## HOUSE OF ASSEMBLY

Wednesday 5 March 1980

**The DEPUTY SPEAKER (Mr. G. M. Gunn)** took the Chair at 2 p.m. and read prayers.

### PETITION: PORNOGRAPHY

A petition signed by 347 residents of South Australia praying that the House would legislate to tighten restrictions on pornography and establish clear classification standards under the Classification of Publications Act was presented by the Hon. Jennifer Adamson.

Petition received.

### PETITION: CONSTRUCTION SITES

A petition signed by 1 088 residents of South Australia praying that the House would do all in its power to ensure that members of the public were protected from dangers associated with construction sites was presented by the Hon. J. D. Wright.

Petition received.

### PETITIONS: SATURDAY TRADING

Petitions signed by 230 residents of South Australia and 31 persons involved in the retail butchering business both praying that the House would oppose the Bill to extend trading hours for retail food stores until 6 p.m. on Saturdays were presented by Messrs. Langley and Lewis.

Petitions received.

### MINISTERIAL STATEMENT: NATIONAL PARKS

**The Hon. D. C. WOTTON (Minister of Environment):** I seek leave to make a statement.

Leave granted.

**The Hon. D. C. WOTTON:** In the media recently an article written by Mr. William Reschke made several serious allegations against the National Parks and Wildlife Service and the Department for the Environment. I must say that I am very disappointed at the standard of journalism exhibited by Mr. Reschke.

*Mr. Millhouse interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. D. C. WOTTON:** At no stage did Mr. Reschke approach me, the Department for the Environment, or the National Parks and Wildlife Service seeking information before he wrote the article. As a result, he wrote an article which was biased and incorrect in many ways. Even more worrying is the fact that his article has resulted in a significant degree of animosity towards the National Parks and Wildlife Service in the Deep Creek area. In my view this animosity is undeserved. I would like to take this opportunity to set the record straight on a few issues.

There were many inaccuracies in the article. Amongst these were, first, that no fire tracks have been cut around or inside the area. The facts are that 22 km of new fire access track were established within the park area and proposed park area, in consultation with the District Council of Yankalilla in recent years. This length of access track is in addition to those already in existence.

The second point made by Mr. Reschke was that there are fundamental disagreements between the National Parks and Wildlife Service and the Country Fire Services. This is emphatically untrue. There are no disagreements between these two services. The third point was that the bulldozers had no lights and, therefore, had to cease work at dusk, and that this took place at the recent fire at the Deep Creek Conservation Park.

There were two bulldozers working under the direction of the Country Fire Services and the National Parks and Wildlife Service by 7.00 p.m. on the day of the fire. Both worked until dark, and the bulldozer with lights continued to work until about 11.00 p.m. The work of this bulldozer was stopped at the time by the terrain, and not by factors relating to the fire.

I would like to go a bit further now and give a more specific answer to matters raised in the article. At about 11.20 a.m. the C.F.S. notified the National Parks and Wildlife Service control room of a fire on Glenburn, a property which has been acquired by the National Parks and Wildlife Service. This grazing property forms part of the park but has been leased back to the former owner. The National Parks and Wildlife Service control room notified the ranger-in-charge of the area, who was immediately sent to the park. At 11.45 a.m. additional fire units were despatched from Belair. A telephone check with the local residents substantiated the fact that the fire was indeed on land within the park.

After units were despatched from Adelaide office, an experienced fire control officer from head office was sent to take control of the fire. At about 2.00 p.m., the fire control officer from the National Parks and Wildlife Service made contact with the C.F.S. supervisor on site. Shortly after this time a request was made for the use of a bulldozer, within the park, to cut extra fire breaks. There was immediate agreement between the two fire control officers that this work would be necessary. The C.F.S. supervisor went ahead and asked that bulldozers owned by a local contractor come into action. A further two bulldozers, which had been ordered during the previous night, commenced work establishing fire breaks on the eastern side of the fire at first light next morning. At 3.00 a.m. on the Wednesday fire control officers from the National Parks and Wildlife Service met with the officer in charge of C.F.S. operations at that time at the Deep Creek office. That meeting planned the following day's activities, and total agreement was reached.

I am informed that at all times during the course of the fire there was no disagreement between the C.F.S. supervisor and officers of the National Parks and Wildlife Service at the fire. Indeed, Sir, I was personally in that area with my colleague, the Minister of Agriculture, and we saw at first hand the co-operation between the C.F.S. and the National Parks and Wildlife Service.

At the same time officers of the National Parks and Wildlife Service met with senior C.F.S. personnel at C.F.S. headquarters at Keswick. The main content of this meeting was discussion and agreement on strategies to be adopted for fire control measures for that day. The senior officer at that meeting subsequently went to the fire by helicopter at 6.30 a.m.

The strategies worked out at the meetings at Deep Creek and Keswick, which included total agreement on the use of heavy equipment and National Parks and Wildlife Service units, proved totally successful in containing the fire within the bounds of the agreed perimeter.

National Parks and Wildlife Service patrols were maintained constantly in the area until Sunday evening, and a further check was done of the area on the following

two days. At all times these officers kept in touch with local C.F.S. personnel. I would hope that next time Mr. Reschke writes articles of this sort, he would at least have the journalistic professionalism to check both sides before writing such a biased report.

## QUESTION TIME

### ELECTORAL COMMISSIONER'S REPORT

**Mr. BANNON:** Will the Premier say what was the length of the Electoral Commissioner's report into the alleged irregularities in voting in the recent Norwood election? Will the Premier explain to this House why the Government will not table that report in its full unedited form?

Last week, the Premier promised to provide full details of the Electoral Commissioner's report, saying that it would be released. Yesterday, he made a 12-page statement, apparently based on the report by the State Electoral Commissioner, Mr. Guscott. The Attorney-General said today that it was quite appropriate for him to release only some details of that report, because the Commissioner was responsible to him as head of department, yet the Electoral Act makes clear that the Commissioner is a statutorily appointed officer responsible for the conduct of electoral matters to the Act and the Parliament.

**The Hon. D. O. TONKIN:** The Leader of the Opposition has answered his own question. The Electoral Commissioner is, indeed, a statutory officer responsible for the conduct of the Electoral Department. He has made a report to the Attorney-General, the Minister to whom he is responsible; the Attorney-General has reported to Parliament, and I have reported the Attorney-General's report to Parliament. Full details of the Electoral Commissioner's report were in the report which was given to Parliament. I suggest that, if the Leader wants to verify anything that is said, he had better contact the Electoral Commissioner.

### PRISONS ACT

**Mr. SCHMIDT:** In directing a question to the Chief Secretary, I refer to an article in last Tuesday's *Advertiser* in which the Premier is reported to have made a statement to the effect that the Government will be rewriting the Prisons Act. Can the Chief Secretary say whether that report is correct and, if it is, when the new legislation will be introduced?

**The Hon. W. A. RODDA:** Yes, the Premier was reported correctly, as that is the position. A working party that I set up in November last year has been examining the existing Prisons Act in the light of the recommendations of the first report of the Criminal Law and Penal Methods Reform Committee. I am expecting that working party to report back to me within the next few months.

One is amazed by the fact that, although it is some seven years since that report was made, it contains some very progressive concepts in relation to the treatment of offenders. My latest advice from the working party suggests that the implementation of the recommendations would also require amendments to the sentencing Acts, particularly the Offenders Probation Act. When the working party has completed its research, I shall be in a position to make a further report to the House.

### LAND DEALS

**The Hon. J. D. WRIGHT:** Does the Premier agree that it is not in the best interests of his Government or the people of South Australia that a Minister in his Cabinet, who has Ministerial responsibility for local government, should be found to be involved in a private capacity with controversial land deals involving council consent?

**The Hon. D. O. TONKIN:** I am extremely pleased that the Deputy Leader has brought this matter forward to the House.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. D. O. TONKIN:** Indeed, I would say that the scurrilous attacks which have been made in another place on the Minister of Housing—

**The Hon. J. D. Wright:** I haven't made an attack.

**The Hon. D. O. TONKIN:** I am saying that the scurrilous attacks which have been made in another place on the Minster of Housing are quite disgraceful and, if the Deputy Leader thinks he can bring gutter politics into this House, that is his decision to make, but I would strongly advise him against it.

**The Hon. E. R. Goldsworthy:** You're in the sewer, not the gutter.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. D. O. TONKIN:** I find it quite interesting and, indeed, fascinating that the Deputy Leader should introduce this subject into the House. I have heard from the Minister of Housing about the matter which the Deputy Leader has raised in relation to a shopping development at Tusmore. Further, I find it interesting that one of the people who is actively stirring the situation is a member of the Leader of the Opposition's staff. I would go further and say that I have heard from the residents, with whom I had detailed discussions only recently, that they are entirely happy with the situation pertaining as far as the Minister of Housing and Local Government is concerned.

They have written (and I have seen a copy of that letter) to say that they are entirely happy with the discussions they have had. They have totally refuted the allegations that have been made by a member of the Labor Party in another place. I suggest that the Deputy Leader have a look at what has been written, and get out of the gutter.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

### ESTIMATES COMMITTEES

**Mr. BECKER:** Can the Premier say what action the Government has taken or is proposing to take regarding the establishment of Estimates Committees in this House?

**The Hon. D. O. TONKIN:** A working party in the Premier's Department is co-operating with members of Treasury, the Public Service Board, and all other interested departments and is looking at the entire situation of programme and performance budgeting, cost benefit analyses, the review of statutory authorities, and many other aspects of the financial presentation of the Budget to this House and of the financial management of the State. Discussions are to be held with officers of this Chamber on the matter of the programme and performance of budgeting and on the Estimates and the Budget itself. Steady progress is being made, and it is hoped at this stage that it will be possible to introduce that technique of examining the Budget at least in some form, if not in the completed form, by the time the Budget is

introduced in the House in the next session of Parliament later this year.

## TRANSPORT AUTHORITY FILES

**Mr. TRAINER:** Will the Chief Secretary say whether the police investigation into the alleged theft of files from the State Transport Authority has been completed and, if it has been, will he tell the House what is the result of that investigation? If the investigation is still proceeding, will the Minister release details of the police findings when their inquiries have been completed? On Thursday 7 February, the Premier told reporters that the police had, the week before, investigated the theft of State Transport Authority files relating to proposed public transport fare rises. The Premier said that the police had found evidence of theft. However, he said that he had ordered the police to resume their investigations, in the light of the Opposition's claims of increased bus fares. He told reporters that the Opposition's information regarding bus fares appeared to be based on a document allegedly stolen from the office of the General Manager of the authority on the previous Friday and returned on the Monday. Incidentally, no mention of a Royal Commission into the incident was made on that occasion.

**The DEPUTY SPEAKER:** Order! The honourable member must ask his question.

**Mr. TRAINER:** The Leader of the Opposition totally denied that his information had come from any stolen document. He made this quite clear. He immediately contacted the Police Commissioner and the Premier, offering the full co-operation of the Opposition in any inquiry. Since that offer was made, the police have not contacted the Leader, his staff, or any member of the Opposition.

**The Hon. W. A. RODDA:** The honourable member has made some comments on this matter. I will obtain a report for him.

## BLOOD TESTING

**Mr. RUSSACK:** Will the Minister of Health say what are the necessary conditions for a hospital to be accredited for the purpose of blood testing accident victims to establish any alcohol level in the bloodstream? Over the years, applications from a number of hospitals throughout the State have been disallowed. I have been approached on behalf of a hospital in my district for which such an application has been denied. Its board members are concerned, as they consider that the ability to carry out such a test would be of considerable assistance in the interests of road safety.

**The Hon. JENNIFER ADAMSON:** The Minister of Transport must be satisfied that the hospital is capable of carrying out the requirements under the Road Traffic Act. Those requirements include the fact that a medical practitioner should be available at all times to carry out the tests.

I understand from my colleague, the Minister of Transport, that he is currently examining the need to expand the number of hospitals that are listed under Schedule II of the Act. I have no doubt that when that is done he will take into account the matters raised.

## O'BAHN SYSTEM

**Mr. ABBOTT:** Will the Minister of Transport release the technical report on the O'Bahn transport system? When will the detailed review of that report, to which he referred in answer to Question on Notice No. 605, be completed? Why is such a review necessary, and will the results of the review be made public?

**The Hon. M. M. WILSON:** Yes, eventually the technological report on the O'Bahn system will be released. First, the report needs to go to Cabinet. As yet, it has not been taken to Cabinet, because the review that the honourable member has referred to is, in fact, a review comparing the various systems contained in the NEAPTR report with the new guided bus technology. That review is not yet complete; when it is, it will go to Cabinet, with the technological report on the O'Bahn system. When Cabinet has made its decision, the report will be made available to members.

## PLANNING LEGISLATION

**Mr. RANDALL:** Will the Minister of Planning inform the House of the Local Government Association's attitude to new planning legislation which passed through the House early this morning? I believe this question is an important one, in view of the comments made in the House last evening by the members for Mitchell and Napier.

**The DEPUTY SPEAKER:** Order! The honourable member is beginning to comment.

**Mr. RANDALL:** The statements to the House last night—

**The Hon. PETER DUNCAN:** I rise on a point of order, Mr. Deputy Speaker. This question seems to be related to legislation now before the Parliament.

**The DEPUTY SPEAKER:** I cannot uphold the point of order, because that particular matter is no longer on the Notice Paper, but the honourable member cannot, in asking his question, refer to a debate.

**Mr. RANDALL:** Thank you, Mr. Deputy Speaker. I have heard comments that the Local Government Association did not, and does not, support new planning legislation regarding shopping centres introduced by the Minister of Planning. It concerns me that such comments should come from the Opposition, and I therefore ask for clarification of the position.

**The Hon. D. C. WOTTON:** I thank the honourable member for his question, because it is important that we clarify this point, in view of many of the statements made in previous days in the media relating to the Local Government Association and its support or otherwise for the legislation referred to in the question. I received a letter from the Secretary-General of the Local Government Association—

**The Hon. R. G. Payne:** When did you get it?

**The Hon. D. C. WOTTON:** I received the letter this morning.

**The Hon. R. G. Payne:** Tell us the date on the letter.

**The Hon. D. C. WOTTON:** It is dated 5 March.

**The DEPUTY SPEAKER:** Order! The Minister must not invite interjections.

**The Hon. D. C. WOTTON:** I quote from the letter, which states as follows:

> For the first time since my return to Adelaide I have viewed the Bill for an Act to amend the Planning and Development Act 1966-1978, which you presented to Parliament. The briefing I have received on the debate which has taken place and consultation with the Local Government Association executive since 28 February 1980 lead me to the belief that local government would support the interim measures to control retail development which you have introduced.

> The advice which this association has given to your Government through the Retail Consultative Committee has been based on the belief that individual councils would not be in a position to make judgments about the economic viability of competing retail development interests.
>
> The use of regulation 36c as proposed would give councils an opportunity to refine their planning measures in line with the proposals in the Retail Centres Discussion Paper which you have released. I would also hope that further work could be done to develop positive means by which councils, in partnership with the State Government, could promote sound retail developments and the rehabilitation of existing community centres based on retail trading areas.

The letter is signed by Mr. J. M. Hullick, Secretary-General of the Local Government Association. I hope that, after the statements that have been made through the media and in this House, this letter will at last clarify the situation regarding local government support for the Bill that passed in this House last night.

**The Hon. R. G. Payne:** Written today! You didn't have it last night, and that's what you said you had.

**The DEPUTY SPEAKER:** Order! The member for Mitchell will cease interjecting.

## NORWOOD BY-ELECTION

**Mr. MILLHOUSE:** My question, directed to the Premier, is supplementary to the question asked by the Leader of the Opposition. Does the Premier's answer to the Leader regarding the report of the Electoral Commissioner into complaints made about the Norwood by-election mean that the Government has no objection to the Electoral Commissioner's releasing the report to either members or the public?

I heard the Premier say this afternoon, in answer to a question put by the Leader of the Opposition, that the Leader was welcome to speak to the Electoral Commissioner about his report. There was a report to the same effect in this morning's paper: I think I read it there, too. My suspicion is that there is something either in the report which the Liberal Party does not want released, or there is very little in the report and certainly nothing to substantiate the complaints made by the Liberal Party about the election, and, in fact, the complaints were really an exercise in bad sportsmanship because the Liberal Party lost the by-election, and lost it badly. In accordance with what I thought we all agreed on, the principle of open government, one would have thought that the Government—

**The DEPUTY SPEAKER:** Order! The honourable member is now commenting.

**Mr. MILLHOUSE:** I will not do that. One would have thought the Government would be only too pleased to have the report released. I want to know, from the Premier, whether the Government has any objection to the Electoral Commissioner's releasing that report, in view of the fact that the Government, for reasons best known to itself, will not release it.

**The Hon. D. O. TONKIN:** Leaving aside the large number of comments that were made by the member for Mitcham, my answer still stands, and it is exactly the same as that which I gave to the Leader of the Opposition.

**Mr. Millhouse:** Come on, give us a direct answer: do you mind, or not?

**The DEPUTY SPEAKER:** Order!

**Mr. Millhouse:** Have you any objection to his releasing the report or not?

**The DEPUTY SPEAKER:** Order! The member for Mitcham has asked a question; I hope he will now allow the Premier to answer it.

**Mr. Millhouse:** I hope he will answer it.

**The Hon. D. O. TONKIN:** I am allowed to comment to some extent in answering, and I would say that the bitterness of the member for Mitcham should not be allowed to come to the surface quite so easily. He would be a much more pleasant person in the House if he were to adopt some of the precepts by which he undertakes to live. The position is exactly as I put it to the Leader of the Opposition in answer to his question: any check that any one would care to make as to the veracity of statements in the report of the Attorney-General to this House, which I read in this Chamber yesterday, can be made to the Commissioner direct. The Government has no objection to that.

## SAMCOR

**Mr. BLACKER:** My question, to the Minister of Agriculture, is supplementary to the question that I asked yesterday. Will the Minister give detailed information to this House relating to the inquiry being made into the future of Samcor, Port Lincoln? Yesterday, I asked a question of the Minister of Agriculture, seeking an assurance that the Samcor works at Port Lincoln would not be closed. The Minister, in his reply, indicated that the future of the works depended on proposed legislation to be introduced at a later date. As this reply does not fully allay the fears of employees and producers, I will be grateful if the Minister will supply further information to the House.

**The Hon. W. E. CHAPMAN:** I am aware, of course, of the question asked yesterday by the honourable member. Members will recall my reply to him, or at least that part of my reply which committed the Government to supporting Samcor operations at Gepps Cross and at Port Lincoln for the time being. In my reply I went on to explain what was meant precisely by "for the time being".

Since then I, too, have done some further homework and have found that the previous Government determined on 28 May 1979 (I quote from its determination) that:

> The Samcor Port Lincoln works remain operational and losses continue to be subsidised by the Government for the time being provided that:
>
> (i) the position be reviewed in 12 months to determine whether partial closure could be effected by discontinuing slaughtering operations and continuing a service to dependent industries.
>
> (ii) Samcor take all necessary steps to minimise losses without incurring capital expenditure except with the approval of the Minister.
>
> (iii) no retrenchments of sizeable numbers to take place.
>
> (iv) any employee reductions caused by natural wastage be not replaced.

That instruction by the previous Government has been not only recognised but, indeed, observed. This Government, the present Liberal Government, has made no attempt to alter the arrangement since it took office in September 1979. Samcor has taken all possible steps to minimise its losses but, even so, expected losses for 1979-80 are about $1 000 000.

As I indicated to the member for Flinders yesterday, the implementation of the new meat hygiene legislation, including the removal of quotas on meat coming into the Adelaide metropolitan area, can be expected to have a significant effect on the meat industry in South Australia, whether slaughter works are publicly-owned works or privately operated. It is expected that the effects of the legislation could take up to two years to assess after its implementation.

This Government has a policy which respects the interests of both producers and consumers in this meat industry processing area. It needs to ensure that producers have access to adequate slaughtering capacity within the State of South Australia, but whether this is provided by publicly-owned service works or by private enterprise could depend on any shake-down in the meat industry over the next few years to which I have referred.

The Government is also conscious of the social and economic effects of any closure or scaling-down of operations at the works at Port Lincoln and, in that respect, I fully appreciate the concern of the member for Flinders and in particular, of course, of the employees in that part of the State who are dependent upon employment in that place.

When the Government has eventually to make firm decisions on what will occur in these areas, of course we will take into account the social welfare and the impact on such communities. Meanwhile, the member for Flinders, and any other member who is concerned about this issue, can be assured that no closure or scaling-down by the Government is contemplated at this stage, nor is it imminent.

Samcor itself is aware of its combined role: its duty to its employees and its responsibility to the Government of this State. The Government, too, is conscious of Samcor's need to function as an aggressive commercial operation. This meat processing business is a cold, hard, competitive practice and it will become even more competitive, in my view, after the implementation of our proposed legislation, which will unfold soon, as I said yesterday.

I am aware of Samcor's understanding and acceptance of, and its commendable approach to, the challenge it faces. In that latter context, I believe also that the attitude and recent output results of its employees are equally commendable. I cannot stress strongly enough that the matter is entirely in the hands of the meat processing competitors in this State as to the long-term future of their respective employees. There will be no quotas or protections of that type available to Samcor's operations at Port Lincoln or Gepps Cross. In our view, that is how it ought to be. I believe that those sentiments will be reflected in legislation which ultimately comes before this House. Hopefully, an indication of the recent Joint House Committee's findings will be before this Chamber within hours.

## TEACHER HOUSING

**Mr. MAX BROWN:** Will the Minister of Education admit that, in the recently published statement on teacher housing rentals, he has moved away from the unequivocal position set out in the Liberal Party election manifesto, and that, in consequence, teachers are justified in feeling that they have virtually been sold down the river? First, I remind the Minister that on Thursday last he said he could not promise across-the-board rental cuts, despite an election guarantee. I should advise him that he may have a revolt on his hands at Whyalla, where rental increases are the subject of non-payment. I further point out, in regard to the Minister's reply in the House last Thursday, that it could conceivably be said that teachers at Coober Pedy, for example, would obtain a rental reduction, maybe, before those at Whyalla. I suggest that the Minister, instead of stalling, should be immediately initiating his Party's policy, thus giving some relief to the teachers occupying rental accommodation.

**The Hon. H. ALLISON:** No, the teachers have not been misled. The matter is currently still under review by both the Government and the Teacher Housing Authority.

## FIRE CONTROL

**Mr. LEWIS:** I direct my question to the Minister of Agriculture.

**Mr. O'Neill:** Where's your wheelbarrow?

**Mr. LEWIS:** That was not my question.

**The DEPUTY SPEAKER:** The honourable member will ask his question and ignore interjections.

**Mr. LEWIS:** Will the Minister of Agriculture investigate the possibility of making compensation available to private citizens who, on the request of fire control officers, provide aircraft to assist in the control of extensive fires in rural areas? Further, will he investigate the possibility of granting a subsidy to C.F.S. units so that they may purchase C.B. radios to further assist in communication between ground crews and volunteers, thus avoiding much heavier losses than might otherwise be the result?

I drew to this Chamber's attention in the grievance debate last Thursday the severe nature of the losses sustained in the area adjacent to Coonalpyn in the fires there a fortnight ago, and the way in which in that instance great numbers of stock were saved, and the total value of the damage was lessened, by the voluntary provision of a light aircraft, as well as by private landholders and other citizens making their C.B. radios available to co-ordinate the efforts in the release of stock and controlling the blaze. The area burnt was extensive. Many hundreds of miles of fencing was lost. I wonder whether the use of the measures I have referred to might not sensibly reduce the total value of such losses.

**The Hon. W. E. CHAPMAN:** Aircraft usage by private citizens, authorised or requested to do so by fire control officers, is a matter that is worthy of being investigated further. Indeed, there are occasions when private aircraft would be extremely handy for spotting in the event of a fire. I think that practice has been demonstrated recently by the Country Fire Service's use of hired helicopters.

Certainly, in the recent Adelaide Hills fire, and more particularly in respect of the fire on the South Coast near the conservation park a week or so ago, the use of helicopters was extensive, and their worth was immeasurable. I am quite prepared to take up that matter with the Country Fire Services personnel on behalf of the member for Mallee.

The other point that he raised, in regard to the use of CB radios, has not been drawn to my attention. I am not sure that it would be a useful practice to pursue. There are extensive radio installations in fire officers' vehicles and in C.F.S. service units. It would seem to me, from the rather limited experience that I have had with radio equipment at fires, that, when service vehicles are transmitting messages between one another and/or to their central bases, the more radio networks that are involved the more likely it is for interference to occur in the exchange of instructions and/or their delivery. In that context, I expect that the position ought to be very thoroughly investigated before voluntary CB radios are used at or about the site of the fire, either alone by the direction of officers in the voluntary sense, or by the officers of the Country Fire Services. However, I am prepared to raise the matter with Mr. Lloyd Johns, who is the principal Country Fire Services officer in this State and to whom, I believe, every credit ought to be given for his efforts in that field since his appointment.

**BUDGET**

**Mr. O'NEILL:** Can the Premier indicate to the House why the comparative statement of payments on the Tonkin Budget revenue account for the seven months ended January 1980, compared to the first seven months of 1978-79, indicates that the major item "Development and maintenance of State resources" is one of only two items to have been cut, and this was by an amount of almost $7 000 000 in real terms.

**The Hon. D. O. TONKIN:** I thank the member for Florey for his interest. I am not aware of the exact details that he is requesting but I shall obtain a detailed report for him on the matter. I am sure that the performance of the Tonkin Government in managing the economy is showing a marked improvement compared to the position in the comparable period last year. The financial situation and the excess of receipts over payments are in a very healthy position indeed. Despite all the concessions that have been made, the tax concessions particularly, we are in a very healthy position indeed. The Government is showing quite clearly that it is possible to make quite marked savings in Government expenditure.

**Mr. Keneally:** You won't need—

**The DEPUTY SPEAKER:** Order! I remind the honourable member for Stuart that last week Mr. Speaker advised him of the conduct required during Question Time. I do not want to have to draw the honourable member's attention again to that advice.

**The Hon. D. O. TONKIN:** Since the honourable member for Stuart will not apologise, Sir, I take it upon myself to apologise for his behaviour. We have adopted a programme of savings and cutting back on extravagant Government spending, and several examples have been brought to my attention which I will relate to the House in due course, because it is necessary that the position that we found when we took over Government be made perfectly clear. Regarding the examples to which I have referred, the amount of extravagant spending which was occurring has now been cut back, and I place on record now my great appreciation of the efforts of the permanent heads of the various departments who have co-operated wholeheartedly with the Government in its desire to effect savings, thereby saving the taxpayer's dollar.

**STURT CREEK**

**Mr. OSWALD:** Will the Minister of Water Resources obtain a report from his department into the feasibility of establishing a series of boom gates along the Sturt Creek to collect rubbish at local council boundaries, thus preventing an unsightly build-up of refuse each year in the Patawalonga Lake that becomes the sole responsibility of the Glenelg council to remove? For over a year now, the Glenelg council has been waiting for a report from the Engineering and Water supply Department that may result in boom gates being erected at the point where the Sturt Creek empties into the Patawalonga Lake. Members familiar with this excellent tourist resort at Glenelg will know that, when the winter rains flow down the channels from the foothills and the suburbs along the creek, the lake fills up with dead animals, timber, and general refuse.

At present, it is the Glenelg council's responsibility to remove this refuse. Will the Minister agree that this responsibility could be greatly relieved by boom gates being constructed at various council boundaries and that these councils could then accept their part of the responsibility by preventing the rubbish flowing into the lake.

**The Hon. P. B. ARNOLD:** The honourable member has raised this matter with me on other occasions since the election on 15 September. As he has said, this issue has been of concern for some time. I have had a discussion this morning with the Director-General and Engineer-in-Chief on this very subject. He told me that one of the real problems in relation to a series of boom gates down the Sturt Creek was that the rate of flow produces energy in the upper reaches that would make it difficult to operate boom gates effectively. The situation is being examined at an area just before the creek enters the Patawalonga Lake because most of the energy in the creek at that point has been dissipated, and therefore it is easier to operate such a facility. It is a problem, as the honourable member has outlined. I hope to have a report for him soon as to what action can be taken, together with the cost of implementing such action.

**MARKET GARDENERS**

**Mr. LYNN ARNOLD:** Can the Minister of Agriculture say how many market gardeners, who have applied for financial assistance under the Primary Producers Emergency Assistance Act, 1967, on account of storm damage, have been refused loans? Is it expected that these applicants will be forced out of the industry? Some applicants in recent weeks have been receiving letters from the Director-General of the Department of Agriculture in which they have been advised that their applications for assistance have been refused. They have been advised that they are eligible for assistance under the household support provisions of the Rural Industry Assistance Act, 1977. They are further advised in the letter that a brochure outlining the household support scheme is enclosed for them to look at. I note from the enclosed brochure, a copy of which has been forwarded to me, that it is implicit (and, indeed, the Minister has indicated this in public statements) that applicants who accept the household support scheme are working their way out of the industry. I quote from the brochure, as follows:

> Household support may be extended to three years where the applicant is making a demonstrable effort to sell his property.

Numerous other references in the brochure support what the Minister has said on earlier occasions, thus indicating that the receipt of the letter is an invitation to bow right out of the industry.

**The Hon. W. E. CHAPMAN:** I am prepared to provide the honourable member with a detailed list of the number of applications for assistance received by the department relating to the storm damage to which he referred. I am further prepared to supply him with a list showing the number of applications that have been upheld and supported with low-interest, long-term financial assistance, as well as the number refused and their respective categories. I think it is worth making the position clear. Of those applicants who have made submissions to our department and subsequently been refused loan assistance, some are considered to be in the category of not requiring financial assistance, because of their own admitted detail of liquid assets available to them. Others have not been granted loan assistance when, on assessment of their own evidence, it is considered that their capacity to service such a loan is beyond their resources or expected resources. A third portion of the group refused loan finance was refused on the basis (again on the assessment of evidence they have submitted themselves) that they have no hope of continuing in their present practice and remaining financially viable. In some

of those latter group cases extending loan funds would put them in an even more untenable financial position.

It is in the case of the latter group that, in accordance with the Act and the policy of the department, applicants have been advised that household support would be available to them. As the honourable member has indicated to the House, household support in that context is, indeed, assistance to phase out of the industry. It is up to the individual whether or not he accepts that, but it is the best we can do within the terms of the Act and within the realms of common sense when dealing with loan funding.

I point out that it is not the policy of the Government in such circumstances to apply rural funding in the form of grants. We decided, after the storm of 14 November 1979, that assistance was required urgently. The matter was attended to urgently by the Government generally, and specifically by my department, in respect of those plains growers (and I think the honourable member would promptly acknowledge this). In doing so, the assistance which was decided then and which is confirmed now as being available to persons in such necessitous circumstances is of a loan-funding nature. In no way were we then, nor are we now, in a position to extend loans to continue those practices where it has been clearly demonstrated on the evidence given by the applicant that he is in no position to service his current debts, or any extended loans to those debts. Hence, the ultimate reply mentioned in the House this afternoon was given in such cases. Apart from that cold, hard financial approach to the subject, officers of the Department of Agriculture have bent over backwards to help these people in the preparation of their applications and the assessment of their own specific details to the extent of providing them with moral support, interpreter support, and, indeed, clerical support.

I can assure the House that the 250-odd applications that have been received by my department have been dealt with fairly, to the best of my knowledge. However, if any applicants, of the relative few who have been refused loan funding, feel that their position should be reassessed, the opportunity and the expert machinery is there to do that. I can recall at least one case in which this has occurred. Because of some foul-up in the preparation of his application, one person failed to insert significant evidence.

**The DEPUTY SPEAKER:** Order! I suggest that the honourable Minister is making a rather lengthy reply to the question. Perhaps he could endeavour to wind up his answer.

**The Hon. W. E. CHAPMAN:** With great respect, this subject is extremely important. I am dealing with the depth of the question in the form of a deep reply. I can understand the concern felt by the member for Salisbury for his constituents. Likewise, I understand the personal concern felt by the members for Goyder and Elizabeth for their constituents. No politics is involved in this matter whatsoever; no politics has been involved from the time the storm damage came to the attention of the Government.

**Mr. Millhouse:** Come on. You know you're only wasting time. You chafed in Opposition when there were long answers.

**The DEPUTY SPEAKER:** Order! There are too many interjections.

**The Hon. W. E. CHAPMAN:** I can tell honourable members and the member for Mitcham that the Government has acted responsibly in this instance, as it did after the Hills fire. In answer to the member for Salisbury's question, I repeat that if any of the relatively few applicants who have been refused loan funding assistance wishes to do so he can approach my officers, who are readily available to reassess the position. I invite such a person to do so if he believes the circumstances warrant it.

**Mr. Millhouse:** You were the one who chafed when—

**The DEPUTY SPEAKER:** Order! The honourable member for Mitcham must cease interjecting. I have spoken to him earlier in Question Time; I do not want to have to speak to him again about the matter.

## HILLS FIRE

**Mr. EVANS:** Will the Premier consider giving financial relief to those bush fire victims who, at present, face the payment of land tax, by waiving all or part of the moneys due, deferring payment, or revaluation? Some properties that afford part income from rural pursuits can no longer do so because the land has been burnt, partially burnt, or the vegetable crops or fruit trees destroyed by heat, if not burnt. The properties involved are those on which people do not obtain a major part of their income through rural pursuits.

They are caught up in the Land Tax Act and must pay tax. If people derive most of their income from that source, they do not have to pay land tax. If these people involved in the payment of land tax apply for relief, will the Government consider helping them in one of the three ways I have suggested?

**The Hon. D. O. TONKIN:** I am most grateful to the member for Fisher for the suggestion he has made. Whether it will be possible to give any form of remission or deferment, or to undertake a revaluation of those properties, I do not know. Certainly, it is true that many of the properties have lost value considerably as a result of the fire, and that factor could be taken into account.

There are ways in which land tax payments can be deferred, and I would certainly think that could be arranged in these cases. The point, of course, will arise only until 30 June 1980, because from that date no land tax will be payable on the principal place of residence, and I would judge that most such properties would fall into that category. Nevertheless, in spite of the moves which the Government has taken to maintain the level of land tax for this year at a level no greater than that for past years there could be some financial burden. I will investigate the matter to see what can be done in one or all of the areas suggested by the honourable member.

## PRAWN FISHING

**Mr. KENEALLY:** Will the Minister of Fisheries initiate an inquiry into the South Australian prawn fishery so as to determine whether, amongst other things, additional prawn authorities can be issued without affecting the economic liability of existing authority holders? In answer to Questions on Notice 337, 346, and 348 the Minister informed the House that, according to last year's fishing returns (excluding the three permits operating on the Far West Coast), the value of the catch in that fishery was $10 784 000. Spread over the 53 authorities and five permits involved, this averages about $186 000 a vessel. That is the declared take. In a letter from the previous Minister dated 14 August 1979, I was advised that between 10 per cent and 15 per cent of total catch appeared not to be declared. If that is so, average yearly catches would be valued at $200 000. The top catch, according to the Minister, was $346 000 for last year. This would convert, if

the undeclared percentage was added, to $400 000.

At the same time in South Australian waters scale fishermen advise me of the difficult economic times they are facing. An inquiry into the fishery either by a Select Committee or an independent committee would be able to determine whether additional authorities could be made available to fishermen in other fisheries and by this means reducing effort in those other fisheries, while giving access to this most lucrative fishing industry in South Australian waters.

**The Hon. W. A. RODDA:** The philosophy regarding fisheries of the member for Stuart is well known to this House. He espouses a new order, a la Keneally, for the fishing industry. It is not the policy of this Government to adopt the a la Keneally fisheries policy. Our fisheries policy was announced by the Premier. I understand that the honourable member has a copy of this Government's policy on fisheries. It is not intended that this Government will take up the philosophy espoused by the member for Stuart. The prawn fishery is a managed fishery which was set up by a Labor Minister. This lucrative fishery has economy of scale. Notwithstanding the astronomic figures quoted, to do what the honourable member suggests would bring chaos to the industry.

The honourable member mentioned the scale fishery. A consultative committee report on scale fishing is currently being examined by a subcommittee of the Cabinet, and in a few weeks the Government will make an announcement about that. I can assure the House and the honourable member that the Government and I have the interests of all fishermen at heart. We came into office with a policy of protecting the resource, too. We want to see to it that everyone, including the amateur, has an opportunity to enjoy the fruits of the sea. Some scaling down in some areas will have to take place. However, it is not the policy of this Government to put into practice the policy that is so dear to the heart of the honourable member.

## FIRE-DAMAGED TIMBER

**Mr. GLAZBROOK:** Can the Minister of Agriculture confirm that the sawmill workers are claiming an extra $4 a tonne for handling burnt logs from the properties of victims of the recent fires in the Adelaide Hills? If so, is the $4 a tonne being deducted from the payment to the owners of the timber? A constituent of mine who is related to one of the victims of the fires has advised me of this claim. Will the Minister do what he can to ensure that fire victims receive a fair return for their burnt timber?

**The Hon. W. E. CHAPMAN:** I am aware of a request made by the member for Fisher, directly after the dust and smoke settled following the recent Adelaide Hills fires, that an approach be made to the Woods and Forests Department seeking an agreement in relation to using the department's mills for the purpose of cutting timber scorched or burnt in those fires. That approach was made immediately. I cannot confirm that employees of the Woods and Forests Department are seeking additional hourly rates for handling the blackened timber. However, in all fairness I can understand such a request being made. Anyone who has had any experience at all of working at a sawmill or working on the cutting, snigging, loading and handling of logs, will appreciate the nature of the job. Added to those problems, a layer of soot and burnt bark, etc., which must apply to the Adelaide Hills timber at the moment, would reasonably attract a request for some specific extra wages, if not in the form of increased hourly rates, at least in a clothing allowance or the like.

A request for this additional wage increase has not been lodged in my office, nor am I aware of its being lodged anywhere within the Woods and Forests Department. If and when such a request is lodged it will be treated fairly, as are the requests of employees of the department on all matters raised.

The relationship between the officers of the Woods and Forests Department and their hundreds of field employees is extremely good, as indeed has been the co-operation between those forestry officers and officers in my department. The extent of co-operation received at that level has been outstanding from both the Woods and Forests Department and the Agriculture Department. I have reported before the level of support I have received from the Agriculture Department, and this position applies equally in relation to the Woods and Forests Department.

The member for Brighton, who has expressed concern on behalf of these Hills fire victims, will have his case taken up and I will report to him on what can be done in that direction. I assure the House that due regard will be had not only for the plight of the fire victims, but also for the, to all intents and purposes, fair request that appears to be coming from the departmental employees.

## PERSONAL EXPLANATION: NORWOOD BY-ELECTION

**Mr. MILLHOUSE (Mitcham):** I seek leave to make a personal explanation.

Leave granted.

**The DEPUTY SPEAKER:** I point out to the honourable member for Mitcham the ruling that the Speaker gave in relation to making personal explanations. I ask him only to make a personal explanation. No comment is permitted.

**Mr. MILLHOUSE:** I always adhere to the rulings of the Speaker.

**The DEPUTY SPEAKER:** I will be pleased if the honourable member does on this occasion.

**Mr. MILLHOUSE:** I certainly shall. I accepted the invitation given to me earlier in Question Time by the Premier to check with the Electoral Commissioner on his report concerning the Norwood by-election. When I reported to Mr. Guscott the answers given by the Premier to the Leader of the Opposition and me, he, upon my asking him whether he would be prepared to release the report, as the Government would not, said that it was a report he prepared for the Minister at the Minister's request.

**The DEPUTY SPEAKER:** Order! The Deputy Premier has a point of order.

**The Hon. E. R. GOLDSWORTHY:** I rise on a point of order. This is not in the nature of a personal explanation; it is a recounting to the House of information which the member appears to have picked up subsequent to his asking a question in this House, and which is in no way in the nature of his making a personal explanation about where he has been misrepresented.

**The DEPUTY SPEAKER:** Order! The honourable Deputy Premier has raised a matter which makes it difficult for the Chair to uphold the point of order. However, I point out to the member for Mitcham that I am listening very carefully to what he says. He must confine himself to a personal explanation. No comment can be entered into.

**Mr. MILLHOUSE:** I am glad to have your attention, Mr. Speaker. I will continue. Therefore, he (Mr. Guscott) felt that any release should be by the Minister himself. He went on to say that anything of value in the report is in the Minister's statement. Sir, no-one knows which parts of

that statement are the Commissioner's report and which are a gloss by the Government—a very unsatisfactory situation.

**The DEPUTY SPEAKER:** The honourable member is commenting.

**Mr. MILLHOUSE:** So much for honesty and frankness in Government!

## MINISTERIAL STATEMENT: MINE ACCIDENT

**The Hon. E. R. GOLDSWORTHY (Minister of Mines and Energy):** I seek leave to make a statement.

Leave granted.

**The Hon. E. R. GOLDSWORTHY:** I wish to advise the House of the situation in relation to the tragic accident, reported yesterday, in a Coober Pedy opal mine, in which three men were killed. Advice so far from the Department of Mines and Energy indicates that the roof of the working apparently collapsed at a depth of about 18 metres during mining operations at the Olympic Field. The cave-in is believed to have occurred at some time between 1 p.m. on Monday and 9 a.m. yesterday.

Miners working adjacent claims became aware on Tuesday morning that vehicles had not been moved and noticed the presence of a dog belonging to one of the dead men. Two of the bodies were recovered by the Mines Rescue Squad by noon yesterday, and the third late in the day. A departmental Inspector of Mines, Mr. K. Harris, is now at Coober Pedy to investigate the cause and circumstances surrounding this tragic accident.

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*At 3.15 p.m., the bells having been rung:*

**The DEPUTY SPEAKER:** Call on the business of the day.

## PARA DISTRICTS HOSPITAL

**Mr. HEMMINGS (Napier):** I move:

> That the House calls upon the Government to proceed as a matter of urgency with the construction of the Para Districts Hospital.

The building of the Para Districts Hospital has been handled by a succession of Health Ministers in this Parliament. Each time the residents of the Central Northern region have felt that at least something tangible was about to happen, but their hopes have been dashed every time. They have lost out in the name of expediency. For the benefit of those members who are perhaps not aware of the history of the Para Districts Hospital, I will explain the background.

The problem of the lack of adequate hospital facilities for the Central Northern region can be laid fairly and squarely on the shoulders of the Playford Government. That Government, in the late 1950's, accepted the South Australian Housing Trust designed Lyell McEwin Hospital, against strong advice from the then Hospitals Department. The Hospitals Department's recommendation was to build a public hospital in that region to cater for a fast-growing population in an area in which the Playford Government was at that time carrying out extensive building programmes at a planned growth rate, with every knowledge that its population would be known at any given time. Of course, we are all aware that it was the Playford Government's policy at that time to encourage the establishment of private hospitals at the expense of public hospitals, a policy that the residents of Salisbury, Elizabeth and Munno Para are paying dearly for now.

Since the early 1970's it had been accepted that the Lyell McEwin could not cater for the needs of the Central Northern region, and, with the knowledge that the then Whitlam Government was making generous grants for capital works in relation to hospitals, the Labor Government gave a commitment to build the Para Districts Hospital. Unfortunately, the priority to build the Para Districts Hospital was displaced, once by the completion of the Modbury Hospital, and at another time by the Flinders Medical Centre. However, the commitment to a Para Districts Hospital remained.

At the beginning of 1974, a planning team was appointed, with terms of reference to report on the facilities necessary to meet the future hospital and health service needs of the Para region. An early task of the planning team was to evaluate the existing site of the Lyell McEwin Hospital to ascertain whether it was practical to extend the present facilities to meet the future needs of the expanding population. After extensive examination, it was decided that the disruption which major extensions would cause to existing facilities at the Lyell McEwin Hospital, and the major traffic problems that would arise, made the existing site unsuitable for development as a major regional hospital. The decision to seek a new site was approved by the Minister of Health and the Board of Management of the existing hospital. A site of 13·9 hectares bounded by John Rice Avenue, Porter Street and Jarvis Road, in Elizabeth Vale, was chosen. It should, however, be noted that the evaluation of the Lyell McEwin Hospital was influenced to a large degree by the planning team's understanding of the need for a geriatric facility and the ideal nature of the Lyell McEwin structure for conversion to such a facility.

The development of the new hospital facility replacing the Lyell McEwin was planned in stages. It was originally proposed that stage I, to meet the immediate needs of the region, could be available for occupation during 1980. In-patient accommodation, under main classifications, was proposed as follows (and this was after stage II was completed):

| | Total |
|---|---|
| General | 315 |
| Obstetrics | 46 |
| Paediatric | 54 |
| Psychiatric | 50 |
| Intensive Care | 12 |
| Coronary Care | 6 |
| Day Surgery | 12 |
| Observation and Admission | 12 |
| | 507 |

As I stated earlier, there were deferments, but the final blow came when the Fraser Government severely curtailed its programmes in providing funds for hospitals in 1976-77. Even so, the Parliamentary Standing Committee on Public Works in April 1977 reaffirmed the need for a Para Districts Hospital. The committee reported:

> There is a need for a new general hospital as well as a nursing home and rehabilitation centre in the Para districts. The existing population in the area justifies the construction of a general hospital having an initial capacity of 264 beds with provision for future expansion.

As a result of those findings, the committee recommended:

The proposed public work of constructing the Para District Hospital, including the conversion of the existing Lyell McEwin Hospital to a nursing home and rehabilitation centre.

I think it is relevant at this point to discuss the geriatric needs of the Central Northern region, as a nexus has developed between the construction of the Para Districts Hospital and the conversion of the Lyell McEwin Hospital from an acute to a geriatric hospital. As well as having the lowest acute hospital population ratio of any region in South Australia, the Central Northern region also has the lowest provision of beds for geriatric care in this State.

Using the Australian average provision level of hospital beds of 6·1 beds per 1 000, and applying this level to the northern metropolitan region, this area should be served by 1 200 beds, instead of the current 485 beds.

With regard to nursing home beds, applying again the average Australian level of 50 beds per 1 000 persons 65 years and over, 345 beds would be required to serve the region, which has 6 904 people who are 65 years and over. The Central Northern region needs at least another 250 nursing home beds to cater for the existing elderly population.

As I said earlier, there is a wide variation within South Australia of hospital bed provision. The Central Northern region has the poorest hospital bed to population ratio. The Central Eastern region, with a population of 22 017, has 2 903 beds, a ratio of 13·1 beds per thousand. The Yorke and Lower Northern region, with a population of 39 423, has 517 beds—again, 13·1 beds per thousand. The region of Eyre has a population of 32 466 people and 304 beds, with a beds per thousand ratio of 9·4. Mr. Deputy Speaker, I seek leave to have the figures inserted in *Hansard* without my reading them.

**The DEPUTY SPEAKER:** Is that document purely of a statistical nature?

**Mr. HEMMINGS:** Yes, Sir.

Leave granted.

**HOSPITAL BEDS**

| Region | Population | Beds | Beds/1 000 |
|---|---|---|---|
| Central Eastern | 22 017 | 2 903 | 13·1 |
| Yorke and Lower Northern | 39 423 | 517 | 13·1 |
| Eyre | 32 466 | 304 | 9·4 |
| Northern | 95 243 | 852 | 8·9 |
| South-East | 57 679 | 510 | 8·8 |
| Murray Lands | 59 394 | 470 | 7·9 |
| Central Western | 216 711 | 1 180 | 5·4 |
| Central Southern | 244 253 | 1 142 | 4·7 |
| Central Northern | 276 184 | 773 | 2·8 |
| | 1 244 755 | 8 651 | 6·9 |

*Source:* State Health Resources Unit, June 1978.

**Mr. HEMMINGS:** If one examines the catchment areas of the Lyell McEwin Hospital and the Modbury Hospital, which service the Central Northern region, it can be seen that there is an even lower hospital bed ratio than in the Central Northern region as a whole. The Lyell McEwin Hospital serves the catchment area of Elizabeth, Munno Para, and Salisbury part A (the area of the Salisbury council on the western side of the Main North Road which is designated by the Australian Bureau of Statistics as being in the Para region). That region had a population of 106 100 as at June 1978, and had 1·73 beds per 1 000 people.

The catchment area of the Modbury Hospital (that is, Tea Tree Gully and the remainder of Salisbury) has a population of 92 400, and a ratio of 2·23 beds per 1 000 people. The average in this State is 6·9 beds per 1 000 people, yet in the area dealing with the Central Northern region we have only 2·8 beds per 1 000 people and that figure becomes even lower when we deal with the catchment areas served by the Lyell McEwin Hospital.

Since I have placed this matter on the Notice Paper, the interim report on hospital-based services in the Central Northern region has been released. There is still an embargo on that report but, from what I have been able to establish, the recommendations horrify me, and also many other people. Local government in the area is far from happy, to put it mildly, and the northern metropolitan region organisation has, I understand, written to the Minister asking her to make a statement on whether the Para Districts Hospital will be shelved. I have been informed that the Minister gave an assurance a few weeks ago at a business and professional women's dinner at Elizabeth that the Para Districts Hospital would be built. That is commendable, but it is not enough; the Government needs to give this House an assurance that the Para Districts Hospital will be built, and it also needs to give a specific time table for its completion. That is the least the Government can do for the people in the Central Northern region.

At present, they are confused and worried that they are being treated as second-class citizens. I know that they have the support of members on this side of the House who represent them in this place, and they also have the support of the local government authorities. All they are asking for is that they have access to hospital facilities equal to that given to others in this State. They should not have to travel to Adelaide to obtain hospital treatment. Both Parties have stated that the Para Districts Hospital will be built—the former Labor Government gave commitments which were well documented. The present Government, in its election policy on health in August 1979, gave a firm commitment on the building of the Para Districts Hospital. I would like to quote from that section of the health policy, which states:

The Liberal Party is aware of the need for hospital facilities as well as the growing need for geriatric and rehabilitation facilities in the local government areas of Elizabeth, Munno Para and Salisbury, and in the northern metropolitan area generally. We will encourage the building of a hospital to serve the areas with adequate free beds—

I emphasise the word "adequate"—

subsidised by the Federal Government, which has agreed are mandatory to the project.

In fact, the present Government, when in Opposition, during a State election campaign in 1977, used the Para Districts Hospital (or the lack of building of the Para Districts Hospital) in a television advertisement. The advertisement showed the candidate who was standing against me for the seat of Napier at the site at Jarvis Road kicking an empty Coke bottle, and saying, "When will a Labor Government build the Para Districts Hospital?"

With regard to the interim report (and I accept that the Government has said that consultation will take place with interested parties and a steering committee), I question some of the recommendations. On page 2, under paragraph 1.2.1, the report states:

The study team believes that the site presently available to the Health Commission for the Para Districts Hospital development is inappropriate, as is the site adjacent to the Salisbury College of Advanced Education. We recommend that the commission make every effort to obtain an appropriate site in or adjacent to the Elizabeth town centre.

Anybody who knows that area, as I am sure the members for Salisbury, Elizabeth, and Playford and I do, would know that the site at Jarvis Road is entirely suitable for the hospital. It is close to the Adelaide-Gawler line, it is served adequately by bus services from both Salisbury and Elizabeth, and it is close to the Main North Road. In fact, it is an ideal site. It was set aside by the South Australian Housing Trust as a future hospital site. The board of management and the former Government looked at that site, and everyone was happy with it, yet here we have the interim report saying that it is inappropriate. That report recommends that a site be found in the Elizabeth town centre. Everyone knows that no land is available within the Elizabeth town centre for a suitable hospital to cater for the needs of the Central Northern region.

Paragraph 1.2.2 (1) talks about the impact of a new private hospital at present under construction in Elizabeth, and states:

> The decision should be delayed until the impact of the new private hospital at present under construction in Elizabeth on the utilisation of recognised sector inpatient services in the Elizabeth sub-region.

When both local government authorities in the area were asked to give planning approval for a private hospital in that area, they wrote to the then Minister of Health (Mr. Banfield) in February 1979. A reply addressed to the Acting Town Clerk of the Corporation of the City of Elizabeth was as follows:

> I refer to your letter dated 27 November 1978 concerning the proposal to develop a private hospital in the Elizabeth Vale area. This matter has been investigated, and I can now advise you that it is considered that the proposed 64-bed private hospital would not significantly affect stage one of the Para Districts Hospital.

It was on the say-so of that letter from the Minister that the local government authorities gave approval to the Hospital Corporation of Australia to erect a private hospital.

Again, in June 1979, when the proposed 64 bed hospital had been increased to a proposed capacity—of 110 beds, the Elizabeth council wrote to the Minister expressing concern that the 110-bed hospital would have an effect on the commencement of the Para Districts Hospital. The council sent that letter on 23 June 1979 and received a reply from the present Minister of Health on 18 October 1979. The letter dealt with the previous Minister of Health (the member for Elizabeth), who had written to the Commonwealth Minister for Health (Mr. Hunt) concerning this aspect. The final paragraph in the Minister's reply states:

> For these reasons there is some doubt that the private hospital at Elizabeth Vale will proceed in the near future.

I am not knocking the Minister but when that letter was received by the council, the private hospital was two-thirds built. They talk about a community health complex and some grand ideas that the complex would be developed as the years went by to cater eventually with acute hospital beds. When we look at the report, we see that nowhere does it take in more than 100 beds. So, in effect, if the interim report is adopted by the Government, the Para Districts Hospital is shelved indefinitely, and the Lyell McEwin Hospital is taken over for geriatric care, the people in the Central Northern region will lose out by about 164 acute hospital beds.

The State Government could be encouraged by the seemingly low need for increased hospital services evidenced by the report to invoke the constraints of cost containment, with no increase in hospital services, and to adopt a do-nothing attitude. This approach might be justifiable on an economic argument that takes into account the under-utilisation of city hospitals. The general trend of the State at this stage suggests that the final report will not argue strongly for the completion of this hospital.

However, I maintain that cost containment does not apply in regard to this hospital. There is no use arguing, as the report does, that, because there is under-utilisation in city hospitals, the residents of the Central Northern region will have to use the hospitals in the city. That argument is not used anywhere else in the State. All other areas are adequately serviced with acute hospital beds, and people receive the hospital facilities they deserve.

Although I could speak longer, I realise that other members wish to speak on particular matters. I urge all members to take a bi-partisan aproach, and, as a matter of justice, to support my motion to give the people of the Central Northern region the hospital facilities they obviously deserve.

**Mr. LYNN ARNOLD** secured the adjournment of the debate.

## VICTIMS OF CRIME

**Mr. McRAE (Playford):** I move:

> That in the opinion of the House victims of crime suffering personal injuries should be compensated by a publicly funded insurance scheme similar to the Workers Compensation Act and should be otherwise assisted and rehabilitated if necessary on the basis that public moneys expended be recovered where possible from those at fault and further that a Select Committee be appointed to report on the most efficient manner of achieving that result and also to examine and report on property loss suffered by victims of crime.

First, I congratulate you, Mr. Deputy Speaker. I think that you are the first Deputy Speaker in my 10 years experience in the House to assume the role that you have assumed. I think that you are doing an excellent job.

It gives me pleasure to move the motion. I was so confident that the Government would be supporting my motion that I approached the Chief Secretary in advance (I think it was a week or so ago) and asked whether that was the case. He, in his usual courteous manner, told me that he would refer the matter to Cabinet and advise me officially in due course. That he did, yesterday. I was astonished to hear that the Government would not agree to my motion and, furthermore, that it would not even agree to it in the sense of appointing a Select Committee. I could well imagine that the Government might say, "Well, perhaps the motion standing in its full form as it is at the moment is something we could not rush into," but most certainly I would have expected no difficulty whatsoever in getting support from this Government in at least having a proper Select Committee inquiry into the concept.

Mr. Deputy Speaker, you will recall, no doubt with embarrassment in your case, but I regret not necessarily so in the case of some of your colleagues, that during the last election some people found it profitable to make use of the issue of law and order. I was one on our side who was disgusted by the advertisements placed in the press, seemingly by a person called Nigel Buick, of 14 Todd Street, Kingscote, an action supposedly taken on behalf of all concerned South Australian people. You will recall, Mr. Deputy Speaker, that I ascertained that, whereas Mr. Buick may have authorised this abomination, it was paid for by Adrian Brien Ford Pty. Ltd.

This shocking advertisement clearly insinuated that the former Labor Government was in some way responsible for a shocking growth in crime and violence and, by the photograph of the masked bandit that appeared in the

advertisement (which was in the *News* of Monday 10 September 1979) five days before the fatal election day, it clearly tried to put to the public that the Labor Government was responsible for what was described as a shocking crime wave and an increase in violence in the past seven years. It then admonished the Premier by saying "Shame. Don't blame Mr. Fraser for that". The advertisement continued:

> Why does Parliament provide sentences which are so lenient as in some cases to be laughable? And why are so many early paroles given to serious offenders? Some of your own justices of the peace have complained, so has your Police Force. Your Government sacked the former Police Commissioner (Mr. Harold Salisbury), and you said, "I would have resigned if he hadn't." Are people who stand for family values and law and order expendable because of your Government's radical, libertarian views?

Anyone who read that advertisement would have gained the impression that the Labor Party in some way supported criminals of that sort, or had not done its utmost to eradicate them.

I, for one, was most annoyed at that. I accepted most of the rest of the cut and thrust of an election campaign; that is what one would accept. However, that shocking advertisement is something that I did not accept. I turned to the Liberal Party policy to find out exactly on what the supporters of that Party were basing their policy. Unfortunately, I, as a private member, cannot table documents but on this issue the Liberal Party policy consists of five lines, so I can easily read them to honourable members. This was the Liberal Party policy promulgated to the people of South Australia under the heading "Chief Secretary":

> A Liberal Government will: 1. Legislate to protect the Commissioner of Police from arbitrary dismissal.

That had already been done. What the honourable gentleman intended by that statement, I do not know, so we can remove that. Now we have a three-line policy. The first line states:

> 2. Strengthen the Police Force.

I have not noticed any strengthening of the Police Force. Perhaps the Minister will explain if he has done anything to strengthen the Police Force. I have not noticed anything. The policy continues as follows:

> 3. Involve sentencing courts in the parole system.

That is not a bad idea. Again, I have not seen any legislation pass through this House referring to this matter. Perhaps the Minister's colleague in another place has some legislation on the way; I will be interested to see it come. Finally, the policy states:

> 4. Establish an independent advisory council on parole.

What that means, I do not know. We already have involved sentencing courts in the parole system; now we are going to have an independent advisory council on parole. If it means that there is going to be a Standing Committee to investigate what is happening in the parole system, I would not object.

**The DEPUTY SPEAKER:** Order! I have been reading the honourable member's motion and I hope he will be able to link his remarks to that motion.

**Mr. McRAE:** I surely will, Sir.

**The DEPUTY SPEAKER:** I put to the honourable member that he has been straying somewhat.

**Mr. McRAE:** I do not think I have, with respect, but I will certainly be linking my remarks strongly in a moment. The lead-up is to say that in the recent election campaign supporters of the Liberal Party were prepared to go to dreadful, abhorrent and disgusting lengths on the issue of law and order, yet, when we turn to the Liberal Party policy on law and order, we see that it is absolutely nothing; it is a disgrace to the people of South Australia that any Party should have a policy on law and order that consists of three lines.

**Mr. Mathwin:** You don't think that's the only policy there is, do you?

**Mr. McRAE:** That is the depth of Government thinking: that policy is given to the people of this State.

**Mr. Mathwin:** Of course there is other policy, and it is available to you and anyone else who wants it.

**Mr. McRAE:** If there is another policy that can be made available to this House, I invite the Chief Secretary to make it available. If we are to judge the depth of Government thinking on this policy, it has been abysmally low, but that is what I am used to on the part of the Government in these matters.

My motion is in the context of trying to tackle this problem of law and order. Obviously your Government must have something to hide, Sir, because you will recall that you, Sir, with respect, and many of your colleagues often said in this House that the method of appointing Select Committees was the most appropriate way to get full, democratic and open participation in Government, particularly on issues of this kind. That was said over and over again in this House. I cannot recall whether the Minister ever said it, but he was certainly associated with the statement. I believe that the policy of appointing Select Committees was specifically provided for in the general Liberal Party policy speech. I can only conclude that, in rejecting a motion for the appointment of a Select Committee on this important issue, the Government must have something to hide. I wonder what it is.

I would speculate that the Government has formulated no policy, that it has done nothing and is floundering around not knowing what it is going to do, and that Government members would be horribly embarrassed for this to be discovered by the Select Committee, and even more embarrassed if the Select Committee formulated a policy for them. If the Government will not appoint a Select Committee, I will tell it which way it should be going. Perhaps that will help it. Every day one picks up a paper which, regrettably, reports another horrible crime. Yesterday's *News* was seen in this House and shuddered at. Two men had broken into a house, bashed a man with a hammer, and proceeded to rape his wife or girlfriend. Stories like that are a day-by-day occurrence.

Do we find members of the Labor Party accusing members of the Liberal Party of being responsible for aiding or abetting that behaviour? Of course not, because members on this side of the House have a great deal more responsibility than to make that sort of suggestion. As I have explained, there have been no changes in the law, the administration of the law, or the policy of the Chief Secretary's Department.

If we were to follow the logic (or the lack of logic) of the Liberal Party supporters, we would say that the Liberal Party should be held responsible. That, of course, is a *non-sequitur*, a nonsensical thing, and I am not saying that. I am hoping that the Chief Secretary, when he replies in this debate, will answer some of these points, because it is not good enough for the Government to be making these claims, to be associated with these people. I notice that the Liberal Party has not dissociated itself from the advertisements of this kind, from Adrian Brien Ford, or Nigel Buick, so I assume that the Liberal Party and the Minister are continuing to be associated with these people and their claims.

I hope that the Minister can explain his justification for those claims. I hope much more that he will reject them for the absolute nonsense they are. Secondly, I hope that he will be telling us that he will be setting up a research

unit in the Chief Secretary's Department, for the first time. I am not blaming the Minister; all Governments have been at fault in this law and order area because there are no votes in it. Money must be spent in order to achieve something. I hope he will set up a research unit that will try to find out why we have this astronomic increase in crimes of violence in South Australia and throughout the Western world.

Over the past 15 years or so, there has been an astronomic increase in crimes of violence in all Western countries. There is nothing different about South Australia; we are just a part of the general system. Why has there been this increase? There are no answers to this question at present and there needs to be proper research carried out into this matter. Proper statistics need to be kept. The public is entitled to have some kind of answer about this question. Of course, that will take a long time. I hope the honourable Minister will take my advice and that, when next there is a meeting of Ministers of Justice and Chief Secretaries throughout the Commonwealth, he will put to them that they should be researching this problem. It is not good enough for any Government, whether Liberal or Labor, to push this matter to one side and say that there is crime and violence on the streets, and that we will just get some more policemen, prisons, or something of that sort. Let us find out what are the reasons.

**The Hon. W. A. Rodda:** It goes a bit further than the police.

**Mr. McRAE:** Of course it does. We have to find out, first, what underlies this evidence.

**The Hon. W. A. Rodda:** Do you approve of the police being given suitable sidearms?

**Mr. McRAE:** Certainly, I do not disagree with the police being given suitable arms. I think the Minister is referring to an experiment that was being carried out to arm policemen whilst on beat duty around the Rundle Mall, and that sort of thing. I think that was going a little overboard.

**The Hon. W. A. Rodda:** It goes a bit further than that.

**Mr. McRAE:** I am not sure, but I am quite prepared (and I am sure the Labor Party is quite prepared) to rationally discuss the matter. I do not see why we could not have rational discussions about the matter in a Select Committee. Let me make some constructive suggestions. First, it seems to me that research needs to be done, and can be done, but it is going to take time and money—let us all admit that. Secondly, the Police Force does need to be strengthened. I support the Police Force and it is entitled to the best training and protection. In circumstances where members need firearms they should have them, and in circumstances where they need to use firearms they should use them. I subscribe to that view, as I am sure all members of the Labor Party do.

Everything should be done to make the police as capable as possible so that they can catch criminals and prevent crime. Then, once the criminal is caught, all kinds of things arise. In the past, the first thing that arose was what would happen to the criminal. That is interesting in itself. I note that the Minister said he would introduce either a new Prisons Act or a redrawn Act, and I am glad to hear that. I hope that in the redrawn Act provision will be made for different kinds of custodial treatment, because that is necessary. At present, there are only two kinds of custodial treatment, and that is not enough. At one extreme, there is Yatala Labour Prison, a very old and decrepit building, which provides strict custodial treatment (and so it should) for those intractable criminals who refuse reform and who are simply serving out their time. I have no sympathy at all for them.

At the other extreme, there are places such as Cadell, where people who want to reform, are in the process of reforming, or have reformed and are waiting for the wheels to turn so that they can be released, are dealt with in a completely sensible and reasonable fashion to fit them for the move back into society. Each of those institutions, in its own way, is laudable, but there is no in-between situation and no attempt has been made in this direction, because it would cost money. Neither the Labor Party (we are just as guilty in this respect) nor the Liberal Party has been honest enough to say, "Yes, we could do something if we were prepared to tax some more." I am afraid that taxation plays a role in this matter, possibly an unpalatable role, but if we are to increase the rehabilitation rate, more flexible forms of custodial treatment must be worked out.

Most importantly, the victim of crime has been totally overlooked in the past. I say, without equivocation or reservation, that any victim of violent crime who suffers personal injury should be entitled to the same rehabilitation and compensation as a worker who is injured at work or a person who is injured on the roads. The whole theory of compensating a person for industrial accidents is that he is just part of a lottery. It was a lottery that he happened to be injured because a machine exploded or a dredge submerged, or whatever the circumstances might have been. The whole notion of road accident policy is really that of a lottery; with so many cars on the road, the potentiality for accidents is so great that, if a person is injured, he should be compensated. So should it be with the victim of crime. He or she is the most innocent of all. Why should that victim suffer?

I know it can be said that my Government introduced some form of compensation, and it is entitled to great credit for that. Initially, the compensation was a very modest sum indeed; latterly, we raised the compensation to $10 000 maximum, but what is $10 000 to a person who is a paraplegic, who has been shockingly burnt, or who has been raped on many occasions with great violence attending the rape and who has become psychotic because of it? This sum is really ridiculously low. According to statistics, on my calculations (and I am no expert in this area and do not claim to be), it seems that, in terms of common sense, the current line providing for compensation under the existing Act is $150 000. We are not told how many cases were dealt with, but we do know that there are approximately 450 000 wage earners in this State. One could make a reasonable estimate to suggest that there are approximately 500 serious crimes a year in this State in which serious personal injury is inflicted on persons. My suggestion is that, for $5 a wage earner a year, suitable sums would be raised to provide insurance coverage for every victim of crimes of violence who receives personal injuries, at the same rate as under the Workmen's Compensation Act. If one of us was unfortunate enough to be walking in a street, was beaten by a criminal and was off work, we would not receive, five years later, if we were lucky, some pitiful modicum of money under the existing act; we would get our weekly average earnings immediately, medical expenses paid immediately, and any rehabilitation that is required immediately. The sum of $5 seems a modest price to pay.

The very people whose supporters slammed the Labor Party for its lack of action in relation to crime and violence, when offered by a person such as myself, in a reasonable way and in a reasonable context, an opportunity to investigate this matter in a Select Committee, refuse it. I can remember you, Mr. Deputy Speaker, drawing attention on many occasions to what you thought was a deplorable state of affairs in the community. I hope you will be shocked by the attitude of your

Government and your Ministers and will act appropriately in your Party room to admonish your colleagues and try to get them to live up to their policy promises, such as they are. Those policy promises are not very good. I hope that, in the Party room, you will get your colleagues to lift their game in this regard, because they need to.

This is another example of what we had last night from the Minister of Planning—shocking arrogance towards the Opposition, and a refusal to co-operate with the Opposition in any reasonable way whatever. Platitudes are spoken about too many people in this community who are victims of crime. After this debate, mere platitudes are not good enough. The opportunity has been given in a totally reasoned fashion for the Government to accede to a scheme which, at a minimum cost of $5 a wage earner a year, would provide at least marginal security for the victims of crime. I hope that this matter is reported and, if it is, I call on the public to support me and to impress upon the Chief Secretary and the Government the need for such a move, or at least the need for a Select Committee to investigate the matter. I think this motion deserves the support of the House.

**Mr. KENEALLY** secured the adjournment of the debate.

## PROSTITUTION BILL

Adjourned debate on second reading.
(Continued from 27 February. Page 1281.)

**Mr. SCHMIDT (Mawson):** I oppose the Bill. When the member for Mitcham spoke in introducing the Bill, the member for Elizabeth interjected, "What are you worried about? We're supporting you." That statement causes me some concern, since it makes a mockery of the whole concept of a conscience vote. I hope members opposite, if they are truly genuine in their concern about the working people, will oppose this Bill, because it does absolutely nothing for the working person, namely, the prostitute.

The member for Mitcham has also made a few glaring errors in his assumptions in formulating this Bill. His first misconception is his rather ignominious references to Bible passages. He did this in an effort to extol himself and his virtue by saying that hypocrisy is a greater evil than is prostitution. The Bible passages to which the honourable member referred as having been given to him deal with God's judgment of those who indulge in immorality, and with the purpose of God's law. He countered by quoting a number of biblical references to hypocrisy, to accusations launched against Christ before and during His crucifixion, and to the untrue stories with regard to the Resurrection as spread by religious leaders. A classic reference is the last one mentioned by the member for Mitcham, namely, James 3.17, which states:

> But the wisdom that comes from heaven is first of all pure; then peace-loving, considerate, submissive, full of mercy and good fruit, impartial and sincere.

All of us including the member for Mitcham, need this type of wisdom and discernment, especially if we use the Bible in the context of a second reading speech on a Prostitution Bill as a kind of argument against those who wish to remind us of what the Bible says about prostitution and sexual immorality. The honourable member would do well to note that hypocrisy is also prostitution, namely, prostitution of the mind. From his attendances at church and his own readings of the Bible, the honourable member would know that God does not have degrees of evil; God is absolute. Evil is evil and good is good. It is only we, for our own expediency, who talk of degrees of evil.

Furthermore, as a Christian, the honourable member would know that Christ always dealt in the area of grace, that is, forgiveness. Many biblical passages deal with prostitution. The reason why I am not taking up these passages is that we are debating not God's view on prostitution but the Parliament's attitude and responsibility towards the proposed Prostitution Bill. We, as a Parliament, deal in the area of law. When the Bible calls prostitution sin, it does not follow that the Parliament must regard it as a crime or as an illegal act. As a matter of fact, we know that the actual act of prostitution is not in itself illegal in Australia. The directory on women's rights in Australia, *Pink Pages,* also points out that prostitution is not illegal, and this is particularly so in South Australia.

The member for Mitcham said that because of the hedges around prostitution it is all but impossible to carry on illegally this trade of prostitution. The expression "this trade of prostitution" is rather curious, to say the least, especially in view of the actual contents of the Bill, which does not give any protection to those involved in the trade. The law is designed in order to preserve decency, and this is highlighted in the Report on Homosexual Practices and Prostitution, in which it is stated that the function of law "is to preserve public order and decency, to protect the citizen from what is offensive or injurious, and to provide sufficient safeguards against exploitation and corruption of others, particularly those who are specially vulnerable because they are young, weak in body or mind, inexperienced or in a state of special physical, official or economic dependence."

The member for Mitcham said that because of the hedges around prostitution it is all but impossible to carry on illegally this trade of prostitution. The expression "this trade of prostitution" is rather curious, to say the least, especially in view of the actual contents of the Bill, which does not give any protection to those involved in the trade. The law is designed in order to preserve decency, and this is highlighted in the Report on Homosexual Practices and Prostitution, in which it is stated that the function of law "is to preserve public order and decency, to protect the citizen from what is offensive or injurious, and to provide sufficient safeguards against exploitation and corruption of others, particularly those who are specially vulnerable because they are young, weak in body or mind, inexperienced, or in a state of special physical, official or economic dependence". This motion is further supported by Lord Devlin in his Maccabaean lectures in which he states that "legislation and the courts can provide at best only a very limited answer to social and moral problems, to preserve public order and decency, to protect the citizen from what is offensive or injurious." He further states:

> Every society must have a certain community of ideas about the way in which its members should behave and govern their lives—that is, a public morality. Any attack on this community of ideas may moreover, be as damaging to the society as an attack on its political integrity.

He went on to say:

> The prostitute exploits the lust of her customers and the customers the moral weakness of the prostitute.

Those remarks are in line with the comments I made earlier about exploiting the weaknesses of people.

I speak against the Bill for many reasons. This Bill is an example of a hasty and ill-conceived piece of legislation. The member for Mitcham was aware of this when he spoke on a radio programme this morning on which he pre-empted the fact that he may be caught out on this very notion of this Bill's being a hasty piece of legislation. I refer members to the opening comments of the Minister of Transport when the report of the Select Committee was presented (page 1045 of *Hansard*):

> By moving that the report be noted, I am giving members of this House the opportunity to debate the report in full. Far more importantly, it will give the public a chance to take part in the debate.

The member for Mitcham, by hastily drawing up this Bill, is endeavouring to circumvent public opinion coming into this House.

Another fundamental mistake by the member for Mitcham is that he assumed the report to be the norm on which to base a Bill. It is a report from a committee; it is the opinion of its members. They made recommendations, but that does not make the report absolute. The Bill is based on the contents and recommendations of that report, which was tabled on 19 February. It is obvious that the contents of this 24-page report have not yet been digested by those members of the community who are genuinely and sincerely interested in the area of social legislation. Recommendations for social legislation should be discussed in the community, since such Bills affect the community. I mentioned this a moment ago, and this is why the Bill should remain in the House for some time to allow members of the community time to make their comments. Undue haste weakens the quality of legislation; the Bill clearly shows that this is true. This is again evidenced by the fact that, in his explanation, the member for Mitcham said that he acted immediately and could see no point whatever in delaying introducing the Bill. Again, that is political expediency.

His second mistake in drafting this poor legislation is that he overlooked his public image of being a christian and, more importantly, his role as a caring member of this society. Social legislation must have the effect of enhancing the common good of all members of the society. Throwing people outside the orbit of the law does not mean that we care for them. If we really care for the dignity of women we should continue to discourage women from engaging in prostitution. Many people, including christians, will do this, especially if the woman happens to be their wife, sister, daughter or friend. I cannot for one moment imagine that a caring parent, husband, relative or friend would encourage a woman to take up the trade of prostitution.

The member for Mitcham said that obviously many people in the community did not regard prostitution as being morally wrong. I dispute this, again on the basis of my contention that I do not know of any responsible member of the community who would encourage women to take up prostitution as a trade. The member for Mitcham has sidestepped his social obligation by setting up a smokescreen, and criticising those who have written letters to him as being people who have done nothing. Again today, he exemplified this on the radio programme by hiding behind the skirts of old ladies in saying that they are the ones against social legislation. It is strange that everyone else is out of step except "Little Johnny". This Bill is utterly hypocritical, because the member for Mitcham has done nothing himself. The Bill he has introduced does nothing for the prostitutes, and it does nothing to help the industry as such.

The honourable member would be aware that prostitution is predominantly found in highly urbanised areas because it is in those areas that prostitutes lose their identity. In smaller country communities, prostitution is not found to be an important factor, as was brought out in the report, because usually the socially accepted standards set by that small community are sufficient to restrict such an industry. By putting people outside the law, the member for Mitcham is saying, in effect, "We don't want to know about them." The Bill reflects this as well, because the Bill and the report do not tackle the problem. They are saying that by decriminalising prostitution we have done something about it, and let it be. Actually, absolutely nothing has been done, as we will see later.

We talk about prostitution, without wanting to know the prostitutes. People may want to legalise prostitution as long as the trade is not carried on in their street, and as long as prostitutes do not approach the members of their families. The removal of prostitutes from residential areas reminds me of the treatment of lepers in Biblical times. These sufferers, too, were not allowed to live in residential areas of the cities, towns and villages. Indeed, Christ went amongst the prostitutes and lepers and did something to help them. He did not decriminalise them. What does the Bill do for prostitutes as persons: it does absolutely nothing. What it does do is take brothels, or prostitutes, out of the residential areas. We therefore get an impression from that that out of sight is out of mind.

It is rather strange that the honourable member wants to introduce the notion of putting the brothels into the commercial areas and out of the residential areas. Most people talking about prostitution will say that attempts to confine a group as inherently mobile as prostitutes have met with only temporary success. Prostitution always tends to fan out beyond the demarcated boundaries. Placing a brothel in a commercial area, would in no way stop prostitution from taking place in residential areas.

In this Bill, there is no one protective provision for the prostitute, other than the fact that she can no longer be accosted in the street. Social legislation, as I have said, has the purpose of working for the common good of all. In his haste to introduce the Bill, the member for Mitcham has not considered the part of the report which talks of causes of prostitution. I will not read all that, because of the time, but I refer people to the report at pages 8 to 10. In effect, all that happens in that part of the report is that all those who are socially disadvantaged are thrown together. We, as a Parliament, a collective body, should be examining how we can inject meaning and dignity into people's lives. Our society has false values. We tend to put less of a stigma on a woman if she is called a high-class pro than we put on a woman classed as a low-class pro. That is something we need to examine within ourselves. A classic example of this is the Japanese geisha girl. She is held in high repute. Yet, somebody who wants to service the socially disadvantaged is classified as being of ill repute.

We have labelled the prostitute, and the only thing the Bill does to help her is to provide that from now on she may not be accosted in the street. In his haste to make political mileage, the member for Mitcham has not yet sorted out in his own mind what he is endeavouring to achieve. He criticises others for doing nothing, but he has done nothing himself. Most of what he said in his explanation spoke about legalising, not decriminalising. The *Hansard* report shows that he refers continually to various surveys conducted, and every one of those speaks about legalisation, people's attitude towards legalisation, not decriminalisation. I think that the honourable member would do well to clarify in his own mind what he means by legalising and decriminalising.

This situation is further exemplified in another comment, and this is what makes me think he has not clarified it in his own mind, because he had a similar attitude to the whole problem in 1976. On 9 August 1976 he said, as reported in the *News*:

> Legalisation of prostitution in South Australia, in the interests of public health, should be done by the registration of massage parlours.

Again, he had this notion in his mind of legalising and not decriminalising. A legal act should ideally be a morally respectable and responsible act. The term "legalisation"

applied to prostitution creates an unhealthy dichotomy in people's minds with regard to the nature and purpose of the law. It has often been said that the State should not legalise morality. In a qualified manner, one might agree with this statement. However, at the same time it should be understood that the Parliament is under no obligation to legalise immorality.

We recognise that this debate is a conscience matter. The member for Mitcham again shows his confusion in this connection. I believe that he is not fully in support of what he is doing. He said in his explanation that the Bill was in line with the Australian Democrats policy. I am not saying that I fully support the Australian Democrats policy. He said:

> The Party policy in clause 53 *(b)* says that legal controls—

again, he is speaking of legal controls, not decriminalisation—

> on prostitution will cover health standards.

We see that there is no cover for that in his Bill. Controls are supposed to cover town planning. He has minimally referred to that in his Bill by having brothels put into commercial areas. He upholds public solicitation to no great effect. He does nothing to stop exploitation of a prostitute, or to make it more difficult to apprehend the procurer of a prostitute. He does absolutely nothing about the working conditions of a prostitute. I remind Opposition members that, if they are truly aware of the conditions of the worker, they will surely oppose this Bill, in the way it is drawn up, herein lies the nexus to the Bill.

The member for Mitcham has done absolutely nothing to help prostitutes or improve their working conditions. The Bill does not decriminalise prostitution. Under the Criminal Law Consolidation Act, section 63, he or she who procures is the offender, not the prostitute. This is verified, at the back page of the report, by statistics on the types of apprehensions made in the past 10 years. Under the area of those who are procuring we see there have been no arrests at all. It is very difficult to apprehend those who procure the girls to work for them.

The Bill does not decriminalise prostitution, but rather the Bill is decriminalising an industry, which many people refer to as a trade. We always talk about it as an industry, but, for expediency, we say we are going to decriminalise prostitution, rather than refer ourselves to the actual matter in hand.

In this industry we have an oppressive employer, the pimp or madam, whom no union should condone if it is worth its salt. It is an industry in which the employee is exploited by both client and employer alike. There are no penalty rates and there is no danger money for the girl working in it. Surely, the member for Mitcham and the member for Elizabeth, with their legal skills (the member for Elizabeth as a former demoted Attorney-General), must know the difficulty under which the police operate if legislation is limited. We hope that they would both possess skills to put forward better legislation to control the situation we have.

The Melbourne *Truth* has pages of advertisements for these sort of places, and yet we have some very learned men in our society who will advise these people who run these places how to circumvent the law. These sort of comments come out in the report. I think there are places here, such as Caesar's in the city, where people can get away with not being apprehended for making payment for prostitution, merely by saying they are residents of a motel for the night, and are therefore paying accommodation fees. It is a very blatant circumvention of the law. We had the case a few years ago in which the Chief Justice of that time said it was not an offence to make payment if the money was left on the mantelpiece.

That, again, is a flagrant circumvention of the law. Surely, we should be looking at these sorts of areas and tidying them up rather than coming forward with a bland measure such as this Bill, which does absolutely nothing for the girls within the industry.

I will now go through the various clauses of the Bill. Clause 3, the interpretation clause, states:

> "Prostitute" means any person who prostitutes his or her body for fee or reward.

The sociological and legal definition of "prostitute", according to Kinsey, is "an individual who indiscriminately provides sexual relations in return for money payment", and that sort of definition is not contained in the Bill. Paul Wilson, in his book *The Sexual Dilemma, abortion, homosexuality, prostitution and the criminal threshold*, gives the reasons why this definition is to be preferred above other definitions. He made reference to the fact that, particularly in our enlightened society, if one likes to call it that (or, as the member for Mitcham said, he wanted to keep up with the tempo of our society), many girls who now go to a disco at night, or as payment for going out for a meal, give their favours to their partner for the night. In effect, we could call this prostitution, but we do not classify it as indiscriminate.

Clause 4 (1) provides:

> A child shall not commit an act of prostitution.

If a girl of marriageable age (16 years) indulges in a commercialised sexual relationship (that is what I was referring to before when I referred to people in a marriage context being regarded as having a commercialised relationship, or if they give their favours to their boyfriends or whatever the case may be after a dinner dance), she now becomes a criminal. The law has never said this. Why is the act of prostitution committed by a girl of 17 years, and a mere 364 or 365 days later it is a criminal offence, when on the next day she can prostitute herself "legally"? Does the law enforce morality on children and not on adults? This will certainly be regarded by some as discrimination on the basis of age.

Clause 6 (1) is the classic section which removes the prostitute and her legalised action from the view and hearing of the public. We are asked to legalise prostitution, but we do not want to see or hear the prostitute. We do not want to know about her trade.

Clause 7 removes the brothels to the non-residential zones of towns and cities. One wonders how the brothels will be identified and what kind of trade names will be invented to stimulate the industry. In a case in America, a judge decreed that prostitution was regarded as a legitimate form of entertainment. Will we now see advertisements in the papers saying "Come here for your entertainment"?

Clause 8 (1) is a piece of unenforceable legislation. What "manner of form" of advertising related to prostitution is likely to cause offence after we legalise the trade? Who will sit in judgment on this issue? We have enough trouble now with the classification of publications laws.

In relation to clause 8 (3), the Governor will be very busy in the continual drafting of regulations prohibiting the use of certain words and expressions in prostitution advertisements.

Clause 10 is window dressing, and amounts to an exercise in futility. No specific reason for this unusual provision has been given by the honourable member in his second reading speech.

Clause 11 shows that the establishment, keeping and management of brothels will, if this Bill is enacted, become a legal occupation. No regulations with regard to working conditions appear in the Bill. The act of

prostitution has never been illegal or punishable by law. If we legalise the prostitution industry, we should demand legal measures which protect the prostitutes, the persons engaged in this trade or industry. The haste of the honourable member to make political mileage out of this issue has resulted in the presentation of a Bill which opens the gate to a host of possible malpractices that will worsen the lot of prostitutes.

By this kind of legislation, we throw the prostitutes to the wolves, the latter being the ruthless pimps and other exploiting managers of women who, according to the report, often resort to prostitution because they are "severely disadvantaged socially and economically", or "who are poor, and/or in debt or supporting children or are unemployed" or "who are subject to coercion".

Under the Bill, the member for Mitcham asks to have section 32 of the Police Offences Act removed. This would prevent the police, unless armed with a search warrant, from entering the premises of a brothel at any time, which in effect would result in a child being able to be used for the purposes of prostitution. The police could inspect premises, but they would not be able to enter without a warrant. In effect, the persons operating inside would have sufficient time to have the children whipped away, so no offence could be proved. In this respect, too, it is short-sighted legislation.

The proposed legislation ignores the causes of and possible remedies for prostitution, and is therefore bad legislation. It discriminates against the disadvantaged members of our society. By giving these people a kind of ill-conceived respectability, we do nothing to improve their lot; we do the opposite. Apart from the fact that one may wonder why prostitutes are still in demand in this age of widespread permissive sexual behaviour, the Bill shows how irresponsibly and casually one can treat a certain group of people in our society.

If we are concerned about the welfare of the prostitute in South Australia, we should at least consider her health, environment, working conditions and welfare benefits. The Bill does nothing of the kind. We permit the prostitute to be employed or legally trade in places outside our residential areas. The service may be advertised in a non-offensive manner. "Non-offensive manner" has yet to be determined. This is basically all that the proposed legislation provides for prostitutes.

I trust that all members will oppose the Bill, because it not only shows incompetence in dealing with the issue but it also betrays a callous indifference towards the lot of the prostitute. I hope that honourable member's prayers for the prostitutes have more substance than has his proposed legislation.

**Mr. KENEALLY (Stuart):** I indicate at the outset that I will be supporting the Bill. Before addressing myself to the remarks that I wish to make on the subject, I think I should respond to one or two of the comments made by the member for Mawson. I point out to the honourable member that the Bill that we are discussing is drawn completely in accord with the report of a Select Committee formed prior to the introduction of this Bill.

It seemed to me that the member for Mawson was trying to score some political points off the member for Mitcham. If that is the case, his comments are totally irrelevant to the substance of the matter that we have before us. He said that the Bill was a hastily, ill-conceived one, and there were certain admissions by the member for Mitcham to this effect. I do not know whether he is commenting correctly or otherwise, but if people believe that this is an ill-conceived and hastily drawn Bill that needs amendment, I suggest that they should move to amend it. It is quite possible that, after consideration, members may be able to suggest amendments that will improve the Bill. Frankly, I cannot, but that does not suggest that other members may not. So, I believe that the member for Mawson's criticism is not valid.

In fact, the early decision by the member for Mitcham to have a Bill introduced in the House is not circumventing public opinion at all but is giving the public an early opportunity to discuss a Bill that has substance and meaning within the debates of this House. Prior to the introduction of the Bill, members would have had a Select Committee report to debate, but that has not got the meaning that a Bill has. While the Bill is before the House for discussion, the community at large will be able to hear the various points of view that are being directed towards it and consequently better understand the decision that this Parliament ultimately makes.

The action of the member for Mitcham has improved the situation regarding public discussion, rather than circumventing it. The member also made the charge that no-one would like his daughter, wife, sister or girlfriend to be involved in this sort of industry. That is not entirely true, because wives and girlfriends are involved in the industry, with the acceptance of their husbands and boyfriends. However, in the main, it is true, but it completely begs the question. There are many industries and occupations in society in which I would not like my wife, sister, daughter or girlfriend (if I had one, but I do not have one) to be involved, not only prostitution.

One of the more substantial criticisms the honourable member made of the Bill was that it provided no protection to the prostitute, the worker in the industry. I think that he misunderstands the whole reason behind the decriminalisation that the Select Committee recommended, namely, to give the prostitute the protection of the law that she or he does not currently have. It is only with this protection of the law that every other industry in society has that the prostitute will be able to demand and command working conditions appropriate in terms of health and other matters. Prostitutes will be unable to have that protection, except in some circumstances, where the proprietor provides the most elaborate of working conditions.

In the main, the working prostitute will be unable to command those sorts of conditions while he or she is still outside the law. The honourable member suggested in his closing remarks that the Bill would open up all sorts of opportunities for malpractice. In fact, the Bill will close the opportunity for those malpractices that currently surround the activity of prostitution. It is the rationale for the recommendation itself and, rather than open up the opportunity for malpractice, it will close it.

I was a member of the Select Committee that produced the report on which the Bill has been based. I believe that that committee brought down a very good report indeed. The committee members still in the House were the member for Mitcham, the member for Playford, the Minister of Transport, and me, but the original Committee also included the Hon. D. W. Simmons (the then Chief Secretary), Mrs. Byrne (the then member for Todd), and Mr. Nankivell (the then member for Mallee). It was an extremely well-selected committee, I say with all due modesty. It represented a group of people with varying backgrounds and, I expect, varying attitudes towards the moral and ethical positions involved in prostitution.

The committee worked diligently for 12 months. It is not sufficient for the member for Mawson to say that the Bill will be rushed through the House in a short time, giving no-one the opportunity to comment. The Select Committee was set up on 15 August 1978. Several

advertisements appeared in all newspapers in South Australia calling on all interested people and organisations to give evidence before the committee. We had evidence from 87 witnessess. We received 43 written submissions, inspected places of prostitution in South Australia, Melbourne and Sydney, and took about 1 000 pages of evidence.

We faced a very difficult task, because we all came to the committee with differing views about the incidence of prostitution and what the remedy ought to be. It is therefore strange that all the committee members, with their differing views and backgrounds, should arrive at a unanimous decision. I may say that we made the decision some time before we were forced to declare it, because we were faced with the absolute logical conclusion that the decriminalisation of the practice of prostitution was the only sensible and appropriate action the committee could take.

On this committee were members who adopted what I would regard to be the highest moral and ethical positions. They are practising and professing Christians. I suggest to those people who may reflect on members of the committee that virtue and Christian morals are not confined to a few groups within the community. One such organisation has since sent me a publication, to which I will refer later. Such virtues are often found among the community at a far wider and greater extent than some people believe. Some members of the committee were people with this wider and greater extent of Christian virtue.

We faced a difficult task, because we were continually being confronted with evidence that contradicted the stands on prostitution we had believed in for a number of years. We also know that, for hundreds of years, authorities in one country or another have tried to abolish prostitution by legislation (sometimes severe legislation) and in every case failing to accomplish what the measure set out to do. In many instances, it made the situation much worse than it had been previously.

That is possibly the case in our Australian society. Certainly, there was no evidence that prostitution would reduce in activity, except through economic factors (and I will have something to say about that later): certainly not through the pressure of the law. If any member believes that to be the case, it is a pity that he was unable to have the advantage that members of the committee had by hearing the evidence. I congratulate those who appeared before the committee. They were very courageous, in many instances, to come before the committee to give their evidence. Often, it took a great deal of moral fibre. People whom everyone would consider to be decent upright members of the community gave evidence, and we thank them for that, because it enabled us to receive a wide spectrum of views on this issue.

We received submissions and evidence not only from the workers in the industry but also from the consumers of those services. Those who believe that the responsibility of members is to write Christian morals into law make it a difficult proposition indeed. I do not think that that can be achieved. Perhaps my word on this matter will not be accepted, so I will quote for the benefit of those members, who may be wavering on this issue, a statement by the Rev. Father Bruce Vawter in his book *The Four Gospels—an introduction*. He is a Vincentian priest, and the book he wrote had the imprimatur of Cardinal Ritter, of the Archdiocese of St. Louis. Father Vawter says:

> There is a rather important Gospel teaching that Christians have not always properly understood. Graces cannot be legislated. Understandable that it may be that Christian nations will desire their laws to reflect the religious convictions of their people, it is a very questionable wisdom that has promoted a country or state to translate into civil and actionable law a divine word that has been sent into the soul and conscience of Christian man.
>
> For Christian man such a thing is unnecessary in the first place and a usurpation of the liberty with which God has made him free; for non-Christian man—who is at least as frequent in a Christian country as in any other—it is an intolerable burden, the imposition (in the name of God) of a duty which God has not revealed to him and which, therefore, he has not given him the means to fulfil.
>
> A sad, sad record of hypocrisy and collusion has dogged the footsteps of good, earnest people who have made the mistake of confusing the Gospel with a *corpus iuris*.

I suggest that all honourable members should consider that statement seriously, because it really is the nub of the matter being discussed here today. I guess that we are going to get a number of quotations, but that document seems to me to put the position of the member of Parliament within the community exactly as it ought to be.

There are a number of aspects that we took into account in this inquiry. One of them was the position of women in society. We had the advantage of having Mrs. Byrne on the committee. She is no longer a member of Parliament, but in this particular area (as in all others) she was of enormous assistance to the committee. Mrs. Byrne was, on all occasions, anxious that the position of women should be protected. I think that the final decision of the Select Committee has justified the stand that she took throughout. I repeat that I believe it is a good report. I recommend that people read it, and read it again; that they read it with an open mind, understanding that it has been brought down by people representing many different backgrounds and attitudes. All the people on that committee, I believe, would personally be opposed to the practice of prostitution, but in the exercise of their legislative responsibility find that they are unable to impose upon society a view they may hold personally about a matter of morality. It is not right, in a pluralistic society, for Parliamentarians to do that.

It may well be said that Australia is a Christian society, but I am not sure that the record would indicate that people in Australia were in the majority Christian, and, in a minority, non-Christian; it may well be the other way round. If that is the case, legislation enacted purely on Christian morality is an intolerable burden on those people who are not Christians.

I do not want to go through all of the recommendations and findings of the Select Committee. That can be done quite easily by people who read the report. However, I said earlier that members were continually being confronted by evidence which contradicted the views and attitudes they had towards prostitution—views and attitudes built up over a number of years. These attitudes grew up, I think, because people were not fully advised about, or fully knowledgeable on, the activities of prostitution. One instance of this was exploitation. It was my view (and, I suspect, the view of most people) that in the practice of prostitution the exploited person was the prostitute and that society generally was exploiting the prostitute. I am sure that that is the case in many instances—particularly with young prostitutes, a matter about which I, personally, and the committee as a whole, are very concerned. Our recommendations reflect that concern.

However, the people within the industry do not believe that they are being exploited; in fact, they feel that they are the exploiters, that they are in the dominant position, taking advantage of a need, and that it is purely a supply and demand situation. They are setting the prices they

wish to set and they feel they have a ready market because of this need that exists within the community. That was the first contradiction to a long-held belief of some members.

Living off the earnings of prostitution was another contradiction of the long held beliefs of many people. It has been commonly considered that anybody who lived off the earnings of a prostitute was a hoon, pimp, bludger, or any other description one could place upon that person. After consideration it becomes quite apparent that, except where there is duress or blackmail, living off the earnings of a prostitute is no different from wives living off the earnings of an S.P. bookmaker, which, too, is an illegal activity. Women ought to be able to keep their children, members of their family, their husband or boyfriend, if they so wish, so long as they are not forced into this occupation by duress or blackmail. That is a concept a lot of people are finding difficult to come to terms with, but it goes hand in hand with the fact that prostitution is not illegal.

I think everybody believes that the massage parlours or brothels are the birthplace, in a sense, of venereal disease. Evidence we received would suggest that that is not entirely correct. Certainly, people are likely to contact V.D. at some massage parlours or brothels but, in the main, according to evidence we received, the clients at these brothels are required to wear condoms, which certainly cuts down the possibility of contacting V.D.

Prostitutes, in the main, are interested in continuing in their business. They are not very highly regarded if they contact V.D. and pass it on. They do not want to do that. They want to stay in the business as working girls for as long as the opportunity exists, so it is in their best interests to keep free of V.D. They are very adept at doing just that and many of them have been trained by the V.D. clinic to test customers to ascertain whether they have V.D.

I turn to the involvement of organised crime in prostitution. I am not suggesting that organised crime is not involved in prostitution throughout the world, including Australia, but the evidence we received indicated that there was not a great deal of organised crime, if any, involved with prostitution in South Australia. I am not saying that that is likely to be the position that will obtain in the future, but that was the evidence we received from people who are in the industry and have had the responsibility for policing it.

Another concept held in the community is that prostitutes generally are people of poor intelligence. That, quite obviously, is not the case. Here again, I say that prostitutes are like other members of the community. They do have within their ranks people whose intelligence may not be as high as that of others (as we have politicians whose intelligence is not as high as others).

**The DEPUTY SPEAKER:** I hope the honourable member is not reflecting on any member of the House.

**Mr. KENEALLY:** No, Sir. I will not suggest that you have a guilty conscience, Sir. I was not reflecting on anybody. I am saying that, within the area of practising prostitutes in South Australia, there are people of high intelligence. They are not in that industry because they have been forced into it by circumstances. They are there, quite often, because that is the choice that they make. Many of them go into the business for reasons of their own—as a member opposite said, for reasons of finance. I do not believe that prostitutes, if they were able to make the same sort of money elsewhere, would choose that profession; I do not think anybody would. I do not think too many people are making the sort of money that they are making, either, so another fondly held concept was destroyed. In the final eight minutes I have available to me I want to comment on some of the issues raised in a pamphlet issued by the Festival of Light, written by Dr. David Phillips, and titled "Victims of Prostitution". He makes a strong case about the evils of procuring people for prostitution. We agree.

We have no objection to people becoming prostitutes if they make that decision themselves. Adults are able to make that decision, and they are currently making the decision, and will continue to do so, whether the law changes or not. Let no-one be confused about that. However, we are violently opposed to people being forced by blackmail, duress, or coercion into prostitution, and the recommendations regarding penalties for those actions reflect our concern. We agree with Dr. Phillips's article on that score.

Dr. Phillips also mentioned the position of pimps in the industry. If pimps are oppressive, we oppose them with all the power we have; however, if they are not oppressive and the girls with whom they work are happy with them (and in some cases the girls are in love with their pimps), that is the choice they make. We investigated the area of drugs. We thought it was likely that some brothels would be places of distribution for drugs. Whilst there is no doubt that some prostitutes take drugs, there is no reason to believe that the percentage of drug takers is any higher than in some other occupation. We checked this closely; in fact, one of the members of the committee probed this area of the industry as far as he could. He did so to great effect and from his probing we reached our conclusion. This article states:

> Psychology suggests that under ordinary, peace-time, urban conditions, those who habitually resort to prostitutes do so not as a matter of custom or habit, but rather because of a deep-seated psychic maladjustment, the same basic kind of regression or infantilism from which the prostitute herself most probably suffers: "the prostitute satisfies a psychopathological demand".

That may be the case with some clients and some prostitutes, but evidence given to the committee suggests (and I am not suggesting that prostitutes are therapists and that is why they go into the industry) that prostitutes provide a therapeutic service in many cases. Within the community, there are elderly men, migrant men, men without the social skills to strike up a relationship with women, and physically and mentally disadvantaged men, who are all deprived of sexual contact. Equally, women in the community are deprived in the same way. Evidence was given to the committee to suggest that something should be done to allow these women the same advantage as men have to seek out the services of prostitutes.

I would have thought that this article, if it was to be an article that one could take seriously, would examine this need that exists within the community. Of course, some people go to brothels out of bravado, and some men attend them because they are on a football trip and think it is a big deal to do so. There are also people who like what could be described as "kinky" sex. These problems do exist, but it must be understood that there is a great need in the community for a great many of our fellow citizens to have sexual contact with the opposite sex. Evidence was given by people who suggested that the availability of prostitution had saved their marriage. That completely contradicts the generally held concept that contact with a prostitute ruins marriages. In some cases, this may be so, and in other cases a marriage can be saved. The logic of that is overwhelming.

**Mr. Schmidt:** You are generalising across the whole spectrum.

**Mr. KENEALLY:** I am not generalising across the whole spectrum; I am saying that in some cases prostitution could affect marriages. I am sure that

marriages would be affected if a partner knew that the other partner was seeking such services, but, on the other hand, there are people who seek the services of a prostitute and who are able to carry on a happy marriage because of that outlet.

Other comments have been made in this article about the activities of people in Victoria—gutter-crawling, soliciting, etc. We recommended that soliciting should still be an offence because soliciting in South Australia is not a serious problem and can be adequately policed. People should not be harassed in Hindley Street or in any other place. If soliciting is an offence, it should apply to both males and females.

The ramifications of this subject are very wide, and 30 minutes is not sufficient time to do it justice. It is an issue of great moral and community interest and, as is always the case within Parliament, these debates tend to be the most seriously approached. I gave a lot of thought to this subject before the decision of the Select Committee was brought down. I found that I could do nothing other than come down strongly in favour of decriminalisation, which will assist the community generally. A lot of practices surrounding prostitutes are unsavoury, unpalatable and undesirable; this Bill will remove some of those practices. It will give some respect to prostitutes; it will give them the protection of the law that they do not currently have.

In conclusion, I point out that women's groups were in great conflict on the issue of whether a woman should have the right to do as she wishes with her own body, as against the historical view that women were being exploited. The most remarkable combination of women's groups came to us saying that, after considering all of the facts surrounding the issue, they had to recommend that the practice of prostitution be decriminalised. I hope that members of the House support the Bill and the findings of the Select Committee.

**Mr. O'NEILL (Florey):** I support the Bill, because I am a member of the Australian Labor Party and I support the humanitarian policies of that Party, and in particular the rights of individuals.

**An honourable member:** The Labor Party supports the Bill?

**Mr. O'NEILL:** The honourable member can speak afterwards if he wishes. A week or two ago we were under the impression that Government members would support it in its entirety. I support the Bill on the grounds that an individual should have the right to do as he or she sees fit without being coerced or exploited. I am opposed to any kind of stand-over tactics in any area of human endeavour.

*Members interjecting:*

**Mr. O'NEILL:** They are unintelligent remarks! I will deal with them in due course.

**The DEPUTY SPEAKER:** Order! The honourable member should ignore interjections, which are out of order.

**Mr. O'NEILL:** I will do my best, Sir. I find this difficult, given the inanity of some of the interjectors. I am not able to do as good a job in supporting the Bill as did the member for Stuart, but I will refer to several issues. It is clear from the report of the Select Committee that many of the factors leading up to the entry into the industry by people relate to severe disadvantages they suffer. Social and economic problems accrue from incarceration in child welfare institutions, poverty, debt, and the need to support children whilst unemployed. Some women are subject to coercion and some people also use prostitution primarily to seek a fortune.

The attitude of the only Government member who has spoken in the debate amazes me. He had the audacity to criticise these people for what they do to earn a living, yet the Party of which he is a member in this Parliament and the Party which he supports at the national level are responsible for the shocking inequities existing in this country in relation to employment and the level of social support that is available for people in trouble.

He said many things about working conditions. I find that amazing, given the record of the Government, when it was in Opposition and since it has come into Government, in relation to industrial conditions. It wants to take the industrial sphere back to the nineteenth century, yet the honourable member accused the member for Mitcham of hypocrisy—

**The DEPUTY SPEAKER:** Order! The honourable member is straying considerably from the Bill. I realise that this Bill has been fairly broadly canvassed, but I ask the member to link up his remarks.

**Mr. O'NEILL:** The member for Mawson tried to introduce industrial matters into this Bill, and I thought he went a fair way towards doing that. I want to set the record straight by saying that, if not all members of his Party, certainly he has made some interjections which clearly led me to believe that he has a very Victorian attitude, indeed. I do not criticise him for that. His moral approach to any subject is his own business. My approach to the subject is that this occupation has been with us for a long time. Prostitution has been with us for longer than Christianity, and despite the best efforts of Christians throughout the ages, it is still here, and it will be here for a long time yet.

I think that the members of the Select Committee have done as good a job as is possible on this subject, given the attitudes in society. When members of Parliament have to deal with matters such as this, they know there are people in their electorates who will try to use pressure on them by making threats about what will happen at the next election. This is where members must stand up for their convictions and be counted. They must not take the easy way out by saying that they could not care less about it, or that they would support it except for the fact that they have a narrow margin in their electorate and the wrong vote might just tip them out the next time. I can tell the member for Mawson that he will be out the next time, and it has nothing to do with how he votes on this Bill. He is wasting his time if he thinks that that will keep him in the Parliament next time around.

**The DEPUTY SPEAKER:** Order! The honourable member is right out of order when referring to the honourable member for Mawson in that way.

**Mr. O'NEILL:** I ask you to protect me from him because he has been interjecting continually. If he keeps quiet, I will keep quiet.

**The DEPUTY SPEAKER:** I remind all honourable members that interjections are out of order. This is a serious debate, and I ask honourable members to allow the honourable member for Florey to be heard in silence.

**Mr. O'NEILL:** Thank you for that, Mr. Deputy Speaker. I consider it to be a serious matter and I am concerned about some of the peripheral carrying-on that has occurred. The matter relates to the rights of the individual. I am not going to ask any woman to account to me or to my Party for what she sees as the correct course of action for her. I am concerned about the fact that people may be coerced into this so-called industry. I do not like to see that, but it is not only in that so-called industry that coercion occurs. Every day now people are being coerced into jobs they do not really want to do under the threat of having unemployment benefits taken away from them by the Commonwealth Employment Service or the Department of Social Security. Nevertheless, I am opposed to coercion of any kind, and I certainly want to

see a situation arrived at whereby, if women engage in this trade, they will not be physically assaulted, knocked around, or injured.

Quite seriously, I think that if women are going to engage in this trade and they have any industrial sense at all they will take a lead from the member for Mawson and consider setting up a union. This has been done in other areas of female work; for example, models and mannequins now have a union. If the people engaged in this trade see fit to do so, I am sure they could introduce some reasonable conditions for their own protection in the area from which they wish to make their money.

A remark was made about the advertising of prostitution. We had an example in this House yesterday of such an advertisement in a Government production by the Tourist Bureau. It contained an advertisement on the back cover for a well known establishment in this city. Maybe that is the sort of advertising to which the honourable member was referring.

**Mr. Schmidt:** You obviously didn't listen to the answer.

**Mr. O'NEILL:** I must admit that I am not very well prepared for this debate, because I came in rather late. Much of what should be said has already been said by the member for Stuart. In view of the fact that this is a conscience vote for members of my Party, I was rather amazed to hear that—

**An honourable member:** But you said it was an A.L.P. vote.

**Mr. O'NEILL:** I thought that every vote in which Liberal Party members participated was on the basis of a conscience vote. Obviously, I was mistaken because they have declared this to be a conscience vote. For those members who have taken the trouble to read the report, I think it is one which can be said was not a cursory examination of the trade. The investigation started in 1978. Admittedly there was some disruption in the proceedings in September last year.

Much material was considered and many people were interviewed and this report quite clearly, in my opinion, indicates that some things need to be done. The proposition before the House certainly is not perfect. It probably goes part of the way to solve the problem, but nevertheless it does attempt to confront a serious situation that exists in Adelaide. The report indicates that at this stage prostitution has not been dominated by the criminal element to any great extent, but we must take notice of the society in which we live, and as recently as in today's *News* it is clear from a statement made by a spokesman from the Police Department that there is growing violence in the city of Adelaide, with 21 vicious assaults in the last month.

We, as a Parliament, have a responsibility to consider these matters. Anything we can do to reduce injury to individuals, to try to provide facilities for people to follow their chosen profession with the least arbitrary intervention, so long as they do not interfere with the rights of others, should be done by this Parliament, to provide the climate for reduction in the number of violent crimes. We should consider ways to remove penalties which really serve no useful purpose. In fact, sometimes one gets the impression, certainly from other cities, that some penalties associated with prostitution are no more than a revenue raising device used by a Government to try to extract more money from the taxpayers of the land. On the basis of a straight-out assessment of what a human being should or should not be entitled to do with his or her body, and because I am opposed to exploitation of any individual by another, I support the Bill.

**Mr. BECKER** secured the adjournment of the debate.

## STATE EDUCATION COSTS

Adjourned debate on motion of the Hon. D. J. Hopgood:

> That a Select Committee be set up to inquire into and report upon the direct costs falling upon parents as a result of their children undergoing pre-school, junior primary, primary and secondary education at State schools.

(Continued from 27 February. Page 1291.)

**Mr. TRAINER (Ascot Park):** There has been on occasion some confusion of the electorates of Albert Park and Ascot Park by the Speaker. I think it is because my predecessor, as member for the area, was an outstanding asset to this House, and was, as member for the district, always a Minister, and referred to as such. It is 10 years since the words "Ascot Park" have been used in this place as an address.

**Mr. Millhouse:** He wasn't always a Minister—not when he first came in.

**Mr. TRAINER:** He was then the member for Edwardstown. Ascot Park only came into being after the 1969 redistribution. I return to my comments of last week in support of the motion of the member for Baudin, that a Select Committee look into the real cost of education in this State, a suggestion that has recently received a certain amount of community support. For instance, in Monday night's *News* there was an item concerning an interview with the President of S.A.S.S.O., South Australian Association of State Schools Organisations. It was pointed out that the claim of free education was becoming increasingly immoral, as the Federal and State Governments abandoned their responsibilities for education funding. The report quotes Mr. Wilson, the President, as follows:

> It's time Governments recognised their inability to run the system without parents' support.

The report continues:

> He was speaking in support of the call by former Education Minister, Dr. Hopgood, for a Parliamentary inquiry into the real cost faced by parents in educating their children at State schools.

What this motion seeks is to try, through a Select Committee, to get all the facts together so that once and for all we can establish what really are the costs, because the true costs of education in this State are more than just those that appear on the Budget line. The real aim of a free education system should be cost—prepaid through taxation, without further expenses falling directly on parents of the people who use it. The report states:

> Mr. Wilson said parents' subsidy of State schools had dramatically increased over the past few years. "It is virtually impossible", he said, "to calculate all the hidden extras, but the hardest hit are parents who place their children in new schools." The Government provides the new buildings, but that is all. Mr. Wilson estimated the proposed 3 per cent cut to South Australian Government education spending would cost every parent an extra $20 a year.

There is a certain amount of contention about what this 3 per cent cut really means. We have heard comments about its being a cut right across the board through all Government departments. It is admitted that it may be heavier in some departments than in others. Possibly the Education Department might not get the full 3 per cent; possibly the Minister may be much stronger in Cabinet than we think. He may be able to hold out against this full 3 per cent being applied in the Education Department.

If, however, the worst happens, and we get a 3 per cent or worse reduction in education, it will be very difficult to apply, as 90 per cent of the costs of the Education

Department go on the salary line. The Premier has told us that a 3 per cent cut in salaries would be nonsense, although he dropped a few hints with respect to the holiday leave loading that teachers receive; possibly they might be able to save a couple of bob by removing that. I am not quite sure how the Teachers Institute would react in that case.

Regarding 90 per cent of the education line being taken up by salaries: if you do not cut those salaries (and the Premier has told us it is nonsense to have a 3 per cent salary cut) the whole 3 per cent that applies to education would have to come out of the remaining 10 per cent. In other words, three-tenths of the non-salary section of the education budget would have to be slashed away. I do not see how that can be done.

Certainly, in a document that has been circulating in schools from the Teachers Institute, an alternative viewpoint is given on the ramifications of a 3 per cent cut. It is suggested that the cuts will have to be in that 90 per cent for salaries, because there is not enough scope for the cuts to take place in the non-salary 10 per cent. This document, which has been sent, I understand, to every school in the State by the Teachers Institute, states:

> A 3 per cent cut would reduce education expenditure by almost $12 000 000; $9 700 000 would have to come from the Education Department, the rest from Further Education and pre-schools, but that assumes the cuts are shared equally across all departments and within those departments. This is unlikely, and for that and other reasons it appears as though even larger cuts are likely in some areas.

I will refer to the comments made in this document from the Teachers Institute only as far as the Education Department proper is concerned; for reasons of brevity, I will leave out any references to the Department of Further Education, or to pre-school education through the kindergartens.

Regarding the Education Department, it points out, as I have just mentioned, that approximately 90 per cent of expenditure is on salaries. The document states:

> The department has already reduced expenditure in the remaining 10 per cent non-salaries lines. Further economies in that area, e.g. fuel, power, water, etc., will either be minor or impossible.

This is a point that I tried to bear out before—that the previous Government, in its attempts to be as economically responsible as possible in spite of the fact that services were still required by the community, did apply restrictions. In so doing, it was mostly cutting away a little bit of fat that creeps into the bureaucracy from time to time. The fat has gone now. If the knife cuts any deeper it will be cutting into muscle, sinew and bone. The document states:

> Headquarters staff numbers have been reduced and further reductions are inappropriate. Members are encouraged to inform themselves of the workloads and circumstances of headquarters staffing. Many criticisms currently made wrongly assume bureaucratic laziness and indifference as a root cause of problems. Insufficient staffing is much nearer the truth, and support is required to oppose further debilitating reductions. Any economies in this area are likely to be minor and disfunctional besides which it is an area of small and reduced expenditure already.
>
> Other salary lines will have to bear the main brunt of any cuts. A 3 per cent cut would amount to $6 700 000, or approximately 400 teaching appointments. That is the number of appointments that it is expected will be made for 1980. The implication is that no new appointments would be made at all in 1981 and that other economies would have to be made as well. A cut of 3 per cent to the curriculum directorate would amount to $670 000, probably achieved by reducing the number of advisory teachers.

Other ramifications of a 3 per cent cut suggested in the document are as follows:

> Reductions in the numbers of TRA [temporary relieving assistants] and contract appointments; exit students would be unable to gain permanent appointments and would also have difficulty in gaining any type of teaching experience.

The document refers to further complications that could ensue in relation to housing rentals, and states that strict adherance to staffing formulas would result in more displacements and fewer voluntary transfers. It states that there would be a reduction in the number of school assistants and more rationalisations. Reference is also made to school assistants and ancillary staff: the semi-professional employees of the department—teacher aides, as they used to be called, library aides, bursars and so forth. These people have taken over so many of the tasks which used to be a real drag on the teacher in the classroom. Instead of getting on with the job of education the teacher would often be tied down with book-keeping tasks and many other things that would distract the teacher from teaching time. These positions were introduced by the former Government in the early 1970's, and these people would be particularly vulnerable to salary cuts.

I point out that one of the ramifications of cuts in education would be many more voluntary levies, increased art fees, and fees for everything else going home to parents. It would be rather ironic if some of the high schools were to lose bursars now that there will be an even greater need for them in order to send bills home to parents. School assistants and the ancillary staff are particularly vulnerable, because they are regarded as casual employees and are not protected by any retrenchment or redundancy provisions. They are some of the possible ramifications mentioned in the document being circulated by the Teachers' Institute.

With regard to the item in the *News* of Monday last, Mr. Wilson, of the Association of State Schools Organisations stated:

> Parents never resent supporting their school, but they do resent the Government's dishonesty in claiming full responsibility for all education costs.

Without being too critical of those schools which have to apply a levy, the same sort of dishonesty is to a certain extent evident in the voluntary levies that are often requested at the beginning of the school year. A voluntary levy is a request for funds for a school which has no legal substance but in relation to which a certain amount of social pressure is applied in order to get parents to pay.

As I mentioned before, I have been on both sides of the billing structure for schools, earlier on as a teacher and now as a parent. I spent six very good years on the staff of the Underdale High School, and I have been able to obtain a copy of the latest fees list that goes home. The situation is not as bad today, because there is a bursar who handles these sorts of transactions, as distinct from in my time, when the teacher had to act as a sort of shopkeeper, accountant and debt collector, applying thumb screws to children who were a bit slow at bringing back the required cash.

One item that appears on the Underdale High School fees list is a "high school council voluntary contribution fee", which amounts to $22 per family. There is another item of $13 for materials issued, and that is listed as an item with the quaint title "Payable by Parents". The deposit for text books lent to students as security for their return is $15, and there is a $4 optional fee for the school magazine, and so on. Those are the sorts of items which, amongst other things, would have to be looked at by a Select Committee investigating the real costs that apply.

Information from that school could be compared with that from other schools, and the whole lot collated together.

The community support that has been spoken about was quite clear in the comments by Mr. Gregory, President of the South Australian Institute of Teachers, in a report in the *News* of 4 March 1980. Mr. Gregory pointed out that there could be strained relations between parents and teachers as an ever-increasing proportion of school costs come in this direct form. The press article states:

> Mr. Gregory said parents' support varied from one area to another, depending on their willingness and capacity. "It's an extra burden on teachers organising money for school activities when they know there are some kids too poor to meet the costs."

It is true that some of these costs are originated by teachers. There may be excess zeal by some who think, "The kids must get one of these and one of those," and they may end up building up a stationery list that is larger than is really required. Most teachers have the best of intentions; they are conscious of costs and they hesitate to incorporate anything if some parents cannot afford it. It would be most unfortunate to have a situation where a child could not take up music because the school could not afford musical instruments and the parents, too, could not afford them. The parents would have to say, "Well, I'm sorry son, you'd like to do music, I know, but we cannot afford to buy you an instrument." Maybe the same situation would apply with regard to art, where a parent would have to say, "I know you have got a lot of talent for art, but you cannot take it up as we cannot afford to pay the art fee." In this way the education structure can become distorted, as the choice of courses taken becomes based on ability to pay.

**The DEPUTY SPEAKER:** Order! The honourable member's time has expired.

**Mr. EVANS** secured the adjournment of the debate.

## RAILWAYS (TRANSFER AGREEMENT) ACT

Adjourned debate on motion of Mr. Hamilton:

> That this House condemns the actions of the Government for its failure to properly enforce the provisions of the Railways (Transfer Agreement) Act, 1975.

(Continued from 27 February. Page 1292.)

**Mr. HAMILTON (Albert Park):** A legal qualification of these clauses should be finalised so that this Government can act properly and swiftly to protect the railway industry in this State from any future erosion by the A.N.R.C. More curtailments are likely, and I cannot stress too strongly to the Minister, if he does not already know, the repercussions of those cancellations of services. He would at least be aware of my concern in this matter because of the number of questions I have put on notice.

The Minister of Transport agreed with the sentiments I expressed in relation to the social effects on the community. However, he stated that the Commonwealth does not agree and that the Federal Minister's attitude is that "effectively demanded" means only in relation to economic circumstances. Part V of the schedule to the Act clearly states:

> (1) Where a reference to arbitration is provided for in this agreement the matter under reference shall be determined as soon as practicable, by an independent arbitrator acceptable to Australia and the State.
>
> (2) The arbitrator shall in his deliberations take into account, amongst other things, economic, social and community factors.
>
> (3) The arbitrator shall not perform his functions as an arbitrator under any law relating to arbitration but shall act as an independent expert or adjudicator.

**The Hon. M. M. Wilson:** I told you last week that Mr. Virgo had trouble—that the State would nominate an arbitrator, but the State and the Commonwealth could not agree.

**Mr. HAMILTON:** Clearly, a writ must be served on the Commonwealth to have this matter resolved once and for all. The Minister is obliged, in my view, to seek a ruling in the interests of this State through the courts on these sections of the Railways (Transfer Agreement) Act.

I turn now to the statement I made that more curtailments are likely. Perhaps I should have said that they are almost certain. I point out to the Minister that my speech was written a few days ago, when I was unaware of the proposed curtailments about which I was informed today. However, I return to the point I have just made as regards more reductions in service. I have not made these statements lightly, as I have considerable evidence to substantiate such claims.

In July 1978 at a T.U.T.A. school, held in Adelaide, Mr. Ralph Taylor, the General Secretary of the Australian Railways Union, who is a member of the Australian National Railways Commission, addressed 80 delegates from various rail unions on the A.N.R.C.'s corporate plans. He is quoted as saying, in part:

> 1. Queensland is being reduced to a line haul operation, and this is likely to occur in South Australia.
>
> 2. Most, if not all, passenger services require Commonwealth subsidies, as without such subsidies—

The rest was left unsaid, but we all know to what he was referring: more cuts. I refer now to page 16 of the Railways of Australia *Network* magazine dated February 1980, which states:

> The ANR's basic strategy is to eliminate operations which cannot be made commercially viable or, alternatively, to request Government (should they direct us to continue such services for social service reasons) to fund them by way of a revenue supplement. Operations which are likely to come into this category include the lines to Quorn and Wilmington, the Wallaroo-Moonta line, and country passenger services. There are, of course, many parts of our South Australian operations which are not at present commercially viable but which can be made so by rationalisation. An example of the type of rationalisation possible is the establishment of regional freight centres.

I will return to that point later. Regional freight depots are a blind for road hauliers, and this, in my opinion, is what is going to happen at Loxton when a regional freight depot is established and considered to be viable. Eventually, T.N.T., or similar large freight forwarders, will eventually move in and take over that depot, and others. This has already occurred in other States. Moreover, in a report dated 28 November 1978, the State Branch Secretary of the A.R.U. is quoted as saying:

> Perhaps the most important speaker and the one who has let the cat out of the bag was the Chairman of the Public Transport Commission (PTC) of New South Wales, Mr. Reiher. This is what he said:
>
> The railways of Australia is a labour intensive industry. Between 80 per cent and 92 per cent of the revenue is paid in wages not because wages in the railways are higher than other industries but because more than necessary people are employed on the grass roots.
>
> Perhaps he would be correct if he said too many chiefs and not enough indians. Nevertheless, that is how railway management think and that is why we currently experience all these changes in the industry.
>
> In order to overcome the problem and satisfy the demands

of the Federal Government, which provides the necessary grants to run the railways, the management of the railways of Australia have agreed on a plan, known as the corporate plan, which in 10 years time will provide a more acceptable balance sheet. The plan as outlined by Mr. Reiher includes:

(*a*) Discontinue L.C.L. loading.
(*b*) Concentrate on bulk loading.
(*c*) Concentrate on intercapital loading.
(*d*) Reduce both interstate and intrastate passenger services.
(*e*) Reduce on train personnel such as sleeping car conductors and dining car crews.
(*f*) Upgrade the railways in such a way as to be able to compete with the airways.
(*g*) Simplify the ticketing system and introduce ticket selling machines and automatic barriers.
(*h*) Increase productivity by all means available.
(*i*) Economise in every way possible.
(*j*) Reduce and wherever possible abolish overtime.

Mr. Reiher is also quoted as saying:

> I am fully aware that this plan is unacceptable to the trade union movement but there is no alternative.

I quote now from part of a letter dated 25 February 1980 addressed to me from the Australian Railways Union, as follows:

> This organisation was previously informed by the S.T.A. that the Virginia rail service, which departs Adelaide at 6.30 a.m. and arrives back in Adelaide at 8.04 a.m., was to be rerouted to the Gawler line and the railcar replaced by an S.T.A. bus service. Since this information was given to this office, an advertisement has been placed in the *Advertiser* calling for tenders from private bus operators to operate a service from Balaklava to Adelaide via Bowmans, and we are of the opinion that this is the service intended to replace the Virginia railcar. We also feel that the introduction of this bus service could provide the A.N.R.C. with an argument against the retention of the existing Gladstone passenger services.

The State Secretary of the A.R.U., in relation to cuts in the Riverland, has stated:

> It would not be possible to implement these reductions without the agreement of the State Minister of Transport, which is hard to understand because in October of 1979 he publicly stated that from information he had received the level of demand for these services did not warrant any further reductions.

I strongly suspect that this Government has capitulated to the wishes of its Federal colleagues and has failed to protect the interests of the railways in this State. It seems that some Government members have deliberately misled many South Australians and, in particular, many railway workers and country folk in this State. I refer to a letter dated 21 August 1978 from the member for Hanson addressed to the Branch Secretary of the A.R.U. (Mr. Alexandrides), as follows:

> Thank you for your circular letter dated 14 August. I would like to draw your attention to the reports of the South Australian Auditor-General for the years ended 30 June 1973 and 30 June 1974 regarding the escalating losses in the railways, which must be of concern to all Governments.
>
> I am realistic enough to appreciate that, whatever any Government decides, the top priority must be to preserve and create employment opportunities and to reduce unemployment as quickly as possible.
>
> Please reassure your members that I have their welfare at heart at all times and would not condone any action which led to the loss of employment opportunities.

Clearly, when the honourable member is in Government, he forgets the statements he has made to railway workers in this State. From the information I have received from railwaymen in his district, I know that they are far from satisfied with the hypocritical attitude he has displayed. Not one word have we heard from him in this Parliament in relation to the protection of the railway services or of job opportunities in the railway industry. Moreover, the reply dated 30 November 1979 from the Minister to a Question on Notice stated:

> No advice has been received from the A.N.R.C. that it proposes to discontinue all rail passenger services to Gladstone or reduce such service between Adelaide and Peterborough.

Clearly the Government must have had some discussions with the A.N.R.C. and its Federal colleagues because of the information that I have already given to the House in relation to the calling for tenders for a bus service between Bowmans and Adelaide. Clearly, the intention behind that is, in my view, to do away with that rail car to Gladstone.

Moreover, today I received from the Minister of Transport a letter which justifies my concern and which justifies the 42 Questions on Notice that I have asked in relation to the railways in this State. I cannot refer to all the Questions on Notice, but the letter states:

> Dear Mr. Hamilton,
>
> Further to the questions you have asked recently on reductions in rail service, I have been informed by the Commonwealth Minister for Transport that the A.N.R.C. proposes that the frequency of rail passenger services between Adelaide and Peterborough be reduced from 25 trains per week to 18 trains per week. Four trains from Adelaide to Peterborough and three trains from Peterborough to Adelaide are to be cancelled. The co-ordinated bus services which connect with the trains to be cancelled will also be cancelled.
>
> I have notified Mr. Hunt that the South Australian Government will not give its approval for these reductions until I have had an opportunity to assess their possible impact. If there are any matters you would wish the Government to take into account in preparing its position on these reductions in service, I would be happy to discuss the matter with you.

It is signed by the Minister of Transport.

**Mr. Evans:** It was good of him to give that to you, wasn't it?

**Mr. HAMILTON:** It was only through my probing, and the fact that the Government knew, and I knew as a railways employee, that the cuts were on. I will explain that to the member for Fisher later. The attitude of the Federal Government, and his Federal colleagues under their A.N.R.C. corporate plan, is indicative of the attitude of the member for Fisher and his Federal colleagues and colleagues in other States in carving up the rail network in this country for their own vested interest and the supporters of vested interests, especially big road hauliers. The member for Fisher should know what I am taking about.

Further, the Minister should have ascertained whether there were to be future rail cuts, and he should have informed all those organisations in the community that will be affected. If the Minister is unaware of this, let me draw to his attention an excerpt from the February issue of *Network*, the Railways of Australia magazine, in relation to the likely cuts in country passenger services.

**The Hon. P. B. Arnold:** Did you agree with the Dunstan Government's sale of the railways?

**Mr. HAMILTON:** Yes. The Minister will have his opportunity later. I refer to a letter addressed to Senator McLaren and dated 20 December 1978 from Mr. K. A. Smith, the then Chairman of the A.N.R.C. The letter states:

> Dear Senator McLaren,
>
> I refer to your letter of 14 December regarding a visit to

the Murraylands by representatives of the A.N.R. to discuss with our clients the closure of country stations and curtailment of services.

A.N.R. officers have already commenced a canvass of areas south of Adelaide. They will visit storekeepers and business people and advise them of unattended station closures. They will also discuss the altered arrangements for the handling of small consignments at some stations. The canvass will include all of those people most affected by the proposed changes.

Facilities for the transport of grain and fertiliser will be retained at most unattended stations, except in the case of 11 stations which handle very little waggon load traffic. The major transport requirements of farmers will therefore be catered for quite adequately, and as the area where changes are to be made embraces all of the Riverlands, Murray Mallee and South-East of South Australia, it is not feasible to extend the canvass to include all farmers.

The letter is signed by Mr. Smith. On Tuesday 15 August 1978 the then Leader of the Opposition (Mr. Tonkin), regarding the railways transfer, said that at least six months notice should be given to those areas where curtailment of services will occur. He stated:

If closures are recommended at any time over the next 10 years as a result of this report or any other they must be examined carefully and that is the position we hold.

There must be at least a six-month opportunity for local people to make representations and to demonstrate their real need. It is the Government's responsibility to provide public transport to country areas, and we accept that; so, I believe, does the Minister of Transport.

On 19 February 1980 the member for Mallee stated:

Let me turn to another problem area, the railways. Presently, people in the Mallee fear the loss of or a severe reduction in their rail services, because the present services provided are too expensive to sustain. Equipped and manned as these services are, there is no incentive for efficiency within the management and the labour force, and as a result they cost the taxpayer and the user more than they are worth.

He further stated:

Once a decision to reduce any service is made, any reduction or removal of that service (of this or any kind) should be made in consultation with the community concerned, not imposed—thump—from above! A.N.R. in this instance should have said, "This service provided in this way costs too much. We must reduce the cost to the level at which we cease to lose money. We suggest the following . . ." and then ask, "Do you, the people have a constructive alternative?" and supply all the facts supporting their judgment. I am sure the people would respond in a reasonable way, within sensible time limits, with their solutions or otherwise suffer the thump from A.N.R., but still within the original cost constraints.

I refer now to remarks made about the so-called uneconomic factors of the administration, like uneconomic services within the community. In an article in the Australian Railways Union research magazine, titled "Prices and Change in Australian Railways and Transport," Research Report No. 4, by Rudi Talmacs, in relation to the economics of the railways system and the high cost involved, states:

Now this assumption is simply not true. Public transport services have ramifications throughout the entire community —besides immediate or direct beneficiaries, there are also indirect beneficiaries, like, for example, the city dwellers whose food mainly derives from the countryside and is obtained via the service provided by public transport, and so on. Virtually all parts of the community are dependent upon, and are beneficiaries of, public transport operations, whether directly or indirectly. In the face of this fact, the call to "make the users pay" becomes fairly nonsensical because we are all beneficiaries. The real issue now becomes clear: how should the financial contributions be levied across the community so that the operating costs of public transport can be met?

The public transport systems, especially the railways, are a very powerful and effective means of deploying community funds in such a way as to boost the successful functioning of both our social and economic activities. Two practical examples should help to clarify this. Consider the case, first, of Australian wheat farmers. Through their production and exports, they represent an important generator of foreign exchange for the Australian community. Because they are virtually all Australians, there is a negligible outflow of capital from the wheat farmer as profit repatriation to foreign countries. Thus, in this and many other ways, wheat farmers provide a special and important service to the entire community, one deserving support especially in difficult times. Through the public transport system, and the policies governing the fixing of freight rates, the operating cost of transporting the wheat harvest can be either shouldered by the farmers or by the community at large, or shared between the two, depending on the circumstances at the time. In other words, the burden of paying for transportation can be allocated throughout the community in the light of where assistance is required, and where capacity to assist exists.

I point out to the Minister, if he is not already aware, how lines are made unprofitable. A typical example is shown in the *Farmer and Stockowner*, of February this year (page 13):

The Adelaide-Victor Harbor line has come in for much publicity for and against its retention.

We've heard arguments which claim this line is the most scenic in Australia, that rail is the most economical means of transport. Against this we have ANR's argument that it's "uneconomical".

How can it be economical when for reasons best known to themselves, its biggest income earner, grain carting, was contracted to road transport this harvest?

I have also been reliably informed that about 500 rail waggons were in Victoria during the grain harvest. That is why the grain was not carted by rail from Strathalbyn. Quite clearly, the best way to make a line uneconomical is by not providing the services or waggons, and then saying that the line does not pay because there is not enough revenue coming in and, therefore, out come the slashers and another line is deleted from the map. In an article in the *Murray Valley Standard* of 31 August 1978, the United Farmers and Graziers spokesman, Mr. Grant Andrews, stated:

. . . the rural sector had a vested interest in maintenance of the railway system. Political interests in the debate should be forgotten. Rail has been shown to be five times more efficient than road haulage over distance, and with increasing fuel costs, railways will again be "number 1". It is worth remembering that cuts in rail services, and talks of cuts, always follow years of drought, and periods of low turnover for the railways.

The railway services must be maintained. A deficit of from $70 000 000 to $80 000 000 is "peanuts" in terms of the national interest and the overall national Budget. We could cover it with our tax on tobacco, and if it needs further public subsidy to maintain our rail services, then the rural sector will be glad to bear its part of the burden.

Senator McLaren is quoted in that article as having stated:

I've lived in this area for 28 years and I've seen the demise of the railway industry here, through the change from steam to diesel, the transfer of much rail work from here, massive development of road transport, and now the down-grading of services.

> Tailem Bend people can see great road transports carrying goods that ought to be on the rails, and I sympathise with their concern, said Senator Geoff McLaren.
>
> Instead of curtailing services, the Government should be spending more on up-grading.

Senator McLaren further stated:

> . . . provision of dual line services would mean rail transport in "half the time" and that there was no place for use of roads in long-haul transport. If rail lines to the country areas close, then rural producers will be at the mercy of private hauliers.

Mr. Rudi Talmacs, A.R.U. research officer, stated in the same article:

> The problems of the national railways were a crisis for the country and the countryside. The problems were generated by national and international trade pressures as well as local costs and operational matters, and under-utilisation was another major worry.
>
> He suggested that the current financial crisis for the A.N.R. was part of an overall strategy which would, eventually, work to the benefit of major road transport companies unless it was changed.

I seek leave to continue my remarks later.

Leave granted; debate adjourned.

## CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

## CRIMES (OFFENCES AT SEA) BILL

Received from the Legislative Council and read a first time.

## OFF-SHORE WATERS (APPLICATION OF LAWS) ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

## BARLEY MARKETING ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

## ALSATIAN DOGS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

## SUPERANNUATION ACT AMENDMENT BILL

**The Hon. D. O. TONKIN (Premier and Treasurer)** obtained leave and introduced a Bill for an Act to amend the Superannuation Act, 1974-1979. Read a first time.

**The Hon. D. O. TONKIN:** I move:

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

It makes two amendments to the Superannuation Act which were part of three recommendations of the Public Actuary and the Superannuation Board following the actuarial investigations of the South Australian Superannuation Fund as at 1 July 1974 and 30 June 1977 and makes a number of other miscellaneous amendments to the Act.

The recommendations referred to were that the fund should in future bear 5 per cent of the cost of cost-of-living supplements (which is presently borne entirely by the Government), that there should be some increase in the pensions of contributors who choose to retire between ages 55 and 60, and that there should be some increase in the pensions payable to contributors who entered the scheme at older ages and retire at ages between 60 and 65. The first recommendation will be given effect to by means of a change to the regulations under the Act which will be made shortly and this Bill gives effect to the other two recommendations. The combined effect of the implementation of the three recommendations is a reduction in the cost of benefits under the Act borne by general revenue.

The Bill increases the pension of a person who retires, other than on grounds of ill-health, between the ages of 55 and 60. A table shows how the amendments will affect the pension of a person who chooses to retire at the age of 55 years. That table is statistical and I seek leave to have it inserted in *Hansard* without my reading it.

Leave granted.

| | **Pension at age 55 as a percentage of final salary** | |
|---|---|---|
| | Present Act | Proposed Amendment |
| Contributors who entered prior to 1 July 1974 | 37·0 | 45·5 |
| New entrant age 30 at entry | 37·0 | 45·5 |
| New entrant age 35 at entry | 26·7 | 36·4 |
| New entrant age 40 at entry | 16·7 | 27·3 |
| New entrant age 45 at entry | 7·4 | 18·2 |
| New entrant age 50 at entry | — | 9·1 |

**The Hon. D. O. TONKIN:** The report of the Public Actuary indicated that the pensions currently available to such persons are significantly less than those which are justified on the basis of "actuarial equivalence" and this amendment remedies that anomaly. I should emphasise that the benefits proposed do not involve the Government in any overall increase in cost compared with the situation where the contributors retire at the normal retirement age of 60. At present an insignificant number of contributors choose to retire before attaining age 60 and, although the proposed amendments may have some effect in encouraging earlier retirement, they are not expected to contribute significantly to the overall costs of administering the State superannuation scheme.

Secondly, the Bill increases the pension payable to a person who entered the superannuation scheme after the age of 30 years but retires after attaining 60 years of age. The table shows how the proposed amendments affect the pension of such a contributor. Once again, that table is statistical and I seek leave to have it inserted in *Hansard* without my reading it.

Leave granted.

| **New entrant Age at entry** | **Percentage of final salary payable as pension on retirement at age 65** | |
|---|---|---|
| | Present Act | Proposed Amendment |
| 30 | 73·33 | 73·33 |
| 35 | 66·67 | 70·00 |
| 40 | 55·56 | 66·67 |
| 45 | 44·44 | 55·56 |
| 50 | 33·33 | 42·67 |
| 55 | 22·22 | 28·89 |

**The Hon. D. O. TONKIN:** The amendments will only affect a minority of contributors and are therefore again not expected to have a major effect on the cost of the State superannuation scheme. Further amendments proposed

by the Bill affect the South Australian Superannuation Fund Investment Trust. They deal with the investment management costs of the trust, its constitution, and its liabilities to State taxes. In March 1978, the Commonwealth Superannuation Act was amended to provide that the trustees of the Commonwealth Superannuation Fund would not be liable to taxation under the law of the State in respect of property held by them except where the regulations under the Commonwealth Act specifically stipulated that they should be so liable.

As a result of that legislation the State has already lost a considerable sum in revenue. It appears that the Commonwealth Minister of Finance might be influenced to make a regulation remedying this situation if the property investments of the trustees of State superannuation funds were also liable to tax. The Bill therefore provides that the South Australian Superannuation Fund Investment Trust may be subjected to such liability.

Clause 1 is formal. Clause 2 permits the cost of carrying out prescribed functions connected with the administration of the trust to be paid out of the fund. It is intended that the costs incurred in managing the investments of the fund should in future be borne by the fund. Clause 3 is consequential upon clauses 2 and 5. Clause 4 relates to the constitution of the investment trust. In the past it included the Under Treasurer and the Public Actuary as members. The amendments provide that if for some reason either of these officers is unable to serve as trustee his place may be taken by a person nominated by him and approved by the Treasurer.

Clause 5 provides that the regulations may subject the trust to liability for State taxation. Clause 6 inserts the new provisions dealing with a contributor who enters the superannuation scheme after the age of 30 years but who retires after attaining the age of 60 years. Clause 7 deals with the pension of a contributor who retires between the age of 55 and 60 years. Clause 8 inserts schedules that are required for the purposes of clauses 6 and 7.

**Mr. BANNON** secured the adjournment of the debate.

## DOG CONTROL ACT AMENDMENT BILL

Second reading.

**The Hon. D. C. WOTTON (Minister of Environment):** I move:

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

This short Bill proposes two amendments to the principal Act, the Dog Control Act, 1979. It proposes amendments to section 58 of the principal Act which deals with the licensing by councils of kennels, the effect of which would be that the fees for such licences may be fixed by the councils by by-laws, instead of, as at present, by the Governor by regulation.

The Bill also proposes a provision designed to make it clear that by-laws under the principal Act shall be made by councils in the manner provided by Part XXXIX of the Local Government Act, 1934-1979. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

### Explanation of Clauses

Clause 1 is formal. Clause 2 amends section 58 of the principal Act so that it provides that the fees for licences for kennel establishment may be fixed by the councils by by-law. Clause 3 provides for enactment of a new section 65a providing that any by-laws made by councils under the principal Act shall be made in the manner provided by Part XXXIX of the Local Government Act, 1934-1979.

**Mr. HEMMINGS** secured the adjournment of the debate.

## ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 20 February. Page 1117.)

**The Hon. J. D. WRIGHT (Adelaide):** I have been waiting for some time, as I know the Minister has, for the opportunity to debate this Bill. The measure has been on and off and all over the place and the Opposition has not had an opportunity to examine it. Generally, the Opposition supports the Government's proposed amendments, because they attempt to extend road traffic safety, and I commend the Government for that.

I want to question some areas in relation to the whole Bill, and although I know you would not want me to do this, Mr. Deputy Speaker, I mention that I will be moving an amendment to clause 4 that has been on file for some time. As I have said, the Opposition generally supports this Bill. However, clauses 3 and 4 amend the existing speed limit past road-works, and that is where my difficulty with this Bill lies. Having been associated with this industry for quite some time, I have had some experience in this area. On several occasions when I have been interviewing workers at road work sites I have noticed that motorists completely disregard their responsibilities and travel past the road works at all sorts of speeds, irrespective of the danger posed to the workers. As I understand the present Act, it provides that the maximum speed limit past people working on roads is 25 m.p.h.

It seems to me that the amendments will delete that speed limit past areas where people are required to work, and the power will be presumed by some public authority to determine exactly what is a safe speed at which to travel on the open road where roadworks and excavations may be in progress or where there may be a tractor. The difficulty I have is that in some circumstances a large road gang may be working in such areas. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

## CHURCH OF ENGLAND IN AUSTRALIA CONSTITUTION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 February. Page 1293.)

**Mr. BANNON (Leader of the Opposition):** The Opposition supports this Bill. We appreciate that it is part of a nation-wide scheme to alter the name of the Church of England to the Anglican Church of Australia, and that the church has been waiting for passage of this measure for some time.

It is appropriate indeed that the church is given the general title of "Anglican", which relates clearly to its origin, the church having originated in England as part of the Reformation in the 16th century, but also because, in a sense, it severs the actual name of the country England, indicating that the Anglican Church is a mode of worship, a system of Christian beliefs, that covers believers in various countries throughout the world.

This Bill, and the principal Act that it amends, do not, of course, in any sense establish the Anglican Church as the official or State religion. This was referred to by the Premier in his second reading explanation. The intention of the principal Act in this case is to give legal force to the church's constitution, particularly as regards the control of property. This is the limit, we believe, to which the Parliament should go in regulating, or associating itself with, a particular religion. I am sure that this is something with which the church itself would agree.

The freeing of religion from Government control, the disestablishment of the church, was a matter of very lively controversy over many centuries. It was in part one of the bases for the Civil War in Britain from 1642 to 1649. In fact, it was largely responsible for the founding of this colony of South Australia which has since become the State of South Australia in the Commonwealth of Australia.

The principles of disestablishment and ultimately of non-conformism or dissent had much to do with the founding of the colony of South Australia. So, to see any church as an established church and any religion as a State religion is anathema to South Australians, and it is something with which the church itself (in this case the Anglican Church) would completely agree.

When the small band of enthusiasts who had been inspired by Wakefield formed the South Australian Association in December 1833, they resolved that we should avoid the importation of convicts and the system, which had accompanied it in New South Wales, of an official religious establishment subject to British Government control. They were two important historical principles that were being promulgated in relation to the founding of South Australia. Freedom in religion, in other words, was to be an integral part of the community of free men that they envisaged.

Many honourable members will be familiar with the historical work *The Paradise of Dissent*, by Dr. Douglas Pike, which work describes those early settlers, not only the non-conformists in Britain but also the German Protestant dissenters of various kinds who also settled the colony of South Australia in its early days. Unfortunately, such advanced ideas did not appeal to the British Government of the day, which believed that the ties between church and State were essential to the well-being of the nation. They were fearful that any loosening of the ties would result in a rapid slide to republicanism, dangerous free thought and other radical ideas of the time. The chartist movement and various other forces such as votes for all people were seen as dangerous ideas of which a disestablished church was part.

These objections were overcome, however, when the Bishop of London recommended that insistence on an established church should not be continued but that a church society should be established. The prospectus for the South Australian Church Society was issued in 1834. The prospectus set out that:

> Amongst those who, with their families, propose to settle in the new colony of South Australia are some dissenters from the Church of England; and they are engaged in raising funds for the purpose of establishing their mode of worship.

So, there was a recognition immediately before the founding of the colony that freedom of worship and religion was to be one of the foundation planks of the colony.

Interestingly enough, Australia was at this time an Archdeaconry of the Diocese of Calcutta, although the Bishop of London took responsibility for the religious supervision of new colonies. So, from 1836 to 1847 the church in South Australia was under the jurisdiction of the Bishop of Australia, who was never able to visit the then colony of South Australia, but on Proclamation Day 1847 Bishop Augustus Short arrived in the colony to become the first Bishop of Adelaide.

That Bishopric, which is now an Archbishopric, has had fairly few incumbents in the course of its existence. Augustus Short himself was the Archbishop for many years, and there have been only a relatively few number of men who have held that important church post.

From the first, the church was independent and maintained its policy of keeping free of the Government, which may have been just as well in more ways than one for future members of Parliament. In 1961, when introducing the Bill that is now the principal Act, the Premier, Sir Thomas Playford, told the House that the church leaders had laboured for some 50 years to bring about a constitution which would unite the various dioceses. We can do without such lengthy debates in Parliament, although on occasions we have them. In 1955, a draft constitution had been drawn up and by 1961 it had received the assent of each diocese in Australia. The diocese of Adelaide, true perhaps to its dissenting origins, was the last to agree to the constitution.

With those historical remarks (because I think the Bill does have some historical significance in terms of our history and the reasons behind the founding of South Australia), I indicate the Opposition's support for the second reading.

**The Hon. D. O. TONKIN (Premier and Treasurer):** I am most grateful to honourable members for their support of this Bill. As I intimated when it was introduced, the Bill has been waiting for some time for passage through this Parliament, and I am very pleased indeed that we will be able to give it a safe passage through.

I should like to place one thing on record. I said at the time of its introduction that it was likely that the Bill would have to be referred to a Select Committee as a hybrid Bill. However, I have taken further advice, and the Bill will not be classified as a hybrid Bill, inasmuch as it does not involve property. For that reason, it can proceed straight through Committee if honourable members so desire.

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

## ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading (resumed on motion).

(Continued from page 1467.)

**The Hon. J. D. WRIGHT (Adelaide):** It is good to have the previous Bill out of the way. The Church of England can rest assured that the House has dealt with it. Before the adjournment of the debate on this Bill I was concerned about the safety of workers on roads. I do not believe that anything that we do in this place ought to jeopardise that safety. It is imperative to keep whatever safety provisions that these people enjoy. For many years not enough notice was taken of people involved in the industry or their representatives. I say that even of my own Government. It was not until tragic accidents occurred within industry that attention was drawn to this area. People lost their lives, and others were maimed and injured. It is imperative to protect workers on the road and in factories. However, it is more important to protect those on the road as safety in factories is controlled stringently by the Department of Industrial Affairs and Employment. It is more difficult to control motorists. If people have partaken of alcohol or, in

many cases, even if they have not partaken of alcohol, they throw caution to the wind when they get behind the wheel of a car and they become maniacs. They care not one hoot for the worker who is maintaining the roads in this State.

I object to proceeding in any manner that will cause the protection for those people to be lessened or taken away. It is an important part of our task in this Bill to ensure that protection is there. The Government uses, as its reason to amend this section of the Act, the excuse that it has proved impractical to police the section in rural areas. I do not think that that is a reason at all, particularly when it comes to the safety of personnel working on roads and in industry. I believe that stricter policing methods ought to be developed, rather than saying that it has not worked. Maybe it has not; I do not dispute that fact. The Minister may be correct in saying that there is evidence that the present restrictions in the Act placed on persons passing through roadworks have not worked to some extent. However, I dispute the method now being used to control that weakness in the Act. It seems that the best way of approaching this is to enforce the Act more strictly, possibly through the Police Department or in some other way. Today we have many technological assets at our disposal to place on the roadway to catch motorists who are disregarding notices that have been displayed to limit their speed when passing workers on the road. I cannot accept the reason put forward by the Government. However, I want to make it clear that I am not opposing the whole of the amendments to the Act, as I believe that parts of them can work, provided people holding high positions under provisions of the Act and people who are conscious of safety provisions are placed in charge of making decisions. Some provisions will improve the Act.

It may be necessary to limit the speed restrictions past roadworks to 5 kilometres per hour. In other places it may be possible, if the men are working away from the road, to have a speed limit of up to 15 or 20 kilometres per hour. In some circumstances, where material is being carted from quarries, a limit of 25 kilometres could apply. I am concerned about taking away the speed limit completely; that appears to be the bad and non-essential part of this amendment. If the Minister was putting to the Opposition and the State the proposition of giving authority to a very senior officer to make on-the-spot decisions, provided he kept within the speed limit of 25 kilometres an hour, I would be happy with that. The Minister is nodding, and I hope that he will consider the amendment placed on file.

I do not want to see workers placed in a position of danger at the hands of somebody who is not as responsible as others and who may, although not deliberately, misjudge the situation. It may be that a person will misjudge the safety precautions needed for a particular area. In some circumstances, a person may believe that the restriction of 25 kilometres per hour is too low and that it would be safe to pass the area at 40 kilometres an hour. We may find that we have accidents on our hands. Parliament would be wrong if it passed legislation that allowed that to occur. It is that part of the clause to which I object and to which the Opposition objects.

There is merit in allowing a judgment to be made about the condition of the work site, the roadworthiness of the area, the geographical position of the area (whether it is on a hill or down in a slope) and the weather. These considerations can be taken into account if we have the elasticity that the Minister has placed in these provisions. In this regard we have no objection, provided the maximum speed allowed past any work site, irrespective of what the conditions are, is 25 kilometres per hour. In those circumstances we agree with that part of the provision.

Clause 4 amends the provision in the Act relating to the speed of motorists when passing a school. According to the Minister's second reading speech, the amendment is necessary following a court case last year. I have not been able to establish which court case that was. When the Minister replies he may care to inform the House as to what happened with regard to that court case. Irrespective of whether I am convinced about the court case or not, I make no objection to this amendment. I think it is a proper one that has been well worked out. It is something that the Labor Party probably would have introduced had we been in Government, because certainly there is no-one in the community who needs more protection than children. It is absolutely essential that we do everything we possibly can in this regard. If this amendment passes through both Houses, the Act will spell out much more clearly the exact distances involved for the speed zones outside schools.

In the past people have complained to me that the signs do not clearly indicate the boundaries of the school areas, and people are not sure when to slow down and when they have the right to pick up speed. I think this measure now spells this out. This provision will clearly indicate to the public the areas in which they need to restrict their speed when going past a school. I think this is a good idea and will protect the lives of our children; that, of course, is tremendously important to us. Secondly, I believe that the provision also gives the motorist much better protection than that which he has had in the past. This lessens the risks to the lives of children, and I think for this reason motorists would be quite happy about this amendment, which clearly indicates the geographic area of the school where they must take precautions. For those reasons the Opposition certainly supports this amendment.

Clause 5 appears to be a clarification clause. There are a number of locations where traffic lights flash amber from 1 a.m. These indicate to the motorist that he is to proceed with caution. This new clause simply puts the motorist's responsibility beyond doubt with regard to giving way to other motor vehicles in these circumstances. I can find no objection to that clause. As I said, it is a clause that clarifies the motorist's position. I do not think there is anyone who has, while sober, driven a car home during the early hours of the morning and who has not been uncertain at some stage as to what to do at those flashing lights. This clause will clear up that situation once and for all. I believe that it is important that motorists know exactly where they stand. If there is an infringement with regard to the law, they will clearly know whether they are right or wrong. In the past there has been confusion under these conditions, and people have complained to me about this confusion. It appears to me that this is a sensible clarification of the situation.

Clause 6 is not an amending clause; it is a new clause that requires that children under eight years of age wear a restrainer, or sit in the back of the vehicle. This matter has been discussed by ATAC for quite some time. As can be seen from the second reading speech, this measure has already been adopted by most States. However, I have doubts as to whether the mother would prefer to have her child in the front with her so that she can keep an eye on the child, even though there may be some dangers for the child in the case of a sudden stop. Probably on balance it is better for the child to be in the back unless the child is in a child restrainment in the front.

I have been able to arrive at these views after talking to mothers about this situation. I went out of my way to speak to mothers about this, following the Minister's introduction of this legislation, as we have not had this provision in this State before. In order to ascertain the

views of people, it is best to speak to mothers in this regard. I found their views for and against to be about 50/50. Some mothers preferred the existing situation, and some favoured the new provision. It is an important clause, in that it should afford protection to our children when they are riding in motor cars. I have spoken to a lot of people who have not had their child restrained and who have had to brake suddenly. The child has been injured through falling against the dashboard of the car, in some cases resulting in permanent damage.

As I said at the beginning, this Bill is an attempt by the Government to improve safety in all areas. The Opposition supports that aim. One would be remiss if one did not give support to containing road accidents. I think it is our responsibility to protect our children to the best of our ability. Accidents, of course, continue to occur irrespective of what we do, even though we have taken all sorts of precautions in road safety over the years.

I would like to place on record my commendation for those moves that the Hon. G. T. Virgo made when he was in this House. He courageously decided to bring in seat-belt legislation against much public criticism. It was not popular legislation when it was brought into this House, but most certainly it has proved over the years to be a life saver. Of course, the Hon. Mr. Virgo did a lot of other things, but I can remember the difficulty he had when introducing seat-belt legislation in the first instance.

Of course, that is history now but, in retrospect, an acceptable part of history. I can see the Minister wondering what this has to do with the Bill; it is relevant to the Bill because we are considering restrainers for children.

**The Hon. M. M. Wilson:** No, I was not querying it at all.

**The Hon. J. D. WRIGHT:** I thought you were looking at the Deputy Speaker to see whether I was staying on the track or straying off it.

**The DEPUTY SPEAKER:** The Deputy Speaker does not need any guidance from the Minister.

**The Hon. J. D. WRIGHT:** I accept that. I have noticed your performance in this House; you are very strict and at the same time very fair. You are a worthy replacement for the Speaker, who is overseas having a good time. With regard to seat belts and child restrainers, I wanted to be sure of the situation, and so I did some work on this matter. I think it is important that, first of all, we make a decision about doing something which on the surface appears to be a reasonably rational and a good decision. We say to people, "We are going to protect you from yourselves," whereas children cannot; that is a completely different situation, so we force the children into a situation where they must be restrained while travelling in a motor car. I think that is good. We are doing this for safety purposes so that children can be saved from accidents that they have no part in causing. I think that is a responsibility of Government.

We have a responsibility, too, to determine that the seat belts (child restraints, as they are called) into which we are putting the children are safe, and that the manufacturers are complying with the provisions of the Standards Association of Australia. I have done some work on this, and in supporting the legislation I have taken the necessary precautions to ensure that the position is clear. I have been able to ascertain that there is no question of defective or substandard seat belts or child-restraining devices being on the market or being fitted to motor vehicles in this State. All such devices have to comply with the standards laid down by the Standards Association of Australia. All manufacturers of such devices must be licensed, and the licence number is required to be stamped on the device. That is a good protection, which exemplifies what we are trying to do in this legislation.

There are separate standards for seat belts, anchor points, and webbing, and there are standards for child seats, booster cushions, child safety harness, and bassinet restraints. The relevant standard is No. 1754 of 1975. As yet, no approval has been given to manufacture bassinet restraints. Such items can be purchased, and it is the opinion of the safety authorities to whom I have spoken that, if such devices are better than nothing, they should continue to be sold until a design meeting the standard is developed.

The Standards Association tests all child restraints and devices and subjects them to crash simulation tests. It would probably be possible for a firm to manufacture selected devices to meet the Standards Association tests and substandard items for mass production, but, given the fact that inspectors carry out periodic random checks on premises, it is unlikely. In addition, A.S.A. inspectors check the quality of materials used in manufacture, and endeavour to ensure that they are maintained at a high standard. All States except South Australia have passed legislation or amended regulations to make some sort of child restraint devices obligatory. Queensland, New South Wales, Tasmania, Victoria, and Western Australia all have similar provisions.

It is important to let the public of South Australia know that we, as a Parliament, are concerned about the safety of children travelling in motor cars. Further, we must be able to assure the public that, whatever type of restraint or seat belt is to be used, standards are set by the Standards Association, and we must ensure that manufacturers do comply with them. The Parliament itself is vitally concerned that these standards are met, so that our children can be safe.

In the main, the Opposition supports this amending legislation. In most instances, it adds to what is already in existence, and the Opposition would not oppose any measure designed to increase the safety of workers, children and anyone else in the community. We look at all times to increasing and improving safety conditions in all areas.

**Mr. PLUNKETT (Peake):** I support the amendments in general, other than the amendment referred to by the Deputy Leader. The sign indicating a restriction of speed to 25 km/h was introduced only in 1979, after a worker in the Highways Department was killed at Renmark on 5 June last year, and I have a letter from the Highways Department indicating that the department is continuing to investigate ways and means of ensuring greater safety for men working on the roads, and that recently it has obtained a delegated authority from the Road Traffic Board to approve the installation of a 25 km/h speed limit sign in areas where its employees are working.

For 10 years, I was an official of a union involved with council, highway and E. & W.S. Department employees, all of whom work continually on the roads. The union that I represented, the Australian Workers Union, would have more involvement than would other unions with people who are injured through the actions of motorists who completely ignore signs indicating that men are at work on the roads.

I cannot see how a 25 km/h speed limit would hold up the traffic in any way, even though it may save the life of a worker on the road. During the 10 years in which I was an organiser, three of our members were killed on the road and another person, who worked on the Tatiara council, died of head injuries. He was knocked down on the road, and died without regaining consciousness. That is the

experience of only one union, and, although I have not got material relating to the experiences of other unions, I would be pleased to get it if the Minister thought it would be helpful.

I see nothing wrong with the other amendments, and the Deputy Leader is correct in what he has said. The Labor Party would be looking at all avenues of improving safety. The provision in clause 3, however, is one that has taken 10 years, to my knowledge, to come about. We got it only last year, and now they want to take it out. I do not know what the reason is, but no worker on the road would agree that the restriction should be lifted. That is my firm belief, and I hope that the Minister will look again at this to make sure that that situation is not changed.

**Mr. SCHMIDT (Mawson):** In supporting the second reading, I commend the Government for its commonsense action in bringing forward these amendments. Opposition members have pointed out that they long ago would have supported such moves to upgrade the legislation and to make it more workable. I commend the Deputy Leader for adding some sort of quality to the debate from the Opposition side—a far cry from what we heard earlier this afternoon.

**Mr. Randall:** A bit of a change from yesterday, too.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! The honourable member cannot refer to a previous debate.

**Mr. SCHMIDT:** I was not talking of the actual debate, Sir. I wholeheartedly support clause 3 of the Bill, a commonsense clause which allows the people on site to make the decisions. We heard about cloudy days, foggy days, uphill grades, and so forth, in the poetic speech that went on previously.

Here, we have people engaged on this work who know what is involved and who can see at first hand what they should do. The decision will be made by someone with authority who can change the sign to whatever speed he thinks is required. If we are too restrictive in our endeavours by fixing a limit, we will not improve the situation, because drivers, particularly when out on the open highway, often tend to disregard signs. We must police these speed signs if we intend to effect an improvement. We can make things easier by giving people on the site the authority to erect signs which they think are pertinent to the prevailing conditions. Clauses 4 and 5 are commonsense and self-explanatory clauses. Reverting to clause 4, which deals with school safety, this is a matter for which I have long campaigned in my district. The Minister has met various deputations in my district regarding the whole matter of school safety. Undoubtedly, schools will welcome this provision, because it will give them some feeling of security to know that these speed limits have been set up around schools and that drivers will be required to observe them.

Clause 6 deserves our wholehearted support. I commend the previous Government for introducing legislation that was in the best interests of the driver. However, this Bill is in the best interests of the passenger, namely, those nearest and dearest to us, young children. I seek to have inserted in *Hansard* purely statistical information based on road accident deaths and injuries for the years 1974, 1977 and 1978 in respect of children between the ages of two and eight years.

**The DEPUTY SPEAKER:** Can the honourable member assure me that it is of a statistical nature?

**Mr. SCHMIDT:** Yes, Sir.

Leave granted.

ROAD TRAFFIC BOARD OF S.A.
ROAD TRAFFIC ACCIDENTS

| | Age | Injured | Killed |
|---|---|---|---|
| 1978: | 2 | 38 | |
| | 3 | 46 | |
| | 4 | 47 | 2 |
| | 5 | 41 | |
| | 6 | 46 | 1 |
| | 7 | 36 | |
| | 8 | 49 | 3 |
| | | 303 | 6 |
| 1977: | 2 | 36 | 3 |
| | 3 | 47 | |
| | 4 | 41 | 3 |
| | 5 | 45 | 3 |
| | 6 | 46 | |
| | 7 | 31 | 1 |
| | 8 | 38 | 1 |
| | | 284 | 11 |
| 1974: | 2 | 64 | 2 |
| | 3 | 62 | 2 |
| | 4 | 58 | 1 |
| | 5 | 56 | |
| | 6 | 43 | |
| | 7 | 39 | 1 |
| | 8 | 45 | |
| | | 367 | 6 |

**Mr. SCHMIDT:** It is interesting to note from these statistics the rate at which young children are being injured. In 1974, 367 young children between the ages of two and eight years were badly injured, and six were killed. In 1978 (the latest figures I have), 303 young children between the ages of two and eight were badly injured, and six were killed. Unfortunately, as much as we may love our children, some parents tend to take it for granted that the child will be safe whilst travelling in a vehicle. The comment was made by a previous speaker that some parents prefer to have their children in the front seat, and some prefer to have them in the back seat. Parents often prefer to have their children in the front seat so that they can keep an eye on them. However, that is not always possible, because the driver may have to look quickly to the right or to the left, and be unable to keep an eye on the child. Children are adventurous, and when travelling in a vehicle will often climb from the front seat to the back seat to look through the rear window.

It is imperative that we impose some obligation on the driver to ensure that the child is correctly seated in the vehicle so as to prevent any injury to the child, particularly when the driver must stop suddenly and cannot extend his arm in order to prevent the child from being flung around in the vehicle. The information gleaned so far reveals that it is far safer for a child to be in the back of a vehicle than in the front, because of the number of objects protruding from the dashboard. The chance of injury is far less if the child is seated in the back of the vehicle. What is most important is that the child be secured, whether he is in the back or front seat, thus preventing further injury and the possibility of the child being maimed or crippled for the rest of his life. I wholeheartedly support these measures which seek to improve the safety of members of the travelling public.

**Mr. WHITTEN (Price):** I, too, support the Bill, but with certain reservations. First, I commend the Minister for endeavouring to improve safety on the roads. In clause 3,

the public authority is spelt out clearly, inasmuch as a Minister of the Crown, the Commissioner of Highways, any council or company engaged in roadmaking, and the Police Department are all authorised to place restriction signs on the roads. I stress the provision that takes away protection for workmen. I believe that the member for Mawson did not get to the essence of the Bill, because he showed a disregard for workmen. He believes that clause 4 is concerned only with schoolchildren, but that is not the case. What the Minister intends to do is substitute a new paragraph *(c)* in section 49 (1) of the Act to enable motorists to travel past places where workmen are working at any speed set by the council or the public authority. That is totally wrong, because the Australian Labor Party believes in the protection of the workers; it is not concerned merely with the speed at which drivers may travel.

In 1974, the then Leader of the Opposition (Dr. Eastick) introduced a Bill (No. 76 of 1974) whose purpose was to reduce from 30 km/h to 25 km/h the speed past schools or sites where men were working on roads. The then Leader said, at page 470 of *Hansard* of 14 August 1974:

> Since its introduction on 1 July there have been many letters to the press from worried parents on this subject. Therefore, past schools, school buses and roadworks—

and he included roadworks as another danger area—

> we have lowered the speed from 30 km/h to 25 km/h.

Less than six years later, the Minister wants to increase the speed, but he has not specified the speed: it may be designated by any public authority. I am sure that anyone who has regard for workers must surely consider this matter.

Just a short time ago, the member for Hanson looked askance at me and asked which day that was introduced. On the same day his own Leader referred to the member for Hanson and said that he was responsible for seeking, by amendment, to reduce the speed past schools to 25 km/h. I commend him for seeking to reduce it from 30 km/h to 25 km/h, but I am sure that at the same time he would want to protect not only schoolchildren but workers as well. Therefore, we cannot agree to this amendment.

The Bill provides for speeds up to 110 km/h on country roads where men may be working and where danger signs are erected. An important amendment will be moved in Committee. I support the Bill in principle.

**Mr. BLACKER (Flinders):** I support the Bill, which makes a series of amendments to the Road Traffic Act that are of a commonsense nature. The first issue to which the Opposition has taken umbrage concerns the likelihood of increased speed limits on roads where men are working. The point should be made that it is a case of practicalities. I can give an example of a situation presently applying on Lower Eyre Peninsula where the Highways Department employees are working on a section of road between The Pines and Wanilla forest. That section of road is about 16 kilometres in length. A large contingent of employees work on that road in shifts, various employees moving in with heavy equipment and, because of the nature of the terrain, those gangs have been concentrated in one section of the road.

This has often meant that it has been necessary to slow down the traffic, and flagmen have been used to hold up traffic and maintain a one-way traffic segment over a few hundred metres of that road at a time. The remainder of the road, even though it is under construction, is of reasonably good solid construction and is capable of carrying traffic at a reasonably high speed when no employees are working on that part of the road.

**Mr. Whitten:** Are signs erected?

**Mr. BLACKER:** Signs are erected at the beginning and the end of the road. The situation varies from day to day and from week to week. Certainly, it would be improper if the 25 km/h sign were put at the beginning of the road and the all clear was not given until the end of the road, because in such circumstances the sign would clearly be disobeyed. There will in those circumstances be cases of motorists speeding past employees on the road. A couple of surveyors may be working on a section of the road that may be quite obscured to the vision of a motorist, and they easily could be in danger if a warning sign was not erected or if the motorist became complacent about signs.

This provision has merit, in that it enables the overseer or the engineer responsible to erect signs that are directly applicable to the situation as it occurs. Obviously, where one-way traffic and a flagman situation is necessary it is highly desirable that the speed limit be reduced not to only 25 km/h but to, say, 5 km/h. However, where it is all clear and the motorist should have an increased speed limit, he should be given that opportunity.

*Members interjecting:*

**The ACTING SPEAKER (Mr. Mathwin):** Order! The member for Flinders does not need the help of the Opposition. He is doing a good job on his own.

**Mr. BLACKER:** The interjections that have been made clearly indicate that the members concerned have lost their vision of practicality when it comes to giving a direction to the motorist in a commonsense manner over a section of road where long distances are involved. If honourable members are talking only about a few hundred metres, by all means have a slow speed restriction, but honourable members should not ask a motorist to travel at 25 km/h along the whole distance of a road that is 16 kilometres long.

**The Hon. J. D. Wright:** Irrespective of the danger to workmen?

**Mr. BLACKER:** I did not say that. I said there were sections of the road—

**The ACTING SPEAKER:** Order! This is not Question Time.

**Mr. BLACKER:** It is obvious that Opposition members are quite out of touch with the practical application of the law.

**Mr. Hamilton:** We work amongst the workers; we know.

**Mr. BLACKER:** I pass highway workers, for whom I have the highest regard, almost every day in my district. Please do not underestimate the genuine way in which I appreciate their position. I would not like to be working on a road and have some inconsiderate motorist fly past me. Do not underestimate my concern for these men, but the average motorist will ignore the slow speed restriction sign if the restriction is not applied in a practical and commonsense way.

A motorist travelling on a 40 km/h curve might realise that he could travel on that curve at 65-70 km/h. If the next curve is signposted as 40 km/h he will try to take it at 60 km/h, because the motorist has lost confidence in such signs. If he knows what the sign says and realises that it is a genuine application of the law and that it applies in the correct and right manner, he will respect that law. That is what this amendment to the Road Traffic Act does: it enables a practical approach to the law and, hopefully, will gain greater respect from the motorist.

**Mr. O'Neill:** He's an anarchist!

**Mr. BLACKER:** I fail to see how the honourable member who has referred to me as an anarchist could apply that term, especially if he had travelled on the number of roads that I have, and had worked with and had

passed the number of highway employees that I have. I hope that not one highway employee could be critical of my actions in passing any of their speed restriction signs. That is a pretty bold statement, but I do view seriously and take into serious consideration the welfare of persons working on the roads.

The other matter raised concerned the 25 km/h speed limit past schools. I was involved in the debate when the then Minister of the day did not want to accept a limit of 25 km/h past schools; he wanted a 30 km/h speed to apply. His only reason was that 30 km/h was more of a round figure than 25 km/h; every other speed restriction, in metric conversion, was in round figures.

**Mr. O'Neill:** Does it depend on the length of the school?

**Mr. BLACKER:** That did not come into it at all. The Minister's view was that a 110 km/h restriction applied over all roads and that a 60 km/h restriction applied in built-up areas, so it appeared to him to be logical that 30 km/h should apply past a school.

It was argued strongly by the Opposition that that 30 km/h limit was too fast a speed past schools. It was said that there had never been a recorded accident involving vehicles going past schools where the speed limit of the day had been adhered to. It was for that reason that Opposition members of the time fought strongly to get the 25 km/h limit through the House. They were successful, and their action was fully justified in the end. I am pleased that the Deputy Leader of the Opposition supported that action when a further amendment was added, providing that the 25 km/h limit should be adhered to past road-works employees.

Regarding child restraints, one could argue that, if I had been wearing a seat belt when I had my accident, which was rather serious, I would not be in this House today. However, I do not intend to argue against seat belts, because it is a matter of horses for courses, and statistics definitely prove that there is a case to be made for the wearing of seat belts. I see some practical problems in restraining children in a sitting position, but much of this is a matter of education. I believe that, if children are brought up having to wear seat belts and having to sit in a restrained position, the practice will grow in time, resulting in a general acceptance. A number of children have been brought up to sit in baby seats in cars: they later look to the seat restraining harness and believe that that is the right and proper way to travel in a car. If this education is carried through to its ultimate, maybe the education process in relation to restraining children up to the age of eight years will not be as difficult as we first imagined. On the surface, I believe that there are some practical problems. However, I believe that the Government is correct in making an attempt to save life. Any attempt that this House can make to save a life is worthy of the support of every honourable member. I support the Bill.

**Mr. HEMMINGS (Napier):** I support the Bill, with some reservations. In certain areas, the Minister has put forward some rather commendable amendments to the Act, mainly in regard to lights at school crossings, which have caused considerable concern. I can cite an instance where the Minister stepped in regarding a problem in my district, because motorists were suddenly confronted with a school sign and did not really know where they were going. This amendment to the Act will overcome that problem.

I am worried about the setting of the minimum speed limit. I am not aware of the concern regarding country roads that was outlined by the member for Peake, but in the metropolitan area, where council workers are made to wear orange jackets and all the paraphernalia that goes with them to warn motorists that they are working in particular areas, there is considerable concern that motorists ignore those areas. I hope that the Minister will view favourably the amendments put by the Opposition.

My main concern is clause 6, which deals with child car restraints. Whilst I agree with the main thrust of the amendments, I feel that the Government has not examined the matter fully. We must not stop at consideration of front seat restraints; we must deal with restraints in rear seats as well. Even though statistics show that a child who is sitting in a front seat without any restraint will suddenly be thrust headlong, the same thing applies to children in rear seats. I would have thought that the Minister, in dealing with this matter, would consider the question of rear seat restraints.

Statistics show that adults are more prone to injury in a vehicular collision if they are sitting in the front seat of a car. If the Minister delved into statistics concerning children, he would find that in a collision, even at a speed of about 30 km/h, any child who is sitting in the back seat of a car without any form of restraint would suffer serious injury. Whilst the Opposition will not oppose this clause, I ask the Minister to examine the question of back seat restraints for children.

Nothing has been proved conclusively about the efficiency of child car restraints. Australian manufacturers of car restraints cannot show that any restraint is capable of stopping a child from sustaining an injury in the event of a collision. An article appeared in *Choice* magazine about child car restraints; the article is interesting, and I hope the Minister read it in conjunction with his officers when he considered amendments to the Act. We are all aware that in 1978 the Commonwealth Government declared A.S. 1754, which the Deputy Leader of the Opposition mentioned in his speech. However, unless the States enact legislation to ensure that Australian standards are kept, this kind of Bill does not really hold much water; in fact, if the Bill is passed, a proliferation of cheap, shonky child car restraints will be put on the market.

**The Hon. M. M. Wilson:** No.

**Mr. HEMMINGS:** The Minister says "No"; when he replies, I hope he will guarantee that all people who purchase child car restraints will be covered. If one reads the article in *Choice*, one can see that there are many child car restraints on the market, but that magazine only recommends—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! There are too many interjections.

**Mr. HEMMINGS:** The member for Glenelg must be getting really worried.

**The DEPUTY SPEAKER:** Order! The member for Glenelg is out of order in interjecting.

**Mr. HEMMINGS:** He is always out or order.

**The DEPUTY SPEAKER:** Order! The honourable member is out of order in answering interjections. He must confine his remarks to the matter before the House.

**Mr. HEMMINGS:** Only one of the car restraints on the market is recommended by *Choice*. The restraints listed are only for children up to four years of age. This Bill appears to be aimed at children up to eight years of age who are not seated in the kinds of seat we see in vehicles. Only one child-restraining seat is recommended by *Choice* magazine and only two such seats on the market meet the standards set by the Standards Association of Australia. In relation to booster cushions, which are recommended for children four years to eight years, only two meet the required standards. I believe that the Minister should have looked into this area, because it contains problems that I believe were not considered by the Minister or the

Government. I do not oppose this Bill, but I believe the Minister should have considered children between four years and eight years of age.

I believe the Minister was hoping that this Bill would have some power in relation to booster cushions. I am sure the Minister has read *Choice*. We have the problem of booster cushions breaking down. They can catch fire, or slip away from the child. The parents could be seated in the front seat believing that the child was safely seated in the back seat. Without the parents' knowledge the cushion could slide away from the child leaving the safety harness completely slack. In the event of a collision, the child could suffer because it was not safely secured. I believe the Minister should broaden this legislation to include children who travel in the back seats of motor vehicles. The chance of children receiving physical damage is just as great in the back seat of a vehicle as it is in the front seat. *Choice* magazine has recommended two types of booster cushions that are available on the market, because they are the only two that meet the South Australian standard.

Child car restraints available for children up to four years old are not really acceptable. Further, *Choice* magazine and the Federal Government have indicated that there are no bassinets available that are safe for children. I realise that the Minister is trying to tighten up this area and make it safe for children, but with all due respect the Minister should have looked at the child car restraints available on the market before he introduced this Bill.

**Dr. BILLARD (Newland):** I rise to support this Bill, because it is a sensible extension of the existing Act in several ways. I welcome the support given to the Bill by members opposite and the constructive remarks they have made. However, I wish to discuss several points in relation to the proposed amendment that the Opposition has discussed. The amendment relates specifically to new section 3, which proposes that the maximum speed limit past roadworks should be determined on site rather than specified as 25 km/h.

I beleive that there is a problem in the existing law, and I believe it was recognised by the member for Peake who cited several instances where road-workers had been killed or injured on highways where speed limits had been operating. The problem is that unless a speed limit is perceived by the motorist to be reasonable in the circumstances, he will not obey it. Although that principle is applied by the experts in this field to an extent far beyond that which I would support, I believe they are correct in this instance.

This principle really relates back to the children's story of the boy who cried wolf. As honourable members will recall from that story, if someone keeps giving false information, eventually he will not be believed. I believe that situation has arisen in relation to speed limits past roadworks, because the one speed restriction has had to apply to all situations, whether the situation was particularly dangerous or whether the restriction was simply a warning that workers would be working somewhere on the road within the next few kilometres.

Because this restriction has applied to those wide situations, motorists generally have come to believe that they cannot rely on the information. They have perceived in their own minds that, if such a low speed limit applies in situations where it is obviously not warranted, where for many kilometres there may be no danger whatsoever and such a slow speed would seriously inconvenience their travel, such a speed limit has come into disrepute.

Because of this, where the speed limit has been genuinely applied with good reason, it has also not been believed and accidents have resulted. For that reason, I believe that any measure that makes traffic signs more accurate and more reliable as an indication to the motorist must improve the situation and help the motorist and road workers.

Regarding the problem that was raised about the workers being the ones who were opposed to this measure, as I read the Bill it will be the workers who will be deciding, so I cannot see how the workers will object to deciding what is an appropriate maximum speed.

Clause 6, which refers to child restraints, is an important measure. I am especially interested in that clause because there is a particularly large number of families with young children in my district. Any measure that increases the safety for young children travelling in cars will be applauded by people there. I believe this clause is a reflection of legislation that already exists elsewhere in Australia, so in that respect we are not sticking our necks out and trying something new. Clause 5 allows for special circumstances to pertain for there to be a defence against a charge arising from this Act, so in that sense the Bill is not Draconian and is quite reasonable.

The general principle that a child over the age of one year and under the age of eight years should use, first, a seat belt if it is available or, secondly, a back seat if it is available, is totally reasonable and should be supported.

**Mr. MATHWIN (Glenelg):** I am sorry if Opposition members are getting a bit excited.

**The DEPUTY SPEAKER:** Order!

**Mr. MATHWIN:** Having heard some silly remarks made tonight, I want to straighten out a few facts, as it is obvious that some members opposite who have participated in the debate have not read the Bill. I will not delay the House for long, as I have little to say on this matter.

However, I should like to make a suggestion regarding clause 4, which deals with school signs. I ask the Minister to say when he replies whether I am correct in assuming that the Safety Sals that have been used outside South Australian schools for a number of years are one of the best safety devices ever used. Although at times these have been declared to be not the proper signs to use, they have in the past proved most successful. I have been caught in an area with which I have not been familiar and have been reminded abruptly by such signs that I am near a school. I ask the Minister to say in reply whether these signs will become legal on the passage of this Bill.

I should like also to comment on the matter that was causing the member for Napier much concern. Obviously, that honourable member had not read the Bill. However, he had read *Choice* magazine, from which he was quoting. The honourable member was concerned about the different patents for child restraints. Had the honourable member read the Bill instead of the *Choice* article, he would have seen the last line of page 3 of the Bill. In any case, the honourable member has been in this House long enough to know that with all legislation that comes before Parliament there are also regulations.

**Mr. O'Neill:** Strike a light. That's an inflammatory remark.

**Mr. MATHWIN:** It is all right for the Trades Hall muscleman to come in with his twopenceworth.

**The DEPUTY SPEAKER:** Order! The honourable member for Glenelg must address his remarks to the Bill.

**Mr. O'Neill:** If he keeps that up I'll bash into him.

**Mr. MATHWIN:** The member for Florey can try it any time he likes.

**The DEPUTY SPEAKER:** Order! The honourable member for Glenelg must not make inflammatory remarks across the Chamber, and the honourable member for Florey will cease interjecting.

**Mr. MATHWIN:** I am sorry that I upset the House but, after all, these fellows get under one's skin sometimes. To help the member for Napier in the situation in which he finds himself, because he did not read the Bill, I remind him that the last line on page 3 of the Bill states, "of the kind declared by regulation to be a child restraint". That states that the regulations will deem which is the right and proper equipment to be used in this area.

However, the honourable member made silly remarks regarding babies and bassinets. He was worried about the baby who had a rattle, dummy or soother in its hand. Will the honourable member regulate to put a seat belt on soothers next? The whole thing is ridiculous. This is a very good Bill, which will be advantageous to and a great protection for the motorists of this State.

**The Hon. M. M. WILSON (Minister of Transport):** I take this opportunity to congratulate those members who have participated in the debate, because it has been obvious from the debate that everyone who has spoken has had a deep concern for road safety. I congratulate Opposition members, particularly the Deputy Leader, for his well-considered and well-researched second reading speech on the Bill.

I should like to cover two or three matters, although I will not take long, as those matters can be dealt with in more detail in Committee. Probably the most important part of the Bill relates to the introduction of child restraints. However, that is a slight misnomer, because the Bill does not do that. Rather, it provides that, if a motor vehicle has child restraints in it, a child of eight years of age or less must be placed in that restraint. If there are no child restraints in the vehicle, the child must travel in the back seat, if the vehicle has one. I hope that clears up any doubts held by the member for Napier. He spoke of standards, and referred to those types of child restraint recommended in *Choice* magazine.

However, the member for Glenelg has pointed to the last line of page 3 of the Bill, which provides that a child restraint is one of a kind declared by regulation to be a child restraint. So, by regulation we have control of the types of child restraint which will be law under this legislation and which will be available to the public. I make the point (and I know what the member for Napier is saying) that we are not forcing people to put child restraints in their cars.

This is uniform legislation. When this Bill passes, there will be complementary legislation in every State except Queensland, which is at present examining the matter. This measure was agreed at the Australian Transport Advisory Council. Although I do not know what my predecessor would have done, I imagine that Mr. Virgo, knowing his feelings for road safety, would have agreed to introduce this Bill. I do not know whether, if the Opposition had been in Government, it would have done so. However, I hope that, with its concern for road safety, it would have done so.

I do not wish to deal any further with that matter. Rather, I now refer to the amendment requiring an end-of-school speed limit sign to be placed outside schools. The Deputy Leader asked what court case was involved. I can now tell him that it was the case of *Conn v. Fox*, which was heard in the Magistrates Court last year. I will let the Deputy Leader have a copy of the judgment delivered in that case, because I will not read it to the House. In effect, a motorist was travelling west past a school and was booked for exceeding the 25 km/h limit. The magistrate held that, because the sign at the western end of the school was not facing the motorist but was facing east-bound traffic, it was not a legal sign under the Road Traffic Act. Therefore, by doing that, the magistrate has upset the whole of the enforcement procedures of this speed limit which, as the Deputy Leader said, is such an important one, dealing as it does with children.

So, it is therefore necessary for the Highways Department, under the instruction of the Road Traffic Board, to erect "End of school limit" signs which face the motorist as he reaches the end of the school limit. I hope that explains the question to the House. I am prepared to accept some blame because, in retrospect, I believe that the second reading explanation was not as full as it could have been. If it had been as full as it should have been, the Deputy Leader of the Opposition would not have had to ask me that question.

The other amendment dealing with the flashing lights when all traffic lights are flashing is very important. As honourable members know, if they drive home late at night after a sitting of this House, they may go through a set of traffic lights which are all flashing yellow; under the present legislation, the "give way to the right" rule does not apply to such intersections. The Road Traffic Act provides that the "give way to the right" rule does not apply at traffic lights. That is a patently ridiculous situation because, when one goes through traffic lights that are all flashing yellow, the "the give way to the right" rule must apply. That will clear up any doubts that any honourable member has on that point.

The Opposition takes issue with the Government on the question of speed limits past roadworks. I am a little surprised, because in fact this legislation is designed to protect the workmen on the site. The present situation is that a 25 km/h limit applies. However, as the member for Flinders mentioned, in the country, where there is a 110 km/h open road limit, when a motorist reaches roadworks which may go for several kilometres and he has to slow down suddenly to 25 km/h, it is the opinion of the Road Traffic Board and the police who enforce this that motorists take very little notice of that limit. That creates a danger to the workmen. This legislation is designed to protect the workmen on the site. The legislation gives the workmen on the site, in consultation with their foreman, the right to set the limit for that piece of roadworks. If it is in the city, the near-city area, or in any area where a 60 km/h or 80 km/h open road limit applies, it will be 25 km/h. The workmen will be doing themselves a disservice if they recommend any other speed. On the open road, where there are seven or eight kilometres of roadworks, such as resurfacing, and workmen are working on the side of the road, if the motorists are not going to accept the speed limit put up, we should give the workmen the protection of setting their own speed limit. This delegatory power, which the Road Traffic Board has given to the Highways Department workmen and their supervisors, is a follow-up on that important delegation. In conclusion, I thank the Opposition for its attitude to this legislation and I commend the Bill to the House.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Signs indicating that works are in progress on a road."

**The Hon. J. D. WRIGHT:** I move:

> Page 1, line 16—After "maximum speed" insert "(not exceeding 25 kilometres an hour)".

I have listened with much intent to the Minister. I remain unconvinced about his argument that, having taken out all speed limits on the open road or within the city limits, the lives of workmen will not be endangered. It has been many years since the people on the roads have got the protection that they now have. I do not think that the Minister was

talking about protection but rather the policing of the protection. The Minister clearly admitted that not enough was being done to police the Act as it now stands. I remain unconvinced that taking the speed restrictions off will enhance the opportunity for people to be safer on the roads. I agree that consultation should take place between the authorities and the workmen on the site. However, I also believe that there will be circumstances where people in authority will make decisions which will not comply with the men's wishes in many circumstances. Experience has shown us that people who have authority make decisions without consultation. If the men decided that the maximum speed limit in an area should be 25 km/h, in some cases there would be disputation about what the actual speed limit ought to be. We know who wins in those circumstances. Until an arbitrator can be called in to settle the differences, the boss will stand upon his power and order the men to work on his instructions. That will cause more disputation. I am concerned about disputation and consultation, but I am more concerned that the taking off of the speed limit will increase the danger to people working on the roads.

I have had consultations with people involved, and I ask the Minister whether he has had consultations with such bodies as the Australian Workers Union and the Australian Government Workers Association, which daily deal with these people. There are resolutions on their books asking for the regulations to be changed so that the maximum speed limit past any area where men are working is reduced. I do not think that it is proper for the Minister to say that this provision will enhance the safety of workers in such areas. If he has had consultations and can disprove what I am saying, I would like to hear from him. It appears that we are getting different information from the same people. My information is that they are not happy with the provision as it is. They would prefer that to be reduced. I ask the Minister whether he has had consultations with the Australian Workers Union, the Australian Government Workers Association, and the Federated Enginedrivers and Firemen's Association of Australia, whose members work in these circumstances every day. If the Minister has had consultation with those parties, what has that consultation revealed? If there has been no consultation, why not? There ought to be consultation so that the Minister can say that he has discussed the matter with the organisations that represent these men in danger and that he has their consent to proceed with the provision.

**Mr. PLUNKETT:** I think the biggest problem of the Minister and members on the other side is that they do not understand what is in this Bill. That is the crux of the matter. We have heard the member for Flinders admit that he has had a car accident. One would think that he would be one of the first people to observe the restriction signs when there are workers on a road. The problem people find is that, after driving along a long straight road, all of a sudden they see a sign "Men at work" but they do not see any men. Do you know when they first see the men? It is when they kill or maim or run over one of them. I have been involved in this situation for 10 years as a member of a union, the Australian Workers Union, which covers the majority of workers on roads, as the member for Adelaide has just said.

I also know that the Minister of Transport has not approached the Australian Workers Union or the A.G.W.A., because I have spoken to the Secretaries of both those unions and they have expressed much concern about this amendment. I support the amendments except for the amendment concerning the restriction signs. After listening to the member for Newland, it appears that he is another impatient driver. I have been concerned with country roads, but I also reserve the right to speak about the four years when I also dealt with workers on roads in the city area. It appears that Ministers and members opposite are heavy-footed and do not take notice of restriction signs that may tend to hold them up for five minutes. Also, I heard the Minister say that the police have complained about the matter. I can assure members opposite that it was the police who prevented us from getting this restriction sign through for the past 10 years. The police themselves did not want the restriction signs on roads. It was not the police who got it, but the Australian Workers Union and the A.G.W.A. Those two unions put the pressure on all the time, and they eventually won the day.

I think that the Minister is showing inexperience with regard to these amendments and that he does not understand the situation concerning restriction signs. I think the problem on the other side is inexperience. The member for Henley Beach's contributions in this place always amaze me and now, when we are talking about people being injured or killed, he gets a stupid grin on his face. With respect to everyone in this Chamber, we are talking about a very serious matter; we are talking about life and death of the workers on the road.

**The ACTING CHAIRMAN (Mr. Russack):** Order! Will the honourable member address his remarks to the Chair?

**Mr. PLUNKETT:** I apologise, Mr. Acting Chairman, but it does upset me when I see things like that. Many members on both sides of the House will recall the roadworks carried out on North Terrace near the Maid and Magpie Hotel. The A.G.W.A. had a job there for four or five months and there were several workers knocked down right there on that main road.

I do not know whether any members opposite have driven through the Hills on a foggy morning, but I would advise them to drive out on to those roads and have a look at the restriction signs there. First, they can observe whether the 25 km/h signs are there, and then maybe pick up the injured workers. It should be about 4 km/h, with all due respect to the Minister of Transport. I think, in all fairness to him, he does not understand; he has been hoodwinked (I do not know by whom) into thinking that this provision is of benefit to workers. I can assure him that it is not. It is only through the goodness of the hearts of motorists that they slow down from 110 km/h when going past workers. I notice that the Premier is saying that I know what I am talking about. He has probably spoken to the police about this matter. A person cannot be convicted for killing workers on the road, provided that the motorist is within the speed limits of the State. In South Australia, if a motorist is travelling at 110 km/h he can make a mess of a person.

The situation for workers in New South Wales is slightly different. There is much better protection for road workers in that State. They have a detour system there, and no doubt some of the impatient hot-footed Ministers and members on the other side would find that their trip is slowed down much more in New South Wales than it is in South Australia. In New South Wales, wherever there is a piece of roadwork to be done a detour is made, and motorists are required to slow down to only a few kilometres an hour to negotiate that detour.

I think Ministers and members on the other side have failed to understand the problem. I was the person to get red jackets introduced into the Highways Department when one of our members was killed at Renmark in the early 1970's. I had several meetings with gangs working for the Engineering and Water Supply Department and the Highways Department throughout the South-East of

South Australia. There was a person killed there, and the members of the union that I was associated with said, "Do something about it. You are our organiser." I can tell you that it took a damn long time to get the regulations through this place for the red jackets; prior to restriction signs there were red jackets and what they called clowns hats. I am sure all members know what a clown's hat is (there are a couple of clowns here; they should know, at any rate). They are the red cones that one sees on the road.

I have spoken to workers on the side of the road who have placed these cones in position and I have been told that they are easily knocked over by motorists. Certainly, red jackets do not protect workers from being killed or maimed. I am not talking about motorists who are drunk; I am talking about impatient motorists, driving along the road flat out to keep under the speed of 110 km/h. That is what I am talking about to members on the other side. Some of the amendments to the Act are very good, except for this one; in the case of this amendment you have been hoodwinked. I have letters on file from members going back eight years, and in those letters members have said, "If you can't take some action, we'll take some action ourselves." The action that those workers who are afraid for their lives have threatened to take is to throw bolts or stones and things like that through the windows of cars.

However, a case against the worker and perhaps a term in gaol would be better than if he were killed and his wife and children were left alone. The most sensible comments I have heard from the Government side have come from the Minister, who is genuinely trying to improve the legislation. I took exception to the impatient attitude of the member for Flinders.

**The ACTING CHAIRMAN:** Order! The honourable member cannot refer to the debate. We are now considering only this clause.

**Mr. PLUNKETT:** I apologise, Sir, and I will be guided by what you have said. I have been treated fairly by the Chair. I get upset when I talk of workers being injured or maimed, because I have had the misfortune of having to break the news to the families of people who have been killed on the roads. I accept that a person can be wrongly informed, and I take exception to only one of the amendments, on which I think the Minister has been misinformed.

I have worked on the road, I have protected workers on the road, and I know of half a dozen people who have been killed on the road. Perhaps that number is not great when compared with the number of people killed in Vietnam, but it should never have happened that six people were killed and 20 or 30 badly injured. I believe that it occurred only because of the lack of speed restriction signs, and I ask the Minister to consider the matter further.

Perhaps his information has come from the Police Department. I have half a dozen letters which were written to the Highways Department when Geoff Virgo was Minister of Transport in the Labor Government. The police do a good job on the road with radar, in the city and elsewhere, and I cast no aspersions on them, but I have never seen a policeman pull up at a road block where there has been a restriction sign. They do not police the situation in any way. If the restriction sign is there, it is policed by the person in charge. New subsection (2) provides:

> A public authority may, with the approval of the board—

that is very important—

> or of a person appointed by the board—

another very important thing—

> to give approvals under this section . . .

I think members opposite are under the impression that only the foreman on the job can impose these restrictions and reduce or increase the speed.

**The ACTING CHAIRMAN:** Order! I point out to the honourable member that 15 minutes is the time allowed for his speech. He has about half a minute left.

**Mr. PLUNKETT:** Thank you, Sir. Members opposite must understand that it is not the foreman who imposes the restriction; it must be the head of the Highways Department or the police. I ask the Minister to think seriously about retaining the 25 km/h limit, and I ask those members who have spoken against it to look at the matter seriously. In the interests of the workers on the road, it is the most important provision in the Bill.

**Mr. WHITTEN:** I support the amendment. I am at a loss to understand why the Minister has decided to alter only one aspect in relation to speed limits. In 1974, as member for Bragg, the Premier supported a reduction of speed from 30 km/h to 25 km/h, and he must have had a reason to support such a reduction in speed where roadworks were in progress. The member for Glenelg also supported the reduction at the time, and, although he was talking about the speed of vehicles past schools, the two matters are connected.

In 1974, alterations were made to the speed limit from 30 km/h to 25 km/h in four areas: while passing a school omnibus that had stopped on the road; on the road where school signs were displayed; approaching a pedestrian crossing; or on a portion of a road between signs placed to indicate works in progress, pursuant to section 20 of the Act. I cannot understand why the Minister asks what is the use of having speed restrictions if motorists will not observe them. What, then, is the point in having various sections of the Act prescribing speeds of 60 km/h for the metropolitan area, 80 km/h in other areas, and 110 km/h overall if people will not observe those restrictions?

The member for Peake suggested that very little policing of limits is carried out. Perhaps the answer lies in more policing, but anything that can reduce the road toll must be done. I commend the Minister for his concern for road safety, but I cannot understand why he has not set any speed limit in this clause. He wants to strike out the provision relating to workers on roads, and I am concerned that he is not stipulating any alternative speed.

**The Hon. E. R. GOLDSWORTHY (Deputy Premier):** I move:

> That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

**Mr. BLACKER:** I oppose the amendment. The member for Peake expressed concern about workers on Hills roads in fog, and issues of that nature, where, obviously, employees could be in danger. This amendment will enable the officer of the day, being a public authority, with the approval of the Road Traffic Board, or a person appointed by the board—in other words, the highest officer available—to approve the setting of a speed limit, which could be as low as 5 km/h if necessary. This measure allows for not only an increase in speed but also a decrease, which can be enforced, and that was not the case previously. The honourable member adverted to an accident that I had had, as a result of which I spent six months in the Royal Adelaide Hospital. I am one of the fortunate members who has had an accident who knows at which end of the anatomy is the wooden part. I have been involved with probably hundreds of road accident victims, and I am not without sympathy for them.

The practicalities of this issue are that where a major highway construction is under way, as in the case of the 16 kilometres of road that I instanced, it is not feasible that

the general public should be asked to travel at 25 km/h for the entire distance, when most of the road is in a totally trafficable condition. In many cases, it might be a sealed road capable of carrying traffic at any speed, certainly to the full extent of the State speed limit. To the average motorist there is no reason why he should be required to maintain that speed, of 25 km/h, when for only perhaps 500 metres there is a genuine need that the speed limit be reduced, probably well below 25 km/h.

This measure enables that flexibility whereby the public authority, who has the approval of the Road Traffic Board, is able to determine a fair, reasonable and practical approach to the matter. If a 25 km section of road were under construction and the 25 km/h speed limit was enforced over that entire distance, it would take an hour to traverse that short distance, even though that limit was specified for the sole purposes of one 500 metre section of road where, say, a culvert is being built in the road. It is not a matter of whether we are endangering lives. I see this measure as providing greater safety to employees on the road and greater flexibility so that those persons in charge can take even greater steps than are presently available to them to ensure the safety of their employees and colleagues. The existing provision is worthy of the Committee's support and I oppose the amendment.

**Mr. HAMILTON:** I support the amendment. I am amazed to hear that there has been a lack of consultation with those unions involved in this field. The question of road safety is a most important issue both to the travelling public and to the workers concerned. I do not like to see industrial disputation if it can be avoided by consultation with the trade union movement. One would hope that, by sitting around the table and talking these problems out with the representatives of the movement and others concerned, an agreeable compromise could be reached. It would concern me that some hot-headed workers might throw projectiles at passing vehicles, and I do not think that any member would condone such an action. If the Minister were to have consultations, through the Trades and Labor Council, with the unions involved in this area, I believe that an agreement could be reached on this matter.

**Mr. MATHWIN:** I oppose the amendment, because it is far too rigid.

**Mr. Whitten:** You supported it five years ago.

**Mr. MATHWIN:** All right, perhaps that is so. It might be a good thing if the Opposition were to learn from experience. The Government has provided a flexible situation in the Bill, whereby road conditions can be considered when a reduced speed is contemplated.

The member for Flinders said that the speed could be reduced in an area to 5 km/h if the need arose, but that could not be done under the Opposition's amendment, because it provides that the speed must be 25 km/h.

**The Hon. J. D. Wright:** That's the maximum.

**Mr. MATHWIN:** The Deputy Leader can get hot under the collar.

**The Hon. J. D. Wright:** Tell the truth, then.

**Mr. MATHWIN:** I am telling the truth. The Bill presents a flexible situation, because the speed limit can be adjusted to the situation to which it is to apply. The member for Peake stated that he was responsible for the fixing of a speed limit where road repairs were in operation. With all respect to the honourable member, I suggest that is incorrect. The Brighton City Council many years ago brought that in as a by-law.

**Mr. PLUNKETT:** On a point of order, Mr. Acting Chairman. I did not say I was responsible for that situation: I referred to the red jackets, and there is a vast difference. The member for Glenelg should clean out his ears a bit.

**The ACTING CHAIRMAN:** There is no point of order.

**Mr. MATHWIN:** I am sorry if I have upset the member for Peake. Perhaps he should take the plums out of his mouth when he talks. It would make it much easier to understand him. I oppose the amendment. It will not do the job that the honourable member thinks it will do, and I ask the Committee to support the Bill in its original form.

**The Hon. J. D. WRIGHT:** I did not intend to belabour this question. I made my points in the second reading debate, and reiterated them when speaking to the amendment. I have not much to add, but I do not believe it is proper for the member for Glenelg to mislead the Committee completely.

**Mr. Plunkett:** He cannot help himself.

**The Hon. J. D. WRIGHT:** He either cannot understand or does not want to understand. I do not know what to say about the member for Glenelg, except that he tried to mislead the Committee. He said that, under the amendment, there was no elasticity and no right to manoeuvre. He does not understand the original recommendation to the Minister if he is saying that, because all the amendment does is restrict the maximum speed limit to 25 km/h, leaving all the other conditions put in by the Minister. The Minister, the Deputy Premier and all members are nodding: only the member for Glenelg is not nodding. It is about time that someone in authority in this Chamber took charge of the member for Glenelg and made him stop misleading the Committee and telling untruths. I am about sick of the member for Glenelg and his conduct here in the last few weeks in this Chamber, and almost all other members are sick of him, too. It is about time that he learned to conduct himself, to speak to the Bill in question, and be honest in his approach to the Bill.

**The Hon. M. M. WILSON:** I will read to the Committee the last sentence of the notes I have received from the Chairman of the Road Traffic Board (Mr. Johinke), because it is significant in what I am going to say. He states:

> The workmen will have realistic expectations of behaviour of the motorists and hence be able to assess the true amount of security that they can expect.

The Deputy Leader said that his amendment would allow a certain mount of flexibility under 25 km/h. Not accepting the amendment allows flexibility above 25 km/h.

The member for Peake said that the workmen said to him, when they approached him on this speed limit problem because some of his friends were being killed, "If you cannot do something we will take action ourselves." That is exactly what this clause does: it allows the workmen to take action themselves, because, as the Chairman of the Road Traffic Board said, they will have a realistic expectation of the behaviour of the motorist at that particular site. Their protection will be in their own hands.

I hope I am not putting the wrong emphasis on what members opposite have said, but I seem to have a greater faith in those workmen at the site than Opposition members have. For that reason, the Government cannot accept the amendment.

**Mr. HEMMINGS:** Can the Minister further enlighten the Committee and enlarge upon what he has just said about the workers being able to protect themselves by setting the speed limit? Surely the Minister is not saying that workers can protect themselves by setting the speed limit, which is up to a member of the board?

**The Hon. M. M. Wilson:** It is a delegated authority.

**Mr. HEMMINGS:** Surely the Minister is not saying that the workers can get together to decide what is an acceptable speed limit.

**The Hon. M. M. WILSON:** The member for Price raised the subject of delegated authority, and he is right. The Chairman of the Road Traffic Board has said that the authority will be delegated to the people on the site. When I say "the workers", I mean the workers in consultation with the foreman or the supervisor.

**Mr. Hemmings:** Or the engineer in charge.

**The Hon. M. M. WILSON:** Well, I have faith in the gangs working on the roads. The Chairman of the Road Traffic Board stated:

> The workmen will have realistic expectations . . .

This is what the clause is based on: it gives the flexibility that is required. There are some cases where the workmen are working on the side of the road where they may feel, because of the behaviour of motorists, that 40 km/h is a much more realistic speed limit because the road works may be undertaken over seven or eight kilometres, or even longer. In those cases it is much more realistic to expect motorists to accept a speed limit higher than 25 km/h, especially when coming straight from 110 km/h. For those reasons, the Government cannot accept the amendment.

**The Hon. J. D. WRIGHT:** I do not disagree with much that the Minister has said about the joint discussions, the manoeuvrability, the control, or the authority where the control goes: none of that is in dispute. All the principles that the Minister has talked about can still apply if a maximum of 25 km/h is applied. There is no difference in the principle. The principle I am worried about is the extension of the maximum speed beyond 25 km/h. That is the only disagreement we have. Obviously, the Minister will use his numbers. He said that the Government could not accept the amendment, but I do not believe that it has properly thought this situation out. I believe that the Government will regret its decision and that there will be disputation about this matter. I do not believe that road workers anywhere in South Australia will accept the decision once it is implemented.

I warn the Minister about that. I hope that I am never right and that there are no accidents as a result of the decision. In 12 or 18 months I do not want to be able to say that I was right and the Minister was wrong. I do not want accidents to occur and I do not want disputation to occur. I do not believe that consultation will work. I believe that authority will take control and the men will be told what to do.

The Minister has not replied to my question whether he has had consultation with the trade unions that are affected. I deliberately asked that question; if no consultation has taken place, will the Minister say why that is so?

**The Hon. M. M. WILSON:** I understand the Deputy Leader's concern. From the introduction of this Bill, it is obvious that the Government is concerned. If the dire forecasts of the Deputy Leader appear to be coming to fruition, I give the Deputy Leader an undertaking that I will review the Bill.

**The Hon. J. D. Wright:** What about the consultation?

**The Hon. M. M. WILSON:** The Deputy Leader is right; I did not personally speak to members of trade unions about this matter. I was given information by the Road Traffic Board, and I accepted that information because I thought that the Government's action would give the men more say. I thought that that would have been obvious. I considered that there was no need for me to go to the trade unions when I intended putting forward legislation that would give them more say. I understood from the Road Traffic Board that this provision was acceptable. If the Deputy Leader's dire forecasts come true, I will review the legislation.

**Mr. PLUNKETT:** I am disappointed at the Minister's taking notice of the board and not the workers, because the workers, not members of the board, are being killed.

The Committee divided on the amendment:

Ayes (19)—Messrs. Abbott, L. M. Arnold, Bannon, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Keneally, Langley, McRae, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright (teller).

Noes (23)—Mrs. Adamson, Messrs. Allison, P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Evans, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Schmidt, Tonkin, Wilson (teller), and Wotton.

Majority of 4 for the Noes.

Amendment thus negatived; clause passed.

Clause 4—"Speed limits."

**The Hon. J. D. WRIGHT:** I ask for your ruling, Mr. Deputy Chairman. Paragraph *(b)* states "by striking out paragraph *(e)* of subsection (1)."; that refers to section 49 (1) *(e)* of the Act, which states "25 kilometres an hour on a portion of a road between signs placed to indicate works in progress pursuant to section 20 of this Act."

**The Hon. M. M. Wilson:** Are you talking about works in progress or about all school limits?

**The Hon. J. D. WRIGHT:** I am talking about works in progress. It is my interpretation that 4 *(b)* relates to section 49 (1) *(e)* of the Act; the principal argument is that the Opposition is trying to delete the 25 km/h limit. Are you, Mr. Deputy Chairman, ruling that, having voted on clause 3 *(a)* (2), we are not accorded the opportunity to vote again on 4 *(b)*, because we would be defeated?

**The ACTING CHAIRMAN (Mr. Russack):** If the Deputy Leader is asking whether he can move an amendment to delete clause 4 *(b)*, the answer is "No", because that amendment would be substantially the same as the amendment on which the Committee has just voted. However, I point out that the Deputy Leader could vote against the whole clause.

**The Hon. J. D. WRIGHT:** I accept your ruling, Mr. Acting Chairman. Is the Committee dealing with clauses 4 *(a)* and 4 *(b)* separately?

**The ACTING CHAIRMAN:** No, we are dealing with the clause as a whole.

**The Hon. J. D. WRIGHT:** That places the Opposition and me in a very difficult situation because I do not oppose clause 4 *(a)*, but I do not support the second part of the clause. Surely, I have a right to support clause 4 *(a)* and oppose clause 4 *(b)*.

**The Hon. M. M. WILSON:** It is quite obvious that the vote on clause 3 was the test vote on the Opposition's amendment. I understand the Deputy Leader is in difficulty in this matter, because the Bill has been drafted to incorporate an amendment to the "end school limit" part of the Bill as well as the speed limit past roadworks in the one clause, which places the Opposition in a difficult situation. However, I submit that the test vote on the Opposition's very strongly-put case was taken in relation to clause 3.

**The Hon. J. D. WRIGHT:** Mr. Chairman, I understand your ruling is that the next vote will be taken on clause 4 *(a)* and *(b)* as a whole. In those circumstances, so that it is very clear for everyone to see, I record the Opposition's verbal support for clause 4 *(a)* and state that it will not be supporting clause 4 *(b)*, for the reasons I have previously stated in this debate.

**Mr. BECKER:** Mr. Chairman, I rise on a point of order. If the Deputy Leader's argument were adopted there would be a conflict in the legislation. The Committee has agreed to clause 3, so if clause 4 *(b)* were deleted, there

would be a conflict in the Bill. Therefore, I do not see how the Deputy Leader can validate his argument.

**The ACTING CHAIRMAN:** The position is clear and the direction from the Chair is that we take clause 4 as a whole. If the clause were divided, the amendment suggested by the Deputy Leader cannot be accepted, because it is substantially the same as a clause that has already been passed by the Committee.

Clause passed.

Clause 5 passed.

Clause 6—"Child restraints."

**Mr. PETERSON:** The Minister's comments in relation to this Bill are to be commended. I believe that, where possible, there should be uniform legislation between the States in all things. It is Parliament's primary function to look after the people in the community and many of the statements that have been made regarding the safety of workers are to be applauded. However, I believe that this clause overlooks the safety of children. The basic thrust of this clause provides that, where a child restraint is provided in a motor vehicle, it is to be used. I feel that the greatest danger in motor vehicles is faced by children who are not restrained. I am sure that all members have seen people driving around while their children stand on the front and rear seats of their motor vehicles. Those same people believe that an accident cannot happen to them or to their children; but it can. It only takes a very slight incident for an event to occur where a child can be maimed for life. For example, a dog could run on to the road, the driver could brake or swerve to avoid it, and the unrestrained child could be thrown around the car and injured.

This Bill provides us with an opportunity to introduce innovative legislation requiring that all children be restrained properly in motor vehicles. I believe that this Bill, in its present form misses this opportunity. It does not go far enough and does not do enough to protect a child at his or her most vulnerable age; that is, 8 years and under.

**The Hon. M. M. WILSON:** I appreciate the honourable member's thoughts on this clause. As the honourable member said, this is a uniform Bill between the States. I am not particularly interested in introducing Draconian legislation where it can be avoided. A lot of publicity will be given to this Bill by the Road Safety Council once it becomes law and I encourage people to provide seat restraints for children in their motor vehicles, but I am not interested in forcing people to put those seat restraints into their vehicles. I hope that through the public education programme we can work for the benefit and safety of children by getting the co-operation of the public.

**The CHAIRMAN:** The member for Mallee.

**Mr. Hemmings:** See what I mean.

**The CHAIRMAN:** Order! Is the honourable member for Napier suggesting that the Chair was not correct in its decision?

**Mr. HEMMINGS:** No, Mr. Chairman, that is the last thing I would suggest.

**The CHAIRMAN:** I would have thought the honourable member made a suggestion along those lines. The Chair endeavours to be fair. Somebody was called on my left and then I called somebody on my right.

**Mr. LEWIS:** I have no quarrel with the substance of this clause other than to say that perhaps it could go further. As an example, I wish to refer to an incident in which I was involved before the election on 15 September outside of South Australia. I am referring to the situation where a dog is being carried by an increasing number of people in their motor vehicles, often in company with children. At present, there is no requirement for the dog or the child to be restrained in any way.

I believe that had honourable members opposite or people outside the Chamber been confronted with the circumstances that confronted me, they would seek to do something about dogs travelling in motor vehicles. I am sure that honourable members who carry dogs in their motor vehicles, for any purpose whatsoever, would have the best interests of their children and the dog at heart. In this instance a car rolled over and a woman was in a state of shock and suffering from lacerations and abrasions. Her child had a broken right arm and the Alsatian dog had a broken foreleg.

The mother, who was in the overturned car, tried to rescue the child from beneath this large Alsatian dog and was savaged. I was first on the scene and had to destroy the dog, much to the mother's distress; her child was already considerably distressed.

Will the Minister ascertain whether it is mandatory, in relation to collisions or accidents in which people are injured, to report whether a dog was in the car and, if it was, whether the dog, in the driver's opinion, contributed to the cause of the accident; whether the dog was injured or involved in the injury sustained by any of the passengers; and how many injuries were sustained and how serious they were?

**The Hon. M. M. WILSON:** I will examine that matter for the honourable member.

**Mr. HEMMINGS:** It is pleasing to see that the member for Glenelg is not in the Chamber.

**The ACTING CHAIRMAN:** Order! I ask the honourable member to speak to the clause.

**Mr. HEMMINGS:** The member for Glenelg said during my second reading speech that I had not read the Bill.

**The ACTING CHAIRMAN:** Order! I ask the honourable member to resume his seat. I point out to the honourable member that he has been given the call to speak to clause 6, and I ask him to do so without any preamble.

**Mr. HEMMINGS:** The Minister made great play of the fact that the child restraint would be declared by regulation. I said during the second reading debate that no cushion for children from four years to eight years or bassinet has an Australian Standards Association recommendation. So, will the Minister say who in this State will decide these matters? The Minister said previously that it would be fixed by regulation. However, I maintain that no-one is qualified to state which child restraint is suitable, as the Australian Standards Association has yet to decide a suitable standard for a bassinet or a cushion.

**The Hon. M. M. WILSON:** The Deputy Leader of the Opposition said (and I agree with him) that he was satisfied that child restraints available in South Australia came within an Australian standard and that he was satisfied that the people of South Australia were not getting shoddy equipment. However, I must tell the member for Napier that I am unaware of the standards that obtain in the two specific categories to which he has referred, namely, the cushion and bassinet. Like the Deputy Leader, I was satisfied that the products being sold to people in South Australia were safe and up to standard. However, I will investigate the two categories to which the honourable member has referred and let him have a reply in due course.

**Mr. HEMMINGS:** I thank the Minister. However, so that it can be recorded in *Hansard*, I will read the opening paragraph of the report in the *Choice* magazine. It is as follows:

> The enforcement of the standard A.S.A. 1754 does not apply to restraints for children who travel in bassinets, because no bassinet restraint systems currently available in Australia meet the requirements of the standard. The same

exemption applies to booster cushions and chaises, suitable for children aged from four to eight years, because only one cushion then met the requirements of the standard. In these two areas, then, unapproved restraints may be sold.

That is the whole point that I have been trying to make: the final line on page 3 of the Bill has no teeth because, if the Australian Standards Association cannot approve bassinets or booster cushions, who in this State will be able to say what is a satisfactory car restraint?

Clause passed.

Title passed.

**The Hon. M. M. WILSON (Minister of Transport):** I move:

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

**The Hon. J. D. WRIGHT (Adelaide):** I should like, for the last time in this debate, to place on record the Opposition's complete regret and disappointment that the Minister did not accept the reasonable Opposition amendment which was put forward by reason and strong argument from all Opposition members who have had the benefit of experience in this area. The Minister could easily have accepted the amendment.

Although Opposition members have had this experience, few Government members (and I am not trying to criticise them in this respect) have had experience physically in this area. True, they may have driven past road gangs or seen men at work in the city. However, most Opposition members who come from the area involved have worked in it, or have looked after workers there and had this valuable experience.

I am convinced that the Opposition won the debate. Of that there is no question. If the Minister had the opportunity of discussing the matter again, and had he initially taken the opportunity to discuss it with the unions involved, he would have had a better understanding of the matter. However, the Minister has assured the House (and therefore the people involved in this legislation) that, if this legislation does not work and there are signs that it is falling apart, as I predict there will be, he will bring back that part of the legislation to the Parliament. For that, I thank him. I sincerely hope that in a short time, when it is proven that the Minister is wrong about this part of the legislation, he will return it to Parliament and admit that he was wrong.

Bill read a third time and passed.

## HIGHWAYS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 February. Page 1117.)

**The Hon. J. D. WRIGHT (Adelaide):** This is a very simple Bill.

*The Hon. W. E. Chapman interjecting:*

**The Hon. J. D. WRIGHT:** I am not in charge of this House. If the Government cannot sort its business out, it cannot expect the Opposition to sort it out.

**The DEPUTY SPEAKER:** Order! The honourable member will continue with his remarks.

**The Hon. J. D. WRIGHT:** This is a simple but effective and important Bill. The purpose of the Bill is to raise the percentage allocation from the Highways Fund under section 32 (1) *(m)* (i) of the Highways Act, 1926-1979, in respect of road safety services provided by the Police Department. No-one would object to that. If a deficiency has occurred, the percentage ought to be continued as has applied when the legislation was first brought into operation.

At present a contribution equal to 6 per cent of the fees received by the Registrar of Motor Vehicles by way of motor vehicle registration fees is applied for this purpose. However, a reduction in registration fees, following upon the recent introduction of an *ad valorem* licence fee in relation to the sale of motor spirit and diesel fuel, will result in income from registration fees being reduced by some $10 000 000 a year. In order to maintain the contribution at approximately the existing level, the percentage levy will have to be increased to 7·5 per cent. The Opposition has no complaint about that. I believe that it is proper. If the 6 per cent was the correct amount in the first instance before the events that occurred in connection with the registration fees of motor vehicles, then quite simply something has to be done in regard to readjusting that situation. I would describe the Bill as being a readjusting Bill, giving back from the Highways Fund to the Police Department the amount of money that it would have been entitled to if those things had not occurred to upset that situation.

I agree with the proposition put forward by the Government. Quite obviously if the Labor Party had still been in Government it would have had to do the same thing. I want to place on record that that is as far as the Opposition is prepared to go in this matter. Provided that it stays at the equivalent that was indicated initially when the legislation was brought into this House, the Opposition has no complaint. However, if there is any further move for reasons other than safety (by that I mean that there may be some attempt by the Treasury to escalate and influence its own funds by increasing this percentage—the Minister may look surprised but I did have some information about this some time before 15 September; that there was some intention to make some recommendations to increase the percentage to 9 per cent, and only for revenue), the Opposition will object in the circumstances where it is merely to be a revenue raiser for Treasury. The Opposition supports the second reading.

**The Hon. M. M. WILSON (Minister of Transport):** I thank the Deputy Leader for his consideration of this Bill and hopefully for providing it with a quick passage.

Bill read a second time.

In Committee.

Clause 1—"Short titles."

**The Hon. M. M. WILSON:** I am willing for progress to be reported.

**The Hon. J. D. WRIGHT:** I am opposed to that. There has been no consultation.

Progress reported; Committee to sit again.

## JOINT COMMITTEE ON MEAT HYGIENE LEGISLATION

**The Hon. W. E. CHAPMAN (Minister of Agriculture)** brought up the report of the Joint Committee, together with minutes of proceedings and evidence.

Report received. Ordered that report be printed.

**The Hon. W. E. CHAPMAN:** I move:

That the report be noted.

I will briefly refer to the contents of the report. I appreciate that the opportunity will arise for all of us to speak at the time this report is promulgated to become legislation, in the very near future in this Parliament. However, in the meantime, it is only reasonable to draw to the attention of the House my appreciation of the efforts extended by the members who served on that committee. The Legislative Council members were the Hon. Mr. Carnie, the Hon. Mr. Chatterton and the Hon. Mr. DeGaris. My colleagues from this place were the member

for Salisbury and the member for Rocky River. The committee dealt with a subject that had been floating around this State and, indeed, in and out of this Parliament in one form or another, for some 10 years.

Prior to the State election the Liberal Party, then in Opposition, undertook to seek a Joint Committee of both Houses for the purpose of inviting evidence from both the community at large and from the industry in particular so that a complete record of the feelings about meat hygiene in this State could be reported. The records collated are quite extensive. Indeed, my committee is appreciative of the response received in some 21 written submissions, and a considerable number of witnesses gave oral evidence to it.

We were also impressed with the evidence given by the industry from all parts of the State, from the Victorian border to the Far West Coast and into the northern areas of the State, as well as industry representatives from the metropolitan area of Adelaide. The co-operation that I personally received as Chairman of that committee deserves mention. Throughout the taking of evidence and throughout the various meetings held for the purpose of discussing that evidence, and indeed in the latter stages of its meetings where the material was collated, considered and prepared into a report for this place, the support I received was tremendous. There were no political differences expressed or exercised either during or about the meetings.

Indeed, it is to be appreciated that a subject as delicate as this one could be dealt with with the energy and intense support that prevailed throughout those meetings. I wish to draw the attention of members to the manner in which this report has been prepared, and I urge members to read the report over the next two to three weeks because it is on the contents of this document and on the contents that reflect the salient points in the evidence collected that it is proposed that the Government will prepare legislation for tabling in this place. Hopefully, the passage of that legislation will be swift through both Houses, so that the meat authorities recommended in the report can set about the job of implementing its several recommendations.

It is not a lengthy report, and it is one that deals with the facts of the matter that was before the committee; that is, the basis on which it is proposed that meat hygiene be improved in this State, both at abattoir level and at slaughterhouse level. One of the terms of reference before the committee was the setting up of a consultative committee. It has been decided that the authority proposed in the future will be the body that will select from industry, or from wherever it sees fit, persons whom it may consult about the application of its duties. The whole State is to be regarded as a free trading area for the inspection of meat from licensed abattoirs. Members have heard me address the House on this subject on a number of occasions in recent days. In future, whether the abattoirs are privately or publicly owned, they will be subject to competition on a free competitive trading basis throughout the State. Within the terms of the recommendations incorporated in this report, there will not be any barriers or restricted areas or quotas, or like considerations supporting any particular licensed abattoir in South Australia. Slaughterhouse operators will be licensed to continue their operations in the interim period, but subsequent licences will be conditional upon their upgrading to the standards outlined in the report. Indeed, their activities will be restricted both in the areas within which they will be able to supply meat and on the throughput of their respective premises.

There is only one of the seven or eight other major recommendations to which I wish to refer on this occasion, and that is in reference to meat inspection. It is proposed in the report, and it will be subsequently incorporated in legislation, that there be a single meat inspection authority within South Australia. That principal authority will be the Commonwealth Department for Primary Industry, from which our inspectors will be drawn. Reinspection of meat entering South Australia and, accordingly, traversing from South Australia to Victoria is envisaged to cease as soon as it can be applied.

Hygienic construction standards, pet food works, and the licensing of those, authority to delegate specific functions to other organisations such as local government, etc., are incorporated in the report. I conclude by saying that local government has in fact been recognised in its submissions and in its ability to assist in the implementation of this Bill and in its policing thereafter. The member for Rocky River, in particular, was adamant throughout his attendance on the committee that local government should be recognised and, indeed, it has been. It received the support from members of both Parties from this Chamber and from the Legislative Council. I am pleased to be able to table this report on this occasion; it is a matter that has been pending for about 10 years, and I give credit to those who acted on the committee with me for the preparation of the report and for enabling me to table it.

**Mr. LYNN ARNOLD (Salisbury):** In speaking to the Select Committee's report I would like to endorse the comments made by the Minister. I feel that the deliberations of the committee proceeded with very great smoothness, and we went through all aspects of the problem. I believe that the report now tabled before the House indicates the scope of the investigations that we undertook and that the recommendations have not been lightly made. They have been formulated against a background of a fair amount of research and study and evidence taken from witnesses.

As the Minister suggested, the report of the Select Committee is, in fact, a unanimous report from both sides of the House, and indeed from both Houses of Parliament, as both Houses accept the important issues that are before the meat industry in this State. I think the Minister is correct in saying that this issue has been around for some years now and there have been quite some discussions for a long time requiring some sort of specific guidelines from Parliament as to what constraints will be placed upon the meat industry within this State.

This applies at both the slaughterhouse level and the abattoir level. Perhaps the recommendations that have been made in the Select Committee's report will generate quite some discussion in the community, and that will be a very useful thing, because when the Parliament comes to discuss the legislation we will need to know the opinions generated in the community to help our passage of the recommendations. Of course, it is hoped that all the recommendations will be passed by both Houses.

As has been mentioned, this matter was discussed before the last election and, indeed, members will know that there was previous legislation being drafted for presentation to the House. In fact, some of the aspects of the Select Committee's report were touched upon in that previous legislation. Indeed, some of the recommendations may go beyond what the previous legislation anticipated, or worked to achieve, and I think that is the result of the very good work that the committee has done. It has taken a topic, grasped the nettle, so to speak, developed that topic, and evolved from it the right recommendations and the right answers in an attempt to help all the people of this State.

The committee went beyond the legislation we had

before us previously. Regarding our recommendations, members will see from the report that we believed that certain aspects needed further investigation by the Parliament, for example, legislation covering game. We did not feel we could adequately cover such matters in the limited time that we had available to us without extending the committee's deliberations for a much longer period of time, and thereby delaying the introduction of appropriate hygiene legislation for slaughterhouses and abattoirs. We did not feel that such a delay would be in the best interests of this State and of the operators within this State who have already had to wait quite long enough.

With regard to the recommendations and how they were developed, as has been suggested, it is recommended that there be a South Australian meat hygiene authority established. This, of course, is an extension beyond the previous proposed legislation, which anticipated only a chief inspector in charge of meat hygiene. Indeed, it was felt that it was necessary to expand the authority beyond one person to three people, as it now is; this was for a variety of reasons, one of which has been touched upon, namely, the local government question.

The other one is that the Meat Hygiene Authority now has wider powers than had been anticipated in the previous proposed legislation, and it was entirely inappropriate that that series of wider powers should be held by only one person. It is in the best interests of the community that an authority of three people responsible to the Parliament should handle these questions, and that is the first change from the previous proposed legislation.

The second question we discussed, having recommended the establishment of a Meat Hygiene Consultative Committee, was that, in the early stages of operation of the South Australian Meat Hygiene Authority, it will be important that the authority have as much access as possible to representative opinion throughout the community regarding aspects of meat hygiene. We did not feel that it was our task, as a Select Committee, to establish who should be that consultative authority; indeed, we did not even recommend that Parliament, in the legislation, should make that prescription. We feel that it should be up to the authority itself to determine what representation should be needed. Suffice to say that we felt it important that representations should take cognisance of not only the producers—the farmers and graziers—in the field but also the processors, at both the employee and employer level, and, further on, to the consumer and the retailer and the role they have to play. Certain other representation, for instance, local government, already appears on the Meat Hygiene Authority.

The third recommendation we propose is that the whole State should be regarded as a free trading area for inspected meat from licensed abattoirs. We feel that many problems over the last few years have resulted from the restrictions, the variety of abattoir areas within the State, the complications that developed in trading from one abattoir area into another, and the almost illogicalities that developed regarding trade of out-of-town licensed abattoir meat into Adelaide as compared with, say, interstate meat, which faced nowhere near the same problems in coming into the Adelaide metropolitan area.

The recommendation is that slaughterhouse killed meat be restricted, and there are recommendations as to how those restrictions should be applied, and that is a new recommendation going beyond the scope of the previous proposed legislation. I believe that is a useful and an important addition. Certainly, from our inspection of selected slaughterhouse premises outside the Adelaide metropolitan area, we could see an important need for slaughterhouse killed meat to be subject to certain restrictions, and basically they cover such areas as through-put, areas of distribution, and so on.

The other recommendation, again, quite similar to the previous proposed legislation, was that a single inspection service be established for meat. The next recommendation is new. The committee deliberated over it, looking at all the implications for the meat trade within the State, and that is that the reinspection of interstate meat is to cease. We believe that the universal reinspection of all meat coming into South Australia from other States cannot be justified. We think that it is more logical that it should cease, and we hope that other States will see the wisdom of this and will introduce complementary legislation in their own right. We took the decision to recommend this to Parliament on the understanding that Victoria, which is the State most significantly involved, would give this matter favourable consideration. We would hope that the understandings given will lead to the decision by Victoria not to charge reinspection fees, or not to subject South Australian meat to reinspection, provided that the meat comes from appropriately licensed abattoirs of a suitable standard.

Again, as a result of our inspection of slaughterhouses, but also as a result of information provided to the committee, we felt that there should be radically improved hygiene standards in slaughtering premises, particularly slaughterhouses, and that these should be subject to staged implementation. That is no different from the previous proposed legislation.

Likewise, the eighth recommendation, which concerns hygiene standards for poultry processing: the recommendation that it should be included in the Poultry Processing Act is a continuation of the previous proposed legislation, as is the recommendation that pet food works be licensed.

Recommendation 10, which is new from the previous proposed legislation, is that there be authority to delegate specific functions to other organisations, for example, local government. We thought that this was important, because the authority has new powers. It has powers beyond those anticipated by the previous legislation, and it was only proper that it should have the capacity to delegate. We thought it was essential that a wide variety of those specific functions should be delegated, because it was not the scope, in our opinion, of the authority to become a bureaucratic structure of large size when substantial capacity and capability existed in the community, for example, within the local government area.

Likewise, recommendation 11 results in some change from the previous proposed legislation. It provides that all currently licensed premises are to be conditionally licensed at the commencement of the legislation. The previous proposed legislation anticipated a maximum of two years before complete and full licensing would have to be undertaken. It is now proposed that two years would be the ideal. However, the authority should have the discretion to vary this up to five years, and this was on the basis of information available to the committee from the Victorian experience. We were in some aspects led by the experience of Victoria in the introduction of its meat hygiene legislation which, in some cases, is similar to what is being proposed.

Perhaps by way of anecdote, I want to refer to information that we saw in the committee to indicate why we thought that country-killed meat should be subject to stricter restrictions than have applied in the past. We understand that many slaughterhouses have been waiting for clear guidelines as to what these restrictions should be. It has often been suggested that there should be an ability for those places to free trade into Adelaide. It would not

be appropriate to refer to the site we visited, but the committee did visit one slaughterhouse where conditions were far less than admirable. On going into the place, we found the animals waiting to be slaughtered had their lairage in the very same room where slaughtering was taking place, with little more than a steel fence to separate them. Apart from being a less than humane way of dealing with animals, it was certainly less than hygienic.

The animals were slaughtered by one man some feet away, put on the rail, and within feet again had the hides removed, and the dressing process started. The distance between the slaughtered animal and the dressed animal was only a few feet, and created a hygiene problem. The blood that flowed from the animal went into the next room and into a pit, where it remained all day, festering and creating a colourful sight, but not a hygienic sight. The blood was then fed outside. Inedible offal remained in dirty 44-gallon drums on a concrete loading bay, where the blood was caked so thickly that it had turned black over the years.

Every time I see a sign indicating country-killed meat, I wonder which places this slaughterhouse is supplying. I realise that it was one of the worst around, but it indicated clearly the need for improved standards and for better policing of those standards.

We commend the report and hope that the House will give this matter serious consideration and expedite the passage of the report into legislation.

**The Hon. W. E. CHAPMAN (Minister of Agriculture):** I do not propose to contribute to the debate any further at this stage.

**The DEPUTY SPEAKER:** Order! If the Minister speaks, he closes the debate. Does he wish to adjourn the debate?

**The Hon. W. E. CHAPMAN:** No, Sir. If it is necessary to go to a vote, I do not propose to speak to this matter any more. I understood that, the report having been tabled, printed and noted, that was all that was required on this occasion.

Motion carried.

## HIGHWAYS ACT AMENDMENT BILL

Adjourned debate in Committee (resumed on motion).

(Continued from page 1481.)

Clauses 1 and 2 passed.

Clause 3—"Application of Highways Fund."

**Mr. BLACKER:** Does the Minister believe that the 7½ per cent was adequate for the road safety services of the Police Department, bearing in mind that I understood that revenue received through the fuel tax set-up would be on a diminishing scale? Therefore, the 7½ per cent would probably equal the figure as of last year. What will be the situation in years to come?

**The Hon. M. M. WILSON:** Before the Business Franchise (Petroleum Products) Bill was introduced, it was estimated that the State would receive about $46 500 000 in registration receipts, on which there would have been a 6 per cent levy for the Police Force. The estimated revenue now, which has been revised for 1979-80 (and this is based on a full year, not allowing for the three months take-up we had between June and September), is $38 300 000.

It was calculated that the 7½ per cent would replace the contribution to the Police Force. No doubt the force would like to have more, but we have to draw a line somewhere as to how much money we take away from the Highways Fund itself for roads and how much we give to the police. If the Government decided to give more money to the police, and it was decided that it should be given in this way, we would obviously have to increase the percentage. The former Government, about last May, had a series of meetings on road safety, and granted the police an extra allocation of $1 000 000 in the Budget which this Government continued. So, the police have been given extra money for road patrols, and the like.

Clause passed.

Title passed.

Bill read a third time and passed.

## MARKETING OF EGGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 February. Page 1114.)

**Mr. LYNN ARNOLD (Salisbury):** I indicate that the Opposition supports the Bill, although I hope the Minister will in due course consider future amendments to the Act that have not been included in this Bill. The Bill relates entirely to the decision to grant immunity from liability to members of the Egg Marketing Board when they undertake functions in the exercise of their duties as members of that board. Subclause 2 (3) provides:

> No liability shall attach to a member of the board for any act or omission by him, or by the board, in the exercise or purported exercise of his or its powers or functions, or in the discharge, or purported discharge, of his or its duties under this Act.

Lack of this provision was an oversight in previous legislation over the years. I believe that this matter should have been attended to. Having done some research of the legislation in other States, I find that we are the only State, bar Western Australia, that has omitted this provision, and it is timely that the change be made. The Western Australian Parliament could itself usefully consider this move. There is immunity for the board, under section 31 of the Act, which provides:

> Where the board in good faith and without negligence has made any payment to the person appearing from any certificate to be entitled to such payment, the board shall not be liable to make any payment to any other person for the eggs mentioned in the certificate.

A type of immunity from liability is granted to the board, as a body corporate, but not to the members as members of that board. The Bill helps to rationalise that situation. It is certainly not thought that all the egg producers or egg consumers of the State are about to take legal action against members of the board: the Bill merely provides contingent protection for those members in the unlikely event of any liability being contested. The sort of thing being anticipated perhaps is that the board could issue a statement or letter to an egg producer suggesting that the producer has not been truthful in his statement of egg numbers, and that this could be determined to be defamatory if it were unproven. I imagine that the question of financial liability is encompassed in the provisions at this stage.

The wording that other States apply is interesting. As I have already mentioned, the Western Australian Parliament does not have a section in its Act that covers this matter, whereas the Victorian, Queensland and New South Wales legislation contains such sections. The Victorian and Queensland sections are identical, and I should be interested in any comments the Minister might make regarding the decision to word our legislation somewhat differently from the way in which those sections

are worded. It appears to me that the clause in our legislation is a more general one; perhaps that is the necessary nature of it.

**The Hon. W. E. Chapman:** Do you support that clause?

**Mr. LYNN ARNOLD:** Yes, and I am interested in any comments the Minister may care to make to edify the House. The Queensland provision, which as I say is identical to the Victorian provision, is as follows:

> Protection of the Crown and its officers. No action, claim, or demand whatsoever shall lie, or be made or allowed by or in favour of any person whomsoever, against His Majesty or the Minister or the Council or (save as in this Act is expressly provided) a board or any officer or person acting in the execution of this Act, for or in respect of any damage or loss or injury sustained or alleged to be sustained by reason of the passing of this Act or the extension of this Act to a commodity, or of its operation, or of anything done or purporting to be done thereunder.

The wording in the South Australian legislation is substantially simpler than that. The wording in the New South Wales legislation is substantially the same, except that it includes aspects of the financial liability within it by adding such words as:

> . . . [immunity] from any compensation or debt . . . or of the delivery to or receipt, acceptance or disposal by a board of any of the commodity.

Another interesting addition to the New South Wales legislation is that retrospectivity is implied. It states:

> . . . [it will] be sustained at any time before or after the commencement of the Marketing of Primary Products (Amendment) Act . . .

It is an interesting addition, but it is not relevant in this case, because the Act has been in force for some years. The South Australian provision is simpler and seems to be more general. It has not tied itself up with so many circumlocutions in trying to be specific and cover all possibilities where liability could be inferred.

The other interesting difference that I discerned from our amendment is comparison with the provisons in the legislation of the other States (and I stand to be corrected on this by the Minister), is that it seems that we are indicating a liability for the Crown which is not implied in the Acts in the other States. New subsection 9 (4) provides:

> A liability that would, but for subsection (3) of this section, lie against a member of the board shall lie against the Crown.

Certain Acts in other States specifically exclude the Crown from such actions. Perhaps the charter of our boards is somewhat different, which could explain the situation. I am not certain whether or not that is the case.

The other matter that I thought needed looking at in the Marketing of Eggs Act is a part of the Act which has not been attended to in this series of amendments (these are the first amendments for some years) but which may be attended to later. Section 34 *(d)* deals with breaches of regulations. It was last amended in 1973, when the fine was increased from $100 to $200. Is it intended to increase this sum again, especially given the relative devaluation of currency over that time?

Secondly, I refer to the schedule relating to the redistribution of electoral districts for those eligible to vote subject to the Act. The last redistribution occurred in 1973, and perhaps it is time for another amendment to be considered to redistribute districts, because it is possible that the sizes have got out of hand. The Opposition supports the Bill and believes that it is essential that it comes into force. It is time that it happened.

**The Hon. W. E. CHAPMAN (Minister of Agriculture):** I am pleased that the Opposition has seen fit to support this Bill. I fail to understand the several references made by the member for Salisbury that might have been better applied to the Egg Industry Stabilization Act Amendment Bill, which is before the House. The honourable member drifted considerably when speaking on this measure.

The intention of the measure is clearly set out in but a few words in the second reading explanation, and there is no value whatever in adding to the explanation given with the introduction of the Bill. I hope its passage is swift from here on in.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Validity of proceedings of the board and immunity of its members."

**The Hon. W. E. CHAPMAN:** I should like to report to the Committee that the amendment circulated earlier this week in the name of the member for Hanson has been withdrawn. The amendment was seen to be relevant, and it will be relevant in the future. It has been drawn to the attention of the Government by the member for Hanson and the member for Chaffey that a penalty clause might be considered in the form of an amendment on this occasion but, because other matters are presently under discussion by the industry that may well constitute amendments in the near future, it has been decided to withdraw the amendment tabled in the name of the member for Hanson, and it will be considered for incorporation with several other amendments that the Government intends to consider in another Bill intended to be introduced in the near future.

**Mr. LYNN ARNOLD:** First, is the Minister referring to an amendment that has been circulated that I have not received? I understood the only amendment from the member for Hanson was to the Egg Industry Stabilization Act Amendment Bill. Secondly, has the amendment been withdrawn with the consent and permission of the honourable member?

**The Hon. W. E. CHAPMAN:** Naturally, consent has been received. Two papers bearing amendments to both this Bill and the Egg Industry Stabilization Act Amendment Bill have been circulated. In both cases they are to be withdrawn. I apologise if any inconvenience has been caused to the member for Salisbury or his colleagues.

Clause passed.

Title passed.

Bill read a third time and passed.

## EGG INDUSTRY STABILIZATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 February. Page 1115.)

**Mr. LYNN ARNOLD (Salisbury):** It is not my anticipation to speak at great length on this Bill, but some comments need to be made. The Opposition will support the Bill and hopes for its speedy passage through this House and another place. The basic intention of the Bill is to provide a modification of the quota seasons that presently exist under the Act.

As honourable members may know, at present the licence is issued on an annual basis, and the quota applicable to that licence is also issued annually. Given that there are variations in the productivity of hens during a year and that licence fees are payable, it has been decided to allow for the variation of quotas of hens kept by producers within one year without producers having to pay additional licence fees.

One of the effects of this will be the cessation of the lease-back arrangement that the marketing board has had for some years, which has resulted in a cost to the funds of the marketing board of about $120 000 a year. That will be a saving to the board's operation. I believe that that figure worked out at about 0·79 cents per dozen eggs handled by the board.

One of the things that we need to note is that the Egg Industry Stabilization Act has been in operation since 1973. The Act has attempted to rationalise and organise, in a coherent way, egg production within this State, as does similar legislation in other States. It has come, I suppose, against a background of feeling against this type of regulation, and it is perhaps appropriate that we recognise how important the Egg Industry Stabilization Act has been.

**The Hon. R. G. Payne:** An Act for socialised eggs.

**Mr. LYNN ARNOLD:** Yes, socialised egg production within this State. I am concerned that there has been some feeling between the Victorian and New South Wales Governments about eggs. The Victorian Government was considering changes to the Egg Industry Act, but it has decided to forestall those changes. The Minister may be able to inform the House if more recent information is available.

I was concerned about an article that I read some time ago in the *National Farmer*, in which a columnist, Ronald Anderson, commented about the role of marketing boards. He stated:

> Does Australia want a free enterprise agriculture in which each farmer determines his own destiny, either alone or in concert with his fellows, or do we want a fully or semi-socialised agriculture in which the Government either overtly or covertly tells the farmer what to do?

He further stated:

> So, do we want a socialised agriculture with politicians elected by urban electorates telling us what to plant, when to sell, and at what price?

Regarding the way the Egg Industry Stabilization Act has operated for the past six years, that columnist has totally misunderstood the situation and the way the industry has benefited by the operations of the Act. I recall that when the Bill first came before Parliament for the establishment of the principle of quotas (and we are now amending it in the determination of those quotas, not the principle), various honourable members in this place and in another place indicated their support for the measure.

Indeed, there had been some degree of public comment at that time, and I believe there was some wavering within the poultry industry itself. The measure was not unanimously supported by the poultry industry. About 35 per cent of poultry farmers, and perhaps 35 per cent of their chickens, voted against the proposal. It is timely that I consider remarks made in that debate by a certain honourable member, because it helps us understand what we are trying to achieve in this Bill. Mr. Wardle, the then member for Murray, stated:

> I realise that in the poultry industry there are people who hold a wide variety of opinions . . . therefore, the opinions vary from those who do not want the legislation to those who fully agree with it. I do not think a larger group of individualists could be found than exist in the primary-producing field. In the past, although they had to accept boards and controls in some cases, primary producers have disliked restrictions and controls.

I would be interested to find out from the industry whether that opinion still holds. The Hon. Mr. Burdett, in another place, at the time the legislation was introduced by the then Minister, the Hon. Tom Casey, stated:

> I consider it to be a good example of legislation made with the co-operation of industry. The Minister should be congratulated on having adopted this approach of working in co-operation with the poultry section of the United Farmers and Graziers Association and Red Comb.

It is interesting that this Bill will again achieve the co-operation of both sides and will go through with the same degree of amity, which is useful in this type of issue. A certain honourable member in another place stated:

> I will support the Bill, although with some reluctance, and I will be watching closely to see how it will work.

It is interesting to see how the legislation has worked and how the amendments in this Bill will enhance and improve its operation.

I have prepared some statistics on egg production within this State, and I seek leave to have inserted in *Hansard* a table of a statistical nature, without my reading it.

Leave granted.

VARIOUS STATISTICS RELATING TO EGG PRODUCTION IN SOUTH AUSTRALIA

| Year | Poultry Farms number | Registered Hens | Leviable Hens '000 | Average Flock Size number | Commercial Egg prodn. mill. dozen | Over supply % | Av. net price/doz. pd by Egg Board c/dozen | Av. annual retail prices c/dozen Actual | Deflated 1966=100 |
|---|---|---|---|---|---|---|---|---|---|
| 1968-69 | 3 088 | 942 | 940 | 302 | 15·7 | 26·0 | 39·28 | — | — |
| 1969-70 | 2 678 | — | — | — | 16·7 | 26·0 | 40·90 | — | — |
| 1970-71 | 2 505 | — | — | — | 19·4 | 33·0 | 33·40 | — | — |
| 1971-72 | 2 375 | — | — | — | 20·5 | 36·6 | 31·87 | — | — |
| 1972-73 | 2 064 | — | — | — | 18·7 | 25·8 | 35·06 | — | — |
| 1973-74 | 1 662 | — | — | — | 18·0 | 17·5 | 47·15 | — | — |
| 1974-75 | 1 529 | 1 250 | 1 112 | 727 | 18·9 | 24·7 | 50·43 | 85·1 | 50·6 |
| 1975-76 | 1 175 | 1 183 | 1 018 | 866 | 17·0 | 18·4 | 53·52 | 93·3 | 49·0 |
| 1976-77 | 993 | 1 183 | 858 | 864 | 15·3 | 9·7 | 67·34 | 108·6 | 49·3 |
| 1977-78 | 883 | 1 183 | 875 | 1 054 | 16·9 | 18·8 | 71·49 | 117·2 | 48·4 |
| 1978-79 | 809 | 1 088 | 888 | 1 098 | 17·1 | 17·1 | 70·91 | 120·5 | 46·4 |

**Mr. LYNN ARNOLD:** It can be seen from these figures that rationalisation has taken place in the industry. There has been a stabilisation of egg production and a reduction of over-supply for the domestic market. I mention, for the benefit of those members who are unaware of this, that the major problem that resulted in the need for egg industry stabilisation was that domestic production was far more than adequately catered for by the production of eggs within this State and, indeed, within Australia as a whole, and the excess had to be exported, at a financial disadvantage to the producers, or go to waste.

Perhaps the most telling figure relates to the question of over-supply for domestic demand. Between the years 1968 and 1973, the over-supply figure varied from 25·8 per cent to 36·6 per cent, so one-third of the production was in excess of local demand requirements. Since the implementation of the Act, however, that figure has varied from a low of 9·7 per cent to a high of 24·7 per cent in 1974-75, when the Act was introduced. If one takes the year after that, the figure varied to a high of 18·8 per cent. That is quite a substantial improvement from the previous figure—a high of 36·6 per cent.

Egg production between the years 1968-69 to 1973-74 varied from a low of 15·7 to a high of 20·5 million dozen eggs. That variation has been reduced since the introduction of the quota system, and the variation in the last four years is between 15·3 and 18·9 million dozen eggs. That is quite a substantial reduction.

It appears that the Act is having its effect and resulting in a stabilisation of egg production. More importantly, it is resulting in a useful rationalisation of the industry. It is interesting to note from the figures that the average flock size has grown from 302 hens per flock in 1968-69 to 1 098, a substantial aggregation of flocks resulting in more efficient production and, as I shall explain later, in better costs and prices for the consumer and a maintenance of return for producers. Therefore, the number of poultry farms has reduced from 3 088 in 1968 to 809 at present. The number of poultry farms that have fewer than 1 000 hens is rapidly diminishing, as the figures show. The Bill depends on quotas; it is about quotas and the variation of quotas, and figures are provided. I identified that there seemed to be two types of figures available regarding the number of hens covered by this Bill.

The Minister, in answer to Question on Notice No. 403 asked by the member for Mitcham, indicated that there was a certain series of figures as to the number of registered hens in this State over a variety of years, whereas the information provided in the annual report of the Federal Minister on the operation of the Poultry Industry Assistance Act indicated another set of figures. By and large, those two sets of figures are the same, apart from 1979. In that year the State Minister indicated in his reply to Question on Notice No. 403 that there were 1 088 000 registered hens in this State. However, the annual report suggests that there are only 888 000 registered hens in the State. It may be that this data was collected at different times, accounting for the difference, which would be a powerful reason to support this amendment, because it would indicate the variations that could be possible in the hen stock held by producers. I would find any comment by the Minister most interesting.

Another thing that supports this amendment and the way it enhances the quota provisions and what they have been attempting to do would be an indication that relatively the price of eggs has not risen as much as the cost of living. Indeed, the price of eggs now is less than half of what it was in 1966 in real terms. Egg producers have been able to continue production and marginally increase production over that 13-year period at less cost to the community. An interesting point relates to the return to the producers as compared with the average annual retail prices. Adelaide has the second highest price level for eggs, than it has had for, I think, some years now. Between 1977-78 and 1978-79, whereas the average annual retail price rose by about 3·3 cents per dozen, the average net return paid by the Egg Board to the producer fell by about 0·5 cents. That is an interesting variation. Why should the retail price of eggs have gone up, whereas the net return to the producer went down? Perhaps that situation indicates one area in the quota system that needs to be looked at because it may not be operating as efficiently as it should.

The quota system has brought about improvements in the operation of the egg industry in this State. Indeed, it is very interesting to read the report on the operation and activity of the Poultry Farmer Licensing Committee for the period 1 July 1977 to 30 June 1978, which was the end of the third licensing season. The author of that report, when presenting it to the Federal Parliament, said:

> The licensing committee is pleased to report that the third year of operation of the Egg Industry Stabilization Act has maintained stability throughout the industry and continued support has been received from all sectors in the administration of the Act.

I refer to my comments and suggest that that is a vindication of the stand that was taken some years ago. It is also a vindication for all members of this place and members of another place who at that time supported the principle of quotas and who again are being asked to support that principle. I have briefly mentioned that the introduction of this legislation will result in the Egg Board saving about $128 000 per year, which is about ·76 cents per dozen, which is a useful saving. I will be interested to see what effect that will have on the retail price of eggs in the coming year. An announcement was made tonight on some news services. The Minister will know more about this than I, but I wonder if it will affect the operations of the quota system. I would appreciate any information. I understand that there are problems developing, apparently between the Northern Territory and South Australia in relation to egg production and the transfer of traded eggs from one area to another. I wonder whether that situation will result in the same type of problem that arose between New South Wales and Victoria and aroused the discussions which took place between those two States. Another comment relates to the aim of this Act with regard to those persons who would argue for demand and supply on a free rein. This particular amendment has been generated by the community and the industry, as stated in the interim statement of the Australian Egg Board 1978-79, as follows:

> Broadly, the 1978-79 production figures are considered to reflect the increasing effectiveness of hen quota legislation in the States in bringing production into closer alignment with domestic demand and in consequence reduction of the surplus to be cleared on the uneconomic export markets. It can be anticipated that all States will continue to seek to improve the operating efficiency of demand/supply management through the hen quota system to not only contain surplus production to manageable levels on an annual basis but also to eliminate or at least reduce the traditional spring/summer peaks of surplus as well as ease the normally tight autumn/winter supply position.

That statement contains critical things in relation to this Bill. It refers to demand/supply management. The Opposition believes that there is an important role in that, and it is encouraging to know that the Government accepts and believes that that should be the case. Indeed, a previous Premier of this State, the Hon. Sir Thomas

Playford, when addressing a meeting of the Australian Poultry Producers Union on 22 July 1952 said, when talking about poultry producers:

> Unless producers are united and speak with "one voice" desired legislation cannot satisfactorily be effected.

That quote appeared under the heading of "One big union is only solution to conflicting policies". The Opposition agrees with that. The Opposition believes one authority having the power to compulsorily control egg production in this State is achieving benefits for the community, the producer, and the consumer at large. That approach has resulted in the protection of this industry from interstate and overseas businesses. I remind honourable members that in the early 1970's there was a very real danger that egg production in this State would become dominated and controlled by overseas multi-nationals. The decision to introduce the Act at that time forestalled that and resulted in it not taking place. This amendment again improves opportunities for local producers. The Opposition supports this Bill and looks forward to its early introduction as do producers, and consumers will benefit from that. I commend the Bill to the House and hope that it has a speedy passage.

**The Hon. W. E. CHAPMAN (Minister of Agriculture):** Once again the member for Salisbury has raised a number of questions. I counted those questions and I believe there were about 24, if not more. I am not in a position, nor am I prepared to attempt, to answer the questions that he has raised at this time. However, as has been past practice, the member's recorded comments in *Hansard* will be thoroughly researched and the information which he is seeking and which is reasonably obtainable by my department will be produced for him. This Bill will simply give the board the required flexibility it needs in order to adjust quotas as and when the requirement occurs within the 12 months minimum period that it may do so under the principal Act.

That is all that is now before the House. I am required to report, however, that, following the introduction of this Bill, considerable evidence has come to my notice that there is a need for further amendments to the Egg Industry Stabilization Act, particularly as they relate to quotas and more particularly to those people in the industry who have relatively small flocks.

As the member for Salisbury and Opposition members will be aware, the Government is constantly applying itself on behalf of small business and industry, and in this instance the Government intends to support that policy and commitment to the people of South Australia and to have regard to the position of small egg producers in this State. The Government also seeks to have a principal Act that affords these people the protection they deserve.

Recently, the members for Chaffey and Hanson introduced to me a deputation comprising Mr. Keith Boyd of Kingston-on-Murray, Mr. John Attard of Adelaide, Mr. Les Smith and Mr. Alyn Denton of Murray Bridge, and Mr. John Bray of Pinnaroo. Those constituents drew to my attention specific issues which they believe should be considered and introduced as early as practicable. I do not intend to outline them at this stage, but most, if not all, of them relate to the position of small growers and the need for careful and early attention to be given to this matter.

It was suggested that an effective control of transfer of quotas should be introduced to enable the board to purchase and, when required, resell quotas to egg producers within categories considered to be representative of a family unit, as established by regulations. They further believed that the penalties resulting from offences against the Act should be paid to the Poultry Farmer Licensing Committee in a manner similar to that operating under the Dog Control Act, 1979.

Concern was also expressed that the official industry organisation, namely, the Commercial Egg Producers Association of South Australia, a section of United Farmers and Stockowners of South Australia Incorporated, was not seeking comments from the smaller producers. That may well be the case. I have not had any other evidence to that effect, although I take on board the points raised by the members of the deputation that was introduced to me by my two colleagues last week.

Of the eight members making up the deputation, five had over 20 000 hens. There are only 12 producers in South Australia with over 20 000 hen quotas. The point sought to be demonstrated in that example is that there is a fear amongst small South Australian egg producers that their position may not be fairly and adequately represented in that organisational level.

I have received the utmost support from United Farmers and Stockowners of South Australia Incorporated members and their respective committees, but in this instance it seems that some attention may need to be given to that matter. I repeat that small business and small industry outfits in South Australia are of continual concern to the Government, and on that basis we will indeed have regard to the matters raised with the haste that they require.

It is not appropriate for me to cite all the points raised by these people. However, it is only consultation of the type that occurred in our Parliamentary offices with producers from the industry last week that allows us, as legislators in this place, to be kept truly abreast of the primary producing scene.

Quite apart from that being a Government commitment, which we have observed and will continue to observe, it is also recognised and observed by all members representing their respective districts. Indeed, it has been my practice as a member representing a district of the State, and I am delighted that the Government has announced time and time again its attitude and policy in relation to the consultation factor. The Government will not seek to introduce legislation that may or will affect industry unless that industry and its respective representatives have been consulted in the appropriate manner. The co-operation received in relation to the support of this Bill this evening is appreciated, and on that note I wish this Bill a speedy passage through this House and another place.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

**The Hon. W. E. CHAPMAN:** I think I mentioned during the debate on the previous Bill that both the amendments tabled earlier this week by the member for Hanson were to be withdrawn. Indeed, I repeat that the listed and circulated amendments to this Bill, on file in the name of the member for Hanson, have been withdrawn and that they are subject to the same degree of consideration as were the other amendments that were referred to earlier.

Not only did the member for Hanson have the Government's support in this instance but also he has done considerable research, and I look forward to his assistance and contribution to the debate when that previously circulated amendment and undoubtedly others come before the House as soon as it can be arranged after consultation with the industry.

Clause passed.

Remaining clauses (4 to 8) and title passed.

Bill read a third time and passed.

**ADJOURNMENT**

At 11.52 p.m. the House adjourned until Thursday 6 March at 2 p.m.