premeditated and committed in a cold calculating way to gain political advantage, is a very dastardly one, and I can think, without any difficulty, of circumstances in which to me such a crime would warrant the death penalty. When members are dealing with this Bill, I hope they will not overlook this recent regrettable development in the Western world, because I believe it is of relevance, and it strengthens the view which I have always held and which I have reiterated this afternoon.

Mr. JENNINGS (Ross Smith): As a confirmed abolitionist who has demonstrated his views to this House on many occasions, I do not think I need speak at length on this Bill. I certainly do not have very much to answer from what was said by the member for Mitcham, except that he posed the question whether he had raised in his last speech on this matter the subject of political murders. He did, Sir. He said practically exactly the same on that occasion as he said today. At least he is consistent, although consistently wrong. When the honourable member invites us to canvass the matter of political murder, he introduces into the debate something in which the law of the jungle is much more apt to apply than in practically any other sphere in which capital crimes could be committed. Therefore, rather than his argument being a substantial one, it is a very weak one indeed.

I am not going to talk about things of which I have spoken on so many occasions in this House. However, I should like to read an extract from an address on capital punishment by Clarence Darrow who, I think most honourable members would know, was a famous American defence lawyer. The address to which I refer was not an address to a jury or anything like that: it was made in a public debate. Sir, Clarence Darrow, despite his being a brilliant lawyer—

Mr. Carnie: He was not a Sir: he was an American.



Mr. JENNINGS: I did not say that he was Sir Clarence Darrow. When I said "Sir" I was addressing the Speaker, something that many members of this House, particularly the young and inexperienced members, forget to do. Clarence Darrow, Sir, was engaged in a public debate on this subject and, despite the fact that he was a brilliant lawyer, he was not a great orator. Nevertheless, I believe that his speech on this occasion is worth listening to. He said:

Every human being that believes in capital punishment loves killing, and the only reason they believe in capital punishment is because they get a kick out of it. Nobody kills anyone for love, unless they get over it temporarily or otherwise. But they kill the one they hate. And before you can get a trial to hang somebody or electrocute him, you must first hate him and then get a satisfaction over his death. . . . We teach people to kill, and the State is the one that teaches them. If the State wishes that its citizens respect human life, then the State should stop killing. It can be done in no other way, and it will perhaps not be fully done that way.

There are infinite reasons for killing. There are infinite circumstances under which there are more or less deaths. It never did depend and never can depend upon the severity of the punishment. . . . I don't want to dispute about the right of the State to kill people. Of course, they have got a right to kill them. That is about all we do. The great industry of the world for four years was killing. They have got a right to kill, of course, that is, they have got the power. And you have got a right to do what you get away with. The words "power" and "right", so far as this is concerned, mean exactly the same thing. So nobody who has any knowledge of philosophy would pretend to say that the State had not the right to kill.

But why not do a good job of it? If you want to get rid of killings by hanging people or electrocuting them because these are so terrible, why not make a punishment that is terrible? This isn't so much. It lasts but a short time. There is no physical torture in it. Why not boil them in oil, as they used to do? Why not burn them at the stake? Why not sew them into a bag with serpents and throw them out to sea? Why not take them out on the sand and let them be eaten by ants? Why not break every bone in their body on the rack, as has been done for serious offences as heresy and witchcraft?

When people talk about capital punishment as a deterrent to capital crime, surely they are entitled, if they so desire, to advance a more serious form of capital punishment such as severe torture. However, I have never heard that advocated in the House. Clarence Darrow went on to say:

Gradually, the world has been lopping off these punishments. Why? Because we have grown a little more sensitive, a little more

imaginative, a little kindlier, that is all. Why not re-enact the code of Blackstone's day? Why, the judges were all for it—every one of them—and the only way we got rid of these laws was because juries were too humane to obey the courts.

I think the Attorney-General would know very well what Clarence Darrow was referring to. He continued:

That is the only way we got rid of punishing old women, of hanging old women in New England—because, in spite of all the courts, the juries would no longer convict them for a crime that never existed. And in that way they have cut down the crimes in England for punishment by death from 170 to two. What is going to happen if we get rid of them? Is the world coming to an end? The earth has been here ages and ages before man came. It will be here ages and ages after he disappears, and the amount of people you hang won't make the slightest difference to it.

Now, why am I opposed to capital punishment? It is too horrible a thing for a State to undertake. We are told by my friend, "Oh, the killer does it; why shouldn't the State?"

And here Clarence Darrow made a very good point. He said:

I would hate to live in a State that I didn't think was better than a murderer.

I do not think there is any deterrent at all in capital punishment. However, there is the possibility of a mistake being made. We often hear about what one would do in the case of someone who had just committed an abominable crime. Through inflicting punishment on a murderer the State cannot bring back to life the person who was murdered. As Darrow said, we as a State must be a little bit better than the murderer himself. In his second reading speech in the House of Commons during the debate after which capital punishment was eventually abolished, Sydney Silverman said, "Why should we now, with people being killed all over the world, worry about two people here or two people there?" Over the years British Parliaments have always worried about such matters. In the middle of the First World War there was the case of Archer-Shee, who was thrown out of a naval college because he allegedly stole 5s. That matter was eventually fully debated in the House of Commons, and it was found that the boy was not guilty. A film called *The Winslow Boy* was based on the story. That surely indicates that British Parliaments are always worried about these supposedly small things which are really very important and which mould and alter our character. I support the Bill.

Mr. CARNIE (Flinders): This subject has been debated many times in this House. This is the second occasion since I became a member

that I have spoken on it. I would imagine that over that period almost all that can be said on the subject has been said by most members. If members have not spoken on the matter they have indicated their feelings by voting on it. I would not speak on this matter if it were not for one reason. I recently moved a motion that a committee be set up to investigate penal reform, and when speaking to that motion the member for Mawson said that he hoped my moving the motion indicated that I had changed my mind about capital punishment. I have risen to speak in this debate to say that I have not changed my mind about capital punishment. When I spoke on this matter last year I felt the same way about penal reform as I do now and I felt the same way about capital punishment as I do now. I have always believed, and I still believe, that capital punishment should be retained on the Statute Book. In saying that, I hope that during my time there will never be a hanging in this State.

The member for Mitcham said that some crimes are so dastardly that hanging is the only suitable punishment, and I agree with the honourable member. Murders committed by paid killers are common in America and they are becoming more common in Australia; they occur in Melbourne and Sydney, but I hope they do not spread to Adelaide. Murders committed by paid killers are so dastardly that I cannot see that hanging is too bad for them. I agree that most murders are committed in

moments of passion or anger. Consequently, the murderer is the one criminal least likely to repeat his crime. At the same time, I still believe that capital punishment should be retained on the Statute Book.

This matter should be completely divorced from Party politics, and I sincerely hope that all members have thought seriously about it. I have thought about it for many years and, in considering the matter, I have carefully weighed the factors for and against. The main factor that has caused me to support the retention of capital punishment is that, if only one murder is prevented as a result of the deterrent of capital punishment, it is worth keeping the death penalty on the Statute Book. I see nothing wrong with the present system under which each case is treated individually by the Executive. The Attorney-General can correct me if I am wrong, but I believe that all people convicted of murder since 1964 have had their sentences commuted to life imprisonment, and I hope that that continues to be so. However, there may be one murder for which death is the only suitable punishment. I therefore oppose the Bill.

Mr. CRIMES secured the adjournment of the debate.

#### ADJOURNMENT

At 5.19 p.m. the House adjourned until Tuesday, September 28, at 2 p.m.