

LEGISLATIVE COUNCIL

Wednesday, August 6, 1975

The PRESIDENT (Hon. F. J. Potter) took the Chair at 2.15 p.m. and read prayers.

PETITION: SUCCESSION DUTIES

The Hon. ANNE LEVY presented a petition signed by 761 persons alleging that succession duties levied on the surviving spouse had become burdensome through inflation and praying that succession duties be abolished on that part of an estate passing to a surviving spouse.

Petition received and read.

QUESTIONS**MORIALTA CHILDREN'S HOME**

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation before asking a question of the Chief Secretary.

Leave granted.

The Hon. R. C. DeGARIS: No doubt the Chief Secretary is well aware of the work done by the Children's Foundation of South Australia. No doubt he is also well aware that the foundation leases the Morialta Children's Home, a property owned by several churches and the Independent Order of Oddfellows, for \$2 500 a year. The Chief Secretary is also aware that the work done by the Children's Foundation is of a very high standard, providing special schools and special courses for handicapped children. I believe that the lease expires at the end of September and that some assistance is required if the foundation is to continue in the Morialta Children's Home. Has the Government any policy in relation to assisting the foundation to continue its excellent work in South Australia?

The Hon. D. H. L. BANFIELD: The Government is aware of the valuable work being done by the Children's Foundation. True, the present owners of the Morialta home are considering putting the property on the market. Indeed, approaches that have been made to the Government to purchase the property have been examined but, as yet, no final decision has been taken. The Government is most sympathetic to the work that the Children's Foundation is doing, although it does not believe that all will be lost if it does not purchase the Morialta Children's Home, there being other camps in South Australia at which the same sorts of things could be done as are at present happening at the Morialta Children's Home. The Government is sympathetic to what these people are doing, but the only way in which it could save the Morialta Children's Home for the Children's Foundation would be to purchase it.

The Hon. R. C. DeGaris: No; you could give a guarantee.

The Hon. D. H. L. BANFIELD: The Government has had examined the question whether it will purchase the Morialta Children's Home and for what purpose it could be used. If it did purchase the home, no guarantee could be given that it would be purchased for the sole use of the Children's Foundation.

The Hon. R. C. DeGaris: You could give a guarantee.

The Hon. D. H. L. BANFIELD: Does the Leader want an answer to his question, or not?

The Hon. R. C. DeGaris: Will you look at it?

The Hon. D. H. L. BANFIELD: Very well. I have told the Leader what the Government is doing regarding the Morialta Children's Home. I have said that it is examining the matter and that, if the Government did

purchase the home, it would not necessarily follow that it would be used by the Children's Foundation. The Government is sympathetic to the work being done by the foundation, and is willing to give assistance in other areas where the same sort of thing can be done for the children as is at present being done at Morialta.

The Hon. R. A. GEDDES: Has the Government looked at the possibility of providing a Government guarantee to the Children's Foundation or an equivalent type of organisation to assist in the purchase of the Morialta home if it comes on the market?

The Hon. D. H. L. BANFIELD: That proposition has never been put to the Government.

LOAN MORATORIUM

The Hon. N. K. FOSTER: I direct my question to the Hon. Mr. Geddes, an Opposition Shadow Minister. Will he tell the Council whether or not it is usual business practice to grant moratoriums on loans made in normal commercial transactions when companies are unable to service loans in accordance with agreements? Can he give such an example, or will he agree that private interests are more likely to follow the course of forcing such companies into receivership?

The Hon. R. A. GEDDES: I am unable to answer the question, as it is not the Opposition's policy to explain to the Government what its policy would be regarding this matter.

STAMP DUTY

The Hon. C. M. HILL: I seek leave to ask a question of the Chief Secretary, as Leader of the Government in the Council.

Leave granted.

The Hon. C. M. HILL: I refer to the Government's election promise allowing some people to transfer an interest in their matrimonial home into their joint names without the payment of stamp duty that would normally be payable, with the ultimate object of minimising succession duties. I understand that such a moratorium now exists and that the payment of such stamp duty is now being waived. I understand, too, however, that the method by which the Government is getting around the law (which states, of course, that the dutiable amount commensurate with the consideration in the transfer must be paid to the Commissioner of Stamps) is that the Treasury is reimbursing the Commissioner for the exempted sums. My questions are, first, is this in fact what is going on; secondly, if so, under what line in the Estimates approved by Parliament are these amounts being paid by the Treasury or, alternatively, what Parliamentary approval has been given for such payments to be made by the Treasury?

The Hon. D. H. L. BANFIELD: I understand that a Bill is to be brought forward to allow this concession which the Government intends to give to people who want to put their properties in their joint names.

The Hon. C. M. Hill: What if Parliament does not pass it?

The Hon. D. H. L. BANFIELD: Then it will not—

The Hon. C. M. Hill: You are doing it now.

The Hon. R. C. DeGaris: It is being done now.

The Hon. D. H. L. BANFIELD: Honourable members do not want an answer.

The Hon. C. M. HILL: Since exemptions are now being given in this matter of stamp duty, will the Chief Secretary refer this matter to the Treasurer and bring down a considered reply in due course?

The Hon. D. H. L. BANFIELD: Yes.

MARGARINE QUOTAS

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

Leave granted.

The Hon. J. R. CORNWALL: During the last session of Parliament legislation was passed to abolish margarine quotas in South Australia from January 1 next year. I am aware that certain vested interests want to delay this action. Does the Minister intend to change the present legislation?

The Hon. B. A. CHATTERTON: It is not my intention to change the legislation or to bring amendments before Parliament to alter the situation in which margarine quotas will disappear in South Australia on January 1 next year. It is an extraordinary situation at present where considerable pressure has been put on me to change my mind on margarine quotas; it is extraordinary that the pressure has come from certain groups within the margarine industry itself. It is quite surprising that these people, who originally were so opposed to margarine quotas, now come to me and say that they would like to see quotas continue. It appears that the reason for this is that they are frightened of the competition that would be provided by Unilever Australia Proprietary Limited (a large manufacturer of cooking margarine but a very small manufacturer of table margarine), and the other table margarine manufacturers now realise that there might be competition in the manufacturing of margarine. They have come to me, and I think they have also persuaded dairy industry representatives to come to me, too. However, they have not changed my mind at all, and margarine quotas will disappear in South Australia on January 1 next year.

MONARTO

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to asking a question of the Minister of Lands, representing the Minister of Works.

Leave granted.

The Hon. M. B. DAWKINS: My question refers to the Monarto project, which appears to have run into some difficulty from the point of view of both downturn in population trends and also shortage of money for such a developmental project, and possibly the need for the project itself in view of changed circumstances. Can the Minister ascertain for me whether the Government has amended its programme for Monarto and, if so, will he endeavour to obtain information about whatever delays have become necessary in the project as a result of the changed circumstances and the stringent financial situation?

The Hon. T. M. CASEY: I think the honourable member should have directed his question to the Minister of Mines and Energy, who is in charge of the Monarto project; but I shall be happy to refer the honourable member's question to the Minister of Agriculture's department. I think it is a matter between ourselves of where the question eventually gets to. I will try to obtain the information and notify the honourable member in due course.

WHYALLA HOSPITAL

The Hon. F. T. BLEVINS: Can the Minister of Health tell the Council the present situation of the servicing of statements of accounts for patients at the Whyalla Hospital?

The Hon. D. H. L. BANFIELD: My information with regard to the servicing of statements of patients in the Whyalla Hospital is that the doctors are carrying out the terms of the agreement and are sending their bills to the hospital.

SPORT

The Hon. C. M. HILL: I seek leave to make a short explanation before directing a question to the Minister of Tourism, Recreation and Sport.

Leave granted.

The Hon. C. M. HILL: There was a report in the press recently that the Minister's department had a sum of \$65 000 for allocation to applicants for the purpose of assisting with junior sport coaching. There was also a report at the time that the department had suggested that applications for this money, or part of it, should be made through the various State sports associations. Some people who are interested in making applications do not wish to pass them through their respective State organisations. They feel that this is putting the application through a rather hierarchical organisation and that, as a rather small body, they may not obtain the approval of the State authorities for their particular sport. Is it necessary for these applications to go through the State bodies concerned or can any small sporting organisation that wishes to gain assistance for junior sport coaching make a direct application and can that organisation, because of making a direct application, expect to receive the same degree of consideration as it would if the alternative method of application was made?

The Hon. T. M. CASEY: The situation is as the honourable member has stated, that these small organisations will be asked to put their applications through their associations. I do not think there is any fear of hierarchism involved in this type of operation. It is a sensible way of going about it, particularly as the day after I announced that the sum of \$65 000 would be made available for junior coaching about 38 applications were received. I have not the up-to-date figures at present but I would say they would be quite in excess of that. It is desirable that these organisations go through their associations; otherwise, we shall be inundated with applications, which will take much time to process within the department. This is a reasonable request, and no direct contact has been made with me by any small organisation seeking to alter the arrangements that have already been stated.

TRAVEL ALLOWANCES

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to asking a question of the Minister of Lands, representing the Deputy Premier.

Leave granted.

The Hon. M. B. DAWKINS: I refer to a circular that has been distributed to all honourable members on behalf of the Deputy Premier. Paragraph (c), which refers to interstate travel, provides:

Each member to be granted an air-travel entitlement, for use within Australia, of \$500 per annum—the entitlement figure to be indexed by using the \$84 return fare to Melbourne as a base and inflating the \$500 by the same percentage by which the fare to Melbourne changes from time to time.

As this statement is located under the heading of "Interstate Air Travel", the directions therefore would appear to relate to interstate air travel. However, the words; "for use within Australia" appear in the second line of that statement, and I should like to know whether

the Deputy Premier is willing to make this air travel entitlement available to honourable members for intrastate travel as well as for interstate travel. If he is not willing to do that, because of the increased responsibilities of honourable members in this Council, who now represent the whole State (rather than individual districts), will the Government favourably consider providing a further air travel entitlement so that the remote parts of South Australia can be visited by honourable members from this Council?

The Hon. T. M. CASEY: Perhaps the honourable member does not realise this, because otherwise he would not have asked his question, but six intrastate trips are already provided for all honourable members.

The Hon. M. B. Dawkins: While honourable members are on Parliamentary business.

The Hon. T. M. CASEY: True, but previously all honourable members were allowed two interstate trips a year with their wives.

The Hon. J. C. Burdett: That was by train.

The Hon. T. M. CASEY: Yes, but honourable members can make any number of trips by train through the facility of their gold pass. What is provided in the circular is in addition to that. If the honourable member wants more information spelt out for him, I point out that honourable members can travel interstate with their wives on a basis of the number of trips in relation to the cost involved and the sum provided. Naturally, if an honourable member wants to go to Brisbane, he will probably be unable to do so more than once or twice a year, but, if he goes to Melbourne, he can probably do so eight or nine times a year for the same cost. That is the situation as I see it, and I have read the circular to which the honourable member has referred. I cannot see the need to take the matter any further.

FIRE BRIGADES ACT

The Hon. R. C. DeGARIS: I seek leave to make a brief statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. R. C. DeGARIS: Several district councils and other interested parties have written to me during the last three or four months expressing deep concern about the high rate of the fire services levy currently being charged by insurance companies to local government councils and all policy-holders in South Australian Fire Brigade Board areas. This is because the South Australian Government does not bear, in the opinion of these people, sufficient financial responsibility in respect of fire services in South Australia. Recent legislation was introduced to change the levy. Has the Government examined this question, and does it intend making any changes to the Fire Brigades Act regarding contributions by Government, local government and insurance companies?

The Hon. D. H. L. BANFIELD: As this is a matter of Government policy, I will seek a report for the Leader.

BEEF PRODUCTS

The Hon. C. M. HILL: I seek leave to make a statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. C. M. HILL: Prior to the Minister's leaving for a meeting of the Agricultural Council about a week ago, he made a statement on a television programme and I think he made some press announcements along the lines that he was concerned that there had not been many appli-

cations by beef producers in this State for aid under the Commonwealth assistance scheme for beef producers. The Minister indicated that he would raise the matter at the Agricultural Council meeting and that he hoped to convince the Commonwealth Minister or the council that possibly the scheme had some faults, in view of the fact that producers were not enthusiastic in seeking aid. How successful was the Minister in his representations, and will Senator Wriedt review the scheme as a result of the Minister's representation? If Senator Wriedt will review the scheme, when can further benefits be expected by the hard-pressed beef producers of this State?

The Hon. B. A. CHATTERTON: The situation is as the honourable member has described it. There has been a disappointing rate of applications for the \$3 000 000 of concessional money that has been provided for South Australian beef producers. The same kind of situation seems to apply throughout Australia. This matter was discussed at the Agricultural Council meeting. The sum still to be allocated to producers throughout Australia is quite large. I also told the Agricultural Council that we were investigating why this situation had arisen. I decided that, before I could put any concrete proposals to Senator Wriedt, I needed more factual information as to why the producers were not taking up this money. In the short period before the Agricultural Council meeting I got some information from officers of my department in the South-East; I asked them to do some sort of survey of beef producers in that area to find out why the producers were not applying for assistance under the scheme. Some of the results were interesting, and they were different from the results that might be expected. About one-third of the producers surveyed said that they had not applied because they had alternative sources of finance through commercial financial institutions. The number of producers giving this reason was surprisingly high; we had not expected such a large number in that category. Further, the number of producers who were not well informed about the scheme was surprisingly low. I must say that the sample was not large and that the methods of obtaining the sample were perhaps not the best. We are trying to find out the real reason why there has not been an acceptance of the scheme by many producers, whether the scheme should be altered and, if so, in what way it should be altered. This matter is receiving a great deal of attention.

PUBLIC SERVICE VACANCIES

The Hon. M. B. DAWKINS: I seek leave to make a short statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. M. B. DAWKINS: On June 10, I asked the Minister about the delay in the appointment of permanent heads of the Agriculture Department and the Fisheries Department. The Minister was good enough to reply to me by letter, for which I thank him. I should be obliged if the Minister would make that information available to the Council. Has he anything further to add on this matter, which has been in abeyance for a considerable time?

The Hon. B. A. CHATTERTON: As the honourable member has pointed out, I replied to him by letter, but I am happy to make the information available to the Council. The appointment of a Director of Agriculture has been delayed somewhat because of the examination by the planning and priorities advisory committee of Professor Corbett's report on the Public Service. When the committee finally produces its report we will be able to appoint a

permanent Director of Agriculture. The position of Director of Fisheries has been vacant for quite a long time, despite the fact that we have advertised for applicants in South Australia and in other States. We hope we will be able to resolve the situation in the not too distant future, because of the increased emphasis being given to fisheries.

MEDIBANK

The Hon. F. T. BLEVINS: Can the Minister of Health inform the Council of the present position regarding the number of Government hospitals and Government-subsidised hospitals that have now become recognised hospitals under the Medibank scheme?

The Hon. D. H. L. BANFIELD: When South Australia entered the Medibank agreement, I made a forecast as to what percentage of Government-subsidised hospitals would become recognised; I said that it would be 98 per cent. The Hon. Mr. DeGaris, after doing some figuring, asked which hospital would not become a recognised hospital, because one hospital represented 2 per cent. I must admit that my estimate was out somewhat in regard to the percentage I gave, because it is now 96 per cent. However, my estimate was not bad. This was before any approaches had been made. I am therefore happy now to report to the honourable member that, with the exception of two Government-subsidised hospitals (Keith and Kapunda, which have kept out only for political reasons, I suspect), the others are all recognised.

The Hon. C. W. CREEDON: The Hutchinson Hospital in Gawler is a recognised hospital but, because of the attitude of the doctors, only private patients can gain admittance to the hospital. Will the Government continue its subsidy to the hospital (I think it was \$75 000 last year) if it is being used only as a private hospital?

The Hon. D. H. L. BANFIELD: The Government in the past has not subsidised private hospitals, and I do not know what the policy will be in the future. The Hutchinson Hospital Board sought recognition under the terms of the agreement, but it is also true that there are some greedy, inconsiderate doctors who are not willing to accept the law of the land. I say this advisedly.

The Hon. R. C. DeGaris: What is the law of the land?

The Hon. D. H. L. BANFIELD: We have had two elections on this matter.

The Hon. R. C. DeGaris: You are saying that the doctors are breaking the law.

The Hon. D. H. L. BANFIELD: No. What I said was that the people of Australia wanted the introduction of Medibank. There was a joint sitting of the two Houses of the Commonwealth Parliament, and there was an election before that joint sitting. The Commonwealth Government has entered into an agreement with most of the States, including Liberal States. Also, New South Wales found that it was missing the boat, and it had to undertake an expensive advertising campaign. I am not saying that the lass on the No. 96 programme got herself involved in an accident and appeared bruised in order that the State Government could use her as a reason why that State had not joined the Medibank scheme. However, the position is that New South Wales is now breaking its neck to try to get into the Medibank scheme, which has now been accepted by every other State in Australia. It is unfortunate that certain action was taken merely for political reasons, and it is no coincidence that the past President of the Australian Medical Association is standing as an endorsed Liberal Party candidate for a seat in the Commonwealth Parliament. There is no doubt that this is one of the reasons why some doctors have decided not to co-operate with the scheme.

The Hon. T. M. Casey: I believe the Queensland Premier ran into trouble with his Cabinet on this, too.

The Hon. D. H. L. BANFIELD: True, he was outnumbered 13 to 1. That is the influence that the Queensland Premier had on his Cabinet. It is also true that Victoria and Western Australia have now signed the agreement. Some doctors who are not co-operating at present could disrupt the scheme and make pensioners and other people who are unable to afford medical assistance the meat in the sandwich, so to speak. I very much deplore the action of these few doctors. However, I hope that it will not be long before they finally decide that they have spent the \$1 000 000 that the A.M.A. levied from its members. When this happens, I think they will all settle down and that in a couple of months everyone will wonder what all the fuss was about.

CATTLE TAGS

The Hon. M. B. CAMERON: I seek leave to make a statement before asking the Minister of Agriculture a question.

Leave granted.

The Hon. M. B. CAMERON: Recently, the Minister indicated that his department would not approve the use of home-made tags on the tails of cattle sent for slaughtering. Since then, I have received complaints about the stick-on type of tags, the use of which is being recommended by the department. In the wet areas of the State, however, these are not considered satisfactory, there having been numerous examples of their falling off. Will the Minister take action on this matter or, until people have run out of these tags, will he consider alleviating the requirements, as there is no doubt that many of the tags are disappearing in the melee of the sales and are not present on the tails of cattle when they finally reach the slaughter chain?

The Hon. B. A. CHATTERTON: I have not received any adverse reports regarding this type of tag. However, now that the honourable member has drawn this matter to my attention, I will certainly have it investigated and bring down a report as soon as possible.

DRUGS

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

Leave granted.

The Hon. A. M. WHYTE: It was stated on an Australian Broadcasting Commission radio programme this morning that Queensland teachers, who are concerned about the use of drugs by schoolchildren in that State, are of the opinion that disciplinary action should be taken to expel drug users from the whole education system in Queensland. Will the Minister ascertain from his colleague whether the South Australian Education Department is investigating this matter or keeping an eye on the use of drugs in South Australian schools, and whether it intends to take any disciplinary action against those students who are using drugs?

The Hon. B. A. CHATTERTON: I will refer the honourable member's question to the Minister of Education and bring down a reply as soon as possible.

ROAD FUNDS

The Hon. J. A. CARNIE: I seek leave to make a statement before asking a question of the Minister of Lands, representing the Minister of Transport.

Leave granted.

The Hon. J. A. CARNIE: In a news release on July 21, the Commonwealth Minister of Transport (Mr. Jones) announced that Western Australia would receive \$18 600 000 for urban arterial roads in 1975-76, which represents about 16 per cent of the nation-wide allocation of \$118 300 000. In the July 23 issue of the *News*, it was announced that South Australia would receive \$6 800 000 for the same purpose. This sum was described by the Acting Manager of the Royal Automobile Association as being "mere crumbs", a sentiment with which I must agree. As it has often been said that, with a State Labor Government as well as a Commonwealth Labor Government, this State would be sure to receive preferential treatment, does the Minister intend to approach his Commonwealth counterpart to obtain at least an equivalent amount on a per capita basis to that given to Western Australia?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague in another place and bring down a reply.

SOUTH-EAST FINANCIAL ASSISTANCE

The Hon. N. K. FOSTER: Will the Chief Secretary say what has been the total State Government expenditure, including grants and loans, on the Mount Gambier and Millicent areas since 1970 in respect of public works, public buildings, education, primary industry (including bovine tuberculosis and brucellosis), afforestation and associated undertakings, community welfare, health, and on all forms of assistance to private and commercial industry, as well as on conservation, wild life and national parks? Further, will the Minister try to have made available the figure representing the Australian Government's expenditure, on a similar basis, in this area?

The PRESIDENT: Before the Minister replies, I point out to the honourable member, and indeed to all other honourable members, that there is a procedure of placing questions on notice. I think the question that the honourable member has just asked is an ideal one for that kind of treatment. The honourable Minister of Health.

The Hon. D. H. L. BANFIELD: I do not disagree with what you, Sir, have said, but I inform the honourable member that it will not be necessary for him to put this question on notice. I will try to obtain a report for him.

The Hon. R. C. DeGARIS: Seeing that the question has been asked, I think it is only fair that the Minister should obtain the same information regarding every other district in this State, and I ask him to do likewise.

The Hon. D. H. L. BANFIELD: I will try to obtain that information for the Leader.

CONSTITUTION ACT AMENDMENT BILL (SALARY)

The PRESIDENT: I draw the attention of honourable members to a proclamation in the *Government Gazette*, dated June 26, notifying Her Majesty the Queen's assent to the Constitution Act Amendment Act, 1975.

SESSIONAL COMMITTEES

The House of Assembly notified its appointment of Sessional Committees.

JOINT HOUSE COMMITTEE

The House of Assembly intimated its appointment of four members to the Joint House Committee.

The Hon. D. H. L. BANFIELD (Minister of Health): In accordance with section 4 of the Joint House Committee Act, 1941, I move:

That the members of the Legislative Council on the Joint House Committee be the President and the Hons. Jessie Cooper, C. W. Creedon, and N. K. Foster.

Motion carried.

JOINT COMMITTEE ON SUBORDINATE LEGISLATION

A message was received from the House of Assembly requesting the concurrence of the Legislative Council in the appointment of a Joint Committee on Subordinate Legislation.

The Hon. D. H. L. BANFIELD (Minister of Health): In accordance with Joint Standing Orders Nos. 19 to 31, I move:

That the members of the Legislative Council on the Joint Committee on Subordinate Legislation be the Hons. N. K. Foster, C. J. Sumner, and A. M. Whyte.

Motion carried.

ADELAIDE UNIVERSITY COUNCIL

The Hon. D. H. L. BANFIELD (Chief Secretary) moved:

That the Council do now proceed to elect by ballot two members to be members of the Council of the University of Adelaide.

Motion carried.

The PRESIDENT: The same procedure will apply today as applied yesterday. Two representatives are required, and honourable members will vote by striking out the names on their ballot-papers. Any names struck out in addition to the two required will render the ballot-paper invalid. Honourable members should place a line through the names of the two members.

A ballot having been held, the President and the Hon. Anne Levy were declared elected.

FLINDERS UNIVERSITY COUNCIL

The Hon. D. H. L. BANFIELD (Chief Secretary) moved:

That the Council do now proceed to elect by ballot two members to be members of the Council of the Flinders University of South Australia.

Motion carried.

The PRESIDENT: I again point out that everyone is eligible for election to the council and that two members are required. I ask honourable members to strike through the names of the two people for whom they wish to vote. Any larger or lesser number will render the ballot-paper invalid.

A ballot having been held, the Hons. D. H. Laidlaw and C. J. Sumner were declared elected.

ADDRESS IN REPLY

The Hon. D. H. L. BANFIELD (Minister of Health) brought up the following report of the committee appointed to prepare the draft Address in Reply to His Excellency the Governor's Speech:

1. We, the members of the Legislative Council, thank Your Excellency for the Speech with which you have been pleased to open Parliament.

2. We assure Your Excellency that we will give our best attention to all matters placed before us.

3. We earnestly join in Your Excellency's prayer for the Divine blessing on the proceedings of the session.

The Hon. ANNE LEVY: I move:

That the Address in Reply as read be adopted.

It is a great honour to have the opportunity of moving this motion today. I am one of eight new members in this Chamber, following the recent election. While two of the new members have had experience in other legislative

chambers, most of us are untried and untested in Parliamentary debate and eager to learn and participate to the best of our abilities.

This influx of new members is truly an indication that the Legislative Council is becoming more democratic. There is now a majority of members who can claim to represent the people of this State, having been elected by adult suffrage. It is hard to credit that not until 1975 did adult suffrage apply to an election for a House of Parliament here in South Australia. Generally, in the democracies, the principle of adult suffrage, for men at least, has been taken for granted since the end of the last century. Any controversy has centred on extending the franchise to women. South Australia has the distinction of having given the vote to women 81 years ago, the second place in the world to do so; but we detracted from that progressive record by being perhaps the last place in any Western democracy to achieve the vote for all adults for any Parliamentary election. The next election will complete the process of bringing democracy to this Council. Only at that time can every honourable member feel that he or she has the moral right to speak or to legislate on behalf of all citizens of this State.

At the moment, we cannot predict when this will occur. The Governor's Speech indicated that a Bill will soon come before us to alter our term of office from a minimum of six years to the period covered by two general elections. If elections are held at three-yearly intervals, the period of our term of office will be unchanged. If elections are held more frequently, the new measure will ensure that this Council, as well as the Assembly, changes in response to the will of the citizens of this State. I fail to see any good reason why the composition of this Council should not be altered at the same time and as often as the composition of the other place, if the electors wish for change.

It would be presumptuous and paternalistic on the part of any honourable member here to insist on a right of membership for up to nine years, claiming to know what is good for South Australia and yet refusing the electors the right of expressing their opinion on his or her merits. A great deal can happen in six to nine years: we need only look back to 1966 and 1969 to realise what changes there have been since then, both to our community and to ourselves personally. When society's attitudes change so rapidly and radically, it is fitting that this Council, as well as the other place, should reflect such changes. I endorse the proposed Bill and hope it will receive the unanimous support of honourable members. There are other matters mentioned in the Governor's Speech that I welcome wholeheartedly and commend to all honourable members. I wish to single out two Bills in particular which will affect the lives and welfare of half the people in this State.

All women (and, I hope, all men, too) will welcome the legislation regarding the power of the Industrial Commission to determine wages on the basis of a rate for the job, without considering the sex of the person performing the work. Within each sex this principle has long applied. All men doing the same job have received the same wage, regardless of their family responsibilities: if they do the same work, the bachelor gets the same pay as the father of seven. It is an important principle, basic to the wage-determining mechanism in our society. I am delighted that this principle will now be extended to all workers, regardless of sex. People will be able to have the value of their work determined according to its intrinsic merit, and not according to their anatomy. Differing responsibilities for dependants are taken account of in the income tax schedules. If some argue that this is not done adequately,

the response must be that the tax structure may need revision, not that the basic principle of the rate for the job should be negated. This measure will indeed be a great step towards equal pay.

The other legislation I wish to single out is that prohibiting discrimination on the grounds of sex or marital status in the fields of education, employment, and provision of goods and services. Women often encounter discrimination in these areas, with effects that can range from mere annoyance at pinpricking trivialities to major frustrations that can affect the rest of the individual's life. When the Bill is debated, I propose to detail several examples which I am sure no man would willingly tolerate.

I concede that deeply ingrained attitudes cannot be changed overnight, and that they are probably unaffected by legislation. But what legislation can do is change behaviour. Ultimately, we hope changed behaviour will lead to a change in attitudes. It may well be that subtle discrimination on the basis of sex or marital status will continue after the Bill becomes law, as it will often be hard to prove, even if suspected. But at least it will no longer be overt. The legislation will express the principle that there shall be equal opportunity for all citizens, and that redress is available for victims of unjustified discrimination. This is surely the mark of a concerned and civilised society.

I now turn to a more general matter. There has been much discussion and controversy in recent months over issues of personal freedom in matters of health. Opposition members and various professional associations of medically-qualified practitioners have said much about the doctor-patient relationship, and how it may or may not be affected by the Medibank health insurance scheme. Personally, I fail to see how money changing hands affects the relationship between a doctor and his patient (except perhaps adversely, if the patient has financial worries added to his anxiety concerning his health). To imply that a doctor will not give of his best to his patient unless actually paid by him casts a slur on medical practitioners and their professional behaviour. One might as well suggest that no teacher behaves professionally towards his pupils, or that no social workers can properly advise and help a client because they are salaried professionals, rather than rewarded on a fee-for-service basis.

The concern expressed about Medibank has been, I believe, irrational and misdirected. Moreover, it has prevented discussion of more fundamental matters, as there are questions involving personal liberty that come into conflict with socially desirable health measures. To what extent has the State the right to intervene and prevent the exercise of personal freedom where the health of the individual is concerned? Society has the right to protect itself. I am sure we would all agree that quarantine is justifiable for sufferers of explosively infectious diseases like smallpox and plague, however much it might affect their personal liberty. Similarly, we agree that travellers arriving from parts of the world where smallpox is endemic should either have been vaccinated or have spent time in quarantine. This protects the Australian community. But there are other public health measures, such as chest X-rays for detecting tuberculosis, and immunisation against diphtheria, where we need to weigh up the advantages to the community against the loss of liberty for the individual.

I am taking for granted that any public health measure being considered for general application has first been shown to be safe for the individual, effective in its aim, and worthwhile to the community. There is no doubt that

both chest X-rays and immunisation against diphtheria are safe, effective, and worthwhile. Yet one of these measures is compulsory, while the other is not. How can we rationalise this difference? As far as immunisation of children is concerned, education and persuasion of parents are readily applied by doctors and Mothers and Babies Health Association clinics. Provided most children are protected against diphtheria, the chance of an epidemic is small, and compulsion need not be applied. However, tuberculosis can occur at any age, and education alone does not apparently lead to sufficient volunteers for chest X-rays. Therefore, compulsion is occasionally required to detect sufferers before they infect a large number of other people, children being particularly susceptible to the disease. There have been queries in recent years about whether compulsory X-rays should be continued, in view of the currently low incidence of tuberculosis in our community. This is one of the grey areas where personal freedom and community benefit need to be carefully weighed.

Venereal disease is another condition where compulsion is applied at present, and I think compulsory notification and treatment are fully justified. No-one has the right to infect others with venereal disease, and contacts need to be traced and treated; hence the requirement of notification, though this surely has a far greater effect on the doctor-patient relationship than Medibank could ever have. It is when we turn to matters such as alcohol, smoking, and drugs that questions of personal liberty versus community interest become hard to balance. Alcohol is doubtless responsible for much suffering and misery to certain people and their families. Yet we accept that everyone has the right to abuse this pleasant social habit if he wishes. To many, including me, it is a highly desirable accompaniment to relaxation, and it is a part of civilised living. We accept that the advantages of alcohol to the many far outweigh its disadvantages to the few, and the community should provide help to those who abuse it uncontrollably.

We draw the line, however, at mixing drinking and driving, where the safety and well-being of others can be adversely affected, so justifying the invasion of personal freedom by breathalyser and blood-alcohol tests. Smoking is another social habit which is harmful to health. Yet the law does not prohibit people harming themselves in this way, even though it is society which has to pay for the hospital and medical treatment that may result. As with alcohol, it is left to the individual to make his own choice on whether to smoke or not, weighing up the statistical probability of harm against the relaxing and pleasant effects of a cigarette or pipe. However, for the individual to make such a choice meaningfully, he needs information. Cigarette advertisements publicise the pleasurable aspects of smoking, not the disadvantages. To redress the balance, a responsible Government should carefully control advertisements and insist on adequate warnings. We should educate the young, especially on the advisability of not starting such an addictive and harmful habit. But leaving the choice to the individual means that in this instance, too, personal freedom takes precedence.

Lastly, I want to consider personal freedom versus public health compulsion in the matter of drugs. I hold no brief whatever for the major addictive drugs such as morphine and heroin. They have their place in certain medical situations, but their continued use invariably leads to addiction, a complete separation from reality, and disintegration of the personality. Personal freedom here is tantamount to a freedom to commit suicide, and we generally feel those who attempt suicide need treatment

and help. It would be chillingly callous merely to punish, and not treat or help, an addict. Knowing the dangers inherent in such drugs, society is wise to keep them under the strictest possible controls.

I doubt whether the same can be said for marihuana. Both the Wooten Report in the United Kingdom and the Shafer Report in America failed to find conclusive evidence of harm to marihuana smokers, either individuals or society as a whole. A recent study of ganja use in Jamaica, supported by the National Institute of Mental Health in America, reported no detectable adverse effect, either physical or mental, from regular and long-term use of the drug. Jamaicans, whether they smoked ganja or not, were unanimous in agreeing that marihuana was preferable to alcohol in its social and psychological effects. Jamaica has recently altered its drug laws as a result of this study. Several States in America have also done so, while others are currently considering the matter. Should we not carefully re-examine our own laws on marihuana, free of emotionalism and using scientifically determined facts, to determine the proper balance between personal freedom and community welfare, and what controls could best maximise the former while safeguarding the latter? In particular, we need to consider the social controls required, were this drug to be used more widely in a car-driving community.

Valium is another drug whose use is currently causing controversy. Its side-effects are considered serious enough for the drug to be available only on prescription, yet medical opinions differ strongly on the frequency with which it should be used. It is widely prescribed for emotional problems and neuroses. Some say that it is far too widely prescribed and that doctors are being irresponsible in their prescription of valium, alleviating a symptom rather than seeking a cure for the cause of the trouble. Here the conflict is between the personal freedom of the doctor to take the easy way out, and the welfare of the community. I personally dislike the idea of vast numbers of people being permanently on this addictive drug. As many as one in four adult Australian women patients are regular users of valium. It may well have become the housewife's alcohol.

It is probable that the solution to such problems is not merely a medical one. Alternative sources of help and counselling, other than the local doctor, need to be readily available to those in mental distress. The root causes of the distress need to be determined and, if possible, removed, so that fewer people will become hooked on tranquilisers, anti-depressants and related drugs. The commercial manufacture and promotion of such drugs is booming, and surely requires us to examine whether the profit motive itself can here be reconciled with the good health of people!

In conclusion, I point out that the Governor in his Speech drew attention to the deaths of two former members of this Council. Although I did not know them personally, I am sure that the Hon. Sir Norman Jude and the Hon. L. H. Densley served this Parliament and the State with distinction. I express the sympathy of this Council to their families. May I congratulate you, Mr. President, on your election to the Presidency of this Council. I am sure you will enjoy the respect and approbation of all honourable members throughout your term of office.

The Hon. J. R. CORNWALL: As the *Advertiser* observed in an editorial last Saturday, it was Stevenson who originally said that to travel hopefully may indeed be better than to arrive. No doubt Stevenson and the *Advertiser's* leader writer used the expression in different

contexts, but as one who has travelled towards my present position since 1968 I can assure you, Sir, that the arrival has given me a great deal more pleasure than the journey. It is therefore with considerable gratification that I second the motion for the adoption of the Address in Reply so ably moved by my colleague the Hon. Anne Levy. I am sure the honourable member is indebted to the Women's Franchise Act of 1895. For anyone with a sense of history, this is quite a momentous occasion in South Australian politics. For the first time since the foundation of this Chamber in 1843, a majority of the members of this Legislative Council have been elected on a truly democratic basis. I think it is fitting on this occasion to pay tribute to the man who has pursued this with such single-minded diligence for so long—Don Dunstan.

Having at last arrived at this situation, it is pertinent and, I hope, profitable to reflect on just what the role of the Council will be in future. Clearly, the ultimate fate of the Council will rest very largely on the manner in which it conducts its business. It seems to me that there is a very limited future for this Council if it continues to obfuscate and obstruct legislation as it has done on so many occasions in the past.

I do not want to be seen to take a hard or unreasonable line but, unless the Council adopts a far more positive role, the voters of South Australia may be given the opportunity of abolishing it. And while it is important for all members to remember this, it is imperative for members on the other side, particularly. This is not to suggest that they must be mute. Knowing the history of many of them, I believe that such a suggestion would be as unrealistic as it is ridiculous.

In any democratic institution it is not only right and proper but essential that the Opposition be given, and take, the opportunity to discuss, dissect and criticise the Government's proposed legislation. But it can never be legitimate for it to maul, mangle or macerate legislation introduced by the popularly elected Government of the day. The temptation to do this must be resisted in the interests of Parliamentary democracy. I accept the proposition that the Council is a House of Review; I wholeheartedly endorse the proposition but I will never accept the "permanent will of the people" syndrome which has been exhibited by members opposite in the past. Such an attitude is naive, stupid or mischievous.

I want to refer briefly to the Governor's Speech and to say how proud I am to be a new member of the Government, which will implement the measures outlined in the Speech. The South Australian Branch of the Labor Party, the Parliamentary Labor Party, the Premier and his team, have given a consistent lead to the Australian Labor movement, to other Governments throughout this country and, in many areas of legislation, to progressive Governments throughout the western world. They will continue to do so.

With your indulgence, Mr. President, I would like to make my position within that Party clear, particularly to avoid any tags of left wing or right wing which the media try to hang on members from time to time. Like every other member of this Chamber, I am in this Council because I was endorsed by my Party. It is nonsense and egotistical in the extreme for any member to suggest that he is here without the endorsement of his Party. I am a member of the A.L.P. because I am committed to its great policies of reform and progress. Ours is a Party of social democracy and it should be quite unnecessary to point out that, like all our members, I am a democratic socialist.

However, this is another area where our opponents seem determined to darken the truth, obscure reality, and attempt to stupefy and bewilder the electorate. So I take this opportunity to enlighten them, the press and the electorate at large.

It seems very popular at the present time to spell "socialism" with a capital "S" and to spit it from between clenched teeth. This is not only bad for dentition but, for reasons which I shall make clear, it is also quite ungrammatical. Democratic socialism as practised in many countries of the western world is simply the organisation of society's resources in such a manner as to maximise the social benefits which accrue to the members of that society. Unlike many other political philosophies, including large L liberalism, it is benign, gracious, gentle and humane. Because it is democratic, its Parliamentary representatives can be elected or rejected at free elections. Our only stipulation is that these elections must be conducted under universal adult, equal and secret franchise.

At the present stage of our evolution, it is quite essential that democratic socialism operates within the realities of a mixed economy and a pluralist society. No-one would seriously suggest that it could be otherwise. Our record in South Australia proves it. So, when we debate the merits of our philosophy *vis-a-vis* that of our opponents, at least let them be sincere enough to stick to the truth and debate the issues on their merits. It simply is not good enough for them to declare that their sole aim is the removal of "this Socialist Government". It is completely mendacious to attempt a return to the old and discredited Communist can-kicking type activities of the 50's and 60's under another guise. Or to refer, as the Leader of the Opposition did yesterday, to "Marxist models", whatever that might mean.

Because this is the first and possibly the last time I will have the opportunity to be heard in silence, I would like to raise another contentious subject which has been a matter of great concern to me over many years. I have spent the period of my adult life almost equally divided as an urban and a rural citizen. During this time it has always appalled me that our conservative opponents have attempted by every means possible to drive an ever-deepening wedge between city and country. There is no difference, Sir, between poverty in Brompton or that in Bordertown. It is no more comforting to be indigent in Manningham than it is in Mount Gambier. It is no less distressing to be ill in Kurrulta Park than it is to be ill in Keith. It is not an easier task to provide equality of opportunity, socially or educationally, in Largs Bay than it is in Loxton. The aims and aspirations of the community are very much the same wherever they live.

It is a shocking thing to exploit parochialism to a point where it becomes almost incestuous. And yet our opponents do this with consistent vigour. No better example of this can be found than the performance of the Liberal Party in Mount Gambier during the State election. There, we witnessed a carefully orchestrated campaign of misrepresentation and denigration possibly unequalled in South Australia's political history. The Liberal Party carefully, indeed studiously, shielded its candidate from too much public scrutiny while running a campaign of fear and smear against the alleged dangers of that large "S" socialism, to which I referred earlier.

It finally assembled a gaggle of independent and minor Party candidates to play their part unwittingly and extract the last drops of bigotry and ignorance. The campaign

worked, but only at the expense of creating deep divisions in the local community and, indeed, in the longer term, at the expense of the conservative forces themselves. It now seems clear that the right-of-centre parties in South Australia are more firmly hoist on their own petard than ever. At the risk of appearing too helpful, I would like to point out to the city conservatives and the rural rump that they have become victims of their own propaganda. As long as they continue the charade of representing the citizens of South Australia on a geographical rather than on a sociological basis, they are doomed to stay where they deserve to be: in disarray on the Opposition benches.

To conclude on a happier and more optimistic note, Mr. President, may I take this opportunity to inform the Council that my political interests are wide-ranging. The role of what one might call the "new-breed" members of the Legislative Council is yet to be clearly defined. Our electorate is the State of South Australia. Our aim,

on this side of the Chamber, is to help provide good and stable Government. I have no wish to be typecast as either rural or city oriented. To the extent that I am able to do so, I will assist any member of the South Australian community at any time. But my special interest between now and the next election will, of course, be in those areas south of Adelaide to the Victorian border because, for the first time in living memory, they now find themselves without a voice in the Party in Government in South Australia. When a Labor Government is returned at the next State election, I know that these people will rectify the situation.

The Hon. J. A. CARNIE secured the adjournment of the debate.

ADJOURNMENT

At 3.44 p.m. the Council adjourned until Thursday, August 7, at 2.15 p.m.