

HOUSE OF ASSEMBLY

Wednesday, August 23, 1972

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

QUESTIONS**STATE BUDGET**

Dr. EASTICK: Will the Premier and Treasurer say whether the Government intends to include, in its Budget to be presented to this House next week, provisions to bring South Australia's gift and succession duties into line with the popular concessions announced by the Commonwealth Government last week? The Commonwealth Treasurer stated during his Budget speech last week that exemptions under the Commonwealth Gift Duty Act would be increased so that gifts of up to \$10,000 would not now be liable to gift duty. The previous maximum, as the Premier knows, was \$4,000. The Treasurer also stated that the Commonwealth Government would double all statutory exemptions under the estate duty legislation. When these changes come into effect there will be a wide disparity between the Commonwealth Government and the State Government because although previously there was an approximate balance between the amounts payable to the State Government and to the Commonwealth Government, this figure will now be totally out of balance. The overall effect of these Commonwealth Government changes will be to remove the similarity that has existed. Succession duty, in particular, as the Premier will appreciate, is held to be one of the most iniquitous taxes available to or used by any Government. Therefore, I should like this information from the Premier. The Opposition considers that there is ample opportunity for the Government to do what I have suggested, because of the extremely heavy taxing processes that have been used against the people of this State in the last two years. I ask the Premier whether the Government will act in the interests of the welfare of all South Australians and give this State some relief from the repressive policies that his Government has instituted.

The Hon. D. A. DUNSTAN: I understood the Leader's question to refer specifically to gift duty.

Dr. Eastick: And to estate duty, succession duty.

The Hon. D. A. DUNSTAN: If the question also includes succession duty, I will deal with that, too. However, I point out that, in

characterizing as repressive the policies of this Government in his reference to gift duty, the Leader is referring to a duty imposed by a Liberal Government and not altered by a Labor Government.

The Hon. J. D. Corcoran: And voted for by his colleagues.

The Hon. D. A. DUNSTAN: It was voted for by his colleagues who were in the House before he came here. Obviously, the Leader is not aware of exactly how this tax was introduced: it was introduced by a Liberal Government.

Dr. Eastick: You've carried it on.

The Hon. D. A. DUNSTAN: We have, because at the invitation of the Leader's Commonwealth colleague, the then Prime Minister of Australia, we became a claimant State on the Grants Commission. I point out to the Leader that gift duty in the standard States of Victoria and New South Wales is markedly heavier than in South Australia, and an alteration to gift duty in this State can only be at the expense of raising additional taxation elsewhere or of reducing the amounts that we will get from the Grants Commission in respect of moneys made available to bring our services in education, health, hospitals and social welfare to the levels of those in New South Wales and Victoria. The plain position is that gift duty in South Australia at present under this Government, carried on from a duty introduced by a Liberal Government, is less than that imposed by Liberal Governments in other States, so we are not in a position to alter that tax in South Australia.

Dr. Eastick: There'll be no change, then?

The Hon. D. A. DUNSTAN: Concerning the Leader's remarks about succession duty, I point out that the succession duty proposals in South Australia were specifically set out by the Labor Party prior to the last election; a mandate was sought and obtained that we would alter the incidence of succession duty, and we have done so. We have removed the kind of succession duty which was imposed on the poorer people of this State and imposed a more graduated scale than previously existed.

Dr. Eastick: Are you going to alter it again?

The Hon. D. A. DUNSTAN: No. At the moment, given a reasonable allowance for a lower tax base in this State than in Liberal Government States, South Australia does not collect nearly as much as the per capita amount in succession duty that is collected in those States. The Leader talks about repressive policies in taxation: the plain fact is that

under the Grants Commission, in order to bring this State's services to the level of the standard States and to make those advances to which this State is committed, it is simply not possible for us in these areas of taxation to collect even less than we now collect, which in both cases is less than is collected under Liberal Governments in other States.

ICEBERGS

Mr. HOPGOOD: Will the Minister of Works ensure that his department is kept fully abreast of certain investigations which are being undertaken by the Rand Corporation of America and which were outlined at page 24 of last weekend's *Sunday Telegraph*? On the page to which I refer is set out what seems to be a rather far-fetched scheme for towing icebergs from the Antarctic into the warmer region, so that they can be used for providing fresh water in the region. Although this does seem far-fetched, the article states:

In Australia this week, the acting chief of the Commonwealth Scientific and Industrial Research Organization Division of Fisheries and Oceanography (Mr. David Rochford) said, "There are no technical problems. It is all a matter of economics. One of our divisions once worked out a plan to float icebergs up to South Australia, but the water would cost about 10 times as much as water from other sources. But as the cost of water from other resources rises and the cost of using icebergs falls, these schemes must come into consideration."

The Hon. D. N. Brookman: What about the ecology?

Mr. HOPGOOD: I do not deny that there could be certain ecological considerations, and I am sure that the Minister's department would be looking into this matter as well. However, in view of what has been said by the C.S.I.R.O. I think it is a technical development that we should not ignore.

The Hon. J. D. CORCORAN: I did not see the article to which the honourable member has referred.

Mr. Mathwin: You'll get a cold reply to this one!

The Hon. J. D. CORCORAN: No, because I think the honourable member is to be commended for his interest in this matter. I will ask my officers to check the article to which he has referred, and they may comment on it. If they do, I shall be pleased to bring down the report for the honourable member.

The Hon. D. N. Brookman: Will you ask about the ecological balance?

The Hon. J. D. CORCORAN: Yes. The point was made and it should be considered.

I can rely on my officers to consider it, because they are conscious of the need to protect the ecology. If my officers consider it necessary, I shall obtain a report for the honourable member, because this seems to be an interesting development. The Engineering and Water Supply Department is constantly on the lookout for any new oversea development, particularly in relation to desalination and similar matters.

LEGISLATIVE PROGRAMME

Mr. MILLHOUSE: I have a question for the Premier, if I can attract his attention.

The Hon. J. D. CORCORAN: He can hear you.

Mr. MILLHOUSE: Is the Minister sure? The question is as follows: what has happened to the extremely heavy legislative programme of the Government?

Mr. Clark: You'll find out.

Mr. MILLHOUSE: On July 19, in reply to a question I asked, the Premier said, amongst other things:

The pressure on Government time is likely to be not merely heavy but extreme.

I remind you, Mr. Speaker, that the House did not sit last evening, and I understand it is not to sit this evening. Also, I understand that, following the normal convention, the third session of Parliament will be considerably shorter than the first two sessions have been. However, on several evenings so far the Government has obliged the House to sit late, members being led to believe that many Bills were still to be introduced. I assume the Government knew before the session began that its drafting staff was at least one short. If the Government does not have work for us to do, will it at least consider the convenience of members, the staff, and others concerned with Parliamentary business, and try to manage the business of the House so that there will be an even flow of work instead of the stop-go system that we are enduring now, in order to avoid, alternatively, very late evening sittings or no evening sittings at all?

The Hon. D. A. DUNSTAN: I will endeavour to accommodate the honourable member as best I can.

Mr. Millhouse: And other members too, I hope.

The Hon. D. A. DUNSTAN: I am always trying to be kindly to other members.

The Hon. J. D. CORCORAN: It is much easier.

The Hon. D. A. DUNSTAN: It is easier to be kindly to them than it is to be kindly

to the honourable member: I do that under sufferance.

Mr. Mathwin: He's getting nasty now.

Mr. Coumbe: Mind that pimple!

The Hon. D. A. DUNSTAN: At times it is difficult to arrange the work of the Parliamentary Counsel to cope with the vicissitudes of the Opposition. I confess to the honourable member that, given his propensity to talk on matters in this House (as is the case with some of his colleagues), we had allowed more time for some Bills that have come before the House recently, including the Loan Estimates—

Mr. Millhouse: You insisted on pushing them through in one evening.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: —than has been taken.

Mr. Millhouse: That's what you did: that's what I had in mind when I asked my question.

The SPEAKER: Order! I insist that the member for Mitcham cease interjecting. He asked a question and was given considerable latitude, and he shall not monopolize all the time.

The Hon. D. A. DUNSTAN: I appreciate the fact that members opposite have not, on some of the measures that have come before the House in the last few days, used the time that we expected them to use.

Mr. Coumbe: Because we have co-operated.

The Hon. D. A. DUNSTAN: It is kind of members, and I appreciate it. If that means that the work of the Parliamentary Counsel is running a little behind what would otherwise have been the schedule set for him, members have themselves to thank.

Mr. Mathwin: Why didn't you allow more time on the Loan Estimates than one evening?

The Hon. D. A. DUNSTAN: Members were able to get through the work most effectively. I compliment them on it, and I was pleased to see that only one night was required.

Mr. Millhouse: Because your Deputy insisted on it.

The Hon. J. D. Corcoran: You weren't here all night; we got up at about 11.30 p.m.

Mr. Millhouse: And you resisted a motion for adjournment.

The Hon. D. A. DUNSTAN: I can only suggest to the honourable member that he take the opportunity of last evening and this evening to get some sleep, because I can assure him that as of next week and the following weeks I cannot promise him an early night.

Mr. EVANS: I ask leave to make a personal explanation.

Leave granted.

Mr. EVANS: As Opposition Whip, I wish to refer to the time available for debate of the Loan Estimates. The Premier has said that members on this side had plenty of time to debate the issue. However, Opposition members thought that it was late in the evening, especially as the repeated reply to their questions from the Deputy Premier was that he would obtain a report. We were asked to have a debate on the Loan Estimates completed that night. A specific time was given us to complete the debate and members on this side complied with that request.

LIBRARY SERVICES

Mr. COUMBE: Can the Minister of Education say what is Government policy on library services in South Australia? When I previously asked the Minister questions about the matter, he replied that the report of the Mander-Jones committee on library services, which was instigated by the previous Government, was not acceptable to the present Government and that further inquiries were being made in this field. From the Minister's replies, I have been unable to get a definite answer to my questions. Therefore, I now ask the Minister whether he can say what is the Government's policy on the matter, because many people connected with libraries throughout the State are becoming rather anxious about their future role.

The Hon. HUGH HUDSON: An announcement on this matter will be made shortly.

MITCHELL PARK PRIMARY SCHOOL

Mr. PAYNE: Has the Minister of Education a reply to a question I asked some time ago about drainage at the Mitchell Park Primary School?

The Hon. HUGH HUDSON: The open-earth ditch to which the honourable member referred was constructed to act as a cut-off to water flowing from Celtic Avenue, which caused flooding of the oval and paved areas of the school. This was intended only as a temporary measure, pending completion of drainage works by the Marion council that would divert stormwater from this immediate area. It was not feasible at that time to install a permanent drainage system, because of the proposed construction of new primary school buildings at Mitchell Park. As the drain is now causing some concern because of muddy conditions, an inspection will be made in an endeavour to suggest ways in which conditions may be improved.

COMPANIES ACT

Mr. NANKIVELL: Has the Attorney-General a reply to my recent question about certain aspects of the Companies Act and about a firm date on which the Attorney expects amendments to the Act to be proclaimed?

The Hon. L. J. KING: In replying to the honourable member on August 16, I indicated that the date of commencement of the Companies Act Amendment Act, 1972, would probably be October 1, 1972. I am now able to say that this Act will definitely be proclaimed to operate from October 1, 1972. The other point raised by the honourable member related to disclosure of substantial shareholdings. The position on this matter is that the Companies Act does not require directors of companies to set out in their annual reports the names of the persons who have the beneficial interest in shares of the company. The Act does not impose any duty upon directors to ascertain the names of persons who have an interest in shares of the company. The new Division IIIA of the Act requires all persons (whether or not they be registered as shareholders) having an interest in not less than 10 per cent of the voting shares of a company that is listed in a Stock Exchange, to furnish to the company their names and addresses and full particulars of the nature and extent of their interest in those shares. The Act provides heavy penalties in the event of the failure of a person to disclose that information to the company.

The only obligation imposed upon the directors of the company is that they are required to cause to be kept a register containing the information supplied by the substantial shareholders. The register must be made available to any person who wishes to inspect it. The purpose of Division IIIA is to enable the directors of a listed company to ascertain the names of persons who, whether or not their names appear in the share register of the company, may be in a position to exercise, singly or collectively, such number of votes as to enable them to control the destiny of the company.

Mr. NANKIVELL: In his reply, the Attorney has said that the Act provides heavy penalties in the event of failure of a person to disclose to the Registrar information that he is a substantial shareholder with an interest of not less than 10 per cent of the voting shares in the company. I point out to the Attorney that my reason for asking the question originally was that overseas investors who might be

in this position were not likely to be intimidated in any way by the penalties provided in our Companies Act. Therefore, I ask the Attorney whether, because of this point of view, he still considers that directors are not liable in any way under the Companies Act if the register they are obliged to keep does not include the names of those persons who, for their own reasons, decide not to disclose their beneficial interest.

The Hon. L. J. KING: That is so. The directors are obliged to disclose in the register the information supplied to them by the substantial shareholders. The substantial shareholders are under the legal obligation to provide the information. If they fail to do so, they are liable to the penalties prescribed in the Companies Act, but I know of no penalty in the Companies Act on any director who, in good faith, keeps a register that omits information that has never been supplied to the directors. I do not know whether the honourable member has a specific point in mind or whether he is concerned about a certain section of the Act. However, if he draws my attention to any section that is concerning him, I will try to have the matter clarified; but the position, as I understand it, is that the directors are obliged to record the information given by a substantial shareholder. The legal obligation is on the shareholder. No penalty is incurred by the director simply because a substantial shareholder has failed to discharge his obligation to supply the information.

Mr. NANKIVELL: The Attorney-General has invited me to be more specific on this matter. As I indicated earlier, a substantial shareholder may hold interest in a company through nominees. Does the Attorney-General agree that *per se* the reason for setting up the register of substantial shareholders and for the heavy penalties which apply for breaches of those provisions is to ensure that not only the directors of companies but also interested investors in those companies shall know who has the controlling interest? If that is not the reason, and if such substantial shareholders live in an overseas country and therefore are not intimidated in any way by our penalties for their not declaring their interest, how, under the new legislation, will we make them comply?

The Hon. L. J. KING: I have an uneasy suspicion that the member for Mallee is trying to use Question Time to make points, on this matter about which he had not even thought during an earlier debate. Regarding the first part of the question, the reply is

"Yes". Regarding the second part, I do not assume that shareholders in Australian companies, simply because they are foreigners, will disregard the laws of this country. Penalties exist and prosecutions can be launched for failing to comply with the law, but it is obvious that it is much more difficult to enforce any South Australian law against a non-resident than it is against a resident. That is self-evident, whether the law is company law or any other type of law. I do not say that the substantial shareholder provisions can be enforced as effectively against the non-resident substantial shareholder as they can be against a resident substantial shareholder, but that is not to say that the law will be totally ineffective in respect of oversea shareholders. I do not think it will be. I think that most shareholders will comply and that there are methods whereby the law can be enforced even against non-resident substantial shareholders.

WHEAT QUOTAS

Mr. McANANEY: Has the Minister of Works a reply from the Minister of Agriculture to my recent question on wheat quotas?

The Hon. J. D. CORCORAN: My colleague has received the following information from the Wheat Delivery Quota Review Committee. In the season 1971-72, 1,388 appeals were lodged and 849 were upheld by the review committee. As a result, these growers' nominal quotas were increased by 467,916 bushels, and the hearings were completed on June 26, 1972. Each appeal is treated on its merits after careful consideration of all the circumstances of the industry and the grounds of appeal. Many appeals were upheld on the grounds of financial hardship and others are those restored which were reduced by the advisory committee due to a change of formula for drought assessment. The review committee does not issue new quotas, but a few have been issued by the advisory committee in such cases where no previous application has been made for a quota on a property, and where it is proved that wheat was grown, and delivered during the prescribed five-year period 1964-65 to 1968-69.

HALLETT COVE

Mr. BECKER: Has the Minister of Environment and Conservation a reply to my question of August 8 concerning Hallett Cove?

The Hon. G. R. BROOMHILL: Action is being taken to acquire the site of scientific

interest and a buffer zone surrounding this area, and to establish the basis of compensation for the purchase of this land. A report is being prepared to assist the Land Board in valuing the land for a settlement for purchase to protect this important geological area.

ANDAMOOKA COURTHOUSE

Mr. GUNN: Has the Attorney-General a reply to my recent question concerning the Andamooka courthouse?

The Hon. L. J. KING: There are no plans to build a new courthouse at Andamooka or to upgrade the present facilities. It is not considered that the amount of business transacted by the court is sufficient to warrant the provision of a separate courthouse. There are a good many busier courts which have a higher priority for accommodation improvement than has Andamooka.

COUNTRY SCHOOLS

Mr. WARDLE: Can the Minister of Education say which country schools, if any, are to be closed in 1973?

The Hon. HUGH HUDSON: Not at this stage. The honourable member will appreciate that the rate of closure of small country schools since the Second World War has been such that only a few small country schools are still operating (although there are still several) with enrolments below 20. In several instances we will be following a policy whereby, if a larger school within reasonable distance is to be upgraded, a smaller school will be closed when that upgrading has been completed. For example, I think I have told the member for Gouger that the Brentwood Rural School (I think that is the school) will be closed when the facilities at Minlaton Primary School have been rebuilt. Therefore, the general policy is that, where we have somewhat larger schools waiting until the receiving school can be suitably upgraded, unless spare accommodation is available there already or unless the conditions are already reasonable the closure of the small rural school depends on suitable transport arrangements being made. Further, when we are dealing with rural schools in the larger enrolment bracket, particularly up to about 30, unless there are substantial reasons for closure the parents would be consulted in the matter. That is the present position. I know that the case of a school in the honourable member's district is being considered, but no final decision has been made on that matter.

MODBURY HIGH SCHOOL

Mrs. BYRNE: Will the Minister of Education inquire whether the Public Buildings Department has called tenders for the provision of an additional toilet block at the Modbury High School? The Minister will recall that on July 28 he wrote to me, telling me that action was being taken to have these toilet facilities erected, at a cost of nearly \$26,000, as a matter of urgency.

The Hon. HUGH HUDSON: I shall be pleased to get the information for which the honourable member asks. I think this is the instance in which a survey done by the school showed that, if all the girls went to the toilet during the recess period, each girl would be able to use the facilities for only about five seconds! I want the honourable member to understand that we have been treating this matter as one of urgency.

PORT LINCOLN BERTH

Mr. CARNIE: Has the Minister of Marine a reply to my question about the provision of additional facilities for fishermen at the Port Lincoln berth?

The Hon. J. D. CORCORAN: It is assumed that the honourable member is referring to the need recently expressed by local fishermen for a berth at which to lay-up for repairs and overhaul rather than do this work afloat. When this point was first raised, it was agreed between the fishermen's representatives and the departmental officers that the best place was the land side of the present bulk grain loading berth. Action was taken to estimate the cost of erecting a wave screen at the back of this berth to create the facility. However, I understand that this scheme has been rejected by the fishermen and a new proposal will be submitted by them to the department for the provision of a traverser at the Porter Bay slipway so that fishing boats can be side-slipped.

BREAD

Mr. COUMBE: Will the Minister of Labour and Industry say what is the latest development in his discussions on the bread question and baking hours in this State? The Minister may recall that I have asked numerous questions on this matter, and about five or six weeks ago the member for Kavel asked a similar question, in reply to which the Minister indicated that about a week later he would be discussing this matter with members of the trade and other interested parties.

The Hon. D. H. McKEE: A conference took place between the interested parties and the Government, and it was decided, with the consent of the parties concerned, to hold a private inquiry into the industry. That inquiry is at present being conducted by the Prices Commissioner.

PHILIPS INDUSTRIES

Mr. HARRISON: I refer to a question asked recently in the House by the member for Gouger relating to allegations that Philips Industries Holdings Limited was transferring its operations to another State. Has the Premier any information on those allegations?

The Hon. D. A. DUNSTAN: The matter raised by the member for Gouger was referred to the Chairman and Managing Director of Philips Industries Holdings Limited, who has recently forwarded me a letter which confirms the statements I made in answer to a question from the member for Ross Smith on August 3. The Chairman and Managing Director has stated that at no time has there been any discussion among executives or at the level of the board of directors of the company connected with any intention of Philips to withdraw its operations from South Australia at any time. The rumour or any deductions made because of steps taken in reorganization of the company cannot lead to the conclusion that the company is in the process of closing down its Hendon works. Originally, the company had at Hendon a variety of activities, notably the manufacture of many types of electronic component and the assembly of radio and television sets, as well as some activities related to telecommunications. After the collapse of Electronic Industries in Melbourne, in which company Philips had a substantial interest, Philips was forced to proceed to take over the Melbourne company. After the take-over it was faced with a surplus capacity in two areas. A decision was taken to transfer duplicated activities in the assembly area for radio and television from Hendon to Melbourne. It also decided to transfer telecommunication activities from Hendon partly to Melbourne and partly to Sydney. Those decisions were based entirely on economics, and the Chairman and Managing Director has confirmed that they do not reflect any dissatisfaction with policies of any South Australian Government over the past 25 years.

The company will maintain in Hendon all activities related to electronic components for the entire group; all activities of that nature in places other than in Hendon have been

closed down and the work previously carried out has been absorbed by the Hendon works. At the same time, the company transferred the production of motor car lamps from Melbourne to Hendon. The company has stated that its expectations for the future for Hendon provide the hope that there will be a much greater demand for the development of products such as semi-conductors, integrated circuits, etc., once the electronic industry is engaged in the manufacture of receivers for colour television. Furthermore, it is discussing the possibility of using Hendon for additional investments for the production of picture tubes for colour television. The decision on this matter will depend almost exclusively on the tariff policy of the Commonwealth Government. In the area of telecommunication, the company hopes that the Commonwealth Government will change its policy on reduced expenditure, from which, once again, the Hendon works would benefit.

OPEN-UNIT TEACHING

Mr. GOLDSWORTHY: Will the Minister of Education say what is his attitude to criticisms of the "new education" as it is called? Reports of these criticisms are appearing in the press and two points of view are being expressed publicly regarding this matter. A report on open-unit teaching was recently published concerning one of our primary schools and the Headmaster concerned (Mr. Mader) was described as being enthusiastic about it. Shortly afterwards, on August 21, a report was published by a Dr. Just, of Melbourne University, who gave a fairly coherent and well-reasoned criticism (as he sees it, anyway) of this form of teaching. A controversy concerning this matter exists within the teaching profession itself, and reports have appeared regularly in the teachers' journal, expressing fairly strongly conflicting points of view. I recall a recent article by Mr. John Murrie (of certain former notoriety) who, I think, was putting the case of the "conservatives" but who expressed a fairly well-reasoned point of view regarding some of the new trends in education. I have read reports in the *Chronicle* by one of its writers—

The Hon. Hugh Hudson: Magpie?

Mr. GOLDSWORTHY: He has written articles about it.

The Hon. Hugh Hudson: He'd be an authority!

Mr. GOLDSWORTHY: I am not quoting him as an authority, but I should think his reaction would be typical of the attitude of

some parents. I have noticed in my district and in other districts a certain amount of perplexity on the part of parents. As it seems that the Education Department is committed to a certain course in this matter, I ask the Minister what are his views on it and on the considerable confusion that exists in the minds of many parents who are naturally concerned about the welfare of their children in relation to this current controversy.

Mr. Venning: They are concerned about reports they read.

Mr. GOLDSWORTHY: When they read these confusing statements, especially the sort of statement made by Dr. Just, I think parents become even more confused.

The Hon. HUGH HUDSON: It is not possible to do full justice to the honourable member's question at this stage. However, first, I thought that Dr. Just's definition of education as being the "accumulation of ordered knowledge" was inappropriate and inaccurate. It seems to me that the notion that in the modern world one can instruct children so that they leave school with some accumulation of ordered knowledge is completely inappropriate. In that case, it is likely that we would be left with school products who have a given body of knowledge available to them, who may have managed to learn it off properly, but who have little adaptability to the changing circumstances of the world in which they are to live and work. That is the first general point I wish to make. Even on the subject of French, which is Dr. Just's specialty, one would have thought that, although a certain part of the study of French could be described as the accumulation of ordered knowledge, something more would be required in relation to a study of the French civilization.

I think that the good teacher has always been an educator in the sense of creating an environment within his classroom where his students not only learn facts, etc., but also learn how to learn and how to ask questions of themselves, as well as how to make critical evaluations of the material given them, so that when they leave school, no matter what they are involved in (whether they are taking their education further or coping with specific problems that face them in their life or their work), they can adjust to changing circumstances and expand on the work done within the school environment. I think that has always been the role of the good educator as compared to that of the instructor. The development of open-space units in the South

Australian education system is creating the sort of physical facilities that will best foster the type of education by which the student is able to learn how to learn, so that each individual student is enabled to develop his abilities and capacities to the fullest possible extent. Generally, that is how I would describe the aim of any education system that has any ambition to be regarded as modern.

Many of the modern trends have raised fears amongst those who are worried about what change is to be expected of them, and certainly in the teaching service in South Australia doubts have been expressed by teachers about the effectiveness of open-space units. In every case that I know of, the teachers who were to be involved in open-space units and who had doubts about the methods they would have to adopt discovered that there were opportunities under it (much different from the opportunities in the old egg-crate classroom situation) to create a suitable educational environment. Today there is a much greater recognition of individual differences between students, and a much greater questioning of the notion that was traditionally part of the education system (although the good educator always questioned it)—

The Hon. D. N. Brookman: This is a rather long reply.

The Hon. HUGH HUDSON: I consider that I have been asked a question on a difficult subject, and I challenge any other member to reply to it in less than 10 minutes.

Mr. Millhouse: Question Time is going on and on.

The Hon. HUGH HUDSON: The question was asked by the member for Kavel.

The SPEAKER: Order! There is too much interference, and I ask the Minister of Education—

Mr. Millhouse: To be concise!

The Hon. HUGH HUDSON: I have other points that I wish to make, but this reply is taking much longer because of the interruptions. It is more readily recognized today that it is completely inappropriate to treat children grade by grade in many instances, and to assume that, after each year of education, the student has gained an extra bit of knowledge and that all pupils of the same age have gained the same extra bit and can be promoted into the next grade. There is a much greater recognition of the differences between students and therefore a recognition that within a school there will often be different forms of organization which cater more

effectively for those individual differences and which give a greater recognition to the proposition (which I think is a valid one) that, if students are free to develop their capacities to the fullest, they will advance educationally at differing rates. Much of what is described as the modern educational trend (and which is often questioned in a not very helpful or critical way) is directed simply at trying to create an environment in which those conditions—

Mr. Millhouse: Another 10 minutes!

The Hon. HUGH HUDSON: —for individual progression are effectively recognized. Generally, I stand on the side of modern trends in education, not uncritically and not by taking a point of view that new things should be introduced merely because they are new, or that they are introduced without being considered properly—

The Hon. D. N. Brookman: How much longer?

The Hon. HUGH HUDSON: I am finishing now, if the honourable member can contain himself. I know that he is past understanding anything about education.

Mr. Coumbe: Sit down!

The Hon. D. N. BROOKMAN: I rise on a point of order, Mr. Speaker. The Minister has been unduly prolix, and is improperly replying to a question and turning his reply into a long speech. I ask you to make the Minister cease. We have heard enough already, and he is now only repeating what he has said before, with a few added insults.

The SPEAKER: I think the Minister has given sufficient explanation.

The Hon. HUGH HUDSON: May I be allowed to finish?

The SPEAKER: I ask the Minister to make his reply brief, because the time for replying to questions should not be used to make long speeches.

The Hon. HUGH HUDSON: I point out that this question was not one that could be described as easy to reply to off the cuff or in a short time. The general point I wish to make in conclusion is that modern education is trying to create an environment in which students develop their capacity to the full and, because it is recognized that education is a life-long process, this has led to a much greater critical understanding of what we are trying to do, and, as a result of recent changes in our education system, has produced a far greater variety of activity and a most healthy discussion of the whole matter.

The Hon. D. N. BROOKMAN: I rise on a point of order, Mr. Speaker.

The Hon. HUGH HUDSON: For the honourable member's benefit, I have finished.

The Hon. D. N. BROOKMAN: I ask you, Mr. Speaker, to rebuke the Minister, who has wasted the time of Parliament in this fashion.

The SPEAKER: That is not a point of order.

Mr. GOLDSWORTHY: I wish to ask the Minister of Education a supplementary question.

Members interjecting:

The SPEAKER: What is the question?

Members interjecting:

The SPEAKER: Order! Honourable members in this Chamber have an obligation to the State. I think it is about time that they conducted themselves decently. They are not setting a very good example; several of them should be out of the Chamber. If the honourable member for Kavel wishes to ask a question, he must state what that question is.

Mr. GOLDSWORTHY: Thank you. In view of the noise from the Government benches—

The SPEAKER: Order! As the honourable member is commenting, he does not get the call.

Later:

Mr. GOLDSWORTHY: Can the Minister of Education say what special training is being given to teachers who are to teach in open-space units? Open-space units are being built in many South Australian schools (established schools as well as new schools), and the Director of Primary Education recently said he had seen these units operating in overseas countries. One unit he visited operated in complete chaos while the operation of another unit was highly effective. I have also heard from a teacher with overseas experience that, in his view, this scheme will be successful only if the teachers are adequately prepared to teach in these new open-space units. I believe that some of the existing—

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

Mr. GOLDSWORTHY: With respect, Mr. Speaker, I am trying to explain my question. The point I am making in explanation of the question is that teachers who are currently in schools will be expected to teach in these new open-space units. Having said that, I hope that the Minister will not be unduly prolix in his reply, although I hope that he can reply

to this query, which is a real query in the minds of many people in the community.

The Hon. HUGH HUDSON: I think it ill-behoves the member for Kavel to suggest that I might be prolix in my replying to his question, bearing in mind particularly the interruptions to my reply to his earlier question and the nature of his supplementary question.

Mr. Gunn: Answer the question.

The Hon. HUGH HUDSON: I realize that in giving this reply I must excuse the honourable member for Eyre altogether.

The SPEAKER: Interjections are entirely out of order and the honourable Minister must ignore them.

The Hon. HUGH HUDSON: I am willing to excuse the honourable member and to ignore him, Mr. Speaker. The training of teachers going into open-space units is mainly done by means of in-service conferences. True, much depends on the work that is done within a school and by the group of teachers who are to be involved in the open-space unit method. Difficulties can be found in circumstances where the teachers concerned are not suitable or do not get on well with one another or where the headmaster of the school is not sufficiently aware of the need for thorough and adequate preparation.

The department's policy has been to establish large-scale in-service conferences for people involved in this type of work. One example of this is the new Para Vista High School, which is to open at the beginning of the next year. This school involves significant changes in school design and a special in-service conference was arranged at Christies Beach recently so that the staff of the school could be brought together under the prospective headmaster for an in-service conference in order to discuss some of the problems likely to arise. Even with the best will in the world, many teachers can be prepared beforehand for new situations only to a limited extent. A significant amount of learning how to cope with open-space situations must be done on the spot in the same way as training is required for teachers in a traditional class situation: such teachers have still many things to learn from practical experience in teaching, and this applies to a significant extent in respect of teachers in open-space units where the experience obtained from actual involvement in the situation is always invaluable. All the teachers to whom I have spoken and who have been so involved have made this point time and again.

SCHOOL BOOKS

Mr. HALL: Has the Minister of Education taken action on the complaint to which I drew his attention last week concerning the administration of the textbook scheme at Salisbury High School? I have been told that action has been taken but that the situation is still unsatisfactory, and that the student who is supplied under what I would call the free-book scheme is under duress at the school. The name of the student having been supplied to me, I will not repeat it in the House but will give it to the Minister. Has he concluded his investigation or is it still continuing, and will he ensure that the situation will become neutral, at least until a decision is made by the department?

The Hon. HUGH HUDSON: The honourable member would appreciate that, because of the amount of material he gave me when he asked his original question, considerable investigation would be necessary.

Mr. Hall: I have more information.

The Hon. HUGH HUDSON: The investigation is being made, but I have not yet received a final report. If the honourable member will give me the additional details that have led to this further complaint, I shall be pleased to include them in the investigation. I assert again that, for students who are free scholars, the policy of the Government is clear: they are free scholars and are not to be put under any form of duress whatsoever.

Mr. Hall: There seems to be a demarcation line at present.

The Hon. HUGH HUDSON: If the honourable member will give me privately any more specific information, I shall be pleased to consider it.

TEA TREE GULLY WATER SUPPLY

Mrs. BYRNE: Has the Minister of Works a reply to the question I asked on August 9 about a water supply to serve the subdivision east of Haines Road, Tea Tree Gully?

The Hon. J. D. CORCORAN: The streets and allotments to be served by the recently approved water supply scheme in a subdivision east of Haines Road, Tea Tree Gully, are as follows: Broom Street, allotments 52, 31, 51, and 50; Erica Street, allotments 47, 46, and 49; Camelia Street, allotments 26, 25, 24, 23, 30, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, and 22; Lilac Street, allotments 59, 60, 61, 62, 13, 67, 68, 69, 70, and 71; and Wattle Street, allotments 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, and 90.

POLICE FORCE

Mr. McANANEY: Will the Attorney-General ask the Chief Secretary to ascertain whether the Police Force at present has a full complement of police cadets and whether the force is at full strength?

The Hon. L. J. KING: I will obtain the information.

BUS SERVICES

Mr. BECKER: Can the Minister of Roads and Transport say whether a survey is being conducted by the Municipal Tramways Trust or the Director-General of Transport into the upgrading of the Graymore, West Beach, and Noval Gardens bus services? Occasionally, I have referred the General Manager of the Tramways Trust to isolated pockets in my district that are not presently served adequately by trust buses. I now draw the Minister's attention to a letter from a constituent living in North Plympton that appears in yesterday's *News*. If a survey is not being made of these bus routes, I ask whether such a survey could be undertaken with a view to upgrading the service to provide an adequate frequency of buses and an extension of existing routes.

The Hon. G. T. VIRGO: The services of the Tramways Trust and the South Australian Railways are continually being looked at, especially since, for the first time ever, South Australia has a Transport Planning and Development Branch headed by the Director-General of Transport. I noticed the letter in yesterday's newspaper to which the honourable member has referred. From memory, I think that the person who signed it used a *nom de plume*. If that is correct (and apparently the member for Hanson agrees that it is), I sincerely regret it, because if the claims made in such letters have a foundation they need to be checked and the people concerned contacted. Only yesterday afternoon, I discussed this letter with the General Manager of the trust, asking him to take all reasonable steps to find out who had written the letter. If the newspaper were prepared to divulge this information, we would certainly contact the author of the letter in an attempt to ascertain the problem and, if possible, to solve it. Unfortunately, people who use a *nom de plume* must have a reason for hiding behind it and not disclosing their name. This makes inquiries extremely difficult.

The Hon. D. N. Brookman: What about electricity—

The Hon. G. T. VIRGO: I do not think the question of the Electricity Trust has anything to do with it.

Mr. Millhouse: What do you—

The Hon. G. T. VIRGO: I do not think this matter has anything to do with the member for Mitcham, anyhow. The member for Alexandra referred to electricity, but I do not think he has ever been electrified, certainly not in this House.

WHEAT SALES

Mr. GUNN: In view of the excellent sales negotiated by the Wheat Board and the apparently improved world wheat market, will the Minister of Works ask the Minister of Agriculture to consider requesting the Australian Agricultural Council to request the Australian Wheatgrowers Federation to increase wheat quotas? Moreover, will the Minister of Agriculture ask his Commonwealth colleagues not to interfere with the function of the Australian Wheat Board by trying to make political capital out of wheat sales to Communist China, as this interference has had a detrimental effect—

The SPEAKER: Order!

Mr. GUNN: —on Australian wheat-growers?

The Hon. J. D. CORCORAN: I will ask my colleague to examine the honourable member's question. With regard to the last part of his question, I am surprised that he made a mistake. He referred to the People's Republic of China as Communist China, whereas in the past, when talking about trade, it has been the practice of his colleagues to refer to it as the People's Republic of China; when talking about it politically they have referred to it as Communist China. Therefore, in this case the honourable member should have referred to it as the People's Republic of China. I think that the honourable member was in the House yesterday when one of his colleagues asked the Premier a question about this matter of the effect on wheat sales to Mainland China (I think that, when talking about trade, that is the term the honourable member's colleagues used to use, rather than Red China).

Mr. Millhouse: What term do you use?

The Hon. J. D. CORCORAN: When the Premier was asked—

The SPEAKER: Order! The honourable member for Mitcham is continually interjecting, and that is entirely out of order. I wish the honourable member would be a little fairer to his colleagues. After all, other members want to hear the honourable Minister's reply.

The Hon. J. D. CORCORAN: Thank you, Sir. You will have noticed that I completely ignored the member for Mitcham. As the Premier told the honourable member's colleague yesterday, the action of Gough Whitlam and the party that went to Mainland China and conferred with the Government there really gave a lead to the rest of the world. By recognizing this vast nation, Canada has in fact taken the sales that may have gone to Australia had the Commonwealth Government been realistic and done what Canada did some little time ago and recognized this great country. If the honourable member wants to do something effective about this matter, I urge him to tell his Commonwealth colleagues to come to their senses and to recognize this country diplomatically.

Mr. MATHWIN: Will the Premier contact the Leader of the Commonwealth Labor Party (Mr. Whitlam) and congratulate him on keeping out of the wheat deal made between Russia and Australia that was so satisfactory to Australia?

The SPEAKER: Does the Premier wish to reply? That is one of the most frivolous questions I have heard.

The Hon. D. A. DUNSTAN: Quite so. However, I invite the honourable member to return from cloud cuckooland to the filthy present.

KINDERGARTEN SUBSIDIES

Mr. WARDLE: Can the Minister of Education say which pre-school kindergartens in South Australia are eligible for Commonwealth subsidy at this time? I believe that a report has been made by the Kindergarten Union of South Australia to the Minister showing the priority, for subsidy payments, of kindergartens being erected and those which have been erected.

The Hon. HUGH HUDSON: I hope to be able to make a public announcement, either next week or the week after, regarding which kindergartens subsidy payments will be made to.

PUBLIC WORKS COMMITTEE REPORTS

The SPEAKER laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Para Heights Primary School,
Salisbury Downs Primary School.

Ordered that reports be printed.

PUBLIC ACCOUNTS COMMITTEE BILL

Adjourned debate on second reading.

(Continued from August 16. Page 816.)

The Hon. D. A. DUNSTAN (Premier and Treasurer): I support this Bill, which is in accordance with the views that the Labor side of the House has expressed for many years. For a long time we have considered that there should be a public accounts committee in South Australia, comprising only members of this House, and that the committee should become part of the structure of effective Parliamentary control of the State. The member for Mallee, who explained the Bill in a speech in which he reviewed the whole history of this topic, explained the measure effectively and extensively. He gave what seemed to me to be not only the very real reasons but also all the conceivable reasons for supporting it, and I agreed with him. I do not intend to detain the House longer, other than to say that at the appropriate time I will move the necessary contingent notice of motion to deal with the matters to which the honourable member referred in his second reading explanation but which, as he pointed out, he could not move for. Accordingly, there will be a Governor's message.

The Hon. D. N. BROOKMAN (Alexandra): I hope the Premier realizes that his doing all this depends on a successful vote of the House, because the vote will not be unanimous. I oppose this Bill, in the same way as I have opposed similar Bills in the past. I have referred previously to the way in which Parliamentary consideration of matters has been deteriorating merely because we stand still regarding our procedures whilst the amount of business is not standing still but increasing greatly. The result is that we are not giving to legislation the consideration which ought to be given and was given previously.

The addition of a public accounts committee will only add to what I think is, in a sense, a rather unfortunate absurdity in a House comprising 47 members. If the proposal was to establish a public accounts committee and abolish several other committees, I would consider it more favourably. Of course, it is not intended to abolish any committee. The appointment of this committee would add five more jobs to the total number performed by members from this House of 47 members, and the present committees are operating only indirectly, not directly, to the benefit of Parliament. Of course, some of the committees do perform, useful work.

Mr. Payne: What about the one you are on?

The Hon. D. N. BROOKMAN: What is the honourable member talking about? My second point is that a public accounts committee, if it is to exist, should consider all the accounts, not only selected ones. I do not know of any good that the Public Accounts Committee in the Commonwealth Parliament has done. I imagine that there is much more scope for such a committee to do more useful work in the Commonwealth Parliament than in the State, because the very nature of the Commonwealth Parliamentary supervision extends over the whole continent, and I have no doubt that the Public Accounts Committee there occasionally can check on waste or neglect in some way. Despite this, I have not seen evidence of that.

I observed the Commonwealth committee sitting in this House on one occasion when our Parliament was not sitting and we were invited to listen to the proceedings. That was one of the most pointless procedures that I have known. The committee was questioning excise officers about how they carried out their duties in wineries, and this questioning continued for most of the afternoon. The committee not only dealt with where an officer put the key (it turned out that he put the key in a locked box) but it spent much time working out where the key of that locked box was kept. This went on for most of the afternoon and, although the Chairman had invited many people who were in the gallery to come and see the committee at work, I do not think any of them left that afternoon without thinking that what had happened before the committee was a shocking waste of time. I thought the excise officer, who seemed to be the witness before the committee and who spent a couple of hours giving evidence, could have done much better work on his own job. On my observations, the effect of the Commonwealth committee has been negligible, and I think that the work of a similar committee in this State would be likely to be more negligible, if that were possible.

Let us consider the committees that we have in the House of Assembly. We have the Public Works Committee, with a total of seven members, five of whom are chosen from the 47 members of the House of Assembly. The Land Settlement Committee comprises a total of seven members from the Parliament, six of whom are from the House of Assembly. The Subordinate Legislation Committee has six members, three of whom are from the

House of Assembly. I would not approve of the abolition of the Subordinate Legislation Committee, because it does a job that other members could not do for themselves, in that it considers all the subordinate legislation that comes before us. We need a committee to do the work that that committee does, and that is the one existing Parliamentary committee comprising paid members that I think has a valuable service to perform.

I have not been a member of the Industries Development Committee and am not sure how valuable that committee's work is, but I rather suspect that its value is exaggerated greatly. The committee comprises five members one of whom is an officer of the Treasury and three of whom are from the House of Assembly. Therefore, of a total of 47 members in this House, 17 members serve on the committees I have mentioned. If we add the seven Ministers, the total number of people engaged either on committees or in what may be called full-time administrative work is 24.

We have a Speaker, a Chairman of Committees, and two Party Whips, and it is now proposed that we appoint a committee comprising five more members. That will mean that a total of 33 members will occupy paid positions that are not directly associated with their representation in Parliament. Who will be left to do the work? Will it be the other 14 members?

Mr Mathwin: What about the Library Committee?

Mr Nankivell: What about the Printing Committee?

The Hon. D. N. BROOKMAN: Many other small committees have a purpose but membership of them is not a paid position. Those committees serve a valuable purpose but the requirements are not onerous. Members have their own committees: we have the Library Committee, the Printing Committee, the Joint House Committee, and so on. However, counting Ministers, Whips and others, we have no fewer than 33 members of the House occupying paid positions, leaving only 14 who are not similarly occupied.

I have often criticized the Public Works Committee, not because of its membership or its members' conscientiousness or, indeed, because it does a bad job but because it has too many members and is given duties that are far too detailed to justify using all those members of Parliament. I have served at times on both the Subordinate Legislation Committee and the Public Works Committee. On one occasion when I was on the latter committee we had to inquire into a proposal to

build a bridge over the Murray River, and I recall sending a note to the Chairman, after what seemed like months and months of investigation, stating that if we did not do something about stopping the flow of witnesses who came before us, simply repeating what someone had said at the previous meeting, we would never get to the end of that inquiry.

Every town between Adelaide and the Upper Murray seemed to be represented by deputations or delegations, which came before the committee not to say what sort of bridge should be constructed but simply to point out how important it was for the bridge to be constructed on the road that went through the town in question. It got to the stage where we just had to cut off this flow of witnesses, with the utmost politeness, of course. The committee recommended that the bridge be built at Blanchetown which is where it was, in fact, finally built. It made other recommendations which the Government did not accept, and which it is not bound to accept. The Government must wait for the committee to report on a matter, but it does not have to observe the terms of that report, and in some cases it has not done so. I consider that that committee has wasted much of members' time. It carries out many investigations into the construction of schools and sometimes makes useful recommendations, often pointing out that a school has been sited in the wrong corner of the grounds, or something like that. However, this could easily be done by a public servant, independent of the Public Buildings Department or the other departments concerned. It could possibly be done by an officer of the Auditor-General's Department, who could co-opt assistance if he needed it.

The greatest advantage of the Public Works Committee is that its members travel about South Australia and learn for themselves what activities are taking place in the State, for they may not otherwise see these activities. But can we justify standing committees simply because of the way they educate the members of a committee? Because of the existence of Public Works Committee reports, other members would probably be less inclined to examine the affairs of the State than they would if there were no reports and they had to make a study themselves. The Land Settlement Committee did much work about 20 years ago (actually, longer ago than that), but I think that lately its work has been negligible, and I just cannot see why it should continue to exist. The Auditor-General is an officer of Parliament, and I do not think that members use his

services sufficiently. The Auditor-General presents a report, which is read by some of us, read in part by others, but read hardly at all by some of us. I believe that we would do well to examine this matter with a view to drawing from the Auditor-General supplementary comments on all sorts of matter.

If a public accounts committee were to replace some of these committees that are not serving a useful purpose (perhaps it could sit in the Chamber and interview the Auditor-General from time to time), it might achieve some good, but it will not achieve it in the way suggested, because I think it will follow the Commonwealth procedures to some extent and pick and choose in regard to what it wishes to examine. The Bill is a concession to the Labor Party's point of view, in that for the first time it eliminates members of the Upper House from the committee. I think the member for Mallee, when introducing similar Bills previously, has included membership on the committee of members of the Legislative Council, but he has apparently decided that it is better to get the Labor Party on his side and to get the Bill through, consequently giving way to that Party's point of view. However, I think the Bill is all the poorer as a result of this.

I have often said that members of another place are at least as intelligent and as hard-working as are members of this House, and I still hold that view. Hard words are often said about members of another place, but they do a valuable job: in fact, I was recently talking to a leading geographer and historian who remarked on the humanitarian qualities of members of the Upper House. That gentleman, who had been making a study of Upper Houses existing throughout the old British Empire and generally under the British system of Parliamentary democracy, pointed out that in most cases it was the Upper Houses that stood up for the rights of minorities, whether they be racial or economic minorities; and it was often the Lower Houses which were much more immediately sensitive to their electors' possible emotional arguments and which were inclined to enact unjust legislation, whereas the Upper Houses were not quite so closely in touch with constituencies and could protect the humanitarian ideals. The gentleman concerned said that this was revealed most vividly in the latter years of the last century and subsequently, especially when there were racial immigration arguments; it was the Upper Houses that provided the greater defence of the individual minorities.

Therefore, I think it is a pity that the honourable member should give way in this matter. I do not think that he believes that this Bill is as good as earlier measures that included membership of members of the Upper House. Although I will not go into the terms of the Bill in detail, I point out that the duties of the committee are to "examine the accounts of the receipts and expenditure of the State and each statement and report transmitted to the Houses of Parliament by the Auditor-General, pursuant to the Audit Act, 1921-1966 as amended". That is a duty that every member should perform and, if members are not performing it properly (I do not think they are performing it as well as they should), I believe it would be a more constructive reform if this House were to sit as a committee one morning, at intervals anyway, in this Chamber. There would be no votes, and no requirements regarding attendance, but the committee could sit here and examine officers of the Auditor-General's Department: that is, a Committee of the Whole House can do that. Many members would be absent because of other activities, but such a meeting would be more useful than having a special committee appointed. Often when a committee makes a report it is the other members who do not have time to read it. Another duty of the suggested committee is to inquire on its own initiative and report to the House on any question in connection with the public accounts of the State. I believe this system to be wrong. It is difficult enough to encourage members of the Public Service to use their imagination and initiative under the present system of Parliamentary questioning.

I believe that public servants have done an extremely good job for the State, and for those close to Ministers it is a matter of pride for them to help the Minister and to ensure that he is doing his job correctly. They keep him out of trouble, as far as possible, at the same time avoiding involvement in political issues. This would not be easy, but public servants have done it. During the past few years, with various changes of Government, public servants have been placed under a greater strain than they would have experienced during the previous decade when there were no changes of Government. However, to my knowledge no complaints have been made about the way they have performed their duties or about their loyalty to the Ministers. The suggested committee is to be allowed to select, on its own initiative, which department it should investigate, but I consider that

it would be at least five years or 10 years before the committee could investigate any department.

Also, the committee is to have powers similar to that of a Royal Commission, and this provision would immediately increase the amount of information available to members. Would that be a good thing, particularly for a department that was doing its job and for which no reasons existed to merit an investigation? I do not think so. I believe that the member who introduced this Bill has not considered the effect that the legislation would have. Any member of the committee could persuade it to investigate a department: it could be used as a powerful weapon to inhibit the work of public servants. The committee shall also inquire into and report to the House on any question in connection with the public accounts of the State that are referred to it by the Governor or by a Minister of the Crown. Does that provision mean that any Minister could refer an investigation of another Minister's department to the committee? I have not sought the Parliamentary Counsel's opinion on that aspect, but it seems to me a jolly good system and I recommend it.

For example, if the Minister of Lands does not want to be bothered by the committee, I suggest that he instruct the committee to investigate the Education Department, because that would keep the committee busy for a long time. The Minister could refer to several other departments, and in that way could keep the committee away from his own department. I do not like giving the powers of a Royal Commission to yet another committee. The appointment of a Royal Commission is carefully considered, as are its terms of reference, and such powers should not be given to another committee without specific terms of reference being applied. I think it would be much better for members of Parliament to appoint a committee to overhaul the activities of Parliament, in order to make it easier for members to do their proper work, and not provide them with some other interest that would allow them to escape from what is often the more difficult work of examining legislation that has been introduced.

I believe that this committee will provide another form of escapism for any member who does not wish to study the legislative programme. Also, it will require an additional expense and, in some instances, it will tend to stultify the initiative of public servants. In any case, in a House of 47 members there will

be too few members who will not be occupied with some other job, so that only about 14 members will remain to examine legislation and consider other matters without distraction. I hope that the Bill does not pass (although I presume it will), because I think it is entirely wrong that members of one House of Parliament in a bicameral system should be appointed to a committee without the other House being represented. I oppose the Bill.

Mr. MILLHOUSE (Mitcham): This is one occasion on which my good friend the member for Alexandra and I part company. I regret that I cannot follow and support his arguments.

The Hon. D. N. Brookman: You can follow them.

Mr. MILLHOUSE: Yes, with some difficulty. I can follow them but I cannot support them. The honourable member uses "follow" in a different sense. I do not intend to say much about this Bill, so that I may get my opposition to him over as quickly as possible. As I understand it, the honourable member, who is notoriously anti-committee, advances three reasons for opposing the Bill to set up a public accounts committee. First, he says that from his observations of the work of the Commonwealth committee (and I was present when it sat in this Chamber in 1964), it does nothing worth while. Concerning that specific afternoon I agree with him. After being present for an hour or two I became bored and did not stay for the full sitting of the committee.

However, I suggest that his objections do not apply to the principle of having a public accounts committee. They simply apply to the approach or (indeed, one might say this without reflecting on people who cannot defend themselves) the ability shown by those members of the committee in the execution of their duties. It will be necessary for members of this House (and this House alone I hope) to choose effectively those who will serve on the committee, and to ensure that they will not simply be passengers. I believe that disposes of the first objection of the member for Alexandra. I hope that amongst those of the 47 of us who will be available there will be members of sufficient ability so that we can appoint people who can act effectively on this committee.

The second reason of the member for Alexandra is that there are not enough members in the House to support another committee. He has pointed out that of 47 members there are now 17 private members on

various committees, seven Ministers, a Leader of the Opposition, and so on. However, out of what used to be a total of 39 members, there were 17 members on committees and six Ministers, so that the proportion available now is much better than it was before. Yet we have never had any noticeable trouble in filling the positions on the various committees. Therefore, I believe that, too, is an objection without substance.

As I understand him, the honourable member's final objection to the Bill is that it does not provide for membership from the Upper House. In his second reading explanation, the member for Mallee canvassed this matter (and I entirely agree with what he said) in anticipation of the arguments adduced by the member for Alexandra. I support the member for Mallee fully in his resistance to the pretensions of members of another place to be represented on the committee. For the reasons he gave, it is not appropriate that members of the Upper House (the House of Review and a House elected on a limited franchise) should be represented on this committee because, as the honourable member has said, this House is responsible for raising and disbursing the moneys of the State.

The Hon. D. N. Brookman: If the other House was elected on a full franchise, would you then change your attitude?

Mr. MILLHOUSE: Not unless there were other changes as well. As I say, under the Constitution, this House has the responsibility in financial matters. I believe that that is a full responsibility, and that it should be a full responsibility. It cannot be a full responsibility if members of another place are to pretend (and I use that word in its other sense) to share it with us by having members on this committee. In my view, the three reasons advanced by the member for Alexandra all fail. As I have said, I support what the member for Mallee has said and the way in which he has framed the Bill. As I said by way of interjection while my friend from Alexandra was speaking, he opposed similar legislation in the past when it provided for members of the Upper House to be on the committee, so that fact then did not make any difference to his attitude.

Mr. Mathwin: He's consistent.

Mr. MILLHOUSE: He is consistent in his objection to this, and I suppose that is something on the good side. I have only one comment to make regarding the support of the Bill by the Premier, no doubt on behalf of his Party. I point out to him that in this

House Sir Richard Butler originated the idea of a public accounts committee. Although this may have been supported over the years by members of various Labor Parties, the idea originated from a member on our side of politics.

Mr. Clark: That really doesn't matter very much.

Mr. MILLHOUSE: I refer to the point only because the Premier brought up the matter, and I think the record should be made accurate. I am confident that the Bill will pass this House, and I hope that on this occasion the Upper House will not prevent its passing into law.

Mr. McANANEY (Heysen): In supporting the Bill, I congratulate the member for Mallee on the expert second reading explanation he gave. I must disagree with the remarks of the member for Alexandra. I think that someone praised him for being consistent, and at most times consistency is a virtue. However, when an attitude is consistently wrong or backward it is high time that a change was made. The member for Alexandra suggested that we read the Auditor-General's Report and have the Auditor-General in the House so that we could ask him questions. Apparently the honourable member has not read the report himself because, over the last two years, the Auditor-General has said what a splendid job the Public Works Committee has done. In 1970, the Auditor-General said:

Some major works, with preliminary estimates of cost, come within the scrutiny of the Public Works Standing Committee with beneficial results, but these are some major works only and that committee has no control or responsibility beyond its reports to Parliament in terms of section 24 of its Act. Frequently considerable time elapses before the work is carried out and variations are made subsequent to the report of the committee, with resultant changes in estimates.

The report continues on those lines. The member for Alexandra claims that we should give more consideration to the Auditor-General's Report, yet he disagrees with the Auditor-General with regard to the value of the Public Works Committee. As I have said before, I think that the Public Works Committee would possibly be the best committee to deal with the type of work about which we are talking, but admittedly it would not have time to do this, so another committee will have to fill the gap. Such a committee can examine the amazing differences in final costs that occur in relation to original estimates for some projects. The Auditor-General is

not satisfied with regard to Government projects costing less than \$300,000. In his 1971 report, he stated:

Last year I commented on the high cost of some public works and emphasized the necessity for economy in design and execution to provide the maximum facilities at the minimum of costs. This is essential if the public is to get the greatest benefit from funds available. I again advocated a critical review of specifications and estimates of departmental works to ensure that essential requirements are provided for at the lowest possible outlay. The Parliamentary Standing Committee on Public Works does examine this aspect but many projects do not come within its scrutiny. These include all works estimated to cost less than \$300,000, projects excluded by various acts, and works, such as Institute of Technology and university buildings, where the State provides a part only of the moneys required. Further the committee has no responsibility beyond its report to Parliament in terms of section 24 of its Act which must be made before the works prescribed by the Act can be authorized. It has no jurisdiction over any variations which may be made subsequent to its report.

For two years the Auditor-General has been crying out, like a voice in the wilderness, and not being heard by the member for Alexandra. Reference has been made to the number of members that will be engaged on these committees. Surely committees are a training ground where members of Parliament can get to know and understand the background of Parliament and get to know the inner workings. The proposed committee would provide excellent training for potential members of Cabinet. Most members of Parliament find their time well taken up, but some members are involved in many other activities outside of their Parliamentary work, although some of them could spend their time on this work.

The Lands Department is now perhaps one of the most efficiently run Government departments, yet when I was involved in transactions with that department in the late 1950's and early 1960's, at that time it was one of the most inefficient organizations with which I had come in contact. The department's records were inaccurate and replies to correspondence were received between one month and two years after the original letter had been sent. Although I do not know that it is true, I have heard that one reason for this delay was that the office juniors put the dockets on top of the "in" basket and they never got to the bottom. When such stories get around about a department's inefficiency, such a committee or authority should be there to ensure that any mistakes are not repeated. The Public Build-

ings Department and the Education Department have become so large (and I am not criticizing the Civil Service) that their many facets should be looked into. I have heard that a new toilet has been installed in a school the year before that school was to be replaced, and the attention of the Public Works Committee was recently drawn to a school that was repainted just before it was to be replaced. If departments knew there was a committee that could inquire into such matters, *the State* would be saved hundreds of thousands of dollars annually. I commend the member for Mallee for his excellent second reading explanation and, although it has been necessary for me to come to the defence of the Public Works Committee and the Auditor-General, I am pleased that this matter has been once again raised in this Parliament.

Dr. TONKIN (Bragg): I support the Bill and I add my congratulations to the member for Mallee on introducing it. This is the third time the Bill has been introduced by the honourable member and perhaps, as it is the third time, he will this time be more lucky with it. This is the first time I have considered this matter as I am a relatively new member of this House, but I believe it to be a sensible suggestion. This was brought home in the Loan Estimates debate, although I will not go into that any further. Nevertheless, it is important that we keep a close track on the expenditure of Government departments. We know it is budgeted and controlled by the Treasury and I agree that regular and detailed records in this respect should be available for examination. True, the Auditor-General's Report is important, but it runs behind expenditure and the Auditor-General's comments are made only after the money has been spent. As Parliament is ultimately responsible to the people, it is responsible for the administration of funds.

We should apply the same provisions of the Companies Act, which was passed recently, and consider whether we wish members of Parliament to be in the same position as directors of a company: we can regard the Government as being joint executive directors, and it is the duty of all directors to satisfy themselves about the efficiency and proper conduct of the company's affairs. In this case it is our duty to satisfy the people of South Australia that their affairs are capably managed. We are well served by the officers of the Treasury, of the Auditor-General's Department and the Public Service Board, but I believe that this proposal will provide an

additional service, both to Parliament and to the community.

Mr. EVANS (Fisher): I, too, support the Bill.

The Hon. Hugh Hudson: The L.M. has had some impact on you.

Mr. EVANS: If the Minister had taken as keen an interest in my opinion on such subjects as this instead of worrying about the L.M., he would know that I have always supported the establishment of such a committee and have always had some line of thinking regarding the appointment of an ombudsman or such a committee: that is, a committee to carry out inquiries into the activities and accounts of Government or semi-government departments. A good example of where a public accounts committee may have brought down a different estimate of the actual cost from that which was given involves the reply to a question I asked regarding the South-Eastern Freeway, where certain works were carried out in an unsatisfactory manner and where, in this instance, the prevailing wet conditions were given as the reason for the unsatisfactory work. Certain repair work was estimated to cost \$20,000 but, as much as the Minister of Roads and Transport doubts my knowledge on earthmoving matters, I should say that the sum involved would be at least five times that amount, and it could easily have been 10 times as great. However, as a member of this House, I have no way of checking this. I know that it would take about \$9,000 or \$10,000 worth of black-top to carry out the repairs, and that was only a minor part of the cost. Although I have no way to check this out, such a committee could do so and in such cases the Highways Department (or whichever department was involved) would be more careful in its replies and in the way it carried out its duties in the future.

I believe that such a committee could also protect the personnel within Government departments. If my information regarding the Highways Department is completely wrong, the reply of the officers concerned and their action would be justified, and I would be proven to be the one in error. This would apply in the case of all Government departments, whatever the area of complaint. A public accounts committee could investigate the situation and prove whether the department had acted responsibly or whether an irresponsible attitude had been displayed by some or all of the officers concerned. I

believe that most public servants would welcome such an inquiry.

Indeed, if the setting up of a public accounts committee was the only thing (and it is not) that the member for Mallee had achieved in this Parliament, he could leave this House and be justified in saying that he had achieved a good result for the people of South Australia as a whole. The member for Alexandra made the point that he doubted the effectiveness of such a committee. He referred to the number of Parliamentarians who already have paid positions on committees, but in many cases they are not paid much (we know that the figure is from about \$500 a year upwards). However, the member for Alexandra is more or less saying that, because some Parliamentarians still do not have other jobs, they would not be capable of sitting on this committee and producing an effective and responsible result. If that is so, we should be ashamed to admit that we are members of Parliament, representing the people. If we cannot find a group of Parliamentarians to sit on such a committee and inquire effectively into the expenditure of public money, we should not be here.

Many members have duties other than their Parliamentary duties, and I do not condemn them for that. They have other interests and their minds are active in other fields. Many members who are not on committees are in this category, so surely they would have the time, energy and initiative to carry out such investigations. It is incorrect to say that we have not the resources in this Parliament to make these investigations. I wholeheartedly support the appointment of the committee and thank the Government for accepting the Bill that the member for Mallee has introduced. I trust that the committee will be appointed as soon as possible.

Mr. GOLDSWORTHY (Kavel): I support the Bill and consider it desirable that a committee of this House be authorized to inquire into the finances of this State. The administration of our finances is the central role of any Government or Parliament and is at the core of all decision-making and operation. Therefore, a public accounts committee would be of fundamental importance to members if it was established as the member for Mallee has suggested.

I understand that these committees operate in the Parliaments of every other State except Queensland, and we know that that State, which has had a one-House Parliamentary system for many years, has been dominated

by a Party of a certain political affiliation. It seems to me that the development of Queensland has languished for many years, so I am not surprised that a public accounts committee has not been appointed in that State. The Parliaments in what we may refer to as the emerging nations have also placed importance on these committees.

It is difficult to know the terms of reference and the detail of how the committees operate in the other States and overseas, and our only basis of comparison here would be the Public Works Committee, which I am convinced serves an extremely useful purpose as what I suppose we could call a watchdog on Government expenditure on buildings and other public works. The terms of reference of a public accounts committee perhaps should be even wider than those of the Public Works Committee, because I repeat that public finance is the basic matter in which Governments engage.

I do not favour the proliferation of boards and similar organizations that we have had in government activity, but members of Parliament should have the right to know what is going on and to scrutinize the fundamental financial operations of government to do their job successfully. I do not think that the work of members of Parliament is generally appreciated by the people, who think only of the work that members do in their districts, their attending functions, and that kind of thing. However, the most important function of a member of Parliament is the work that he does in dealing with legislation and engaging in debates in this House.

I realize that much time would be taken up in serving on a public accounts committee, reducing the amount of time spent in a member's district. Nevertheless, when we consider what is our most important function, we must be willing to serve on such a committee. I wholeheartedly support the Bill. The committee will give access to information that I have desired on many occasions. To use a word that often is used wrongly, I think the move would be progressive.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—"Quorum and voting."

Mr. NANKIVELL: As the Premier has indicated that he intends to move an amendment, I ask that progress be reported.

Progress reported; Committee to sit again.

CRIMINAL INJURIES COMPENSATION

Adjourned debate on the motion of Mr. Coumbe:

That in the opinion of this House the Government should this session amend the Criminal Injuries Compensation Act, 1969-1972, to increase the maximum compensation payable to at least \$2,000.

(Continued from August 16. Page 817.)

Mr. MILLHOUSE (Mitcham): In this case—

The SPEAKER: I hope that the honourable member is not going to be provocative.

Mr. MILLHOUSE: No, Mr. Speaker, I am never provocative when I speak, and I am not going to be provocative now. I support the motion, and I am at a complete loss to know why what the member for Torrens seeks through the motion has not already been done. The only suggestion that I have for this is that the present Premier absolutely resisted my suggestions over a period of years to introduce legislation such as that referred to in the motion. He said that the State did not have the money, that it was waiting on the Commonwealth Government, and that it would simply relieve that Government of its responsibilities for the payment of social services. He had 101 excuses when he was in office as Attorney-General, and later as Premier, between 1965 and 1968 as to why it could not be done. He did not do it, and the Labor Government refused to do it.

Mr. Payne: What happened after 1968?

Mr. MILLHOUSE: In 1968, it was one of the first measures that we introduced as a Government, as we undertook in our policy speech to do. I said when I introduced the Bill that we did not know what its effect would be, how much would be paid out under it, and how many claims would be made; and therefore, of necessity (because at that time, as a State Government, we were far harder up than is the present Government and could not be as free with our money as the present Government has been, wisely or unwisely), we had to limit the ceiling to \$1,000 and to see what happened. Having now had the benefit of nearly four years experience, we know that very little has been paid out. I may say that I am disappointed that there have not been more claims and, although in the intervening period there has been much publicity concerning the Act, many people still do not realize what are their rights under this legislation. But whatever the reason may be, it is abundantly clear now that there is no danger that a tremendous drain on the

Treasury will be created by increasing the sum.

Mr. Coumbe: A little over \$7,000 has been paid.

Mr. MILLHOUSE: Yes. The irony of the thing is that when we introduced the Bill in 1968 four or five Labor members said, "This is not enough; you have to increase it," and I think some of those members are probably sitting on the front bench now. That is the position. I said that I would not be provocative, and I shall not be, although I could say other things that could be construed as being provocative.

Mr. Gunn: That's not your nature.

Mr. MILLHOUSE: Quite so. In my view, the member for Torrens is being extremely modest in suggesting that the maximum sum should be \$2,000. He has put in "at least" but even if he had put in \$5,000 as a ceiling it would not, in my view, have been an extravagant suggestion. There are people, including quadriplegics, who, if they had a claim on common law which they could successfully pursue, would be entitled to damages running into between \$30,000 and \$50,000, but they have nothing. At present, the most they can hope for is \$1,000, so I hope that this time the Government will be willing not only to accept the motion but to act on it. I hope that the relevant amendment will be included in this extremely heavy legislative programme about which we have heard so much but have seen so little.

The Hon. L. J. KING secured the adjournment of the debate.

SUCCESSION DUTIES

Adjourned debate on the motion of Mr. Hall:

That in view of the hardship caused by the unfair incidence of death duties on those who have inherited business or farming properties, the Government should this session introduce legislation to adjust and reduce succession duties to enable individuals dependent on those concerns to earn a reasonable living from them.

(Continued from August 16. Page 819.)

Mr. GUNN (Eyre): I support the principle involved in this motion which is aimed at relieving the hardship caused by this form of taxation, which I believe is completely unjust. In my relatively short time in this House, I think I have made my views on this subject well known. At present in South Australia, as well as in other States, a scheme has been introduced which is aimed at encouraging farmers who have smaller holdings to enlarge

those holdings so that they may become more economic. Under the rural reconstruction scheme, through which the Commonwealth Government has agreed to make a substantial sum available to the States over a short period, South Australia has received \$12,800,000, half of which is to be spent on farm build-up schemes. It seems to me to be a ridiculous situation whereby, on the one hand, we have a scheme endeavouring to increase the size of rural holdings so that they are made more economic while, on the other hand, we have forms of taxation which, by their very nature, force many people to sell the best part of their properties in order to pay this rotten taxation. The Commonwealth Government has agreed to make further concessions in estate duty, and I hope that those concessions will significantly benefit the people who are burdened by this type of taxation. When explaining his Budget last week, the Commonwealth Treasurer said:

The shading-in provisions will have the effect of reducing duty payable on estates with a value up to five times the exemption limit. Only 5 per cent of estates which would be dutiable under present law will not experience some reduction in duty.

This step, coupled with an increase in the sum that a person can give to another person over 18 months, will have a significant effect on members of the rural community, as well as on those engaged in small business undertakings, who are also affected by this type of taxation. Under the new Commonwealth taxation provisions people will be able to organize their estates. I was disappointed to hear the Treasurer's reply to a question asked by the Leader of the Opposition that the Government does not intend to review succession duties or gift duties.

I was surprised when the member for Gouger moved this motion, because he is one member who has had the chance to do something about this form of taxation, particularly when he was Treasurer. However, I endorse the remarks he made when he moved the motion, because we should take action to allow people to plan their estates. The problem that this type of taxation creates for the small farmer or the small business man is that a lump sum has to be paid on the death of a partner or on the death of the person who owns the property.

Often the business or farm may be in a reasonable financial position, but if \$10,000 or \$20,000 has to be paid in Commonwealth and State duties it becomes impossible for the business or farm to carry on. The assets are

taken or the working capital is eliminated, so that the property (or part of it) has to be sold in order to pay the taxation imposed. In this case, the people are forced to leave that industry, and we should be trying to keep as many people as possible in small family businesses. Many propositions have been suggested in relation to a completely different form of taxation that would realize a similar amount for the State Treasury, and these should be considered, but if these various forms of taxation have the same effect as that created by land tax, the result may not be as effective as people think it should be.

Another problem of this type of taxation is that the unrealistic value that is placed on the estate generally has no relationship to the income that can be derived from the property. This situation is often caused by Rundle Street farmers moving into the industry and paying a high price for properties, because of the benefits to be gained from taxation concessions. Sometimes valuers seem to be unfamiliar with the present situation, and base their estimates on past sales that have little relationship to the real value of the property being valued. Many instances of this kind have occurred in my district. The Treasurer has indicated that he is concerned (as are other members) about problems facing the rural industry and the small business man. Perhaps he may regret having attended the farmers' march, because he made many promises that he has failed to keep.

He should take positive action to put into effect what he told the farmers on that occasion. Also, he should consider seriously the suggestions made by the Legislative Council Select Committee that inquired into succession duties and other forms of capital taxation. The recommendations of that committee sought to alleviate some of the problems facing people today. Many people cannot meet the demand in respect of this type of taxation, but those in a strong financial position are not affected as much as the person who is just holding his own. People engaged in the rural industry have to invest a large sum to receive a very poor return. In the wool and wheat-growing industries they are lucky to receive a return of 2 per cent on their capital investment.

Mr. Brown: They are lucky to have that to invest.

Mr. GUNN: That is the type of interjection one would expect from the honourable member.

Mr. Allen: According to him, you are not allowed to own anything.

Mr. GUNN: That is so. Many of these people have worked hard to obtain the assets they possess, and they are trying to pay for the property and obtain a reasonable living. If something happens to one of the partners, the estate may have to be sold or the owners may have to walk off. Many people who have invested \$70,000 or \$80,000 in a property are receiving only a meagre income. Perhaps the honourable member is suggesting that large companies should take over from the small farmer and the small business man.

Mr. Brown: You amaze me with that statement.

Mr. GUNN: I represent the small family farmers—

Mr. Brown: You could have fooled me.

Mr. GUNN: It would not be difficult to fool the honourable member, as we have seen many times in this House. I hope that this Government will ease the burden created by this type of taxation. I am disappointed that no Government member has spoken: perhaps Government members are not permitted to speak or they do not wish people to hear about their Socialist philosophy. It would be interesting to hear what the member for Peake has to say, after listening to what he said in the debate on the new company legislation, in which he put forward his extreme Socialist philosophy.

Mr. Payne: I think he has better qualifications in this area than you're ever likely to have.

Mr. GUNN: It is interesting to hear the honourable member talk about qualifications.

Mr. Payne: What are your qualifications? You claim to represent small farmers. Are you a small farmer or a large farmer?

Mr. GUNN: I am happy to tell the honourable member that I was a farmer before I entered this House, and I own a share in a family property. If the honourable member wants to know about this, I can tell him that if that share were taken out it would represent only a small farm. Like one or two of his colleagues, the honourable member always likes to be personal about these things. I make no apology for saying that I speak on behalf of the farmers of the State.

Mr. Payne: You didn't say that before; you said you were speaking on behalf of small farmers.

The SPEAKER: Order! Interjections are out of order.

Mr. GUNN: Thank you, Mr. Speaker. I was about to conclude my remarks by saying that I sincerely hope the Government will take a positive approach to this form of taxation. The Government must face up to the fact that, if it wants to see average-size and small-size family farms continue, it must do something about this iniquitous form of taxation—succession duties. In its Budget announcement, our generous and capable Commonwealth Government has admitted that this form of taxation is having a detrimental effect on the people of the country, and it is taking a positive approach to the matter. We are fortunate to have the Commonwealth Government we have at present. I support the motion.

Mr. McANANEY secured the adjournment of the debate.

**PLANNING AND DEVELOPMENT ACT
AMENDMENT BILL (COMMITTEE)**

Read a third time and passed.

**PLANNING AND DEVELOPMENT ACT
AMENDMENT BILL (BOARD)**

Read a third time and passed.

**BOOK PURCHASERS PROTECTION ACT
AMENDMENT BILL**

Read a third time and passed.

**CRIMINAL LAW CONSOLIDATION ACT
AMENDMENT BILL (GENERAL)**

Read a third time and passed.

**CRIMINAL LAW CONSOLIDATION ACT
AMENDMENT BILL (PAROLE)**

Adjourned debate on second reading.

(Continued from August 22. Page 936.)

Mr. MATHWIN (Glenelg): When I sought leave to continue my remarks, I was referring to an article in the *Times* about the case of Mr. Young in the United Kingdom. That article continues:

After Mr. Young's release on conditions, Dr. Udwin saw him three times in three months at Slough. He was the same doctor at the outpatient clinic to which Mr. Young had to report as one of his conditions: usually the doctor is a different one. Dr. Udwin also spoke to him twice by telephone while at Hemel Hempstead. He considered that was sufficient in view of the opinion he had formed of Mr. Young's improved condition. Mr. Young also deceived his probationer officers.

This is the type of thing that could happen under the Bill. Again I stress that it is most important that caution be exercised. If any leeway is given, it must be given to the advantage of ordinary citizens. The *Times* article concludes:

Dr. Henry R. Rollin, consultant psychiatrist at Horton Hospital, Epsom, Surrey, and a member of the Parole Board, said that there was little doctors could do to cure psychopaths, but they could help them to mature. He added: "As with children, if you protect them from themselves, there is a possibility that time will effect a radical change in their capacity to form or accept moral standards." It is this change that holds out hope for rehabilitation and release.

I agree with that to a certain extent. I believe that the Government could have considered this matter more deeply before introducing this Bill. As a result of the case of Mr. Young, the Minister in the United Kingdom has appointed a committee known as the Aarvold committee to look into the matter. I should have thought that this Government would wait to see the findings of that committee before introducing this Bill. In the United Kingdom, an immediate inquiry was demanded into the criminal law relating to mentally abnormal offenders, and the facilities for their treatment. I should think the Government could also pay attention to this matter. I doubt that this report has yet been released. I believe that it would have been in the public interest to wait for this report. I should like an assurance from the Attorney-General that, before any person is released, there will be no risk of danger to the public. The Government should bear strongly in mind the cases to which I have referred.

Australia has also had problems in this regard. In New South Wales, there was the case of Leonard Keith Lawson, who was sentenced to death in 1954 for raping two girls. Eventually he was imprisoned for 14 years. However, in June, 1961, he was released, after serving only seven years of his sentence. On November 6, 1961, he was found guilty of murdering a 16-year-old girl named Jane Mary Bower and gaoled for life (20 years). He was sent to Parramatta Gaol and, while he was in that gaol, a charity concert was given in 1972 by volunteer performers to entertain the prison inmates. At that concert Lawson (to whom I have already referred) attacked a young female entertainer (Cheryl Hamilton) with a knife and wounded her. This man had a record of rape, a subsequent release from prison and a later conviction for murder, yet he was able to obtain a knife and to get close to this young girl. This should never have happened. This man should not have been allowed to be in a position to attack anyone, let alone obtain a knife.

I have referred to three cases of persons who have been convicted, imprisoned, released

and have then repeated their crime, and these cases add weight to the plea I put to the Attorney that, if this Bill passes, some assurance must be given to the public, and certainly to me, that this type of thing will not recur. This may be difficult because, as I have already mentioned regarding the Young case, experts had said he was suitable to be reassimilated into the community. However, he was not, and it should never have been allowed to happen. Indeed, if there is any possibility that a person who is to be released from custody may be a danger to the public, that person should not be released. I seek an assurance that this matter, which is of paramount importance, will receive the Government's attention and that it will do everything in its power to ensure that what has happened in the United Kingdom and New South Wales does not happen here.

Dr. TONKIN (Bragg): I support the Bill. I think the member for Glenelg may be worried unnecessarily. Although he has every right to express the fears he has and to seek reassurance about them, I believe that he is worrying unnecessarily. The Attorney-General can give no unqualified assurance that no such cases as those to which the honourable member has referred will occur. It is not within the Attorney's province or ability to do this. The Bill refers specifically to section 77a and section 292: persons detained because of incapacity to control their sexual instincts or acquitted on the grounds of insanity and detained under section 292 are the people who are affected by this Bill and these proposals. In many cases it is the act which they have performed which has first brought them to treatment. They receive a detailed assessment and treatment during the detention period ordered for them.

With our modern advances in drugs and other forms of psychotherapy, these people frequently respond and can go on to live a normal life. Of course, it is impossible to tell whether or not these people will remain cured until they go back into the community and their reaction can be seen. However, I hasten to say, especially to those people who, like the member for Glenelg, may be concerned, that some people who are detained will never be released: there will never be any question of releasing them. That is a tragic matter, but it is something that we have to accept: it is impossible to help them or to treat them. In this way, they are in much the same position

as is any person suffering from an incurable disease such as cancer, the remedy for which, unfortunately, we do not have. These people will not be released. However, there are other people who will be perfectly normal following treatment and who, with correct supervision, will come back into the community and live normal lives. This Bill is a means of providing adequate supervision and the other conditions considered necessary by the Parole Board. I believe that the member for Glenelg cast doubts about the ability of members of the board, although I am sure he did not mean to do so. However, he cast doubts on the ability of the worthy people serving on that board, and I emphasize that they are most responsible people, and most cautious people in this regard.

Mr. Mathwin: They can make a mistake, of course.

Dr. TONKIN: The cases to which the member for Glenelg referred were rather bizarre. They were unusual enough to attract a tremendous amount of attention. They were cases about people who committed crimes, received sentences, were released and again committed the same crime or a similar crime, but they would do that whether they were released early on parole or whether they served their full sentence. This is a fault in the original assessment of the situation, so I do not believe that the argument used by the member for Glenelg is really applicable to this Bill. I repeat that I believe we can depend on the members of the Parole Board to remit the sentences of those prisoners who have responded to treatment. It is only right that they should be released into the community to see whether their cure is complete. If that step is to be taken, I agree that we must ensure that they come to no harm and do not commit any further offence during this period of assessment in the community. For that reason, I must support the Bill, because it will provide that necessary assessment and constant supervision to prevent the things happening that the member for Glenelg fears.

Mr. EVANS (Fisher): I can see the merit and the objectives of the Bill. My doubts are similar to those expressed by the member for Glenelg, because I can visualize a person out on parole and being under reasonable supervision but moving back into the same street in which he lived previously (or the same community or even another community) and people in that street living near that person but who are themselves rather neurotic and over-motherly with their families, perhaps

having a teenage daughter or son, who might be concerned at having such a person virtually at large in the community before completing his sentence. All members would know of cases where representation has been made to them by parents concerned about the safety of their own children and about persons who have committed criminal offences and who are to be released early and allowed to move into the community. I cannot see any way in which this problem can be completely solved. However, the member for Bragg makes the point that these people will virtually be released anyway at the completion of their sentence. However, the longer they are detained the greater the chance that the medical profession or the psychiatric profession, in their special fields of medical care, will be able to find a more satisfactory solution to the problem that these people have. At least the community does not have to live in that anxiety at such an early stage: it comes later in life. A family may fear that its young children will be harmed. It is a fear, and not all people in the community can accept this sort of action as responsible, because of their mental approach to their own family.

In supporting the Bill in the main, I raise the point that we could face the problem of sections of the community complaining when people are released on parole and we have not maintained sufficient supervision to prevent harm occurring to a child, a teenager or even an adult. I had to express that view on such a vital issue, thinking that we may have to answer for our actions in the long-term future or the short-term future. I support the second reading.

The Hon. L. J. KING (Attorney-General): Only one or two points have been left to me following the excellent speech by the member for Bragg. I think he has dealt with the points raised as well as they can be dealt with. I remind honourable members, particularly the member for Kavel and the member for Glenelg, that in this Bill we are dealing really with two classes of person and neither of them, at the time we are dealing with them, is in custody for any crime committed.

Persons referred to in clause 4, which inserts new section 293a, have been found not guilty of a crime, on the ground of insanity. That means that a jury has concluded that the person did not know what he was doing or, if he knew what he was doing, he did not know it was wrong and that, by reason of a disease of the mind that he was suffering, he was not responsible for

his action. So, he is not kept in custody for any wrongdoing: he is committed to custody during the Governor's pleasure, for the protection of the community.

It is a grave responsibility to keep any person in custody not as a punishment for any wrongdoing on his part but simply because the community needs the protection of having him kept in custody. The authorities who are responsible for this face an extremely difficult situation, because, if it transpires subsequently that in their opinion the man is sane, they then must decide what to do. This is a common situation, because often the verdict of not guilty on the ground of insanity is based on a temporary disorder of the mind. The common expression is temporary insanity. At the time of the commission of the crime, the person is insane within the strict legal rules. These rules are very strict: the member for Bragg probably would say they are out of line with modern medical and psychiatric knowledge, and I think he would be right in saying that but, if they are, they err on the side of strictness.

It often happens that the man found not guilty on the ground of insanity is so found not because of a permanent disease of the mind but because of a condition of temporary insanity. Consequently, the authorities are confronted with a man at a later date who, so far as anyone can tell, is quite sane and whom a jury has found to have been not criminally responsible for the act that he committed. What does one do? Under the existing situation, all one can do is discharge him unconditionally. No other course can be followed. The suggestion in this Bill is that there should be power to discharge him on licence, subject to such conditions as the Parole Board may think fit.

Mr. Mathwin: The same conditions as Young had?

The Hon. L. J. KING: I do not know anything about Mr. Young, the competence or wisdom of the people who made the decision, or the wisdom of the decision they made. However, I do know that many people are wise by hindsight. Whether the people who criticize after the event would have made a wiser decision if they had had the responsibility at the time often has been open to question. I say nothing of the decisions made here or elsewhere.

I realize that those who must make these decisions often face extremely difficult situations, and no human beings can ever be certain that the decision that they are making

is the correct one. That does not mean that they can shrink from making the decision that their responsibility calls on them to make. The point about this is that the provisions of this Bill enable the authorities who are releasing the person in custody (he is not a prisoner) to release him conditionally, on licence and subject to such conditions as they think may best ensure that there will be no further trouble from him.

Surely it is far better that that power should be there than that they should be faced with a choice of either detention in custody or unconditional release, because once the authorities are satisfied that a person is sane they really have no justification for keeping him in custody. The fact that at some time in the past he had a period of insanity in which he committed an act that would have been a crime had he been sane cannot be a justification for keeping him in custody for the rest of his life if he is subsequently found to be sane.

The second type of person to whom the Bill refers is a class of person who has committed a sexual offence and been punished for the offence committed but, in addition to the punishment, has been ordered to be detained during the Governor's pleasure because he has been found to be incapable of exercising control over his sexual instincts. I ask members to recall that such a person has suffered punishment for the crime he has committed and is now being kept in custody indeterminately, not because of what he has done (because he has been punished for that) but because he is incapable of controlling his sexual instincts.

Mr. Mathwin: What about the person I spoke of who was sentenced to 14 years and released after seven years? He did not serve 14 years.

The Hon. L. J. KING: If the member for Glenelg could get his mind off individual instances where people who made the decision might have been right or wrong and if he could try to apply his mind to what the Bill was all about, he would do better. No matter what system exists, someone at some time will have to decide whether or not to release a person. Because a person who makes the decision is a human being, he will not be able to foresee with certainty what will be the consequences of his decision.

The Hon. D. N. Brookman: His point is that it is more dangerous to do it your way than the way he suggested.

The Hon. L. J. KING: I thank the member for Alexandra for interpreting the attitude of the member for Glenelg. I assume that that correctly states the honourable member's attitude but, if it does, he has not told us the basis for it. We either keep a man indefinitely or release him unconditionally; that is the choice at present. If the person concerned is found sane, or if the experts are of the opinion that he is now capable of exercising control over his sexual instincts, under the present system there is no alternative but to release him indefinitely. How can that create greater danger than to release the person on licence, subject to conditions? The member for Glenelg made no attempt to explain how that could be so and, of course, it cannot be so.

The purpose of this Bill is to put an additional precautionary power into the hands of the Parole Board so that it does not have to say, "This man must be released," but it is able to say, "We will release this man on licence, subject to certain conditions, which gives some measure of control until we are satisfied he has been able to perform in the community without danger to others and, therefore, can be given an unconditional release." This can only be an advantage. The member for Kavel asked me to give an assurance that this was not part of some experiment that would result in the wholesale release of people who would not otherwise be released. I am able to give that assurance, because no such thing is contemplated. If people are considered to be insane or incapable of controlling their sexual instincts, they are retained in custody but, at the point at which the authorities are contemplating release, it becomes important to have the licence provisions operating.

The member for Glenelg asked me to give an assurance that no-one would be released unless I (I think) or the Government, or someone else, could be certain that there would never be any trouble from that person. The member for Bragg sensibly pointed out that no-one could give any such assurance. However, quite apart from that, the Government acts on the advice of the Parole Board, and the Act provides for this. I have every confidence in the members of the Parole Board: I would not hesitate to accept their advice that a certain person should be released or could be released, either unconditionally or on licence. They are people who have the qualifications and the sense of responsibility to look at each case and to

make the appropriate recommendation, and I cannot give any assurance except that the Government will give full weight to the recommendations of the highly-qualified Parole Board when individual decisions are being made.

What I stress above all in relation to this Bill once again, and in conclusion, is that this measure does not mean that anyone who ought to be kept in custody is to be released. What it does is take an additional precaution to enable the Parole Board to recommend release, not unconditionally but on licence, and subject to conditions that afford a greater degree of protection to the community than would be afforded by an unconditional release.

Bill read a second time and taken through Committee without amendment.

STATUTES AMENDMENT (VALUATION OF LAND) BILL

Adjourned debate on second reading.

(Continued from August 17. Page 881.)

Dr. EASTICK (Leader of the Opposition): Although this Bill contains 134 clauses, it does not involve much debate, as many of its provisions are consequential on an alteration of the definition of "land and premises" to one simply of "land". After discussing the matter with officers of the appropriate department, I am satisfied that the retrospectivity to June 1, 1972, which is provided under clause 2, involves a legal requirement. I am told that this provision will not act to anyone's disadvantage, contrary to what I feared might happen at the outset. However, I should like an assurance from the Premier on this point. Clause 11 inserts the following new subsection:

(1a) A determination of unimproved value shall be deemed to be in force at the time referred to in subsection (1) of this section if it is in force as at that time under the Valuation of Land Act, 1971-1972, whether the determination is actually made before or after that time.

It is this determination of value after that time that concerns me. I have been assured by officers involved that it is not always possible to complete the valuation, whether in relation to waterworks, land tax or any other matter, by the date by which the valuation is to be effective. If July 1 in any year is the formal date of the assessment, it is possible that it could be August or early September before the valuation is completed. Although it is possible that some rates that will apply to the assessment are determined after the date of commencement, it is also possible

for change in the valuation to be made up to the period when the actual rate is determined, and thus be made retrospective to the given date.

One finds in all the Acts that we are considering within this Bill, and in part of the second reading explanation, that the actual determination will be that which would have applied at the date of the assessment, as opposed to the date of the actual determination. For example, if the date of commencement was July 1, the assessments made it August 31 to all intents and purposes would have applied as though they had been determined on July 1, even though they had been determined at a later date. This aspect is referred to several times in the Bill. Clause 15 inserts the following new section:

68. (1) The right of the Commissioner to recover tax under this Act shall not be suspended or delayed by an objection to, or appeal against, a valuation under the Valuation of Land Act, 1971-1972, and the Commissioner may recover tax on the assumption that the valuation is correct, but if any alteration to a valuation affecting the amount of land tax payable in respect of any land is made under that Act (whether in consequence of an objection or appeal, or otherwise) the Commissioner shall refund to the taxpayer any excess tax recovered, or may recover any additional tax, recoverable on the basis of the altered valuation, as arrears.

The words "as arrears" caused me to consider this matter. When we were discussing the new valuation of land legislation earlier this year I, together with other members, lauded the inclusion of this overall provision, which allowed the Land Tax Department, councils, or the Engineering and Water Supply Department to obtain their funds in the knowledge that any adjustment up or down could be made later. However, the words, "as arrears" can indicate in some instances, and under the provisions of some Acts, the addition of a 5 per cent surcharge, or perhaps the attachment of an interest rate. Again, I have been assured by the officers of the department that such charges would not apply to any adjustment shown. In this instance, "as arrears" would be given by notice, and there would be a chance within a reasonable time to pay the additional sum or make the adjustment, so that the person would not be at a disadvantage as a result of this provision.

Clause 12 inserts the following new section:

56a. The Commissioner shall, upon receipt of a request in writing made by a taxpayer, render to him a full and detailed statement of liability to pay the amount of tax shown in a particular notice served upon him.

I have considered closely the words "a full and detailed statement of his liability to pay".

I wonder whether this would be in the literal sense or to what extent the information would be made available. The new section provides for the Commissioner to give the person a full account of what the person has to pay. I wish to be sure that the "full and detailed statement" will show the manner of the determination of the assessment, because I have no doubt that this is what the Bill intends. "A full and detailed statement of his liability to pay" in the general sense is an attachment of an account that points out certain assessment numbers, or certain parcels of land for a certain fee, and the total of the fees due and payable is the sum total of those. However, the second reading explanation states:

Clause 12 enacts a new section 56a in the principal Act; this new section provides that the Commissioner is obliged, on receipt of a request from a taxpayer, to render an account showing how his liability or land tax has been assessed.

I point out that the wording of the second reading explanation seems to vary from the words used in the Bill, and I should like the Treasurer to say whether there will be a need of any additions to clause 12 that will clearly determine that a statement detailing the type of property and the reason for the valuation will be forwarded to the person concerned. I understand from the assurances I have received from the departmental officers involved that it is intended that a detailed statement be forwarded.

The second reading explanation details at some length a comment made in the report of the Local Government Act Revision Committee, in which it is specified that there is a need to alter the basis of assessed annual values to make these values more meaningful, and that the opportunity exists when making a valuation to assess only those parts of the property that may be of a fixed nature. In the second reading explanation, the following meaningful example is given:

Thus, for example, in the case of a house, the kitchen sink and the stove would normally be included in the house as offered for sale, whereas an electric frypan would not.

An alteration has been necessary in this regard for a long time, and it is now provided in the Bill. In my district, a valuation placed on a hotel was exorbitant, having regard to the structure of the building. The valuation was unreasonably high because, as the hotel had been owned by one family for a long time, it included many family heirlooms and antiques that were not fixed fittings. These valuable possessions had the effect of increasing

the value of the hotel, with the result that the licensing fees and the annual local government valuation were unrealistic. However, on appeal, the court found that there was no justification for a reduction in valuation having regard to present provisions. The provision included in this Bill will solve that problem. I support the Bill but, as several Acts are involved, I will ask questions in Committee.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I give the Leader the assurance that the assurances he has from officers of the Valuation Department are properly based and that he can have the same assurances from me.

Bill read a second time.

In Committee.

Clauses 1 to 10 passed.

Clause 11—"Basis of tax calculation."

Dr. EASTICK (Leader of the Opposition): I refer again to the words "or after that time" at the end of new subsection (1a). The Premier has said that this is intended to apply for only a limited time into the new assessment year. Can he say what the limit of time will be? I do not suggest that this need be written into this or other clauses. However, an indication of the time would help clear up the matter.

The Hon. D. A. DUNSTAN (Premier and Treasurer): There has been no discussion as to a specific time. It was taken that this would be a matter of discretion, but at the same time it should be made clear that it was not something that could be carried on for a long period. This was only a matter of adjustment.

Clause passed.

Clause 12—"Request for detailed statement of tax claim."

Dr. EASTICK: What detail does the Government intend shall be provided? Obviously, any statement presented under this provision has the potential to be the basis of a court action that may follow. I can see that this could be interpreted to mean merely monetary detail, whereas obviously what is intended is detail relating to the nature of the land and fixtures and the valuation placed on them.

The Hon. D. A. DUNSTAN: What is intended here is that there shall be the kind of statement of the basis of the assessment that one would normally expect from a valuer, if one were engaging a valuer. That does not mean to say that the whole basis of his calculation appears, because that would be impossible in the circumstances, and it is not normally given in a valuation anyway.

Dr. Eastick: It's more than the minimum?

The Hon. D. A. DUNSTAN: It is more than simply saying, "We value your property at so much." The aim is to give the necessary basis of information as to how the assessment is arrived at.

Clause passed.

Clauses 13 to 23 passed.

Clause 24—"Land value to be entered in assessment book."

Dr. EASTICK: Should not the date of the Valuation of Land Act be stated as 1971-1972 rather than 1971?

The CHAIRMAN.: That is a typographical error and I will correct it.

Clause passed.

Clauses 25 to 30 passed.

Clause 31—"Interpretation."

Mr. COUMBE: This clause defines "adjacent land". Does this affect land through which trunk mains pass and in respect of which rating will be imposed within one mile on either side? This subject has been the matter of litigation and controversy for some time. Is any alteration being made in respect of this matter?

The Hon. D. A. DUNSTAN: I believe there is no alteration, but I will have the situation checked.

Clause passed.

Clauses 32 to 87 passed.

Clause 88—"Exemption from sewerage rates."

Dr. EASTICK: Can the Premier give any information about the charitable purposes, which are mentioned for the first time here?

Mr. COUMBE: I think the Leader and the Committee are concerned to ensure that the new clause will cause no detriment to the beneficial provisions inserted some time ago.

The Hon. D. A. DUNSTAN: This is only to strike out the words "or premises", which we have been striking out in other parts of the Bill. The major purpose of most of the amendments is to take out those words, because the definition of "land" in the Acts Interpretation Act includes them, anyway.

Clause passed.

Remaining clauses (89 to 134) and title passed.

Bill reported without amendment.

ADJOURNMENT

At 5.50 p.m. the House adjourned until Thursday, August 24, at 2 p.m.