

LEGISLATIVE COUNCIL

Thursday, September 30, 1971

The PRESIDENT (Hon. Sir Lyell McEwin) took the Chair at 2.15 p.m. and read prayers.

ASSENT TO BILLS

His Excellency the Lieutenant-Governor, by message, intimated his assent to the following Bills:

Daylight Saving,
Foot and Mouth Disease Eradication Fund
Act Amendment,
Swine Compensation Act Amendment.

QUESTIONS

RURAL ASSISTANCE

The Hon. R. C. DeGARIS: Has the Minister of Lands a reply to my question of last Tuesday about rural reconstruction?

The Hon. A. F. KNEEBONE: Without a complete examination of the files I cannot inform the honourable member of precisely how many letters have been sent out to creditors. However, the number sent to local governing bodies has been extremely limited. The reason for the committee's acting in the way that it has is covered by the provisions contained in the agreement with the Commonwealth, which sets out certain methods of operation in administering debt reconstruction. For the information of the Leader these provide, *inter alia*:

- (a) A rearrangement and/or composition may take the form of the authority advancing money to pay off in whole or in part the creditors (whether or not the debts have been written down by the creditors under (b) below), excluding the Crown. There may be an arrangement by the secured or unsecured creditors to postpone repayments of principal and to refrain from taking action against the debtor for a specified time. Composition arrangements require the agreement in writing of creditors.
- (b) The possibility of creditors, including the Crown, local authorities and public utilities being asked to defer or write off part of their debts—possibly at a uniform rate but with due regard to priority of security—should be considered. Creditors should not be pressed to the extent that the availability of credit to rural industries is damaged.

The manner in which this matter is being administered does not compel creditors to accept, and I do not consider this type of approach should have any significant effect on credit availability. The availability of credit is much more likely to be affected by the current economic situation in rural industry than by any of the actions by the rural assistance authority.

The Hon. R. A. GEDDES: Has the Minister of Lands a reply to the question I asked last week regarding the ability of councils to give rebates on rates and taxes owing to them?

The Hon. A. F. KNEEBONE: I believe the circumstances which the honourable member has described would be covered by section 267 (b) of the Local Government Act, which sets out the powers of councils to deal with this type of case.

ROADS

The Hon. C. M. HILL: On September 22, I asked the Minister of Lands whether he would ascertain from the Minister of Roads and Transport the amount of Commonwealth money included in the Highways Department urban road expenditure of \$11,962,395, which in turn was the total sum of money spent on urban declared roads under the Metropolitan Adelaide Transportation Study Plan. Has he a reply?

The Hon. A. F. KNEEBONE: The Minister of Roads and Transport reports that during the financial year 1970-71 this State expended on declared urban arterial roads the total allocation payable in accordance with section 4 (1) of the Commonwealth Aid Roads Act 1969, that is, \$9,450,000.

TANUNDA DERAILMENT

The Hon. M. B. DAWKINS: Has the Minister of Lands received from the Minister of Roads and Transport a reply to a question I asked earlier this month regarding the costs incurred in the recent Tanunda train derailment?

The Hon. A. F. KNEEBONE: My colleague reports that the total Railways Department cost incurred as a result of this derailment was \$10,534 including \$250 for damaged goods.

AFRICAN DAISY

The Hon. H. K. KEMP: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. H. K. KEMP: I have often referred to the infestation of African daisy in the

submetropolitan area, particularly in the frontal Hills area. In the last 12 months there has been an amazing spread of this noxious weed, which is now clearly beyond the possibility of control in the foothills area. This is a category of noxious weed which must be eradicated and it is the responsibility of councils to do the work and to charge the landholder. This is an impossible situation. There is no effective weed killer and mechanical control on steep slopes is impossible. Will the Minister therefore say whether it is intended to maintain the impossible burden that has been placed on landholders?

The Hon. T. M. CASEY: The honourable member has raised this matter several times before, and it has also been discussed at length within Government circles. I think it is unrealistic and, indeed, uneconomic further to impose this burden on non-rural holdings, particularly those in the central Hills area. I am at present examining the situation to see what can be done to alleviate the imposition on non-rural landholders in this area, particularly in the area referred to by the honourable member. I assure him that the situation is being closely watched. I hope to make some announcement soon about exactly how we shall go about this.

POLICE

The Hon. R. A. GEDDES: I ask leave to make a short statement prior to directing a question to the Chief Secretary.

Leave granted.

The Hon. R. A. GEDDES: In this morning's press it was announced that a \$10,000 robbery was committed at Peterborough yesterday. The same report states that in excess of \$24,000 has been stolen from shops in the Peterborough-Orroroo area in seven robberies in the past three months. Concern has been expressed by townspeople in this area as well as in the Melrose-Wilmington area about the Police Department's policy of closing some police stations and reducing the number of men in other stations. Will the Chief Secretary review this policy of reducing the number of policemen in country areas particularly in the areas I have just mentioned, so that businessmen and other citizens can receive the type of protection of their property for which the South Australian Police Force has been noted?

The Hon. A. J. SHARD: I have no authority to review what the Commissioner of Police does. I, too, regret the number

of robberies and thefts that have occurred, particularly in the northern parts of the State, but also in other places. However, I will refer the honourable member's question to the Commissioner of Police for his consideration and bring back a report in due course.

The Hon. M. B. CAMERON: Will the Chief Secretary obtain for me a detailed list of the number of personnel in the various country centres employed by the Police Force for the years 1969-70 and 1970-71 and the proposed number for 1971-72—in country areas only?

The Hon. A. J. SHARD: I shall be happy to refer the honourable member's question to the Commissioner of Police and see whether the figures are available.

The Hon. R. A. GEDDES: The Chief Secretary pointed out that the Commissioner of Police is responsible for the operation of his department. As the Government allocates money from the Budget to this department, will the Chief Secretary tell me by how much the Government cut back this department's request for money in this year's Budget?

The Hon. A. J. SHARD: I cannot give the honourable member that information off hand. However, I will discuss the position with the Commissioner of Police, who, I may say, was quite happy with his allocation this year.

SIMPSON DESERT

The Hon. A. M. WHYTE: I seek leave to make a short statement prior to asking a question of the Minister of Lands.

Leave granted.

The Hon. A. M. WHYTE: The Old Testament says that "the desert shall rejoice and blossom as the rose". When I flew over the Simpson Desert recently, I did not notice any roses but I did notice there was some blossoming of buck bush and such herbiage in various places. Will the Minister indicate whether the South Australian Government will make its portion of the Simpson Desert available for sale, following recent negotiations by various overseas companies to purchase a portion of the desert? If the Government was successful in negotiating such a sale, would so much finance coming to the Government lead to the abolition of succession duties?

The Hon. A. F. KNEEBONE: I noticed the article about the Simpson Desert in this morning's newspaper and that some people were prepared to donate 25c an acre for some

of the desert—and there is a lot of desert there. Even though the honourable member has said that he noticed that some of it was blossoming, my information is that there is not very much blossoming in that desert. However, the situation is that the Simpson Desert National Park, with an area of 2,730 square miles, was gazetted on December 14, 1967, and the balance of the desert said to be in South Australia is unoccupied Crown land and is not open for allotment.

WALLAROO HARBOUR

The Hon. E. K. RUSSACK: I direct my question to the Minister of Agriculture representing the Minister of Marine. Certain dredging works were carried out in the Wallaroo harbour in 1964 by the Westminster Dredging Company. Will the Minister find out for me the departmental estimate for these works compared with the actual cost? Similarly, in 1964 deepening of berths at Wallaroo jetty was carried out by the Department of Marine and Harbours. What was the estimate for these works, including the provision of beacons and buoys, compared with the actual cost?

The Hon. T. M. CASEY: I will refer the questions to my colleague and bring back a reply when it is available.

STATUTES

The Hon. Sir ARTHUR RYMILL: I seek leave to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. Sir ARTHUR RYMILL: Two or three weeks ago I made a momentous discovery about something I had not known before. In the annual volumes of the Statutes, one often comes across the name of an Act and after it in brackets are the words "As reprinted in accordance with the Amendments Incorporation Act, 1957", and then alongside where the page number is there are two dashes. I always thought that this was a sort of pious expression of intention to fulfil that Act but that it had not been fulfilled. The discovery I made is that these references do relate to Acts that have actually been reprinted but they are not, for some reason or another, included in the annual volumes. It seems to me that it would involve very little extra expense to include them in the annual volumes and that it would be tremendously convenient to members of Parliament, lawyers, and so on if that was done. Does the Chief Secretary know why some of the Acts that have been reprinted (some of them are in fact included) are not included in the annual volumes and, unless

there is some good reason why they should not be put into the annual volumes, could he take steps to see that they will be included in the future?

The Hon. A. J. SHARD: The answer to the first part of the question is, "No, I do not know why." I shall be happy to take up the second part of the question with the Attorney-General and bring back a report as soon as possible: and, if possible, I will see that the honourable member's wishes are complied with.

SPEED LIMITS

The Hon. R. C. DeGARIS: I seek leave to make a short statement prior to asking a question of the Minister representing the Minister of Roads and Transport.

Leave granted.

The Hon. R. C. DeGARIS: I have been told that since the introduction of the points demerit scheme many operators of transports, particularly stock transports, have received a considerable number of demerit points for exceeding the speed limit on the open road. I point out that these demerit points were not incurred as a result of exceeding speed limits through towns or in other restricted areas. As I understand it, the speed limit for a stock transport on the open road is 35 miles an hour, whether the vehicle is loaded or empty. In New South Wales the speed limit is, I think, 45 miles an hour for a loaded vehicle and 50 for an empty one, although I stand to be corrected on that. In Queensland the roads are zoned for various speeds which permit loaded vehicles to travel at up to 60 miles an hour on some roads. Will the Minister refer this question to his colleague asking that he, in turn, refers it to his advisers to see if there is any possibility of raising speed limits for these vehicles on certain open roads in South Australia?

The Hon. A. F. KNEEBONE: I will refer the Leader's question to my colleague and bring back a reply as soon as possible.

GRASSHOPPERS

The Hon. R. A. GEDDES: I ask leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. R. A. GEDDES: A comment made by a pastoralist after the demonstration of the Agriculture Department's grasshopper spray unit near Carrieton this week was that landholders in the pastoral zone will (to quote the comment) "go broke quicker" if they are

expected to control by themselves the hatchings of grasshoppers in the North. When replying to similar questions the Minister has left the impression with me that the subsidy on materials and hire of the two spray units in the northern areas is all that the Government wishes to become involved in. If the reports are correct that plague hatchings are occurring in the northern areas, will the Minister review the policy with the object of supplying manpower to assist in the spraying of the hatching beds as a protection not only to the pastoral zone but to the inside country as well, bearing in mind the phenomenal season this country is experiencing?

The Hon. T. M. CASEY: I did not see the report to which the honourable member referred.

The Hon. R. A. Geddes: It was made over the radio.

The Hon. T. M. CASEY: This matter has been discussed quite fully with the district councils which are, of course, not concerned so much with the pastoral zones of the State as with the marginal areas. It would be absolutely impossible for any Government, even the Commonwealth Government, to control the hatchings of grasshoppers in the pastoral areas of this country. This matter concerns not only South Australia, but also New South Wales and Victoria. I discussed this subject with the Victorian Minister of Agriculture when I was in Hobart on Monday last to discuss the apple industry and its problems. He is just as concerned as I am about the hatchings. Grasshoppers are classified in two types, the migratory type, which is the locust, and the localized type, and different types of insecticides are required for each. The insecticide used in the boom sprays is a very concentrated form of malathion, which is the only known insecticide which will kill this type of grasshopper. There is no other way of using it. It is a very slow process, but unfortunately the boom spray is the only way in which it can be applied. Because of the lush season and the fact that feed is very abundant in these areas, a great deal of grass will be eaten by the hoppers and a great deal spoiled by them, but there is little we can do apart from what we have set out already.

ENVIRONMENT

The Hon. C. M. HILL: I ask leave to make a short statement prior to asking a question of the Minister of Lands, representing the Minister of Environment and Conservation.

Leave granted.

The Hon. C. M. HILL: Early in 1970 (I think in February or March) a committee on environment was set up under the chairmanship of Professor Jordan. Its terms of reference were very wide and it was looked upon, I think by all, as a very important committee. I believe it has made a report to the Government; I may be incorrect in saying this, but I believe the Government has had the report for some months. Because I know that honourable members on both sides are interested in the matter and because the public is interested in the general question of environment, will the Minister ask the Minister of Environment and Conservation whether he will earnestly consider tabling the report or making it public or in some other way giving members of Parliament and the public a full opportunity to read its contents?

The Hon. A. F. KNEEBONE: I will take the honourable member's request to my colleague and bring back a reply as soon as possible.

AUBURN-CLARE ROAD

The Hon. R. A. GEDDES: Has the Minister of Lands a reply from the Minister of Roads and Transport to my recent question about the Auburn-Clare road?

The Hon. A. F. KNEEBONE: My colleague states:

The aspect of roadside vegetation preservation (including trees) was very carefully considered when the preparation of the design plans was being undertaken in the Highways Department to upgrade that section of Main North Road No 2 between Auburn and Clare which was considered to be seriously substandard. In June, 1971, a special joint meeting with the two councils concerned (Saddleworth and Clare) was arranged on the site to discuss landscaping aspects. Present at the meeting was a representative of the Coolibah Club, which is a tree lovers' club with a large membership in the area under consideration. Full details of the effect of the scheme on roadside vegetation were explained, as were the departmental proposals for landscaping of the reconstructed road.

The two councils and the Coolibah Club representative expressed overwhelming support for the scheme and indicated that they felt satisfied that everything possible had been and would continue to be done to minimize destruction of trees and other vegetation. Enthusiasm was expressed for the departmental approach and for the landscaping proposals. The honourable member will see from this reply that proper consultation between responsible members of the department, the councils and an interested organization took place with a view to ensuring the maximum practical preservation of the native flora as the road is widened and upgraded.

LERP

The Hon. R. C. DeGARIS: I seek leave to make a short statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. R. C. DeGARIS: I do not know whether this matter comes within the jurisdiction of the Minister of Agriculture, although he will certainly be interested in it; it may also come within the jurisdiction of the Minister of Environment and Conservation. I was more than disturbed to see in much of the gum country of the South-East that much damage had been done through lerp infestation. Because of the large increase in the number of cattle in the South-East, I was also disturbed, as are many other people in the South-East, at the number of large gum trees that are being ringbarked through the increased cattle population there.

The Hon. R. A. Geddes: Ringbarked by the cattle?

The Hon. R. C. DeGARIS: Yes. It was mentioned to me that the Western Australian Agriculture Department had conducted research to find a spray that could be sprayed on trees to keep cattle away from them. Is the Minister aware of the problem I have referred to and will he ask his department to examine the matter to see what is necessary to preserve the park-like atmosphere of many parts of the South-East?

The Hon. T. M. CASEY: I have been informed that lerp is prevalent in the South-East. I suppose one could liken the infestation to many other diseases, such as dieback, which is causing much concern in the jarrah forests of Western Australia. As a result of work in the modern laboratory of the Commonwealth Scientific and Industrial Research Organization there, stringent precautions have been taken in Western Australia to prevent the spread of dieback. Of course, whether the disease can be controlled is another matter. I shall see what I can find out about the situation in the South-East. I do not know what we can do about the problem of the cattle themselves ringbarking the trees. I suppose the graziers could put stronger guards around them, because the trees provide shade for the cattle. I shall consider the matter and bring back a reply for the Leader.

ORROROO-WILMINGTON ROAD

The Hon. R. A. GEDDES: Has the Minister of Lands a reply from the Minister of Roads and Transport to my recent question

about the number of vehicles using the Orroroo-Wilmington road?

The Hon. A. F. KNEEBONE: My colleague states:

Based on periodic traffic counts carried out on the Wilmington-Orroroo Main Road No. 29 by the Highways Department, the average annual daily traffic on the road has been assessed at 125 vehicles, with an annual growth rate of 10 per cent.

**CAPITAL PUNISHMENT ABOLITION
BILL**

Second reading.

The Hon. A. J. SHARD (Chief Secretary): I move:

That this Bill be now read a second time.

Its purpose is to abolish the death penalty, which is still capable of being imposed by the courts in this State. The punishment of death is probably as old as organized society itself. It is certainly as old as the oldest of known legal systems. For most of human history it has been accepted as the appropriate punishment for certain serious crimes. It has its foundation in deeply-felt, although often irrational, beliefs as to retribution and vengeance. In the last 300 years, however, men have gradually come to question the validity of the arguments in support of the retention of this form of punishment. A realization has developed that traditional beliefs as to the intrinsic value of the human person have important consequences with respect to criminal punishment. These developing ideas were greatly stimulated by the rise of the Labor Movement and its vivid consciousness of the human dignity of the common man. The Australian Labor Movement from quite early in its history set its face against capital punishment. The Australian Labor Party's legal and prison reform platform has for many decades been headed by a plank requiring the abolition of capital punishment. Labor Governments have consistently reprieved prisoners under sentence of death and the death penalty has been abolished by legislation initiated by Labor Governments in New South Wales and Queensland. Capital punishment has been abolished in most of the countries of Western Europe, in the United Kingdom, and in 14 of the States of the American Union. There has been a steady trend in democratic States towards the abolition of the death penalty.

The case against capital punishment rests primarily and basically upon the intrinsic value of the human person. It is not too

much to say that the degree of civilization of a community is determined by its price of the worth of the human person. A profound reverence for human life is the mark of truly civilized societies. Carelessness of human life and disregard of its value are the marks of barbarism. When the State carries out the death penalty it deliberately and with premeditation destroys a human life. This necessarily has the effect of depreciating the community's sense of the value of human life. When the State, as a deliberate act of policy, lays aside its power to punish by inflicting death, it demonstrates in a practical and striking way its conviction of the value of all human life. If the State refrains from inflicting death on those guilty of the gravest crimes because of its awareness of the value of human life, it contributes greatly by its example to the civilized condition of society.

A very practical if less fundamental reason for desiring to abolish the death penalty is that it is by its nature irreversible. A mistake cannot be rectified. Two examples may illustrate this point. In 1947, Frederick Lincoln McDermott was sentenced to death for a murder in the outback of New South Wales. The then Labor Government of that State commuted the sentence to imprisonment for life. In January, 1952, a Royal Commission reported that McDermott had been wrongly convicted, and he was released and compensated. Had McDermott been convicted in South Australia, it is probable that the discovery of the error would have been too late. A mistake would have been irreversible.

A striking and tragic case is that of Timothy Evans. Evans was an illiterate, mentally backward lorry driver who was charged with the murder of his child. At the trial, Evans's counsel sought to show that a boarder in the house by the name of Christie had murdered Evans's wife and child. Evans was convicted and executed. Subsequently, Christie was arrested and charged with the murder of eight women, some of the murders having striking similarities to the murder of Mrs. Evans. Christie confessed to the murder of Mrs. Evans. Evans was posthumously pardoned. The only compensation the State could offer was to re-bury him in consecrated ground, 17 years after his execution. The loathsome ritual of execution affects the whole community, but in particular it affects the officials who must directly participate in it. It would be tolerable in a civilized community only if it could be shown that it was a unique

deterrent to serious crime and that its abolition would result in the increased loss of innocent life.

The evidence is overwhelming that the abolition of the death penalty has no effect on the incidence of the crime of murder. In South Australia in 1971 we have the advantage of the experience of a great many jurisdictions in which the death penalty has long been abolished. Statistics from those countries show that disappearance of the death penalty has not resulted in an increase in the crime of murder. The British Royal Commission on Capital Punishment, after considering exhaustively the experience of countries where the death penalty has been discontinued, reported as follows:

The general conclusion which we have reached is that there is no clear evidence in any of the figures we have examined that the abolition of capital punishment has led to an increase in the homicide rate or that its reintroduction led to a fall.

This was also borne out by a detailed study of the incidence of murder in Great Britain published by the Home Office last year, just before the United Kingdom Parliament carried the Bill for the permanent abolition of capital punishment.

The same conclusion has been reached by one of the world's foremost criminologists, Professor Norval Morris, formerly Bonython Professor of Law at the University of Adelaide. In a recent book he referred to studies made on the consequences of abolition. He said:

The conclusion which emerges from such studies and from all the literature and research reports on the death penalty is, to the point of monotony: the existence or non-existence of capital punishment is irrelevant to the murder, or attempted murder rate.

The greatest single factor that has led to the progressive abolition of the death penalty in countries with a democratic tradition is the failure of those who favour retention of capital punishment to prove that it is a unique deterrent and that its abolition affects the murder rate. In the 1965 debate in the House of Lords, the Archbishop of Canterbury, Dr. Ramsay, put the matter thus:

It just is not shown that the death penalty is a uniquely powerful deterrent ... A sentence of life imprisonment is a terrible sentence, deterrent in effect, and capable of issuing in a wise, stern and human penology, and I believe that to abolish the death penalty in this country will set us in the way of progress . . . and rid us from the wrong of a system which punishes killing by a penalty which helps to devalue human life.

But when all arguments have been weighed and considered, we must return to the basic consideration that the death penalty, like torture, is unacceptable to a civilized community because it is an affront to the dignity of human nature.

Perhaps the last word on the controversy is to be found in the words of Sir Ernest Gowers, who was Chairman of the British Royal Commission on Capital Punishment. He said that he started the inquiry in favour of the death penalty, though without having given much thought to it. He said:

In the end I became convinced that the abolitionists were right in their conclusions, though I could not agree with all their arguments and that, so far from the sentimental approach leading one into their camp and the rational one into the supporters, it was the other way about.

The final question to be answered is whether the effort to abolish capital punishment is worth while. Few murderers are executed in South Australia. The last execution took place in 1964. There have only been 19 executions in this State in this century and only six of them since the end of the Second World War. Why bother? The answer to this contention was well expressed by the leading British abolitionist, Sydney Silverman, M.P., when he spoke during the debate on the Abolition Bill in the House of Commons in 1965, as follows:

I can well understand people saying that in the face of all our anxieties it may not matter whether we execute or do not execute two or three wretched murderers every year. It is impossible to argue that the execution of two people in England every year can make a very great contribution to improving a dark and menaced world. Yet we could light this small candle and see how far the tiny glimmer can penetrate the gloom.

The formal abolition of capital punishment may not save many lives, but it will be an affirmation by the Parliament of South Australia of its belief in the worth and dignity of human beings. It will be a renunciation of the power to destroy life and an emphatic assertion of the values of a humane and civilized society. In order to achieve the above purposes, the Bill contains consequential amendments to the Criminal Law Consolidation Act, the Juries Act, the Justices Act, the Local and District Criminal Courts Act, the Poor Persons Legal Assistance Act and the Prisons Act.

I shall now deal with the clauses of the Bill. Clause 1 is formal. Clause 2 is the key provision of the Bill and provides for the

abolition of the sentence of death, notwithstanding any provision in any other Act or law. Life imprisonment is substituted in any case that may be found not to have been specifically dealt with in the Bill. Part II of the Bill deals with the consequential amendments to the Criminal Law Consolidation Act, 1935-1971, as follows: Clause 3 is formal. Clause 4 amends section 3 of that Act, which sets out the arrangement of the Act, by deleting a reference to execution.

Clause 5 enacts a new section 10a, providing that a person convicted of treason is liable to be imprisoned for life. This clause fills a gap left by the general abolition of capital punishment, because at common law the only penalty applicable to treason is the death penalty. Clause 6 amends section 11, which provides for the penalty for murder, by changing the mandatory penalty of death to that of life imprisonment. Clause 7 amends section 207 of the Act, which provides the penalty for attempted murder in the course of piracy, by changing the mandatory penalty of death to that of life imprisonment. Clause 8 amends section 238 of the Act, which provides the penalty for rescuing murderers, by deleting reference to rescuing a murderer on his way to execution.

Clause 9 amends section 296 of the Act, which provides that certain convictions disqualify a public servant from office, by deleting reference to the death sentence. Clause 10 repeals sections 301 to 307 inclusive of the Act and schedules 8 and 9, all of which deal with the carrying out of a sentence of death. Clause 11 amends section 314 of the Act, which provides the penalty on successive convictions for felony, by deleting reference to the death penalty. Clause 12 amends section 357 of the Act, which provides for the time for appealing from a conviction, by deleting reference to the death penalty and by striking out the whole of subsection (2), which provides certain procedures in an appeal from a conviction involving the death penalty. Clause 13 amends section 369 of the Act, which deals with references by the Chief Secretary on petitions for mercy, by deleting reference to the death penalty.

Part 111 of the Bill deals with the consequential amendments to the Juries Act, 1927-1971, as follows: Clause 14 is formal. Clause 15 amends sections 55a to 57 inclusive of the Act by deleting reference to capital offences and substituting therefor the description of such offences as those of murder and treason. Clause

16 repeals section 87 of the Act, which provides for a medical examination to determine the pregnancy or otherwise of a woman who has been sentenced to death. Part IV of the Bill deals with the consequential amendments to the Justices Act, 1921-1969, as follows: Clause 17 is formal. Clause 18 amends section 109 of that Act, which deals with certain procedures at trials, by changing the description of capital offence to that of murder or treason. Clause 19 amends section 134 of the Act, which deals with a defendant's plea, by changing the description of capital offence to that of murder or treason. Part V of the Bill deals with the consequential amendments to the Local and District Criminal Courts Act, 1926-1969, as follows: Clause 20 is formal. Clause 21 amends section 4 of that Act, which deals with interpretation, by deleting the reference to a capital offence.

Part VI of the Bill deals with the consequential amendments to the Poor Persons Legal Assistance Act, 1925-1969, as follows: Clause 22 is formal. Clause 23 amends section 3 of that Act, which provides for legal aid to persons accused of indictable offences by deleting reference to a capital offence. Part VII of the Bill deals with the consequential amendments to the Prisons Act, 1936-1969, as follows: Clause 24 is formal. Clause 25 amends section 6 of that Act, which is a saving provision, by striking out subsection (3), which relates only to the sentence of death.

The Hon. V. G. SPRINGETT secured the adjournment of the debate.

CORPORAL PUNISHMENT ABOLITION BILL

Second reading.

The Hon. A. J. SHARD (Chief Secretary):
I move:

That this Bill be now read a second time.

Its purpose is to abolish the various forms of corporal punishment that are still capable of being imposed by the courts in this State. The penalty of corporal punishment is deemed by the Government to be archaic and quite inconsistent with modern ideas on the treatment of law-breakers. By corporal punishment is meant whipping, solitary confinement, chaining in leg irons and bread and water diets. Such punishments are relics of a past age and have rarely been used in this State for many years. There is no justification for retaining these penalties as part of our penal law when they should not be, and are not, imposed by the courts in this State. The Bill provides a general abolition of corporal punishment by

courts and contains consequential amendments to the Children's Protection Act, the Criminal Law Consolidation Act, the Kidnapping Act and the Prisons Act.

I shall now deal with the clauses of the Bill. Clause 1 is formal. The commencement of the Act shall be on a day to be fixed by proclamation. Clause 2 is the key provision of the Bill and provides for the abolition of the sentences by a court of whipping, solitary confinement and all other forms of corporal punishment, notwithstanding any provision in any other Act or law. Part II of the Bill deals with the consequential amendments to the Children's Protection Act, 1936-1969, as follows: Clause 3 is formal. Clause 4 repeals sections 15, 16, 17 and 18 of that Act, which provide for the whipping of males under 16 years of age in the case of certain offences.

Part III of the Bill deals with the consequential amendments to the Criminal Law Consolidation Act, 1935-1971, as follows: Clause 5 is formal. Clause 6 amends 18 sections of the Act, which cover various offences, by deleting all references to whipping as an additional punishment to imprisonment. Clause 7 repeals section 52a of the Act, which provides for the whipping of persons convicted of carnal knowledge as an additional punishment. Clause 8 amends section 70 of the Act, which provides the penalty for indecent assault on males, by deleting reference to whipping as an additional punishment. Clause 9 amends section 101 of the Act, which provides the penalty for damaging trees, by deleting reference to whipping as an additional punishment. Clause 10 repeals sections 308 and 312 of the Act. Section 308 deals with whipping generally and section 312 provides for the solitary confinement of a prisoner. Clause 11 amends section 357 of the Act, which provides for the time for appealing from a conviction, by striking out part of subsection (2), which provides certain procedures in an appeal from a conviction involving the penalty of corporal punishment.

Part IV of the Bill deals with the consequential amendments to the Kidnapping Act, 1960, as follows: Clause 12 is formal. Clause 13 amends sections 2 and 3 of that Act by deleting any reference to whipping as an additional punishment for the offences of kidnapping and demanding money with threat. Part V of the Bill deals with the consequential amendments to the Prisons Act, 1936-1969, as follows: Clause 14 is formal. Clause 15 amends section 14 of the Act, which gives the Governor power to make regulations for labour

prisons, by deleting paragraphs (c), (d) and (e), which provide for the wearing of irons, whipping and solitary confinement. Clause 16 amends section 29 of the Act, which deals with the escape of prisoners, by deleting the reference to wearing irons as a punishment.

Clause 17 effects a consequential amendment to section 40 of the Act dealing with separate confinement which is deemed not to be solitary confinement.

Clause 18 amends section 47 of the Act, which deals with punishment of prisoners, by striking out paragraphs (a) and (b) of subsection (1), which provide for solitary confinement and bread and water diets. Clause 19 amends section 48 of the Act, which deals with repeated offences by prisoners, by deleting the reference to wearing irons and by striking out paragraphs (b), (c) and (d) of subsection (3), which provide for solitary confinement, dietary punishments and corporal punishment. Clause 20 repeals section 51 of the Act, which deals solely with corporal punishment of prisoners. Clause 21 amends section 57 of the Act, which deals with prisoners assaulting officers, by deleting reference to corporal punishment as an additional punishment. Clause 22 amends section 58 of the Act, which deals with prisoners attempting to escape, by deleting reference to wearing irons and solitary confinement.

The Hon. V. G. SPRINGETT secured the adjournment of the debate.

STATUTES AMENDMENT (PUBLIC SALARIES) BILL

Second reading.

The Hon. A. J. SHARD (Chief Secretary): I move:

That this Bill be now read a second time. It seeks to increase the salaries of the Auditor-General, the Police Commissioner, the Commissioner nominated Chairman of the Public Service Board and the two other Commissioners of that board. In the past, these salaries have been adjusted concurrently with adjustments to the salaries of permanent heads of the Public Service in this State, in order to preserve accepted relativities. Therefore, it is now appropriate that, first, the 1970 national wage award of 6 per cent and, secondly, the increases made to salaries of permanent heads and other senior Public Service officers in April of this year, should be reflected in the salaries now in question.

I shall now deal with the clauses of the Bill. Clause 1 is formal. Clause 2 sets out the arrangement of the Bill. Clause 3 is formal. Clause 4 contains the relevant amendment to the Audit Act. The salary of the Auditor-General, which now stands at \$16,995, is raised to \$18,015 as from January 4, 1971, thus incorporating the national wage award increase, and is further raised to \$20,200 as from April 12, 1971, which is the operative date for the other Public Service increases I have referred to earlier.

Clause 5 is formal. Clause 6 amends the Police Regulation Act by increasing the salary of the Police Commissioner from the present \$15,656 to \$16,595 as from January 4, 1971, and then to \$18,600 as from April 12, 1971. Clause 7 is formal. Clause 8 amends the Public Service Act with respect to the salaries of the Commissioner nominated Chairman of the board and the other two Commissioners. The Chairman's salary is raised from the present \$16,995 to \$18,015 as from January 4, 1971, and then to \$20,200 as from April 12, 1971. The salary of each other Commissioner is raised from the present \$14,420 to \$15,285 as from January 4, 1971, and then to \$17,100 as from April 12, 1971.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

SECOND-HAND DEALERS ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

PRESBYTERIAN TRUSTS BILL

Received from the House of Assembly and read a first time.

JUVENILE COURTS BILL

Received from the House of Assembly and read a first time.

CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

APPROPRIATION BILL (No. 2)

Adjourned debate on second reading.

(Continued from September 29. Page 1750.)

The Hon. C. M. HILL (Central No. 2): In reviewing this Bill, I have had a close look at the Budget and, as I think one should do, I have looked for any unusual or outstanding features within the document. I think, too, that one should criticize where one believes

that criticism is justified and should make any suggestions that may be of ultimate benefit to the people of this State.

Having done that, I have arrived at the conclusion that this would be the worst Budget that the State Parliament has ever had presented to it. It involves huge increases in both receipts and payments. The Revenue Account receipts increased from \$386,858,643 (the amount actually received in the last financial year) to an estimate this year of \$446,622,000, an increase of 15.4 per cent. The payments have increased from last year's actual figure of \$386,837,586 to an estimated \$449,218,000 for 1971-72.

Receipts have increased for two reasons—first, the quite generous financial offers and arrangements from the Commonwealth and, secondly, the vast increases in State taxation. It is towards those vast increases that I direct my strong criticism. Payments have increased, first, because in some areas some increase is inescapable, but elsewhere the Government seems to have embarked upon a vast spending spree, particularly apparent when one looks at the lines for the Premier's Department.

Not only is this spending spree being undertaken, but there seem to be some special giveaway prizes in the market place as well. One, of course, is the \$1,000,000 site in Victoria Square and the other, to my mind, is the office of Director-General of Transport, although there does not seem to be a winner as yet for that prize. I do not intend to dwell upon the Commonwealth arrangements to assist the State in this new financial year. The Treasurer has explained this in considerable detail in his Financial Statement.

Dealing with the vast increases in taxation I will first of all take this matter as a whole. In the Estimates of Revenue on page 4 of the Treasurer's document the total figure for State taxation this year is estimated at \$91,319,000, and that figure includes the total of pay-roll tax estimated to be received by the State Government this year, so in my calculations I have deducted the amount of \$24,200,000, leaving \$67,119,000. The true figure, however, must be further increased because of the variation between the 2½ per cent and the 3½ per cent to be charged now for pay-roll tax.

Those who pay pay-roll tax in South Australia will be paying, in the year under review, 40 per cent more than in the previous year. This adjustment, again taking the Treasurer's own figure, is an addition of \$6,900,000, making a total of \$74,019,000 which I submit is the

true figure for State taxation in the Budget before us.

Comparing that with the actual receipts of State taxation for the year 1970-71, as mentioned also in this document, that figure is \$58,744,000, and there is an increase this year, imposed by this Government, of \$15,275,000, or a 26 per cent increase, which I claim is by far an all-time record. I challenge the Government to rebut that claim.

On page 10 of the Auditor-General's Report previous increases can be seen in totality, calculated on a percentage basis. On those calculations, again taking the totals under Part I Taxation in the Receipts of Consolidated Revenue in the Auditor-General's Report, we see that, before the 26 per cent increase, the figure for the previous year was 4 per cent, for the year before that it was 13 per cent, for the year before that 11 per cent, and for the year before that, being the difference between the years 1966-67 and 1967-68, the figure was 6 per cent, and so we gain some idea of the normal rate of increase imposed upon South Australians in the past four or five years.

This year in one jump the Government is going for an increase of 26 per cent. I cannot help thinking back to the first year of office of the previous Government when it was necessary to increase taxation because that Government firmly believed there was a need for such an increase and, after reconsideration, it believed the people could afford some increase. At that time (again accepting the figures on page 10 of the Auditor-General's Report) the rate of taxation was increased by 11 per cent, and all fury was let loose upon the Government of the day because of what the present Labor Government, then in Opposition, claimed was gross, unfair, and far too high taxation. Yet the increase was only 11 per cent as compared with the figure of 26 per cent now before us.

The total increase over the three years between the year 1969 and the year we are considering has been 48 per cent. That, I think, is the basic point of extreme criticism that must be levelled against the present Government.

One must ask whether the Government gave full consideration to the need for such great increases in taxation, and whether it fully considered the ability of people and of the State to afford such increases, not in the immediate short term, but in the relatively long term.

The Hon. C. R. Story: I think the Minister of Agriculture is agreeing with you. He is nodding his head.

The Hon. C. M. HILL: He agrees with me on most things. We see eye to eye quite often. The Hon. Mr. DeGaris made an extremely sound approach to this matter yesterday, and I intend to read his speech very carefully. A realistic assessment is necessary to see just where the people stand on the whole question of having to meet a 26 per cent increase in taxes and to see whether this State will progress. The whole question of people's welfare and employment is tied up with the question of the State's progress.

I agree with the Hon. Mr. DeGaris that questions of emotion and politics should be put to one side entirely by any responsible Government, irrespective of its political complexion, when it presents its Budget. I shall give some examples of what I mean. I doubt the need for increased taxation. In particular, I believe there was no need to tax the motorists of this State to the extent that the Government has done. In his Financial Statement the Treasurer said that about \$2,800,000 would be received this year in increased vehicle registration fees and about \$250,000 in increased driver's licence fees. There was no real need for those increases.

The Hon. T. M. Casey: Have you told Mr. Askin that?

The Hon. C. M. HILL: No. I do not agree with the approach of this Government.

The Hon. T. M. Casey: The New South Wales Government followed suit.

The Hon. C. M. HILL: Another example of what I mean about the Government's approach to the Budget is the alarming picture one sees when one reads the Estimates for the Premier's Department. Whereas 12 months ago \$547,249 was voted for that department, actual payments totalled \$607,918, and this year \$1,166,067 is provided for it—an increase of 92 per cent over the sum actually spent last year. It is extremely difficult to find an explanation for that increase. In connection with the item "Salaries and Wages and related payments—Policy Secretariat, Administrative and Clerical Staff", whereas 12 months ago \$89,013 was voted, \$113,299 was actually spent, and \$154,285 is provided this year. The policy secretariat involves the backroom boys and others recently employed, about whom we sometimes read in the press. I believe that they act as general investigators with some overall power over departments.

I believe the real strength of our industrial growth in respect of Government assistance and guidance must centre around the Director of

Industrial Development and his staff. Under the normal heading "Industries Promotion, Research and Assistance" provision is made for the salaries, wages and related payments of the Director of Industrial Development and the staff engaged in engineering, technical work, promotion and research. For those purposes \$83,316 was actually spent last year, whereas \$128,095 is provided this year.

I am not particularly critical of the expected increase in such expenditure, but I am worried about some mysterious figures under the heading "Contingencies". The sum of \$27,000 is provided for feasibility studies by consultants, but no other details are given. Then, \$21,000 is provided for the item "Overseas representation—Fees and displays". I should like the Chief Secretary to explain how that sum will be spent. Payments were made last year for overseas visits of officers, but no sum is provided for that purpose this year. However, \$10,000 is provided for overseas visits of the Premier and officers.

The Hon. D. H. L. Banfield: Are you against them?

The Hon. C. M. HILL: I am against them at the rate they are taking place and when two Ministers go overseas at the same time.

The Hon. D. H. L. Banfield: I can well remember when, under a previous Government, a Cabinet meeting was held in London.

The Hon. C. M. HILL: I can recall when a Labor Government started off by sending two Ministers overseas at the one time.

The Hon. D. H. L. Banfield: Four Ministers of a Liberal Government were in London at the one time.

The PRESIDENT: Order! Cross conversations are distinctly out of order.

The Hon. C. M. HILL: Although \$70,126 was actually spent last year on publicity and information for industrial promotion, this year the provision for that purpose has been reduced to \$57,000. I am concerned about this matter, because I believe that both these sets of figures in relation to industrial promotion ought to be grouped together so that honourable members can get a clearer picture of how the money under this overall heading is to be spent. I should like to know, for instance, what are the proposed feasibility studies and fees and displays for overseas representation, for which Parliament is being asked to appropriate money.

Overshadowing the whole problem is the vast increase of 92 per cent in the Estimates for one department. This growth has set

the pace in the terrific expenditure upon which the Government has launched itself this financial year, and flowing from that is the vast increase in taxation of 26 per cent, which the people of this State must find, to enable the Government to keep pace with the programme before us.

Remembering the 92 per cent increase for one department, one finds, if one investigates the Estimates in more detail, that \$2,332,976 was voted to the Mines Department last year. That department's actual expenditure amounted to \$2,253,506, and \$2,404,541 is allocated to it this year. That is an increase of only 7 per cent, against an increase of 92 per cent for the Premier's Department and, incidentally, against an increase of 30 per cent in the appropriation for the performing arts, the amount provided in that regard this year being \$268,820.

It is not necessary for me to remind honourable members of the great advantage that accrues to any State in which research causes minerals to be found and great mineral development to take place. A classic example of this is Western Australia which, through its relevant department, did much pioneering work in this respect. Ultimately, vast finds of minerals benefited that State, to such an extent that royalties have provided considerable income. This means that the people of that State do not have to pay as much taxation. Roads, hospitals, railways and schools have been provided by the mining interests, and the whole of Western Australia has benefited as a result of that State's mineral discoveries. Surely the Governments of this State have a clear duty to allocate as much as they can of the State's Budget—

The Hon. D. H. L. Banfield: It went up 50 per cent on last year.

The Hon. C. M. HILL: It has increased by 7 per cent.

The Hon. D. H. L. Banfield: It's 50 per cent, according to these figures.

The Hon. C. M. HILL: I think the honourable member had better recalculate.

The Hon. R. C. DeGaris: I think the honourable member is referring to the Premier's Department.

The Hon. D. H. L. Banfield: No, the Mines Department.

The Hon. C. M. HILL: So that there is not any ambiguity in this respect, I will refer to the figures again. The sum of

\$2,253,506 was spent by the Mines Department last year, and \$2,404,541 has been allocated to it this year.

The Hon. D. H. L. Banfield: You were talking about the encouragement of mining. That has increased by over 50 per cent.

The Hon. C. M. HILL: I look upon the Mines Department in the overall pattern. I cannot see how one can dissect the department into different sections so that one can say that a certain amount is to be set aside only to encourage mining. I believe that the Mines Department as a whole must move ahead in all its areas of investigation and activity if we are ultimately either to find minerals in considerable volume in this State or to assure ourselves that they do not exist here.

I am not happy with the overall increase of 7 per cent for the Mines Department, and I cannot help but consider it against the 92 per cent increase for the Premier's Department and the 30 per cent increase for the performing arts. I do not oppose increased allocations in respect of the latter. However, I should like to ensure that these allocations are kept in proper perspective, and I ask whether the people of this State and, indeed, the State itself can really afford this vast increase in taxation.

If one wants to ascertain what the people of this State are being forced to pay, one can look at some of the increases on page 5 of the Estimates. Last year's receipts from motor vehicle taxation, to which I referred earlier, of \$15,627,119 have increased to an estimated \$19,500,000 for this year. Motorists must find that extra money and, of course, motorists come from a vast cross-section of the community. They are within all income brackets, and this increase in taxation, hitting the people as it does, will ultimately attract considerable criticism.

Land tax has increased from \$7,540,000 last year to \$10,000,000 this year. Succession duties are estimated to be \$10,250,000 this year, compared with \$8,850,000 collected last year. Hospital rates paid by corporations and district councils are to increase from \$488,957 collected last year to an estimated \$583,000 this year. I do not say that the hospitals do not need that money. However, I ask whether the ratepayers, who will have to meet this cost, can afford to do so, and whether the money that is needed for hospitals should not be taken out of the \$500,000 increase for the Premier's Department. It is all a question of allocations.

I turn now to the Electricity Trust. The actual amount received last year was \$468,007, whereas this year it is estimated that it will receive \$2,150,000. The consumers of electricity will be paying that extra money because, of course, the trust must get its revenue from its consumers. So these people (taking a cross-section right through the community) are the ones who are hard hit by this Budget, which reaches this record proportion of increasing State taxation this year by 26 per cent.

The Hon. D. H. L. Banfield: Tell us about the seven new taxes of your Government.

The Hon. C. M. HILL: I mentioned those earlier. If the honourable member ponders over them, he will realize that the increase when our Government first came into office was 11 per cent over the previous year.

The Hon. D. H. L. Banfield: Did that include the seven new ones?

The Hon. C. M. HILL: That included total State taxation, taken from the Auditor-General's Report: it was an 11 per cent increase compared with this Government's increase now of 26 per cent. I mentioned earlier, too, that it is not only individuals who will be hit: it will be employers of labour and people engaged in commerce and industry, who are concerned with costs as they affect them in this State. Those people, too, will be hit, for in this matter employer and employee go hand in hand.

Business must prosper and be able to produce its goods so that it can sell them on competitive markets throughout Australia. Taxation increases of this proportion worry industry very much. One wonders where the whole problem will end. As the Hon. Mr. DeGaris said yesterday, it may be possible to effect some saving if the Government looks again at these matters more thoroughly. It would be a real achievement on the part of this Government if it could do that and endeavour to impose some restraint upon the estimated expenditures that we have here so that over a period of time the whole matter of taxation could be reviewed and reductions in certain areas could be made.

If that was possible, it would be of great benefit to the people from the point of view of both those who receive salaries and wages and those who produce goods and sell them on the markets. There are some specific matters upon which I ask questions in regard to the Budget. I would appreciate it if the Minister would look at them and, if possible, give me some answers when he replies to this debate.

One of the most important matters to which I refer can be found on page 13 of the Estimates of Expenditure, where an amount of \$300,000 is to be allocated to the State Planning Authority. I am concerned that money that has gone to the State Planning Authority has been used for the purpose of open-space purchase in the Adelaide Hills of what is commonly known as the hills face region, because in one place there, up on Anstey Hill, the State Planning Authority has, with the Minister's consent, seen fit to open up and operate a quarry.

I asked a question on that on the 15th of this month and was told that this operation was set in train "in order to enable an otherwise unsafe and difficult part of the land to be brought into a condition rendering it usable for recreation purposes". It may well be that there is a need for some tidying up of quarries after purchase by the State Planning Authority but, when Parliament allocates funds of this kind so that the State Planning Authority can purchase these vast open-space areas (and I am all in favour of that), it is a different kettle of fish altogether when the State Planning Authority goes ahead and opens up a quarry on that land.

If we talk about making land suitable for recreation purposes, we are entitled to say that that surely should mean that a minimal amount of stone needs to be removed. But, on September 15 I was told:

Between October 6, 1970, and June 30, 1971, the tonnage of stone removed was 142,331 tons 19 cwt. If this rate is maintained for the 10-year period the total quantity removed could be of the order of 2,000,000 tons.

Apparently, the agreement is for a 10-year lease. The Minister went on to say:

The adjoining land, which includes the remaining part of the operating quarry, has recently been acquired by the State Planning Authority. The total area will continue to operate under lease on the same terms as were negotiated for the first area of land.

I do not know whether or not that means that it is estimated that 4,000,000 tons will come out but, whether it be 2,000,000 or 4,000,000 tons, I raise the strongest objection to the State Planning Authority operating a quarry on the hills face. It makes a mockery of conservation. I believe the Government should take immediate action in this matter. I seek an understanding that, if any of this money that Parliament is now being asked to allocate to the authority is spent on the purchase of quarries, the Government will stipulate that the State Planning Authority will not operate those quarries in the future.

It seems so ridiculous, to put it mildly, that recently the Government saw fit to remove representatives of private enterprise from the State Planning Authority and put in their places representatives of conservation interests, and now the authority launches into a quarrying operation, with the consent of the Minister. I ask the Government to look closely at this matter.

I do not object to conservation interests being represented on the authority (indeed, I have always favoured that and I recommended at one stage to the Director of Planning that the number of people on the authority be changed so that representatives of conservation interests could be appointed) but I do not want the Government coming forward, putting off members of private enterprise and putting conservationists on the authority and then approving this conservation-oriented body entering into the business of quarrying. Unless the Government gives an undertaking, Parliament should seriously consider whether it will approve this allocation of money to the State Planning Authority. If it does, it should be on the understanding that, when the authority comes to its senses, further money can be allocated.

Another item I mention of general concern is the South Australian Railways. Under "Miscellaneous", on page 45 of the Estimates of Expenditure, we see an allocation to the Railways Department of \$19,500,000. It is a transfer that will be made this year from the State's revenue in order to make good the department's deficits. It is an increase of \$5,000,000 on last year's allocation, which was \$14,500,000. Because of the most serious financial position in which the Railways Department is now placed, I ask the Government what plans it has to put the railways on a more economic plane.

When looking to see whether any operation is trying to economize, I usually take as some guide the number of employees it has. On examining the Auditor-General's reports, I find that the salary and wages staff employed in the Railways Department over recent years has been as follows: in 1967, 9,298; in 1968, 9,323; in 1969, 9,242; in 1970, 8,960; and now in 1971 there is a slight increase to 8,995.

I make it clear that I am not advocating the retrenchment of staff, but in these days of turnover of staff through natural causes of death and retirement, and so forth, adjustments can be made. During 1969 and 1970 there was a continuous reduction in the staff of the rail-

ways. I am not claiming great credit for this, because I know that by 1970 work on the construction of the line between Cockburn and Port Pirie had been completed, and that meant that there would have been some reduction of staff in any event. Nevertheless, I always insisted that every effort be made to watch and keep to a minimum the number of men employed, commensurate with fair and proper and adequate service being given to the public and the men being treated fairly regarding the amount of work they had to do individually.

However, when the deficit jumps by \$5,000,000, and when the staff increases, even though it be by only 35, I trust that it does not mean that the graph is on an upward turn, and I trust that the numbers being employed will be watched very carefully and that endeavours will be made to see whether the figure quoted by the Auditor-General for 1971 can be reduced in the future.

On page 82 of the Estimates of Expenditure there is a figure which indicates that during the year just passed a payment was made for a report on derailments on the Cockburn to Port Pirie line. This report was made by Maunsell and Partners, who were investigating the reasons for derailments that had been occurring on that line about two years ago, not very long after it was opened up for normal traffic.

Twice in this House I asked whether this report could be tabled or made public. Naturally, I was very interested in it. However, on both occasions that request was refused. As a payment has now been made to the firm, I take this opportunity of voicing my protest that such a report on derailments has not been made available to the people's representatives here in this Parliament. This report should be made available in the same manner, I stress, as the reports on derailments on the main Melbourne line were made public.

I can well recall the fury (I use the word "fury" once again) amongst many people when there was some thought at the time, very soon after the reports were received by the Government of the day, that perhaps they were not going to be made available. Although this matter, I suppose, is past, I do hope that in future reports of this kind will be made public.

We have read in the newspapers recently that the report of the Juvenile Court magistrate is not to be made public. When reports

of this kind are obtained by the Government, and when there is ample precedent for tabling them or making them available for members, there is no reason why the present Government should not be prepared to make such reports available.

An item on page 15 deals with the Waikerie Gliding Club, which, according to the report, is to receive an allocation of \$24,500. This organization has not received any allocation in the past, and I should like to know why it is receiving this grant now. There must be some reason for it.

The Hon. A. J. Shard: The world gliding championships are being held there soon.

The Hon. T. M. Casey: It will be a great thing for the State.

The Hon. C. M. HILL: Yes, I am sure it will be, and I am happy about it. I merely wanted to know why the grant was being made. On page 78, under the heading "Minister of Roads and Transport" there is a line stating that field officers and inspectors are included in an appropriation. The appropriation is an increase on the sum spent last year, and I should like the Minister to inform me in due course who are the field officers and inspectors to whom that provision refers.

On July 21 last year I asked whether the office of the Secretary for Local Government had been increased in size, and I was told that it had not. That is a considerable time ago. On my reading of the Estimates of Expenditure, it is obvious that there has been an increase in the staff since that time, and I should appreciate very much being given information on this matter.

Also, there is a figure of \$100,000 for the purchase of land. Although no detail is given, this may well represent a purchase of land for the new road safety driving school. I can recall that a figure was given in the Loan Estimates for the construction of that school. Perhaps this sum is to be spent on that purchase. In any case, I think honourable members ought to know on what land such a large sum of money is to be spent.

The last matter I wish to deal with concerns the subject of transportation. I repeat what I have said before on this matter. In my view, the position has not changed. I am giving not my own personal opinions on this matter but the opinions of people who come to me and discuss this subject. These people include many people in the street as well as people who are

interested professionally in transportation. Many of these people mention this subject to me from time to time, and I consider that I have some duty to pass on their comments in this place with the sole objective of trying to assist in the vast question of transportation as it affects not only metropolitan Adelaide but also the whole State.

We find from the figures before us that the railways deficit (I am dealing with an exact figure, not the figures I mentioned a moment ago) this year was \$16,124,101. The figure for the previous year was \$12,773,959. We find under the heading of the Municipal Tramways Trust, on page 228 of the Auditor-General's report, that the deficit for the year just concluded was \$460,000. The deficit in the previous year was only \$6,000. We find from the Auditor-General's Report that the Highways Department in the past year has spent \$40,298,000, and included in that figure is \$3,487,000 for acquisition of land for what the Government calls high-speed transportation corridors but what the Auditor-General calls free-ways.

It is rather embarrassing, to put it mildly, and quite unsavoury that we have a Government and a responsible Minister that pursue this expression of high-speed transportation corridors whilst the Auditor-General, the watchdog of what really does count and what really goes on in South Australia, quite openly and frankly calls them freeways. We have learned from replies to questions (one only today) that the Commonwealth Government has still been giving money and that it has been spent for roads that are part of the M.A.T.S. plan.

In the year just concluded \$9,450,000 of Commonwealth money has been spent on declared roads, by which we mean roads in the M.A.T.S. plan that was sent to Canberra and approved by the Commonwealth Government. That amount of money has come under the Commonwealth Aid Roads Act of 1969. This year it is expected that the Commonwealth allocation will be \$11,500,000, and for the year prior to the two I have mentioned the Minister has put the figure at \$7,780,000.

The Minister said that that was money spent on declared urban arterial roads that were part of the M.A.T.S. Report. What the Commonwealth Auditor-General thinks about this I do not know, but I should like to know, because no doubt he has seen reports from time to time that the land purchased with this money

may be used, in the opinion of the present Government, for capsules, dial-a-bus, bubble cars, or for what you like; it depends on what the future planners say we might be having as our modes of transport.

It is time for the whole cloak of the political game to be dropped, for the curtains to be drawn apart on the stage, and for the Government to do what I call a Dartmouth on this question and admit to the public for the first time that it is proceeding with M.A.T.S., or with those parts of it that the department and Parliament approved. If that can be done the political insincerity from which the Government is at present suffering on this question would be done away with for the most part and the rate of progress in planning and working for our future transportation needs would increase, because departmental officers would know where they were going. Any plan, of course, can be put into effect if everything is open and publicly known compared with the mysterious whispers and demands to call free-ways high-speed transportation corridors.

In his report the Auditor-General mentioned the figures paid in the last year on freeways actually named in the M.A.T.S. report—the Hindmarsh Interchange, the Noarlunga Freeway, the Modbury Freeway, the Salisbury Freeway, the Dry Creek Expressway, the Hills Freeway, the North Adelaide Connector and the Foothills Expressway. I have not mentioned the South-Eastern Freeway, because I think everyone is in agreement about that. The report names the freeways and shows that \$3,487,000 was spent in the 1970-71 year on capital works and on the acquisition of land for road purposes under that heading.

Surely the position must be clear now to the Minister and to the Government. The sooner we get ourselves on an honourable plane on this matter, speaking politically, the better. What has the Government done since it came to office? What has it done to modernize our transport, to co-ordinate our transport, to work to a master plan for our transport, in the past 18 months? This is an extremely important time, because change is coming upon us very quickly.

Practically every motorist leaving the city at night on every outlet from the city proper to the suburbs is meeting with traffic snarls and traffic congestion, and with every week the position gets worse. We see behind us a complete vacuum of 16 months. We look back at the plan prepared by the three best transportation planning firms to be found in the world,

a plan that cost \$700,000 of the people's money to prepare, a plan that was prepared in the main during the term of office of a Labor Government from 1965 to 1968.

The Hon. C. R. Story: And which it ordered to be printed.

The Hon. C. M. HILL: I could expand on that and say that we see the plan the Government talked about in its Cabinet room in 1967 and ordered to be printed, at considerable expense and in great haste, so that it would be ready for the election which it knew would be held early in 1968. When we see, in Opposition, how it conducted a huge political propaganda campaign, purely and simply for political gain, we see the sorry state of affairs of this whole subject of transportation.

But that is not all. When this Government came to office in 1970 we heard that it had scrapped M.A.T.S. It brought out Dr. Breuning and asked him to review M.A.T.S. According to the Auditor-General's Report, this cost \$10,800. Dr. Breuning's report took some time to come out after he had returned. However, it came and one of its main points, as I read them, was that he was not keen on rapid rail transport. He said this in his report. He said that freeway routes should be called high-speed transportation corridors.

The Minister took the report to the other House in this Parliament—not to this Council, but only to the one House. He said the Government had accepted it. For good measure the Government taxed the motorists affected by these traffic snarls to a figure, in accordance with the Financial Statement before us, estimated this year to be a further amount of \$3,873,000, the actual increase in taxation being \$2,800,000 in increased registration fees and \$250,000 in licence fees.

Then the Minister went abroad. He talked about the South Australian freeway plans when he was in America. He said he thought that a rapid rail transit system was needed for Adelaide, not the big freeway plan. He gave the clear impression that he did not even know that a rapid rail transit system had been included in the M.A.T.S. Report and that he did not even know that public transport had been included in the report, too. We all know that those matters were included in the report, with an estimated cost of \$107,000,000.

Meanwhile the Premier talked about the M.A.T.S. Report being a 35-year programme, but every child who has done an exercise on the report knows that its basic premise

was that it was a 20-year plan—from 1966 to 1986. It was never planned to relate to the end of the century. Now, to add another regrettable scene to the whole play, a Director-General of Transport was recently appointed, but his duties were never announced. I believe the Minister himself either did not know what the duties were or was too frightened to announce them.

The title sounded grand—Director-General of Transport—but the salary was (I am speaking from memory) about \$5,000 a year less than that of some of those in charge of agencies that such an officer would have to control. Perhaps the appointee did not know exactly what his duties would be. I do not know exactly why the whole thing fell through, but the gentleman appointed later refused the office.

Because provision was made in the Budget last year for the Metropolitan Transportation Committee but no provision is made this year, I gather that the committee has been disbanded. It was a small committee composed of all the major transportation chiefs in this State and the chief officers associated with planning and local government; they sat around a table to co-ordinate their ideas on the whole system of metropolitan transport. Since that committee has apparently been disbanded, we are now back behind square one.

As a result of the series of events, all those interested in transportation are laughing up their sleeves at the botch the Government is making of this matter. I can only assume that officers of the Highways Department have no alternative but to proceed with those parts of the M.A.T.S. plan to which the department is committed and for which Commonwealth money is being received and for which planning was necessarily done years ago. The Government must know that, yet it persists in this political gimmick that M.A.T.S. has been scrapped.

Years have been lost in regard to the King William Street underground railway project. The M.A.T.S. plan included that project and a rapid rail transit system. I believe that the underground railway project was a most important feature of the plan. I do not know what has happened to the plans for a rapid rail transit system. Despite the fact that the Government accepted Dr. Breuning's report (which advocated little progress in regard to that system), the Minister of Roads and Transport has since said that he is very

pleased about the prospect of rapid rail transit.

The serious feature of this matter is that the people, who have had to pay increased registration and licence fees, are now experiencing traffic snarls. However, they can see no progress being made in regard to a modern public transport system, which some motorists would undoubtedly use as an alternative to their cars.

Day after day I receive detailed criticism about this matter. The other day a Marion resident said to me, "What is happening about the freeway route that may pass through Marion?" We all know that the freeway was to follow a certain route through Marion, and we all know that the present Minister of Roads and Transport presented to Parliament on September 19, 1968, a petition containing 5,679 signatures; that petition objected to the freeway route.

Furthermore, we all know that that is now to be the route. What an about-turn that is! It is ironical that, in the middle of it all, the Minister who presented the petition should pass the responsibility for endorsing the route to the Minister of Environment and Conservation; I shall stand corrected if I am incorrect in saying that, but I believe that I am correct.

Whether the Minister of Environment and Conservation has approved the route I do not know. I heard that there were 17 or 19 objectors to it, compared with 5,679 objectors earlier. If that does not substantiate the claim that the Government has played political football in dealing with the M.A.T.S. plan, I do not know what does.

I ask the Government whether it will face up to the Auditor-General and either agree that the word "freeway" should be in his report or ask him to change the word to the other title. What is the Government doing in connection with the responsibility of the Commonwealth Auditor-General? It smacks a little of unethical practice when this State is receiving tens of millions of dollars for an approved freeway plan in the M.A.T.S. Report, yet at the same time it tells the people that M.A.T.S. has been scrapped. I certainly do not want to see the State lose the money, but it would be nice to have everything clear and above board. I am sure that Government members in this Council would agree with me.

The Government is guilty of political insincerity, and it must wrestle with the matters I have raised. Under the cloak of stealth the M.A.T.S. plan is slowly going ahead, but it

can make only slow progress while this state of affairs continues. Slow progress in transportation planning, in road construction, and in installing a rapid rail transit system is not good enough in a modern city like metropolitan Adelaide.

I want to be as constructive as I can. I believe the Government has a wonderful opportunity to forget all about the question of a Director-General of Transport. There is no need at this stage of our transport development for an officer of that kind, nor is there a need for the departmental staff that he would certainly have to build up. In 10 years to 20 years' time, there will be a need for such an officer.

The Metropolitan Transportation Committee, which was progressing well, could easily be reconstituted. The feasibility study in regard to an underground railway, based on the M.A.T.S. Report, could proceed. The terms of reference for that study were in the Minister's file when he came to office in May, 1970. I believe that the Railways Commissioner presented a report to the Minister that was instigated during the term of office of the previous Government. This concerned an ideal proposal to marry the most uneconomic suburban railway lines with Municipal Tramways Trust services, so that a metropolitan transportation authority could be set up to tackle this most regrettable problem of the huge railway losses and of providing better metropolitan transport. These are the ways in which the Government could take sensible, realistic and down-to-earth action to tackle this sorry state of affairs. There has been no need for the delays that have occurred or for extra taxes being imposed on motorists. I repeat that there is no need to appoint a Director-General of Transport.

I should like briefly to return to the Budget generally. I cannot help but repeat the startling fact that in this record-breaking 26 per cent increase in State taxation the people of this State, as individuals, associations or firms, all of whom are an important part of this State, will find it extremely difficult to meet this increase, and in the long term, like the chickens, it will come home to roost.

The activities of departments such as the Premier's Department should be pruned, and it is up to the Government to do this. If it does not do so, and continues with these proposals, the Government will find as this year progresses that public criticism, which will be based mainly upon the manner in which the Government is hitting the hip pocket of the people of this State, will increase even more. If the Government does nothing to restrain

its spending, this increasing criticism will be felt even more strongly, and the blame will be placed exactly where it should be placed: upon the shoulders of the present Government.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

AGED CITIZENS CLUBS (SUBSIDIES) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 29. Page 1745.)

The Hon. E. K. RUSSACK (Midland): I support the Bill. When the original Act was passed in 1963, local government was given the responsibility of administering the affairs of any institution or local organization endeavouring to establish a senior citizens club. Under that Act, any payment can be made to any council, body, institution or authority recommended by a council within the meaning of the Local Government Act. Section 3 (3) provides that such payment shall not be made unless the council concerned also contributes to the cost of such land, buildings, furniture or equipment, and the amount of the payment shall not exceed the amount so provided by the council and any additional amounts contributed to such cost by any other body or person. There was, therefore, a responsibility on the council to pay money in order to attract a subsidy. Section 3 (4) provides that the aggregate of all the payments made under the Act in respect of any one club or centre shall not exceed \$6,000. The Bill seeks to amend that provision.

The Act also provides that if any body, institution or authority which has received the payment from the relevant Minister is wound up or ceases to exist after all liabilities have been discharged, the assets will be transferred to the council which recommended that institution. In 1969, certain amendments to the original Act were passed. Section 2 (b) of the amending Act struck out the passage "aged citizens clubs" in the long title of the Act and inserted in lieu thereof the passage "clubs and centres for the provision of physical or mental recreation or welfare services mainly for aged citizens". After the Act had functioned for several years there was a widening in the scope of the facilities that these centres could provide. The amending Act also provided that the word "Treasurer" be struck out and that "Minister" be inserted. Therefore, the responsibility for approving these payments was placed on the shoulders of the Minister of Social Welfare.

Section 4 (a) of the amending Act provided that the word "wholly" be struck out from section 3 (2) of the principal Act. This was

a desirable amendment, because originally the club, buildings and facilities could be used only for a senior citizens club. The removal of this word meant that such facilities could be used by others who perhaps had similar interests. However, it was necessary and desirable that other persons using these facilities did not do so when they were required specifically for the club's purposes. In his second reading explanation, the Minister said:

The purpose of the Bill is to increase the maximum amount by which the Government may subsidize the cost of erecting a senior citizens club or centre.

Such a payment was to be made on a \$1 for \$1 basis. The Act at present provides that a maximum subsidy of \$6,000 can be paid. It is considered that these centres may cost between \$35,000 and \$120,000, and the Commonwealth Government pays to approved institutions one-third of that cost. For example, the Minister referred in his second reading explanation to a building costing \$35,000, of which the Commonwealth Government would pay one-third. After a maximum subsidy of \$6,000 is paid, the council would have to pay only about \$17,300 towards the cost of the building.

If passed, the Bill will reduce the council's commitment by \$4,000. Therefore, a centre costing \$35,000 and attracting a one-third subsidy from the Commonwealth Government and a maximum subsidy on a \$1 for \$1 basis of \$10,000, would involve a council commitment of only \$13,300. The Government intends to increase the amount of money to be made available in this financial year by \$20,000, thus making available \$50,000, which would assist in the building of at least five new senior citizens clubs or centres.

Section 3 (4) of the Act provides for "the aggregate of all payments made by the Minister under this Act in respect of any one club". I should like the Chief Secretary at some time to indicate whether those clubs that have already received a \$6,000 subsidy would be eligible for a further \$4,000 for club expansion if the subsidy was now increased to \$10,000. I am given to understand, and I know it to be true, that many clubs, because of the services they are offering to the aged, are bursting at the seams and they would be glad of this extra money. However, as the Act now reads, those clubs have already received their full amount of subsidy.

The Hon. A. J. Shard: It would be a matter of interpretation. I will try to find out for the honourable member.

The Hon. E. K. RUSSACK: Thank you. Senior citizens generally in our community

must attract our attention because of their contributions to our welfare in years gone by. Many of them have perhaps come suddenly to realize that they have reached old age and are now experiencing, in many instances, loneliness. It is good and desirable to see the domiciliary care facilities expanding. Those facilities and senior citizens centres cost a lot of money, but I am convinced that they offset heavier expenditures on hospitalization and nursing care. Is it not appropriate that this Bill should be debated this week when in our own city of Adelaide the federal conference of the Council for the Ageing throughout the Commonwealth is being held? This is the council that looks after the senior citizens in our communities. There is a council for the ageing in each State of Australia and the Northern Territory, and there is a federal council. The executive officers of these councils are most active and this week they are in conference in Adelaide.

In South Australia, senior citizens clubs were first introduced in about 1960. Today, after only one decade, there are 92 clubs in South Australia, half of which are in the country areas. Four new clubs are being formed, including clubs at Victor Harbour and Gawler. Recently, new clubs have been formed at Minlaton and Ceduna. These clubs have a membership of some 10,000 elderly people over the age of 60.

It has been observed that people who have not learnt to grow old find themselves suddenly confronted with old age. It is good to see that these senior citizens organizations are accepting people in their late 50's as honorary members or members with no voting power but who participate in the social, physical and mental activities of the organization. Then, by the time they reach an age to be eligible for full membership, they have been introduced into the way of learning to grow old.

The Hon. D. H. L. Banfield: Is it the size of the subsidy that prevents younger people from joining a club as full members?

The Hon. E. K. RUSSACK: It is not the subsidy: it is the policy of the Council for the Ageing that accounts for that. There must be a line of demarcation, and 60 is the age the council has determined.

The Hon. D. H. L. Banfield: It is 60 for both males and females?

The Hon. E. K. RUSSACK: Yes. Also, there are magazines and newspapers that have been produced by these organizations. In South Australia, we have a monthly magazine called *Senior Citizens News* and, at the federal level, published quarterly is a paper entitled

Growing Older, which is of great help and value to these people. Inquiries in this field are increasing. I mention the history, development and escalation of interest in this area to emphasize that it is desirable that there should be an increase in the subsidy provided for the establishment of these centres. The increasing interest in them demonstrates the need for this Bill.

In every case, local government has been involved, and in South Australia in almost every case (in about 98 per cent of the senior citizens centres) a service club has been involved. Because of the escalation in building prices, the need that exists for helping retired people and the interest being taken in them, I support this Bill, which will increase the maximum subsidy from \$6,000 to \$10,000 on a \$1 for \$1 basis to every club or centre involved in senior citizens' interests. In 1963, when the original legislation was passed, and again in 1969, when the amendments were passed, there was a unanimous vote. I hope that will be the case with this Bill.

The Hon. C. M. HILL secured the adjournment of the debate.

MEDICAL PRACTITIONERS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 29. Page 1751.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I have quite a task ahead of me to compete with the previous two speakers. This Bill has been introduced as a result of a review of the principal Act by the Medical Board. It is probably more a Committee Bill than one for second reading debate, as it contains several provisions that really update the present Act. Probably one of the most important amendments in the Bill is the one that makes a permanent appointment of the Foreign Practitioners Assessment Committee. The statutory life of this assessment committee finishes at the end of December this year. Since its inception, this committee has performed its function well, and I believe that there is a need for it to continue its work.

Although our strict attitude towards foreign practitioners has been criticized in some circles, I am certain that every member of this Council would agree that it is necessary to maintain very high standards amongst those who practise in the medical profession.

Of course, there are aspects that must be considered other than the question of professional qualifications; for instance, proficiency in the language. A person may be highly qualified and may hold a degree that is acceptable in this State, but I think one would agree that a fairly high proficiency in the language would be required of a person wishing to practise in this profession in South Australia.

Over the years, there has been some conflict of opinion on this point, and I have actually been at conferences where this conflict has been obvious. For instance, there has been a difference in the attitude taken by various departments, the Immigration Department taking a much broader view than that taken by the Health Department. The Immigration Department has advocated a greater relaxation of restrictions on overseas practitioners. As I have said, I adopt the view that we must be very strict in the application of standards required within our professional community. It is vital not only for the welfare of patients but also for the profession itself that we do not relax the standards. We have in our community many doctors who have been accepted and who are now practising here. Most of these doctors have at some stage done some part course in Australia.

The other amendments deal with such matters as the payment of registration fees and annual practice fees, the removal of names from the register, the issue of provisional certificates, powers of the board to deal with people guilty of unethical and unprofessional conduct, and the cancellation or suspension of registration. As I have said, these matters have been under discussion by the board and by the department for some time, with both this Government and the previous Government. As this Bill is largely a Committee Bill, I shall reserve any further comments I have until we reach Committee. I support the second reading.

The Hon. R. A. GEDDES secured the adjournment of the debate.

DENTISTS ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

ADJOURNMENT

At 4.55 p.m. the Council adjourned until Tuesday, October 5, at 2.15 p.m.