

**LEGISLATIVE COUNCIL**

Tuesday, August 19, 1975

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

**QUESTIONS****AIR TRAVEL**

The Hon. D. H. LAIDLAW: I seek leave to make a brief statement prior to addressing a question to the Chief Secretary, representing the Treasurer.

Leave granted.

The Hon. D. H. LAIDLAW: In recent years many organisations, large and small, within the private sector have insisted that all their employees travel economy class when travelling by air within Australia or overseas. Any saving in overheads at present is to be commended, and I was delighted to hear that the Australian Government will direct that all Commonwealth members of Parliament, High Court judges, and senior public servants should travel economy class in future.

I understand that public servants in New South Wales and Victoria, when travelling by air, travel economy class but that South Australian public servants still travel first class. I suggest that the South Australian Government should follow the lead set by the Australian Government. The overall saving might not be significant, but the leaders in our community must set an example in reducing public expenditure.

The *Advertiser* also reports that the decision of the Australian Government will most likely bring about one-class air travel within Australia. I think that is also a commendable objective, because the cost of air travel has escalated dramatically over the past two years and, by eliminating first-class compartments which are often half empty and adding more economy seats, it should be possible to reduce the average passenger cost per trip. New Zealand has had one-class air travel for many years, and I think the standard maintained is quite adequate.

First, will the South Australian Government direct all State members of Parliament, judges, and senior public servants to use economy class when travelling by air on public business in Australia and overseas; secondly, will the Treasurer suggest to the Minister for Civil Aviation that it would be in the interests of the public and the private sectors in South Australia to introduce one-class air travel throughout Australia?

The Hon. D. H. L. BANFIELD: I shall refer the honourable member's question to my colleague and bring down a reply.

**FIRE BRIGADES ACT**

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to the question I directed to him recently regarding the Fire Brigades Act?

The Hon. D. H. L. BANFIELD: Legislation was passed in 1974 reducing the rate of levy by local government bodies to the cost of the Fire Brigade of South Australia from approximately 28 per cent to 12½ per cent. This reduction was effective from July 1, 1974. The Government has not considered the question since that recent amendment, and at this time does not intend to make any changes to the Fire Brigades Act regarding contributions by Government, local government, and insurance companies.

**SHACKS**

The Hon. C. M. HILL: Can the Minister of Lands explain the broad guidelines of his Government's policy towards shacks and shack owners along the coastline and the Murray River?

The Hon. T. M. CASEY: I will bring down a report for the honourable member as soon as possible.

**ROAD FUNDS**

The Hon. J. A. CARNIE: Has the Minister of Lands a reply to my recent question about road funds?

The Hon. T. M. CASEY: The amount of Australian Government funds to be allocated to South Australia for expenditure on urban arterial roads in 1975-76 is fixed by the Road Grants Act, 1974. Dissatisfaction with the urban arterial allocation has long since been expressed and reiterated to the Australian Minister for Transport. The basis for distribution of funds between States follows principles laid down by the Commonwealth Bureau of Roads in its report on roads in Australia, 1973, and takes into account all factors in assessing needs. Population is not a direct consideration and it is not intended to seek on a per capita basis an equivalent amount to that received by Western Australia.

**TRACTOR TESTING**

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: An article in the *Stock Journal* of last week stated that the Australian tractor testing station at Werribee, Victoria, was likely to close because of insufficient funds. As this is the only testing station of its type in Australia, does the Minister believe that there is a need for a tractor testing station in Australia? Further, is the Minister happy with the type of information issued by the station?

The Hon. B. A. CHATTERTON: The honourable member is quite correct in saying that the tractor testing station at Werribee is likely to close by June 30, 1976. The decision was made by the Agricultural Council earlier this year. I believe that the next meeting of the council in February of next year will perhaps consider the matter further, but it seems almost certain that Government support for the testing station will be discontinued. In principle, I very much support the idea of a tractor testing station, because I believe it has a useful role to play in providing information to farmers and users of tractors and other machinery. However, I do not believe that the station at Werribee has fulfilled its role, nor has it provided farmers with information that has been easily understood. The information from the Werribee station has been too technical and, therefore, has not fulfilled farmers' requirements. If testing was carried out from the viewpoints of performance, reliability, cost comparisons, etc., the station could be justified. Unless the testing station and the whole procedure are altered, I do not see much future for the station at present.

**MEAT**

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

Leave granted.

The Hon. C. M. HILL: An article, headed "Big meat cartel proposed by S.A. Plan to beat price cutting", in the *Australian* of August 13, states:

The South Australian Government is moving to create an international trading consortium with Western Australia and New Zealand to stop millions of dollars being lost through "unnecessary" competition in the sheep industry.

Later in the article, a spokesman is reported as follows:

Mr. Chatterton will confer with Mr. Old in Perth early next month to sound out various possibilities for rationalising Australian marketing. As a prelude to the Government-to-Government talks, Mr. Chatterton has called a meeting this week—

and that, of course, would have been last week—

of the Australian Meat Board and South Australian exporters and producers to discuss alternative marketing methods.

Will the Minister say whether, in fact, that meeting has been held with those interested parties, particularly the producers and, if it has, what was the reaction of those parties to the proposals?

The Hon. B. A. CHATTERTON: The meeting referred to in the *Australian* has been held, and I should like to emphasise again matters raised in questions asked last week regarding the same report. I think the headline over the report to which the honourable member has referred was somewhat unfortunate, because that was not really the intention. The meeting between representatives of exporters, producers, and the Meat Board was held last Friday morning, and the response was favourable. That would be the best way to describe it, particularly in relation to live sheep exports, in which area we can make immediate progress. This is the particular aspect I will be emphasising when I visit Western Australia in September. However, the question of sheep meat exports generally and frozen meat are a little more complex, as there are many more international competitors in those fields than there are in the live sheep export field. We can make immediate progress in relation to live sheep exports, and the suggestions made in the report will be taken up. Certainly, the reaction to them at the meeting to which I have referred was favourable. I repeat that it may be a little longer before we can get any sort of a decision on sheep meat exports generally.

#### MANNUM-PALMER ROAD

The Hon. J. C. BURDETT: 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. C. BURDETT: In 1973, I asked the Minister of Transport what was the time table for the proposed reconstruction of the Mannum-Modbury main road. On September 12, 1973 (page 695 of *Hansard*), the Minister also told me, after replying to that question, that reconstruction of the Palmer-Mannum road was to be commenced in that financial year and completed in the following year. About one kilometre of the approximate 14 kilometres involved has, in fact, been reconstructed to date, but no other reconstruction seems to be in hand. The rest of the road is in a shocking condition, although some of it is being repaired. Will the Minister ascertain from his colleague what is the present proposal regarding the reconstruction of that main road between Palmer and Mannum?

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

#### ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from August 14. Page 247.)

The Hon. M. B. CAMERON: I do not wish to take very long in this debate but, first, I should like to congratulate you, Sir, on your elevation to the Chair. I should also like to welcome new honourable members and congratulate those who have already spoken on the contributions they have made to this debate. Undoubtedly, we shall see some alterations in this Council because of the change in the structure of the Party representation, and, although I have heard many people say that this is not a political Chamber, one has to recognise that, under the new system of voting for this Council, all members are voted for by teams, or lists, and only the Party is voted for. Therefore, it is unfortunately inevitable that there must be a growing influence of the Party machines in this place. This was the result of a Bill introduced: to change the voting system for this Council. At that time it was essential that some change be made because, for too long, we had been labelled on this side of the House as anti-democratic and all the other things that were properly levelled against us.

Inevitably, change came, but from another Party, the Government Party, and this need not have been the case, because I can recall as far back as 1968, at a meeting of the Liberal and Country League, the then Premier (Steele Hall) made a plea to the Party to provide in a Bill for full franchise in Council elections. If that course had been followed the Bill would have been introduced by a Liberal Government and it would have taken into account the sorts of problem that have arisen in the recent election, especially in the case that comes to mind where preferences were not counted right out. Somehow our group has been blamed for this, and I should like to point out that the Bill was introduced by a Labor Government because South Australian Liberals in the past did not take the necessary steps to ensure that the full franchise applied in a properly set up system. I can recall the Governor coming into this Council and giving a Speech that more or less put the gun at the head of this Council.

The Hon. T. M. CASEY: Why didn't the Liberals take the initiative?

The Hon. M. B. CAMERON: In those days (and I do not want to be led into dialogue with the Minister) Liberals believed that it was possible to govern with the support of only a minority vote. However, that is not the case and in this Council the disparity of numbers was obnoxious and it was one that had to be cured sooner or later. I am sorry that someone else got the credit for that, and I am sorry that we did not move in this matter. In the future, I hope that Liberals will be known as Liberals. There will be difficulties from time to time in this Council, but I believe that the Council is a forum for discussion and is not a Chamber for the venting of personal spleen by individual honourable members.

There may be times when control in this Council will be difficult, but I assure you, Mr. President, that we will give you support in whatever steps you may be required to take to control Council proceedings, if such action becomes necessary, and I trust that will not be the case. I believe that all honourable members must look at the future of this Council. Most honourable members on the Government side who have spoken in this debate have made it clear that they were elected to this Council on a platform calling for the abolition of this Council. I was interested to read again (and I did hear it as well) the speech of the Hon. Mr. Sumner, who

indicated that the Council's future lay in the hands of the people at any future referendum and that much will depend on the image of the Council in the public eye. He said it was entirely up to this Council to determine its future, and I agree entirely with his remarks.

The Council's future lies clearly in the hands of its current members because, by the time the next election is held, the Government could have the numbers to comprise a majority; although I hope not, as I hope that by then the Liberals of this State will have convinced sufficient numbers of the South Australian people to vote for them, on the basis that they will be capable of representing the people, so that we can obtain the majority. However, that might not be the case, and we could see a complete change here. We could see a move for the abolition of this Council, as has been forecast. If such action is initiated and a referendum is held, much will depend on the Council's image in the public eye in determining whether the move will be successful or not.

This problem is something for the Council to decide. I have observed over a period of four years that this Council has been a forum for discussion between the lobbyists of industry and the people on the other side of the industrial wing; the unions. Of course, in the past the lobbyists of the unions, we know, have not been really significant because they have had too few members here to be effective; they have had to rely on the numbers in another place, but now that is not the case.

I believe it is essential for this Council and for its future image that the discussions between these two groups (which, I believe, have been conducted for far too long behind the doors of committee rooms and in conferences between the Houses, where no-one can see what is going on) are conducted whenever possible on the floor of this Council so that everyone, including the public, can see what is happening. I am sure that this Council in the past has done some excellent work but, unfortunately, too much of it has not been seen or heard by the public. The only things the public has heard about this place are the policies, on which there is a vast difference, between the Government and the Opposition on matters in which we, on the Liberal side of politics, have been right out of touch with the people—things like electoral reform.

It is completely wrong that this Council should have been labelled for so long, because of the actions of the honourable members on this side, as being anti-democratic and not here representing the views of the people. If the full story was known, perhaps the same criticism now levelled at this place would not be levelled at it; but I believe it is being levelled because so much of what has been done has not been seen or heard. We have seen only the end result, which quite often ends after a long series of discussions which no longer holds the public's interest. So, wherever possible in future, any such discussions should take place on the floor of the Council, where both the press and the public have full access to the meetings and to whatever opinions are given.

The role of our group in this place will be watched, I guess, with some interest, because it has been said that we hold the balance of power. I trust that that is not the case. I have said before that I hope honourable members will not divide up into such fairly close groups that we are put in the position each time of having to

make a decision on whether or not a particular measure succeeds. We do not want that any more than any other honourable members would want it but, nevertheless, if such a situation does arise, we are perfectly willing to take that responsibility and whatever criticism may flow from it.

It has been in the past, of course, the image of Liberals (and, unfortunately, this has grown up over the years in South Australia to the extent that we have very small support in the city) that we are Liberals provided that we espouse the sort of views that will attract the approbation of the extreme right. That will not be the case any more because I do not believe that is the way that Liberals should be viewed by the public. Whilst they are viewed by the public in this way, we certainly shall not succeed in the metropolitan area with the sort of support we need in order to achieve Government, and also to make sure that the union-dominated Labor Party does not become the dominant force in this Council. I think that, from our point of view (the Liberal Movement), the role that we shall play will be one where we shall not be totally rejecting every piece of legislation that comes up, for obviously that would be completely wrong. Where we believe the Government has a mandate, we shall be criticising the legislation if that is necessary; but certainly we shall not be obstructive.

To claim a mandate for everything stated in a policy speech is, I believe, erroneous. So often what is said in a policy speech is the sugar coating of what the Government wants the people to see: the bitter pill underneath quite often is the part we want to see. What is written in a Bill brings into force the policies that have been enunciated at elections, and often it is probably necessary for an Upper House to hold over legislation in order to give the public more time to see just what the legislation really means to them. This could be done in two ways: first, the Council could hold it up by making sure that Bills go to Select Committees if sufficient information is not available; secondly, by rejection. We favour the first course wherever possible in order to give the public time to present its views.

As I have said in the past, the system of operation in this Council needs looking into. I repeat that now. I watched the other day while we were discussing the Railways (Transfer Agreement) Bill and saw the Minister in charge of the Bill attempting to obtain information from his advisers, with other people running backwards and forwards to the gallery. It seemed to me that the Minister badly needed someone who could give him advice on the spot. I ask the Council, at some time in the near future, to consider the system operating in the Senate, where the advisers sit with the Minister in charge of the Bill, who thus has advice available to him on the spot.

I think we expect far too much of the three Ministers in this place. They represent many portfolios, and it is not possible for them to understand fully every Bill that comes before them. The Council should not expect this, but should understand the situation, and I ask that arrangements be made so that it is possible for Ministers to have their advisers on the floor of the Council. No doubt this will mean a change of Standing Orders and perhaps some alteration in the structure of the Chamber, but I believe it is essential, if we are to obtain information on the spot on Bills before the Council, that this course of action should be pursued. Too often in the past Bills have passed this Chamber with the Minister promising to get information after the measure has gone through. I do not believe that

we should be expected to pass legislation in this way. The information should be available to us at the time. Although the Governor's Speech contained many matters, I shall comment on only one or two. The first is the move for a Beverage Containers Bill. I think that is the proper name of the Bill, but I am sure the Minister understands what I am talking about.

The Hon. R. A. Geddes: The intention is there.

The Hon. M. B. CAMERON: Yes, the intention is there. I am concerned that such a Bill might be designed specifically for the abolition of cans. The Minister shakes his head, but I am not at all certain that that is not the case. If the Minister is using this legislation to get rid of cans, and using the environmental lobby to do this, it would be completely wrong. I am curious to know why the Minister is tackling cans and not other containers used for cool drinks, as well as mass sales items such as beer. Only cans are to have a penalty imposed on them, and I wonder why beer bottles are not to be penalised in the same way.

The Hon. R. C. DeGaris: What about wine bottles?

The Hon. M. B. CAMERON: We could have a penalty on wine bottles, although people do not drive along the road throwing them out of car windows (or, if they do, they have a big problem).

The Hon. R. C. DeGaris: Has the honourable member's view on this changed?

The Hon. M. B. CAMERON: It has not changed at all. If the Hon. Mr. DeGaris is patient he will hear my view. I believe such legislation should pass, but I would like to see included in it a deposit on beer bottles. Cool drink bottles have a deposit and now cans probably will have a deposit, so why should not beer bottles be included?

The Hon. B. A. Chatterton: Beer bottles are under deposit as well.

The Hon. M. B. CAMERON: Not to the same extent as cans. The Minister knows that that deposit is 10c a dozen bottles, which is quite a different matter from 10c each. I regard beer bottles as a far greater environmental hazard than cans. Most cans, apart from the aluminium ones, eventually almost disappear, but broken glass does not disappear unless someone picks it up. Bottles are virtually non-destructible by the environment. If the Minister is genuine in his concern about the environment, I should like to see included in the legislation a deposit on beer bottles.

I am not sure that the Government move eventually to ban cigarette advertising will be the success the Minister believes. I am very much opposed to the advertising carried out at present by cigarette manufacturers, because I think it is totally misleading and a misuse, as is so much advertising, of the art of psychology, giving a totally wrong impression of the end result of smoking. It gives a person the impression that, so long as he smokes a cigarette, he will have health, wealth, sex and happiness *ad infinitum*, but everyone knows that that is not so. I heard on the radio this morning that a doctor in England had said that smoking does not cause lung cancer, or that it has not yet been proved that it does. Lung cancer is a comparatively rare disease, but I am concerned with associated problems of heart attack, hardening of the arteries, and other things; those are the real problems. However, I do not believe that, by driving advertising underground, we will achieve the desired result. It will only make cigarettes a sort of forbidden fruit. I should like to see severe restrictions placed on the advertising that can be used, but I do not think banning the advertis-

ing of cigarettes will be the success the Government believes. As for the rather insignificant statement to the effect that smoking is a health hazard, I think that might as well not be used. I have a psychologist friend who tells me that the word "hazard" encourages young people, that it is a word that makes the action sound daring, and that, in fact, its use might be having the opposite effect from that desired. I have much pleasure in supporting the motion.

The Hon. N. K. FOSTER: First, on behalf of my colleagues on this side of the Chamber, and especially those members on this side who were elected at the recent poll, I should like to convey our thanks to the large percentage of voters who supported the Labor Party at the recent elections. My colleagues have left it to me to record in *Hansard* that they appreciated the support they were given on July 12, in spite of the vigorous and vicious campaign and the dirty knocks and hard deeds we had to contend with from our political opponents and, of course, from many sections of the press which so ably support and abet them in many of the false impressions they contend that the electorate should take as gospel merely because it is printed. I should also like to record in this place our thanks to those who worked very hard indeed to conduct the election for the Legislative Council (apart from that for the House of Assembly), which was carried out for the first time on a basis completely different from that on which the Legislative Council election had been carried out previously.

It is not good enough, perhaps, to record at the declaration of the poll one's heartfelt thanks, and so on; it should be recorded in this place and again, on behalf of my colleagues on this side, I express appreciation of the manner in which the State officials, the Returning Officer, and indeed all the immediate and the more casual staff on polling day carried out the responsibilities that became their lot following the issuing of the writs for the election on that day.

I should like now to reply to the Hon. Mr. Dawkins who, the other day, said something to the effect that I seemed concerned. The Hon. Mr. Dawkins has been in politics much longer than I, and I thought perhaps he may have thought about what happens at the declaration of the poll. I was involved in one situation which was most extraordinary (I refer to the declaration of the poll in the federal district of Sturt in 1969, when some shocking things were said and done), but the Hon. Mr. Dawkins should have realised by now that one does not win votes at poll declarations, especially when that declaration follows every other House of Assembly declaration that has gone before it by about two or three weeks. While I have that gentleman's name on the tip of my tongue, I must also draw attention to some of the misleading statements and some of the innuendoes (while he now reads *Hansard* and checks what he said last week) regarding assistance given by the present Commonwealth Government. Whatever its public rating may be at the moment, facts and figures speak for themselves. Never before in my recollection (and I would love to be corrected by members opposite if I am incorrect) has there been such a flow of money into South Australia from Commonwealth sources. If the honourable member cares to interest himself sufficiently, I suggest that he obtain a copy of *Australian Government Financial Assistance to South Australia*.

The honourable member seems to be interested in local government. I do not want to weary the Council with a lot of figures, but I refer honourable members to page 58 of the publication from which I shall be quoting. The honourable member should obtain a copy of this document and take it back to read in his country residence, because the information is set out in a simple form. No doubt when honourable members opposite hear that something is set out in a simple form they think that the Government of the day is setting it out in that way on the basis that people in industrial areas can be made to understand; even the honourable member, who objected last week, would understand the form in which the information is set out. Various regions are listed, including the metropolitan area (region No. 1), the outer metropolitan area (region No. 2), and Kangaroo Island (region No. 3), etc. I shall deal first with the Murray Mallee in connection with loans, grants and some forms of financial assistance. The Coonalpyn District Council received \$18 000 and Karoonda received \$17 000. Other amounts are stated, totalling \$286 000, for region No. 4.

The Hon. Mr. Dawkins can do his homework as regards the amount for the South-East, but I assure him that he will be astounded to learn the amount that the Commonwealth Government has given local government in this connection. I do not expect him to be so politically unbiased as to consider that what he said was so much damned rubbish. I see that the honourable member is smiling; if he reads page 62, under the heading "National estate grants", he will see that the Angas District received \$68 000. Much has been said recently about the Barker District. The Hon. Mr. DeGaris, who has now left the Chamber, objected to my asking a question for the purpose of ascertaining how much the State Government and the Commonwealth Government had spent in that area. The only two areas mentioned at that time were the State seats of Millicent and Mount Gambier, which were lost by the Labor Party. It is said that there is a great deal of anti-socialist feeling in those areas, and much has been said about what those "terrible socialists" have done, but no group in Millicent or, indeed, in the South-East generally has said that it does not want the money.

Let us take the matter to its logical conclusion: if it is State Government money, it is socialist money, and perhaps those who are complaining should never taint their wallets with it. Should local councils, kindergartens, schools and social welfare agencies never get money from that source? The figure for Angas is \$68 000, and the figure for National Estate grants in Angas is \$1 150. I am referring to page 62 of the publication. The Grey District received \$10 000 and the Adelaide District received \$100 150, but the Barker District received \$162 000. The Angas District received a further \$125 000, and the Barker District received a further \$108 500. I suggest that the honourable member read the document to page 63.

I turn now to an area absolutely neglected by Liberal Governments in this State over many years; I refer to sewerage programmes (or lack of sewerage programmes) not only in the country but also in the growth areas on the fringe of the metropolitan areas. These were once areas of shocking neglect. One only had to walk through the north-east suburbs to see evidence of neglect. Even today the problem has not been completely solved. The stench used to be terrible on a summer day, but the situation is not so bad today. Roads were once in a shocking condition in developing areas.

The Hon. Mr. Hill is looking interested, and so he should, because he was the responsible Minister in the Hall Government when it was in office between 1968 and 1970. Much damage was done during that period. I want to explode once and for all the absolute myth that the Legislative Council has in the past been a House of Review. When will it dawn on the dull thinking of honourable members opposite that this Council has not been a House of Review? It is now, in 1975, that honourable members opposite find time to pull up their socks and regard this place as a House of Review, but they cannot put the clock back. They have never punched a Bundy clock, and do not know what work value is all about.

Regarding sewerage, the Hon. Mr. Dawkins implied that no money was given by any Government to areas that returned Liberal members to this Council or to the Commonwealth Parliament; that is far from the truth. In connection with the scheme of grants for sewerage work, in Labor districts the total is \$2 645 000, while in Liberal districts the total is \$2 752 000, Barker receiving a fair slice. In addition, there was \$250 000 for supporting programmes in connection with the northern triangle area, of the nature to which I have referred. So much for what the honourable member said about grants that go to various areas.

The honourable member has now commenced reading the *News*, which has played a prominent part in this Council. In 1973 there was a likelihood of the Council being forced to an election when the Bill for adult franchise was before the Council. Later, I will tell the Council what a prominent part the *News* played in connection with the then occupant of the Chair.

Let me now refer to amounts outside the normal education grants; I am referring to innovation programmes. Here again, country areas have done quite well on a population basis. In the Boothby District a number of projects, which can be identified in the publication, cost \$13 478; in the Angas District, projects cost \$24 980; in the Barker District, \$44 425; in the Sturt District, \$48 308; and in the Wakefield District, \$23 151. The total amount is about \$727 975, whereas the total in Labor Party areas is \$573 633. So, it is no good for the Liberal Party members to continue to play their dirty tricks in here. The figures speak for themselves. Opposition members can check in their own districts to ascertain whether the information I have given is correct. I admit that I have given approximate figures in some cases; there may be slight variations. Much criticism has been levelled at the RED scheme. This is another source of money for district councils, and in some cases it involved projects which would not necessarily have been undertaken or with which a council would have decided not to proceed because it would have necessitated an increase in its rates. I agree that much of the work done under the Regional Employment Development scheme has been done purely and simply because that scheme was in existence: it would not have entered the minds of the councils involved to undertake such works had the RED scheme not been in operation. I have figures which illustrate this. In some cases, money has been spent on what I would consider to be affluent racecourses, and so on, and in other cases money has been used on, say, old hotels and buildings which are of historical interest and which are looked after by the National Trust. It is indeed a good thing for a Government to institute a programme such as this, thereby making available to respective councils the financial sinews to enable

them to undertake this work. The Government should be commended, not condemned, for this.

Much of the money that has been allocated under the RED scheme has gone to local government. In Barker, for instance, \$1 924 356 was allocated; that money would have had to be levied from the ratepayers of the area had the Commonwealth Government not allocated it. It is deplorable to read in the newspapers that a council, to which the Hon. Mr. Dawkins has referred, is laying off a number of its workers because it is confronted with the staggering decision whether it should increase its rate in the dollar by 1c. Rather than do that, the council concerned has put a number of people to the wall and, I understand, served dismissal notices on them. In addition, I suppose that council will scream to the Commonwealth Government (of whichever political persuasion it may be) to obtain some sort of recognition that the plant formerly used by these people to whom I have referred is no longer able to be used, so that it will then be able to claim a further depreciation allowance on that equipment.

In addition to the figure to which I have just referred, in connection with the Barker District, the Highways Department received \$41 812 in relation to that area, making a total allocation of about \$1 064 000, which is not bad. In Munno Para, if the honourable gentleman concerned will just drop his *News* for a moment, there was a staggering total allocation of \$3 294 507. That is somewhere near the honourable member's stamping ground, so that area has not done too badly from a Government that honourable members opposite say has been throwing around money elsewhere as if it was going out of fashion. I think the tap will probably be turned this evening, although that is only a prophesy on my part. The fact is that that area has received money.

I think I have gone far enough with this document to prove what I have been saying. The Tatiara council received nearly \$100 000 for a community project, and it did not have to levy that sum from its ratepayers. If one considers the number of ratepayers in that area and the total sum levied from them, that sum of money would represent the figure about which I bitterly complained recently and which the council was not willing to levy against its ratepayers to ensure that these townspeople, for whom country members opposite so often plead, were kept in employment. That is just one item alone in this document. One can go right through it and see many other examples. It is incredible to see the sum of money that has been made available to certain areas in this respect.

The Hon. M. B. Cameron: Who signed that document—Father Christmas?

The Hon. N. K. FOSTER: No, he did not. However, I will refer to that aspect later. The fact is that \$13 000 000 has been allocated for various projects. But I suppose we shall hear the bleats this evening, when the Commonwealth Budget is delivered. When the Hon. Mr. Cameron goes down to the South-East at the weekend, I suppose some of his constituents from, say, Millicent will come to him and say, "Those dirty rotten so-and-so's in Canberra have stopped our scheme." If that happens, I am sure the honourable member will try to influence people here and say the same thing. He will say, "That rotten Commonwealth Government has turned off the tap. They have hanged Father Christmas, and I have a problem in my district." I think I have just about exploded the argument that the Hon. Mr. Dawkins raised.

The Hon. Mr. DeGaris would be about the greatest bush lawyer that I have ever struck. He is a beauty, getting up in this place, making statements to the press, and going on television, saying that the Constitutional Review Committee should look at this, that, or something else. It seems to be a great thing in his mind—a brain-child of his own that has happened only in the last two or three years. However, committees have been operating in this area for some time. Indeed, there were constitutional conventions and legal conventions before the Hon. Mr. DeGaris and I were even thought of, and two of the most important conventions were held in South Australia. The last one was held here in 1898 and the one before that, if my memory serves me correctly, was held in about 1891. I can see the Hon. Mr. DeGaris writing all this down. He will probably get up later and say that I was wrong by 2½ months!

The most important constitutional review committee that I know of since the First World War is the Joint Committee on Constitutional Review in 1959, of which one of the Leader's colleagues was a member. I refer of course, to Sir Alexander Downer, who had his democratic rights in regard to this review. If the Hon. Mr. DeGaris wants to read the report of that committee (and no doubt he will tell me he has), he will see that his colleague brought down a minority report. However, that is not the point I wish to make. As you know, Mr. President, because you were once a member of the band of legal eagles, there is hardly one aspect of commercial, industrial and franchise matters on which some recommendation is not made in that report. Honourable members should look at the report in relation to transport. I interjected in debate recently when the Hon. Mr. DeGaris was waffling about the Railways (Transfer Agreement) Bill. He was waffling on about the dangers that the Commonwealth Government might inflict on the community because of the introduction of the Interstate Commission Bill, which was recently before the Senate. He has forgotten that down through the years that Bill has been the subject of much political conjecture by persons of different political persuasions.

He failed to recognise, or conveniently forgot, that that legislation was in operation in this country for many years. He also failed to remember, when he stood high in his stirrups to say what evil things the Commonwealth Government might do to the States, that it is designed to protect the States so that one State does not have an unfair advantage over another. Was it not taken from parallel legislation in the United States which is still in force in that country? The Hon. Mr. Hill should have been aware of this when he was involved, as a Minister, with containerisation, about which much was said the other day.

In fact, there were recommendations in 1959 and preceding years, dealing with matters that many people believe came on to the political scene only in the last two or three years. But the recommendations made in this report have never been implemented. No Commonwealth Parliament has ensured their implementation or put them to the proper test through debate. Many people believe that the matters referred to in the report have been on our doorstep only for the last two or three years, but I refer to the sections of the report dealing with nuclear energy and the mining of uranium. None of those recommendations has seen the light of day.

I refer to the recommendations in relation to industrial legislation. The Hon. Mr. Cameron said that some honourable members on this side represented the vested interests

of unions. Although he did not use the word "vested", that is what he meant. What are unions? Honourable members opposite say that we represent unions, but it can be said that they represent insurance companies. However, that is apparently accepted by some people as being creditable and satisfactory. Unions involve more people than do insurance companies, but honourable members opposite say in a derogatory tone that we represent unions. Over the years, unions have had to bow to the professions, especially the legal fraternity. Indeed, I am worried that we may have to return to that situation. The recommendations in the report regarding industrial legislation have never been properly considered.

I wish that the Hon. Sir Arthur Rymill were still in this Council so that his attention could be drawn to the recommendations involving hire-purchase and secondary banking to which I shall now refer. The Bank of Adelaide is just one of the many organisations with which the Hon. Sir Arthur is linked. There is a branch of that bank in a little lane to the rear of a tall skyscraper in Victoria Square. Next to that branch bank and towering above it is the headquarters of the Finance Corporation of Australia, a wholly-owned subsidiary of the Bank of Adelaide. If a graph were drawn, we would see the parent company held down, making a much smaller profit, while the subsidiary company scraped the heavens in profits.

I can imagine the many young people who have secured a loan from the Bank of Adelaide. They have obtained a first mortgage loan but, because they are negotiating for that loan with that institution, their only alternative is to get their second mortgage from F.C.A., and that is where the rip-off begins. Why have these people had to pay such exorbitant rates on their second mortgage? It has been because they have lived under Governments and Parties represented by honourable members opposite. Honourable members opposite followed the example of people such as Sir Robert Menzies, who took the Banking Bill to the High Court, which decided that the privileged few should be allowed to have rip-offs from society generally.

While perhaps the most buoyant and profitable times have not been with us recently, in the past the various hire-purchase companies, such as those associated with the Bank of Adelaide, the Bank of New South Wales, and the English, Scottish and Australasian Bank all enjoyed a wonderful rip-off for decades. Honourable members opposite have never bothered to see what the Constitutional Review Committee said regarding this area of commerce. Further, those who were involved in considering the franchise legislation never thought to see what was contained in this report regarding the drawing of equitable electoral boundaries.

It would be remiss of me if I did not clearly explain to this Council who really represents whom, and I am sure the Hon. Mr. Cameron will be interested in this point. Certainly, the Hon. Sir Arthur Rymill, who is no longer a member of this Council, did not represent trade unions, as the Hon. Mr. Cameron suggested honourable members on this side did. I will now tell the Council what the Hon. Sir Arthur Rymill represented, and I will include some other influential people at the same time. The Chairman of Adelaide and Wallaroo Fertilizers is Sir Arthur Rymill, and other members of the board include Messrs. D. M. Fowler, K. W. Gardner, D. H. Laidlaw, and J. I. N. Winter, and Sir Norman Young.

Of course, that group did not want to see the Trades Hall obtain a loan, because they are not represented on the

Trades Hall. I now turn to the Amscol board, whose Chairman and Managing Director is Mr. H. F. Beauchamp, with Mr. F. T. Beauchamp, General Manager; Mr. G. R. Pobke, Secretary, and Mr. G. B. Lindsay, Accountant. The Chairman of Bennett and Fisher Limited is Sir Arthur Rymill, and also on the board is Sir Edward Hayward, a member of the Adelaide Club who hails from the million-dollar mile of Rundle Street and who wields the power there. Sir Arthur Rymill was the power broker in this Council. True, he was not the Leader; he never sat on the front bench. He gave his lieutenant that position, provided the lieutenant did what he was told and jumped when the puppet strings were pulled. When he called, the other jumped. Also on the board of Bennett and Fisher was Mr. J. V. Ayers, a good old established name, and Sir Norman Jude, since departed, who fought the workers for years. He was accorded a State funeral, yet he was against socialism all his life. Also on the board is Mr. E. H. Burgess.

Elder Smith Goldsborough Mort, another big company, has a board comprising Sir Norman Giles (Chairman), Mr. J. N. McEwin (Deputy Chairman), Mr. B. R. Macklin, Mr. I. R. McTaggart, Sir Colin Syme, Mr. D. H. Sargood, Mr. A. M. Simpson, Sir Ewin Waterman, Mr. J. T. N. Winter, and Sir Norman Young. Does not the pattern become clear as to who represented what in this place? Yet honourable members opposite sit in this Council and occasionally refer to the grand sum of their efforts saying that they have been members of a House of Review. Eudunda Farmers has a board comprising Mr. E. O. Eime (Chairman), and Messrs C. A. Mann, C. M. Giles, F. S. Arnold, and H. O. Goldfinch. South Australian Co-operative Bulk Handling Limited has a board comprising Mr. J. H. Paubey (Chairman of Directors), and Messrs. H. M. Venning, L. H. Heaslip, T. Shanahan, R. T. Hood, H. S. Dean, H. G. Rosevear, E. C. P. Edwards, C. G. Miller, and J. K. Clift. Are they members of the Labor Party?

Both the *Advertiser* building in King William Street and the A.M.P. building opposite this Council were paid for almost entirely by taxpayers' money, because most of the floors of those buildings were occupied by Australian Government departments. Has that not been the pattern in the case of all the major buildings in this city? Do honourable members opposite recall that the Taxation Department tenanted the *Advertiser* building until it was almost paid for, and then moved to other accommodation. We could go to every major building in this city and find an example of that.

Sir Arthur Rymill is a director of the Australian Mutual Provident Society (S.A.), Bank of Adelaide, Bennett and Fisher, Executor Trustee, the South Australian Brewing Company, Wallaroo, Mount Lyell and G. and R. Wills. Some of his shareholders are in such companies as Adelaide Chemical, Cresco, Cellulose (which got a hand-out from the Government not so long ago, did it not?), Bagots, the *News*, Perrys, Myers, F.C.A., Fauldings, South Australian Portland Cement, Elder Smith, Adelaide Steam, Beneficial Finance, and Argo Investments. Pastoral interests include Koolinga station, MacGillivray; Penola station, South Penola; Kondoparinga, Lincoln Park, Victor Harbor; and Old Penola, Penola. That is enough.

Let us look at the representatives in this place now, Mr. President. I refer now to a book by Hugh Stretton. That may strike fear into the hearts of those honourable members on the front bench but, if they have read the book, no doubt they will appreciate what I am saying.

It is called *Ideas for Australian Cities*. This is the second edition. The one in which the Hon. Mr. Hill is mentioned is still hard to come by. I will not say how I obtained this copy, but it came into existence only the other day. I will read from page 161:

A Town Planning Department was set up to plan new towns on Crown land, and extend old ones, and local councils were encouraged to set up planning committees and planning schemes, which many did. Land subdivision was brought under joint local and central control. Most of this was repealed in 1929.

I will put up presently a date that all honourable members can remember. The book continues:

A weak patchwork of controls survived under building, health and other Acts until in 1951 the Playford Government was moved—not very far or fast—by its first misgivings about the development of the city as a whole. It appointed one of its typical committees of public servants and private citizens to consider whether there should be any planning of metropolitan development. The events of the next four years set a pattern which was repeated through the following 10.

We have already lost about 15 years. This is where the committee that was talked about should do something for the people who walk outside of this building. The book continues:

The committee quickly recommended action. The Government waited two years before introducing a weaker Bill than the committee had recommended. The Government's own majority in the Upper House then delayed the Bill another year, and weakened it further.

Where is the Hon. Mr. DeGaris? He has left the Chamber. "The House of Review", he says. What did it do? It stifled town planning in this State for years, as I shall prove. The book continues:

As passed, it merely tinkered with subdivisional controls; but it did create a permanent Town Planning Committee which was (among other duties) to prepare a metropolitan development plan. For some time it was given no means of doing so.

Not a bad way of stifling things: the then Government set up a committee, put it in a corner, and did not even give it a chair to sit on, let alone supply it with equipment. The book continues:

Towards the end of the customary two-year delay the Government imported Stuart Hart from England as Town Planner, and after further rumination, allowed him a few staff. Hart began work on what seemed to be a very scholarly and thorough metropolitan survey. It was interrupted when the subdivisional boom of the late 1950's alarmed him into submitting a quick interim development plan and report in January, 1960. This included three urgent recommendations for emergency action. The Minister considered them for six months then non-committally allowed parts of them to be published. After a while he introduced a Bill which did not give effect to any of them.

Wonderful stuff from one of the best writers on this matter who has been able to write in this country! The book continues:

The subdividers and the planners got on with their respective concerns and in October, 1962, the full-scale Report on the Metropolitan Area of Adelaide, including a 30 year development plan, was submitted. The political circumstances made sure that the 1962 plan should propose nothing very drastic. Hart and all his senior planning assistants were immigrants. They came into a community which needed educating in the idea of planning, and they served a Government openly hostile to it. Just as in Canberra, Overall remembered what happened in 1930 to Butters' commission, so Hart knew of Adelaide's disastrous reaction against ambitious planning in 1929. He had the awkward task of proposing a future which the Government might accept, for a metropolis which voted regular majorities against the Government. In most respects the 1962 plan tried to give orderly expression to the landowners' and

citizens' own preferences. It would reserve the hill-face and some of the hill country from suburban development. Take note, Mr. Hill, because we will come back to that later. The book continues:

...but where Hart wanted to reserve some other areas of special rural charm or value, Playford wouldn't let him. So the metropolis was planned to grow where the subdividers and home-buyers wanted it to grow, at the low densities the people preferred. The planners were as careful as Playford himself not to put pressure on land prices. They mapped 30 years' supply of new land... and so it goes on. The book continues:

When it received this plan, the Government was quicker than usual in deciding to do nothing rash. It published the report and plan next day, and the next year amended the Act to allow a further year of objectors to object.

How much longer do we want; how much longer can we get? The book continues:

It considered the plan's traffic proposals for three years, then ordered another survey of metropolitan transport needs, which took three further years to carry out. Significantly, this study was confided to a committee of which the Highways Commissioner, not the Town Planner, was chairman. But even when a later Government did its best to enact the metropolitan plan, that plan still served chiefly to show how hopeless it was (and is) to try to shape a city's growth by regulation alone.

I will not reiterate it because honourable members will get weary, but I could not put this book aside without mentioning this on page 167:

Playford's Government rarely had an electoral majority—that is, over the whole State for all the years it was in office—

and it never had a metropolitan majority. But its industrial programme in country towns and at the margins of the metropolis was handing one small rural electorate after another to the Labor Party, which at length won the 1965 election and began three years of quick-firing legislation.

The Upper House was still 16 to 4 against Labor. Talk about a bookie calling the odds! It was 16 to 4 against Labor without the House of Lords inhibition about money Bills. The Hon. Mr. Burdett dug deeply into the channels of history and research about the House of Lords, and said: "Ha, ha; I have found it," going back to the times of mythology; "This is how we can exist." He found something in a book from which he quoted with a gleam in his eye. I have no doubt he found it at 10 o'clock the previous night and did not go to bed but checked it out so he could quote it here the following afternoon. The honourable member referred to the fact that we can exist in this Council because we can initiate legislation in this place. "I have never noticed it previously. My predecessors were dumb and they did not think of it either, but last night, between commercials, I was able to see it." That is where it was. The quotation continues:

The Upper House (still 16:4 against Labor, with none of the House of Lords' inhibitions about money Bills) let through a spate of social legislation. It absolutely blocked attempts to tax rich successions or democratize the constitution. Between these extremes, other Bills were passed with various amounts of amendment. One of these was the Planning and Development Act which replaced all previous town planning Acts.

This Act was meant to give effect to most of the intentions of the 1962 plan. It might have done so, if the powers it created had been used together with some masterful public land acquisition, planning and investment. But the Bill as written, then amended in the Upper House, left too many planning initiatives to local authorities—

the East Torrens District Council would be one, I am sure—

who hadn't the financial or professional resources to plan their districts in any positive way. And the Government which wrote the Act did not survive long to implement it.



In opposition, Playford gave away to a younger Party leader and retired. In 1968, at the end of a protracted cliff-hanging election, Labor with 53 per cent of the vote lost—

it would not be in today's edition of the *News*—

The Hon. M. B. Cameron: This year they had 49.99 per cent.

The Hon. N. K. FOSTER: I am not talking about this year. The L.C.L. had 43 per cent of the vote and three of the 13 metropolitan seats. Members opposite should bear that in mind when they talk in this place about the franchise. The quotation continues:

The new Government appointed Murray Hill to be Minister for Local Government, for Roads, and for Planning. He was a conservative member of the Upper House, a land agent, an experienced subdivider of the hills and hill-face.

Look at the rape existing today in one of those so-called developing areas. I took time off on Sunday to waste the petrol and the energy to go to the top of the area. Of all the bloody disgraces imaginable, that is one. How it ever came to be named Skye, I do not know. I have often heard of, although I have never had an opportunity to visit, the delightful place in Scotland by that name. It is often depicted on calendars; I saw one quite recently. It is nothing like that. Mr. Dean Brown, the local member, put on a great turn regarding increased water rates, but he did not mention the water rates in Skye because the East Torrens District Council did not have services laid on for that area. The people there had their own private supply, but they would love to get on the reticulated system as it exists for other areas.

The Hon. C. M. HILL: I take a point of order, Mr. President.

The PRESIDENT: The point of order is what?

The Hon. C. M. HILL: The honourable gentleman, as I heard him, clearly implied that I was in some way connected with the subdivision of land in the Skye area of the East Torrens council. I had nothing whatever to do with that.

The Hon. N. K. Foster: I am sorry if his conscience is digging him.

The PRESIDENT: Order! Is the honourable member making such a reference?

The Hon. N. K. FOSTER: I can anticipate what you are going to ask. I said:

And one of those subdivisions was Skye.

I referred to the development and the plans that went ahead, reading from this publication. Mr. Hill, were you in on that?

The Hon. C. M. Hill: Did you not hear my explanation?

The Hon. N. K. FOSTER: I thought I did. Do not get so touchy about that. The honourable member has been with a real estate group for some time and he has not done a bad job for the people he represents. I hope to do a fairly good job for the people I represent. The honourable member should not get so damn touchy if he gets a slight mention. I said he was a conservative member. The quotation continues:

...and an open and extreme opponent of all except very local and purely advisory planning. During his two years of office no effective use was made of the new planning authorities' powers to buy land and plan, develop or re-develop it. They did their best, which in the circumstances could not be much, to regulate private landowners' and investors' initiatives—or to encourage local authorities to regulate them. But they were no longer the only planners of the metropolis; and their new rivals—of whom the Minister *did* approve—were more likely than any in the city's history to convince a majority of its citizens that "planning" was a menace.

In 1965 the former Liberal and Country League Government had commissioned a Metropolitan Adelaide Transportation Study.

Honourable members would not like me to read to them what this expert author has to say in that regard. I have said enough. I commend the publication to anyone: Adelaide as a Labor land agency as against Adelaide as a Liberal land agency. When the library gets a copy, it will be available to members.

I turn now, if I may, to some comments on why I think this place might survive. We have had expressions of opinion as to how it might survive, but no-one on the other side has touched on any of the real reasons why this place may exist. The editorials of the *Advertiser* are quick to say that the blokes from the A.L.P. are rubber stamps. Many of the editorials I read in the *Advertiser* I could say are rubber stamps or parallel thinking—

The Hon. C. J. Sumner: Who uses the stamp?

The Hon. N. K. FOSTER: A very good interjection. While members opposite are worrying about the existence of this place, its history, and the future of this State, should they not, with members on this side, be turning their minds to whether or not this State, as a State, can continue to exist? I do not say that in the narrow political sense that someone from that side may introduce, saying that the Labor Government is here and that we might be bombed out of existence or put to financial ruin. The tremendous growth in this State within the urban areas relies on one source of water supply. I could read to members a copy of the report of the committee on the environment and the inclusion in the report dealing with water surveys, underground waters, waters from streams, catchment areas, and so on, and I could weary members with many figures. However, the requirement of water for each person in this State in the past 10 years has increased a hundredfold, yet we rely on one stream.

I heard the Hon. Mr. Dawkins (he has not finished the *News* yet; he is a slow reader) mention it. He said he would go along with any scheme the Labor Party might like to put up regarding improvements in the water supply. He would go along with any scheme! He wants to pick the brains of others and then criticise them for thinking. Why did he not say, "On behalf of myself and my colleagues, we are at a stage in this State where we have to put aside political squabbles and political arguments. We have a real problem." That is the way in which members of this Council could turn their minds to whether or not each of us, or all of us collectively, for that matter, could act in this way. Certainly, there will be Party divisions and differences. Why should there not be? We are relying today, however, on a river that is increasingly polluted, a river which will not even in our life time sustain life as we now know it.

The Snowy Mountains scheme in New South Wales was first talked of in the 1870's, although work did not commence on it until the late 1940's. However, it was being spoken of by our elders 100 years ago, and the basic principles of the thinking changed very little over that 100 years. The basic principle for the success of that scheme was the turning eastward of the flow of water wasting into the Tasman Sea, or the Pacific Ocean. It was turned to the opposite direction. That period of 100 years saw a great advance in technology, and even members opposite probably realise that.

The Hon. M. B. Cameron: We got Chowilla.

The Hon. N. K. FOSTER: Forget that. The advance included the hydro-electric scheme, out of which South Australia did very badly. We should have a power supply to the grid system at Renmark, at least. We did not get what we thought we would get, and the water quality was not what we thought it would be. It is extremely damaging from the viewpoint of the overall life of the river.

The Hon. M. B. Cameron: It is two years behind schedule.

The Hon. N. K. FOSTER: It is later than the honourable member thinks. The Snowy scheme was a very good scheme, but in some respects it has been extremely damaging. One of the greatest polluters of the river system is the irrigation network in South Australia and Victoria. The irrigation system is one of the crudest systems imaginable, and it could not be designed more perfectly to pollute a river that flows slowly. The rate of fall to the sea over the last 160 kilometres of the Murray River is but a few centimetres. The Murray River is one of the slowest flowing rivers in the world.

It has taken three generations of "progress" to develop the irrigation areas, and we probably pay a hell of a lot of indirect taxes to maintain those areas. It has taken three generations to get people there, and we should be planning a couple of generations ahead to get people out of the areas. We cannot close them today. A few years ago the Federal Government suggested that fruit trees be removed; that suggestion was made because of the situation facing the industry at that time. We have now amassed data telling us what happens when the irrigation channels at Waikerie are in full use. The channel and furrow system that is used is a very primitive system that is also still used in Syria. The sprinkler system is also used. When we compare the salinity count four hours before irrigation commences with the salinity count four hours after irrigation has taken place, we see that the salinity has increased considerably, and salt has been leached from the ground.

The Australian Broadcasting Commission presented a fine research programme on the Murray River system, and the commission published the book *Rivers of History* by Edmund Gill; every person should read this book. We must recognise the difficulties involved. I am not a conservationist to the extent that I would say that people ought to live in bark huts; we cannot do that in this kind of society. When someone tells me that a pig in a catchment area produces three times more waste than does a human being, I do not say that all the pigs ought to be removed. If a cow produces a great deal of waste, I do not agree that we ought to close down all dairy farms in the area in the next six months or nine months. We ought to be talking to people in the Riverland. We ought to go to high schools in the areas. The students will not throw stones at us; they will be concerned about the matter and they may start thinking as to whether these "idiots" are not on the right track and whether something ought to be done.

If the river dies, everything will die. I am not saying that my proposals ought to be implemented in five months or five years. The river has been dry only a few times in recorded history. However, whilst it is flowing as it is, there is a real danger. Pollution comes from many sources, and pesticides also cause much trouble in the Riverland. What is the alternative? I will give an illustration of where we can look. I give this illustration without any thought of the problems of individual political Parties. I do not suppose we could get accord between all State

Governments and the Commonwealth Government, even if they were of the same political persuasion.

The Hon. M. B. Cameron: Wasn't there a Select Committee on water pollution?

The Hon. N. K. FOSTER: Yes, but I am taking the matter beyond that. I am asking: what are we going to do about it? The Snowy scheme has not come up to expectations. There were not the problems associated with it when it was first established to the extent that we know them today. We could not measure how long the water was in a subterranean basin at that time. Of course, the readings were not available in those days, and salinity was not measured. During the debates on the Chowilla dam and the Dartmouth dam, it was stated that 90 000 cusecs had to be pushed through the Mildura area when they wanted to force the salt slugs away. However, they forgot that salinity would be built up in irrigated areas. South Australia had few options, and Victoria might have been in the same boat. We want to replenish our water with a supply that is not contaminated by the "mistakes" of the Snowy scheme.

Let us remember that the Snowy River system was turned back. Let us bear in mind the rivers in the mountainous area near Coffs Harbor and extending north of the Queensland border. That mountainous area ought to be subject to a feasibility study involving the State Governments and the Federal Government on the basis that it may be possible to turn the McLeay River and other rivers in that area into the tributary systems of the Darling River. One of the big problems would be that the Darling River flows for hundreds of kilometres with very little fall. I spoke about this matter in Brisbane to people involved in this study. Indeed, we in South Australia have a good faculty at Flinders University the members of which would be able to turn their skilled minds to this type of project. They would be able to say whether it would be feasible and whether its cost would be prohibitive.

When I raised this matter in certain areas in Queensland and New South Wales some years ago, I was told that it would be possible perhaps to get 6.1 m or 6.4 m of water in the Darling River all year round. Coming in at Wentworth, the water would enter the river on the best side of the irrigation settlements in New South Wales and Victoria. This water would not be contaminated by the things to which I have referred in the irrigation areas. Therefore, some thought should be given to the role that this Council could play in regard to that type of undertaking (and I am dealing with only one of them). It means that the role we can play should be different from the one that has been urged by certain honourable members in this Council.

The Hon. Mr. Laidlaw has been patient and listened to my long diatribe. He has probably been waiting for me to give him a mention. He said something about industrial relations and the good work that the State Government may do. I should now like to read from what I consider to be an extremely good document, which will most certainly sow the seeds of thought into the minds of the Hon. Mr. DeGaris, the Hon. Mr. Hill and the Hon. Mr. Dawkins regarding industrial relations. The Hon. Mr. DeGaris might even look up from reading the *News*. Is he looking for a report to see whether the Naracoorte meatworks has been reopened? I do not think it has been, because it is the one at Mount Gambier that has been started again. I now refer to a talk given on the Australian Broadcasting Commission by a very capable person, Professor Bill Ford, whom I had the

pleasure to know when he was working on this report. He said:

With a group of six other researchers, I spent the first six months of 1975 studying human resource and industrial relations problems at the plant level in seven manufacturing industries in Australia. The study was commissioned by the Jackson committee which was established by the Australian Government in 1974 to look at the future of manufacturing industry in this country. Our research revealed a wide range of complex human problems, the nature and impact of which appears to be little understood either within manufacturing industry or within the commercial, government and union bureaucracies which have traditionally formulated policies for our manufacturing industries. In this talk I propose to touch on only one of these problems, but one which is central to the lives of the people who work in industrial Australia—approximately one quarter of the work force in Australia.

The human side of Australian manufacturing industry can only be understood in terms of a multi-cultural society; multi-cultural in terms not only of ethnic origin (40 per cent of the industrial work force in Australia were not born in this country) but in terms of sex (many industries are now heavily dependent on mature aged married women for their survival) and education. Yet traditional policy makers continue to view Australia in terms of their mono-cultural frame of reference. Consequently, they are becoming increasingly remote from the industrial workers in our society. This problem of remoteness can be illustrated in many ways such as geography, technology, ethnic and racial origin, sex, finance, environment and education.

First, let us look at the increasing geographic isolation of manufacturing plants from the commercial heart of our cities, from the Government offices, from the hallowed halls of academia and from the affluent suburbs where public and private executives and academics work and live. It is surprising how few people entering tertiary education in Australia have ever seen the inside of a factory. Those people living in the northern or eastern suburbs of Sydney do not even have to pass any factories on their way to their air-conditioned city offices. The policy makers in the Australian Department of Manufacturing Industry sitting in their new lush air-conditioned building in Canberra are almost in supreme isolation from our major industrial plants. Only the executives of multi-national organisations with head offices in such places as New York, London, Paris, Tokyo and Montreal are more geographically isolated from our production base. The telex machine may keep them in touch with production figures, but it can never relate the smells, noise, sweat, pollution, blood and tears of the people who keep the machines of manufacturing industry grinding on.

Secondly, as we moved between factories, offices and academia during our research we became visually aware of the great technological differences in our society. We continually read about the automated factory run by computers. But there are no automated factories in Australia. The air-conditioned hermetically sealed computer installations in Australia are overwhelmingly in our offices and universities, not in our factories. We saw vast numbers of people in industrial Australia working their guts out to keep producing from the clapped-out old machinery, some of which is driven by lines of belts similar to those in the photos of our children's school books on the industrial revolution. The size and nature of the investment in the centre of our cities in the 1960s and 1970s is in sharp contrast to investment, or lack of investment, in our industrial suburbs.

Thirdly, manufacturing industry in Australia is increasingly dependent on migrants, the majority of whom are from non English-speaking countries. Yet the advisers and policy makers in the public and private sector, the unions and universities are almost all people with British heritage and traditions. The self interest and even intellectual isolation of this latter group is perhaps best illustrated by their failure to encourage any research into the problems of migrants at work over the last 20 years. The failure of our society to allocate appropriate resources to improving the migrants' understanding of the English language and Australian institutions has meant the creation of a class of industrial serfs who have little or no communication with policy makers in Australia. The violence at the Ford strike at Broadmeadow in 1973 should have been an adequate warning of what can happen when frustrated people cannot communicate by language. But Australian

history has shown that our moralising isolated elites rarely learn anything from industrial conflict.

The Hon. F. T. Blevins: Do you think the Hon. Mr. Laidlaw is listening to this?

The Hon. N. K. FOSTER: I think we are dealing with someone even more powerful in the industrial scene than is the Hon. Mr. Laidlaw. Professor Ford continued:

The increasing number of Aborigines working in industrial Australia is adding a further dimension to the cultural isolation of our traditional decision makers. There are no black faces in the board rooms in this country. Fourthly, many manufacturing industries in Australia are increasingly dependent on mature married women to provide the newest and last of the industrial cannon fodder. The young females have opted for another life-style. However, Australian management and union executives were developed in a male's world where women were normally seen as Girl Fridays, decorations or sexual objects. Therefore, the issues of primary concern to many married women are often ignored or downgraded at the negotiation sessions, at the industrial tribunals and at the management and union executive meetings. But the media and the women's movements have helped many women develop an expectation of a better working life than that of a machinist working under constant pressure in a noisy, hot, dirty, smelly factory. And a number of our studies, including those of strikes involving mature women, indicate that the gap between reality and expectations cannot be ignored for much longer.

I recall honourable members opposite opposing for many years even basic returns for one's labour, even denying women in South Australia and Australia the right to equal pay for equal work, and we have still not completely come out of the wood in this area. Professor Ford continued:

Fifthly, the feeling of financial isolation in industrial Australia was forcibly put to us by a general manager of a major manufacturing plant in the western suburbs of Sydney when he told us how he has to battle to obtain any finance for production orientated activity. Yet, he says there seems to be no end of finance available for original paintings, new decors, lavish marketing campaigns, etc., at the air-conditioned head office on the more congenial North Shore. Variations of experience were mentioned by people at different levels of manufacturing around Australia, and they are increasingly expressing their resentment of the difference between them (for example, finance, marketing people) and us. Sixthly, the middle classes in recent years have shown an increasing awareness of their environment and the need to reduce pollution. But the pollution which affronts the senses of the environmentalists (students, academics, ecologists, etc.) is minute compared to the noise pollution of a nail factory; the stench of a tannery or the cement section of shoe making; and so on. But as fewer Australians enter factories, these stark differences are only understood by the industrial workers. From the factory floor the new environmental legislation could be viewed as another sop to the people in the relatively pollution-free suburbs, particularly when one's working environment is largely determined by the standards of nineteenth century Factories and Shops Acts. One general manager of a manufacturing plant told us of his embarrassment when he attended the official opening of an environmental campaign in the city. He looked at the shoes of the rest of the people at the function. It was obvious to him that no-one else at that meeting had walked through a factory that day (or perhaps on any other day).

Even at the factory sites the contrast between first and second-class citizens is amazing. At factories deserving no better fate than the ravages of a bulldozer, it is not uncommon to find that the last investment dollar was spent building a gleaming new air-conditioned office complete with potted palms. What really rubs the factory worker is not that he's second class to the managing director—he's second class to the typiste, the office boy, and salesman. Is it any wonder that the talented and ambitious get out of the factory into the office? Finally, for many industrial workers, it is in the field of education where their second-class status is most felt. For example, to obtain his part-time technical training an apprentice must sign indentures and place himself under the disciplinary powers of an industrial (apprenticeship) commission. A full-time

university student on the other hand accepts his free place at a university, perhaps a living allowance, and is only responsible to educationists for his education. On the wall outside the classrooms at some technical colleges are one of the symbols of industrial Australia—the Bundy clock. There are no such clocks for university students and it is unlikely that they will ever experience them later in employment. In apprenticeship week, an adult designed and executed public relations programme, many apprentices are paraded through the city streets, some even dressed in their work uniforms (overalls). Compare this to university festival days when students design and execute their fun parades through the city. Again the difference appears to have eluded our remote Government, management and union executives.

These differences starkly reveal what many apprentices feel, that there are first and second class citizens in the tertiary education process. The so-called news section of the Saturday papers are increasingly filled with advertisements for Public Service jobs with salaries ranging to over \$20 000 per annum (top private sector job advertisements rarely quote salary but indicate a range of fringe benefits). The person who, opted for a trade knows that such well paid secure positions, and all the fringe benefits, are blocked to him. They require a different form of education, not necessarily a longer one, or even a more arduous or demanding one. But the greatest gulf between the decision making elite and the industrial work force involves the “unskilled” factory worker. In this group can be found many sadly under-educated people. Social and cultural deprivation is not uncommon. It is fascinating irony that the simple commonsense logic of these people can often cut away mountains of complex esoteric verbiage (frequently developed by academics) and expose the rudimentary guts of the industrial scene. But the non-academic nature of industrial workers is unrecognised by the aloof decision makers. A prize example is the following passage extracted from a circular sent to all employees in a factory in the western suburbs of Sydney:

#### Summary of Major Issues for Action Planning

The climate at (the company) appears to be one of friendliness which may not be consistent with effectiveness. It can be questioned whether the climate as assessed is conducive to either individual or organisational effectiveness.... MBO is an accepted approach to management at (the company). However, performance appraisal, both formal and informal, does not appear to be operating effectively. Tremendous stuff for graduates of MBO courses (oh, by the way, for those of you who are not indoctrinated in the new management jargon, “MBO” stands for Management by Objectives). But the above “epistle” was aimed at the people working on the factory floor. The personnel people who wrote it didn’t even begin to understand their work force. To make matters worse they only printed it in English and for a work force which is 80 per cent migrant. In one company, one of Australia’s major management consulting firms had been engaged to select employees for retraining when a certain process became automated. The consultants proceeded to employ a four-hour aptitude test batter on unskilled workers, some of whom couldn’t read, others discovered they needed glasses. None would have sat at a desk for more than 10 minutes since they left school, which for some men, was over 40 years ago. Obviously the consultants didn’t appreciate the full difference between a Collins Street executive and an industrial factory worker. But, of course, senior executives will still tell you that they have experts to keep them informed on “the workers”. Who are these experts?

During our studies, one of our research group attended a party at the home of a young merchant banker. The average age of these successful young men was about 30. They were all driving Volvos and Mercedes. The party cost more than many industrial workers could afford to spend on entertainment in years. None of the people at the party appeared to have ever met an industrial worker. However, they talked about one of their associates who they had asked to speak to them at a forthcoming meeting because “he rolled up his sleeves and went into his plants to communicate with his workers”. It just so happened that the researcher had met this person and visited one of his company’s plants. From discussions at the plant it appeared that the so-called “expert on the workers” cannot speak the language of the vast majority of the work force

in his inherited factories and is much more comfortable wheeling and dealing in the financial centre of the city than in managing the industrial establishment built by his father. Conclusion. The urbane affluent society of Australia, the first-class citizens, are increasingly geographically, technologically, ethnically, sexually, financially, environmentally, educationally and socially remote from the nation’s industrial workers, the second-class citizens. Given these differences, is it any wonder that the workers who actually produce the goods in industrial Australia seem to be growing resentful of decisions affecting them being made by an isolated elite in their increasingly remote air-conditioned temples of government and commerce? The problems of remoteness are not going to be resolved by merely tinkering with the established industrial decision-making processes. We must recognise that we are a multi-cultural society and that we need radically new participative processes if we are to survive as a democracy.

The Premier, recently, of course, mentioned this very fact. There has been too much criticism on the part of the captains of industry in regard to this. They should not regard what was carried in the convention of a political Party in South Australia as being damaging, on the report of the *Advertiser* and the media.

There are some people, I hope, in the industrial field who are prepared to work (and some, indeed, have) in regard to the strong measures that should bear fruit in an industrialised society such as the one in which we find ourselves today. It was not long ago that I was saying to Liberal Party Ministers elsewhere in the Parliamentary field of this country that they were doing nothing about automation; and that, of course, was one of the great challenges to employment. I was wrong. In all our marketing research, both Government and private, we have failed to read or assess the desires of the community. We have followed America blindly, not only in foreign policy but also in the dictates of American business so far as consumerism and consumer goods are concerned, measured in terms of the needs of a work force in a State such as South Australia—and we are paying for that. We are paying for it because it is in a free and democratic (even if we want to regard it as a controlled democratic) society and in what is often referred to as the “public interest”. Even that Constitutional Review Committee’s report that I flourished for a quarter of an hour endeavours to come to grips as to what is “public interest”. No-one else has attempted that up to this point of time.

In a comparable but democratic society, in a society and a country dependent on a vigorous export programme and policy, the Government found itself unable, in a governmental sense (almost, for that matter, in a business sense and certainly in a trading sense) to deny the rights of manufacturing countries, such as Japan and some European countries, to block completely the import of partly made or fully manufactured goods such as motor vehicles. The Holden, Ford and Chrysler companies went their blind stupid way of making the great tanks, which they still attempt to force upon people with supercharged V8 motors. They came out with a Torana with a four-cylinder engine, which people were looking for. Not content with that, the engineering brains said: “Let us put a six-cylinder (and then a V8) engine in it; let us supercharge that up, let us put it on the tracks, and let us see whether it can do 150, or more, miles (241 km) an hour. Let us soft-sell the economic bit; let us, in fact, not really produce one but let us go on with a high sell for this great consumer of our resources”—a small car with an engine that would drive almost a Centurion tank.

How stupid they were! Of course, reaction set in. Workers have suffered as a result and one of the tragedies of that is a recent report by the Industries Assistance

Corporation in regard to that industry. Is it any wonder there was a severe, and indeed almost violent, reaction from the trade union movement and from the leaders of the State because there was a real employment problem which would create a tremendous social problem as a result of what that report might have done? But those of us who have read this report and looked at some of the rip-off areas in it think that perhaps some of it should be implemented. Can we really afford the luxury of the three manufacturers competing as they do, in the main, to ensure that someone can flog a Ford, someone else can flog a Holden, and someone else can flog a Chrysler around the city streets in eight-cylinder cars? We are all paying 30 per cent more for that.

It is all right to blame workers' wages but it was a very low-paid area in the motor vehicle industry up to a few years ago. It is not lucrative now, for anyone who visits an automobile factory and takes his coat off or attempts manually to do the work involved in it and follow the programmes that are set people in those factories. If we were living in Sweden, we would be driving a Volvo; if we were in Germany, we would probably be driving a Volkswagen or a Mercedes. Can we then afford the luxury of the "big three" in this respect?

In conclusion, I return to the fact that we are confronted with the same problems we were talking about in conserving resources. What do we do with people? That is the sort of thing this Council should be concerning itself with. I am sorry I have taken up more time of the Council than perhaps I intended. I feel I had to speak for the Hon. Mr. Whyte, who declined to speak today. I expected the Hon. Mr. Cameron to have gone on much longer than he did. I thank the Council for listening and I hope I have made some contribution to the debate. I support the motion.

The Hon. C. M. HILL: I have just heard what I thought was the principal maiden speech of the Hon. Mr. Foster. I think he deserves a prize for making the longest speech I have heard in my time in this place. The only other thing I should like to say about his speech is that I hope in future we shall hear more controlled contributions from him.

I support the motion and commend His Excellency the Governor for the manner in which he opened this Forty-Second Parliament in South Australia. I join with those honourable members who have expressed sympathy to the relatives of the late Sir Norman Jude and the late Mr. Densley, both of whom served in this Council during my time here; I held both those honourable gentlemen in high regard and esteem.

This Parliament meets, as has already been mentioned by some honourable members, in very changed circumstances, and at this early stage, following these changes that have occurred, I want to express (as the Hon. Mr. Foster did) my appreciation to the officers of the Electoral Department for the work which they did in this election and in the counting of votes during the days and weeks after that election. As I said, at the declaration of the poll, few people in this State appreciate the quantity or quality of the work that the senior public servants in that department and all the other helpers retained and employed within that department did during this election period.

Honourable members who contested the election within the group that I had the honour to lead are most appreciative of that work which was carried out. In these changed circumstances to which I wish to refer, the Government lost three seats in the House of Assembly, its numbers

there being reduced from 26 to 23 seats. The non-Labor Parties increased their seats from 21 to 23, and one seat from Labor went to an Independent. So we have the situation in which the Government survives by obtaining the blessing of that Independent on vital issues; consequently, the Government holds power in this State without a majority of seats.

In this Legislative Council the Government increased its seats from six to 10 in the 21-seat Chamber. It achieved this success, for which I congratulate the Labor Party, by winning six of the 11 seats contested on this occasion. These widespread changes in this Council mean that some people have gone and new members are now here. I wish to refer to those people and also to mention their maiden speeches and some matters upon which I believe opinion should be expressed at this time.

First, I congratulate you, Mr. President, on attaining your high office. During the 16 years you have been a member here, you have maintained a consistent and very upright attitude as a liberal thinker in this place and within your Party. I am very pleased to see you in your high office, which your Party approved, and which this Council has bestowed upon you.

I congratulate the new members here, the Hon. Don Laidlaw, the Hon. John Carnie, and the six honourable members of the Australian Labor Party. In his opening address, the Hon. Mr. Laidlaw mentioned his two ambitions as a member: first, to help maintain the high standard of debate in this place; secondly, to endeavour to maintain his sense of humour. I have no doubt whatever that, with his experience and knowledge and capability, he will achieve his first aim; I wish him well in his endeavours to achieve his second.

The Hon. John Carnie benefits from his previous Parliamentary experience. I believe he will acquit himself well here, especially if he exercises independence and a conscientious approach to the process of review in this Chamber. I congratulate the Hon. Anne Levy on her thoughtful and thought-provoking speech in this debate, and I congratulate the Hon. Mr. Cornwall for his declaration, particularly of his acceptance of the proposition that this Chamber is a House of Review. The Hon. Mr. Dunford spoke last Tuesday and was obviously intent on letting off steam, as many of us have been on first entering public office. His references to social injustices and economic hardships seemed to me to carry the inference that only he and one or two of his friends in this place understood or had experienced such problems.

The Hon. J. E. Dunford: You said that.

The Hon. C. M. HILL: I assure him that such is not the case, nor are he and his friends alone in striving to improve such inequalities and injustices. He has reached the top position in a respected union in this State and I hope that he settles down here and succeeds in his newly-chosen career as a member of this Legislative Council. The Hon. Mr. Blevins also cleared the decks by letting the Council know his strong views on certain matters. I can understand his being proud of his former vocation but, here again, he is not the only member in this place who has worked the middle watch as a member of the lower deck. I commend the Hon. Mr. Sumner for his detailed analysis of his political principles and ideals. Amongst the Government members, I thought he made the best speech, although I did not agree with much of what he said.

I now place on record my personal esteem and admiration for those whose service ceased with the previous Parliament. Two senior members of the Australian Labor Party, the

Hon. Mr. Shard and the Hon. Mr. Kneebone, retired. Both held positions as Ministers, as front bench Opposition spokesmen, and at different times as Chief Secretary during my time here. Both were always fair and honourable in their dealings with me, and both were conscientious and dedicated in their Parliamentary duties. They have retired in my view, a credit to their Party, to this Council and to the South Australian Parliament.

Two of my colleagues, the Hon. Sir Arthur Rymill and the Hon. Dr. Springett, have retired. Sir Arthur contributed a wealth of knowledge and experience through his long public life. Many years ago I served with him on the Adelaide City Council and observed with admiration his influence upon and his contribution to the development of our city. As Lord Mayor, he actively participated in the administrative side of the city's growth, as well as carrying out the role of first citizen, which he did with distinction. All this earned him the compliment so often expressed that he was the best Lord Mayor the city has ever had. In this Chamber he was my colleague in the former Central No. 2 District. We fought the 1968 election together and, to me, he was always helpful and gracious. This Council lost a loyal and staunch member when he retired.

The Hon. Dr. Springett has retired. The other day the Chief Secretary said that he was a gentleman; he was that in every sense of the word, quietly, unobtrusively, yet diligently going about his political work and gaining the wholehearted respect of all who served in this place with him. The Hon. Mr. Gilfillan and the Hon. Mr. Story did not gain re-election. Both were senior members of my Parliamentary Party. The Hon. Mr. Story was a former Minister of the Crown and maintained a wide and deep knowledge of agricultural affairs, while the Hon. Mr. Gilfillan acted as Whip for many years. The contributions in debate and the work of these two men on committees and on the floor of this Chamber during their long periods of service were immense, and I express my appreciation to them for the Parliamentary service they rendered.

Last, but not least, I record my appreciation to the Hon. Sir Lyell McEwin for his long and distinguished service. He helped me considerably when I was first elected to Parliament, at which time he was Leader of the Opposition in this Chamber. He always maintained a high standard as a member, as a Minister, in debate, and, after elevation to the Presidency, in the control and conduct of this Council. As he was in local government before entering Parliament in 1934, he can take pride in having served, and served well, for a lifetime in the public interest.

I turn now to other matters which I believe should be raised at this time. The Labor group in the Legislative Council election recently held gained 48,578 per cent of the State-wide vote after distribution of preferences allowable for distribution under the new voting system, and gained six out of 11 seats contested. The non-Labor group gained 51,414 per cent of the final total and holds the balance of five seats. With 48,578 per cent of the vote Labor gained 54,545 per cent of the seats. On a basis of first preference votes, Labor gained 47,268 per cent of the State-wide vote and secured 54,545 per cent of the available seats. This result came from a new voting system tried for the first time. Surely the Labor Party is not satisfied with the system in its present form.

I well remember when the Labor Government fell from office in 1968 and gained the percentage that the Hon. Mr. Foster mentioned today, being more than 50 per cent of the State-wide vote. All hell broke loose from the Labor Party on that occasion. The system was called unfair, a disgrace, politically immoral, and unbearable to

any democrat. The Liberal Government of the day initiated electoral change. What, therefore, does the Labor Government intend to do about the new electoral systems in this place? If the Government does not propose change it must defend itself against a charge of perpetuating gerrymanders.

The Hon. F. T. Blevins: What did you do when there was a 16-4 balance in this Council? You did nothing.

The Hon. C. M. HILL: The system was ultimately changed.

The Hon. F. T. Blevins: Not by you. It was changed by Government members.

The Hon. C. M. HILL: That is rubbish.

The Hon. F. T. Blevins: For how long did you sit through 16-4 representation?

The Hon. C. M. HILL: For how long did we try to change it?

The Hon. F. T. Blevins: Can you point to a debate where you said that the system should not continue? You didn't say a word for years and years.

The Hon. C. M. HILL: The honourable member should not try to kid me that the full franchise issue was the only issue.

The Hon. C. J. Sumner: Isn't the point that you had three Parties?

The Hon. C. M. HILL: Only today the Hon. Mr. Cameron spoke of "Liberals", and I thought that in many respects he used the term collectively.

The Hon. C. J. Sumner: It isn't our fault that you have three Parties.

The Hon. C. M. HILL: I have set it out on the basis of non-Labor Parties. The examination and revision of Bills is the primary function of this Council. That proposition was accepted by one new member opposite and, I think, by others also. Such a proposition surely implies that each member must have the right to speak and vote with some independence. I do not believe that any degree of review by individual members can be exercised if one is bound by Party decisions taken within a Party room, where discipline demands adherence to the majority view within that room; this particularly applies where Party members from both Houses join in the one Caucus Party room. I trust that those new members opposite who have expressed a commendable idealism in their approach to their new careers will in due course seek some individual means by which effective review can be achieved by individual members of the Labor Party in the interests of formulating the best possible legislation for South Australia.

The Hon. J. R. Cornwall: It depends on your definition of "review".

The Hon. C. M. HILL: I agree. It is fairly well accepted that, in the broad sense, this means that individual members of this Council, if it is to fulfil this basic function, must be given some independence and must not be bound, as they are on the Government side at present, by the discipline to adhere to the decisions from the Party room. It is a very interesting exercise to ponder this matter. I am only concerned with it from the viewpoint that this State needs the best possible legislation to flow through this part of the Legislature.

I would like to hear at some stage from new members a reasoned analysis of the question of review, and I would like to hear whether they believe that some change ought at some time to take place so that all honourable members can come on to the floor of the Council enjoying more independence than they do at present.

The Hon. T. M. Casey: Do you think that a House of Review should be able to insist on its amendments?

The Hon. C. M. HILL: The Minister is now raising the question of the power of the second Chamber.

The Hon. T. M. Casey: It is the central point.

The Hon. C. M. HILL: It is another point. In this connection we are getting on to the subject matter raised by the Hon. Mr. Blevins. People who talk of the one issue of full franchise being the reason why it took many years to introduce changes overlook the fact that many aspects are involved, a very important aspect being this Council's powers.

The Hon. T. M. Casey: Should a House of Review have the power of insistence on its amendments?

The Hon. C. M. HILL: On some matters, yes.

The Hon. T. M. Casey: Which matters?

The Hon. C. M. HILL: Matters other than financial matters. The Minister is dealing with a different question from that of review if he raises the question of power. I shall be happy to take part in a debate on powers. The powers of second Chambers established under the Westminster system are different in every instance. A second Chamber without any power is reduced to the situation of the House of Lords at present.

The Hon. C. J. Sumner: What is wrong with that?

The Hon. C. M. HILL: If the honourable member has been present during debates in the House of Lords he will know that the question answers itself.

The Hon. T. M. Casey: The House of Lords is not elected by the people.

The Hon. C. M. HILL: It is still the second Chamber. I want to turn to the views of the more radical members opposite. They have given me the impression that they believe that the Party of which I am a member is rather old, ultra-conservative, and out of touch with today's changing world. I refute those allegations absolutely. The Liberal Party of Australia is younger than is the Labor Party. The Liberal Party of Australia was founded in 1944 in Albury. It was founded, as Sir Philip McBride said in 1965, "in protest against the inflexibility and conformity of the socialistic thinking that was seeking to impose itself on the Australia of the mid-1940's". The Party has never lost sight of its historic mission, which was the preservation of individual freedom and a determination to restrain the powers of Government. Only two weeks ago, our national Leader, Malcolm Fraser, said:

The basic principle which distinguishes liberalism from socialism is that Liberals believe maximum freedom from dictation and regulation is essential to self-respect and self-fulfilment. People want self-respect above all. Without freedom there is no self-respect. They want freedom to strive and achieve and to seek excellence—freedom to be different and freedom to conform. The Opposition stands for prosperity, job security and self-respect, and for improving the quality of life in the broadest sense.

There is no difference between the Menzies vision of 1944 and Fraser's Australia of today.

The Hon. C. J. Sumner: That is the pity of it.

The Hon. C. M. HILL: They have not had a bad record in that period. The great central body of opinion within the Liberal Party (and I am proud to stand within this vast central group) continues to believe in what Menzies called in 1944 "Liberal progressive policy". If I relate this Party to its role in this Council, I agree with what the Hon. Mr. Cornwall said—that we must back up our claims by example. However, the views expressed by the individual members of the Liberal Party in this Council and the manner in which they vote have one singular aim—to speak and vote in the best interests of the people of South Australia as a whole.

The Hon. F. T. Blevins: Why didn't you stand as an Independent?

The Hon. C. M. HILL: Because I joined a Party which gives its members an independence of which the Hon. Mr. Blevins has absolutely no idea. He would not know what it meant.

The Hon. F. T. Blevins: You didn't have the courage of your convictions and stand as an Independent, because you would have run last.

The Hon. C. M. HILL: That is absolute nonsense. Finally, I want to refute another claim which is sometimes made against my Party in this Council and of which, I am sure, we will hear from time to time from the Hon. Mr. Blevins: that the Liberal Party has obstructed the passage of legislation through this Council.

However, obstruction has been confused with delay. The Council has four main functions, based upon the Bryce report of 1917, which I believe should be accepted as a guide by all interested in the reforms, functions and compositions of second Chambers within the Westminster Parliamentary system. The third function, after the functions of review and initiation of some Bills, is that of delay. I should now like to quote the following reference to that function in the report to which I have referred:

The interposition of so much delay (and no more) in the passing of a Bill into law as may be needed to enable the opinion of the nation to be adequately expressed upon it. This would be specially needed as regards Bills which affect the fundamentals of the Constitution or introduce new principles of legislation, or which raise issues whereon the opinion of the country may appear to be almost equally divided.

Although that principle was laid down in 1917, it has been applicable during my time in this Council. Indeed, it still applies today and I think it will continue to apply for many years to come. It is understandable that those seeking cheap political gain can easily criticise any honourable member of this Council when it is suggested that there should be delay. That criticism would, of course, be on the ground of obstructionism, but such delays, in those circumstances, especially when the situation applies as I read out in the report, are both proper and necessary.

The Hon. T. M. Casey: But you don't delay legislation: you throw it out. You even cut legislation in halves, passing one half and throwing out the other half. That is contrary to what you have said.

The Hon. C. M. HILL: Not at all. The Hon. Mr. Burdett recently quoted statistics relating to the number of Bills that had been rejected in this Council. I suppose the average would have been three a session since I have been here.

The Hon. T. M. Casey: But they have been important measures.

The Hon. C. M. HILL: Naturally, but on the statistics—

The Hon. T. M. Casey: You can't go by the statistics, because many amendments that are moved are normal.

The Hon. C. M. HILL: The amendments have got nothing to do with rejection. Many amendments have been moved in this place, and I am sure the Hon. Mr. Casey would agree that they have been introduced for the purpose of improvement.

The Hon. T. M. Casey: Yes.

The Hon. C. M. HILL: I am referring to the question of delay. I am sick and tired of it being said that Bills have been held up here while the Council has taken the time to have a look at them.

The Hon. T. M. Casey: There's nothing wrong with that.

The Hon. C. M. HILL: That has been interpreted by honourable members opposite as being obstructionist, but that is not the case.

The Hon. T. M. Casey: That's contrary to what you just said, because your situation in this Chamber for years has been to insist on your amendments here. In some cases you have torn legislation in halves, thrown one half out of the window and passed the other half.

The Hon. R. C. DeGaris: Which Bill was that?

The Hon. T. M. Casey: In other cases, you have insisted on your amendments.

The Hon. C. M. HILL: The division of Bills into two parts has been a method by which this Council has passed that part of the Bill which is acceptable to it, but there have been some portions of certain Bills to which objection has been taken.

The Hon. T. M. Casey: Doesn't this come back to who governs this State—this Chamber or the Government?

The Hon. C. M. HILL: These are the very arguments that are getting so hackneyed in this place that it is no longer funny.

The Hon. T. M. Casey: That was done when you were elected on a restricted franchise.

The Hon. C. M. HILL: There is no reason why it should not be done in future, either.

The Hon. T. M. Casey: We will see.

The Hon. J. E. Dunford: You're out of order.

The Hon. C. M. HILL: I am not. We in this Council are fulfilling our functions, which go deeper and are far more important than some of the speeches that we have heard recently.

The Hon. J. E. Dunford: They go far deeper, all right.

The Hon. C. M. HILL: However, if the incoming honourable members are willing to accept the broad guidelines of the functions of this Council, to which I have briefly referred, then the accusation of being an obstructing Party would be heard less often, and honourable members on both sides of the Chamber would not only exercise responsibility but would also be seen to exercise responsibility, of which, I am sure, they are all capable.

The evolution of established second Chambers into more effective and democratic Houses within the bicameral Parliamentary system continues throughout the world. Fashioning change within Australia has been a long process; to those who have been involved in that process, this has been understandable. Even now, New South Wales has still to come into line on fundamental issues. We were not the last State to do that.

Experimenting with a new system, used for the first time in Australia, we in South Australia have just experienced a somewhat unique result, as I said earlier. I hope that we in South Australia can evolve our system further by discussion and compromise. I hope, too, that this Council can continue, by the standards of its debates, the conduct of its members, and its effectiveness in reviewing legislation, to play a worthwhile role in the democratic process as part of the South Australian Parliament. I support the motion.

The Hon. R. C. DeGARIS (Leader of the Opposition): I, too, support the motion. I associate myself with honourable members who have expressed to His Excellency the Governor their appreciation of the manner in which he has fulfilled his office as Governor of this State. I also commend him for his manner in opening the Forty-Second Parliament. Although His Excellency, as Governor of this

State, is not cast in the same mould as previous representatives of the Crown, nevertheless I believe he has endeared himself to most South Australians. I also confirm my loyalty to Her Majesty the Queen.

Reference was made in His Excellency's Speech to the deaths of the Hon. Sir Norman Jude and the Hon. Les Densley. I, too, pay my respects to the memories of those late honourable members and to the services they rendered to this State and to this Parliament. The Hon. Sir Norman Jude and the Hon. Les Densley entered Parliament together as colleagues in Southern District, I think in 1934. The Hon. Sir Norman Jude was a Minister of the Crown for 11 years and this State's first Minister of Roads, and the Hon. Les Densley was Leader of the Liberal Party in the Council and held the office of President.

I congratulate those new honourable members who have entered the Council. As the Hon. Mr. Hill has already detailed them, I will not do so again. Many of them, with the exception of the Hon. Mr. Foster, have entered political life for the first time. I look forward to working with them in the interests of this State and the interests of the people of this nation. Doubtless, the Hon. Mr. Foster is pleased that we have not restricted the time of honourable members in speaking in this Council, and I hope that the Standing Orders Committee does not see fit to do so. Certainly, if there is one thing that should be preserved, it is the right of any honourable member to speak for as long as he chooses, so long as it is not overdone to the point of filibustering.

This Council has a remarkable record as a House of Review and as a second Chamber. In its long history, this Council has filled its traditional role with credit. I am disturbed by the lack of appreciation of the work of the Council by people whose task it is to report accurately to the electorate on legislative matters. The Hon. Mr. Dunford referred to a book containing references to certain honourable members as troglodytes. The interesting point is that that information, if one examines the book referred to, is inaccurate. If one examines that book and the attitude of honourable members, one can find that in each case the information was inaccurately drawn from South Australian *Hansard*. I refer to the position of authors enjoying a reputation as impartial commentators, because they have some academic qualification, and propagating such inaccurate information. This is somewhat disturbing.

I should like to examine some of the statements that have been made in this debate by some of the new honourable members, although I commend most of them for their valuable contributions. I was most interested to hear the contribution of the Hon. Mr. Foster who, at one stage, referred to the great involvement of Sir Arthur Rymill in the ownership of stations in the South-East, in the North, and elsewhere. I assure him that in running through the telephone book he has a number of Rymill families mixed up. Indeed, from my own research in the telephone book I found the involvement of the Hon. Mr. Foster could be in organisations such as Foster Coatings (a division of Dulux Australia Limited); Dudley Foster, Automotive Engineering; Foster Menswear; Foster Meat and Skins; Fosters Foundry (Queensland) Proprietary Limited; and that famous brewery in Victoria, the makers of Foster's Lager.

The Hon. R. A. Geddes: Would he be a director of them all?

The Hon. R. C. DeGARIS: I am certain that that would be the case. I should now like to comment on statements



made by the Hon. Mr. Cornwall who, in his contribution to this debate, made the following statement:

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 remind the Hon. Mr. Cornwall that the future of this Council is even bleaker than he suggests if the Council becomes merely a rubber stamp for Executive decisions. It is also easy to claim obstruction, as pointed out by the Hon. Mr. Hill, without any examination being made of each amendment or any examination being made of the Bills that have been defeated. I ask the Hon. Mr. Cornwall or any other honourable member which particular amendments they feel should not have been moved, which should not have been carried, and which Bills in the last Session should not have been defeated.

The Hon. J. R. Cornwall: The railways legislation.

The Hon. R. C. DeGARIS: I have already clearly made the point in relation to that Bill, that it was a Bill that would have a dramatic effect on South Australia. It was a Bill on which the people of South Australia had absolutely no knowledge and, if I had my way, the Constitution would contain a provision preventing the State from selling, without approval of every person in this State by referendum, assets to the Commonwealth or anyone else. The only way in which that matter could be considered was by reference to the people and, in relation to what the Chief Secretary said in the debate, this was possible only by the defeat of the Bill. I believe that the correct procedure was adopted and, whatever the Government says, it cannot say that the South Australian people approved of this sale either. The Government can say that it was returned with the support of an Independent in another place, and that it came back to this Council with six members out of 11, with a mathematically gerrymandered system. However, it cannot claim that the South Australian people approved the transfer of the State country railway systems and the power to control transport in South Australia to the Commonwealth Government.

I will take this argument one stage further and point out that from July 23 to November 28, 1974 (these are the latest figures I have), the Council moved in total 109 amendments to legislation which was carried by another place. Of those amendments moved, 70 were accepted by another place without any argument; 11 were objected to, and the Council did not further insist. We have the remarkable position obtaining where 75 per cent of the amendments actually moved in this Council never came to the point of any further confrontation or discussion. On any scale that is a remarkable figure. Therefore, I say that the allegation of obstruction and obfuscation cannot be justified by the Hon. Mr. Cornwall or any other honourable member of the Labor Party in this Council.

Taking the argument even one stage further, I refer to the Bills that were passed during this period. The Listening Devices Act Amendment Bill sought to prevent any person from recording the conversation of another without the latter's knowledge, which the Government would not accept as a means of protecting the privacy of the individual. That Bill was adjourned in another place. The Administration and Probate Act Amendment Bill was adjourned in another place, as were the Wills Act Amendment Bill, the Wheat Delivery Quotas Act Amendment Bill and the Privacy Commission Bill. The Emergency Powers Bill was laid aside in another place; the Prevention of Cruelty to Animals Act Amendment Bill was adjourned in another place, as were the South Australian Museum Bill and the

Fair Credit Reports Bill. The Local Government Act Amendment Bill (No. 2) lapsed in the Assembly, while the Mining Act Amendment Bill was adjourned in the Council, as was the Beverage Container Bill. The Constitution Act Amendment Bill (No. 5) was negatived in the Council, as was the Privacy Bill.

The only Bill of great moment to the Government was a Government Bill, which was defeated in that session. Out of 101 Bills dealt with by the Council, only one was negatived and that was the Privacy Bill. I will challenge the Government; the Privacy Bill should have been defeated, and the Premier now agrees and says that it should. So does the Australian Labor Party, and that is exactly what should have happened. One talks about the permanent will of the people; what about the permanent will of the A.L.P.? At the last election, the A.L.P. went out and said, "We have no intention of proceeding with the Privacy Bill." Although there was great talk about obstruction, about obfuscation, or any other words it can find, the Government itself has changed its mind. I go back to railway transport Bill and the road transport Bill in South Australia, where exactly the same position existed and the road transport Bill was defeated in this Council. Once again, all the great charges of obstruction were made against this Council.

At the next election the Government was challenged, "Do you intend bringing back the road transport Bill?", and the answer was, "No, we believe now in an open road policy." The Government has believed in an open road policy since that time. I challenge the Government, does it intend bringing back the Privacy Bill as it was originally drafted, and defeated only a few months ago? Does it intend bringing back the road transport Bill to control road transport absolutely in South Australia? The answer once again is, "No." So where is this great argument that has been put forward about obstruction and obfuscation? The point is that, if one looks at each amendment, at each Bill, and at the Government direction after the defeat of a Bill, no charges of obstruction can be laid against this Council, because always the Government has the right to appeal to the people if it does not agree with the decision of this Council.

I refer also to the Emergency Powers Bill, which was a magnificent Bill in which the Government sought the right to govern by edict for a period of a fortnight without calling Parliament together when it considered a state of emergency existed; to do anything simply by gazetting it in the *Government Gazette*.

The Hon. C. M. Hill: Except in the field of unionism.

The Hon. R. C. DeGARIS: I am coming to that. But there was a proviso. The Government could do anything: it could acquire, it could repeal laws, it could make laws for a period of a fortnight, except that one group in the community were protected people, and that is the unionists on strike could not be handled.

The Hon. J. E. Dunford: That is democracy.

The Hon. R. C. DeGARIS: In the A.L.P. style, I agree.

The Hon. J. E. Dunford: American style.

The Hon. R. C. DeGARIS: I challenge the Government, does it intend reintroducing such a Bill? Of course it does not because it knows very well it has no mandate from the people of South Australia. If an emergency exists, this Parliament can be called together to determine the direction the Government should take in such a situation in a period not exceeding a fortnight, and it has been done.

The Hon. N. K. Foster: Not determine—participate.

The Hon. R. C. DeGARIS: No; there is a slight difference. Parliament makes the determination—

The Hon. N. K. Foster: That is not right.

The Hon. R. C. DeGARIS: —and the Government is responsible to Parliament. Let me make that quite clear, because one basis that the Labor Party tends to forget is that Parliament, not the Executive, is supreme. And more so that applies to this Council, where honourable members have a role to perform in a House of Review, and I hope they do it in the spirit in which the Council should do the work in those matters.

Although we cannot go through each amendment and each Bill and analyse them, at least the statistics show, *prima facie*, that the Hon. Mr. Cornwall's contention is not correct. I freely admit that any Government makes mistakes: I freely admit any House of Parliament makes mistakes, but fewer mistakes have been made in legislation in the past in South Australia because of the work of this Legislative Council, and that can be shown in any rational debate. Another statement made by the Hon. Mr. Cornwall rather amused me. I would like to quote from his speech:

The Liberal Party carefully, indeed studiously, shielded its candidates 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.

The Hon. N. K. Foster: It is true; they have been doing that for years.

The Hon. R. C. DeGARIS: That statement in the first part is untrue because the candidate from Mt. Gambier who was elected was overseas and, when he did come back, he faced a very large public meeting in Mt. Gambier with all other candidates, and I believe he did very well.

Secondly, people in the South-East like their individuality; they dislike the philosophy of socialism, a paternalistic philosophy that subjugates all to the total wills of the bureaucracy. The political mark of the South-East is its rugged political individuality, and over the years—

*Honourable members interjecting:*

The Hon. R. C. DeGARIS: —has time and again expressed itself this way and will go on expressing itself this way. As people in the South-East, they fear the big "S" socialism; they also fear the big "C" Canberra. They have a positive belief in their own direction and wish to see their developments along the lines they would like to see them go.

The Hon. D. H. L. Banfield: Why do they want Government help if they do not like socialism?

The Hon. R. C. DeGARIS: It is amazing. There is a role for Government, but to confuse Government assistance and responsibility with the philosophy of liberalism or socialism is political stupidity.

The Hon. D. H. L. Banfield: There is a very thin line.

The Hon. R. C. DeGARIS: The Hon. Mr. Cornwall's final comment I find somewhat insulting to the people of the South-East, and I will quote it:

It finally assembled a gaggle of independent minor Party candidates to play their parts unwittingly and extracted the last drops of bigotry and ignorance.

Now those thousands of people who marched in Mt. Gambier were not a gaggle of independent and minor Party candidates, nor did they play their parts unwittingly, Mr. President, and it is more than insulting to the intelligence of those people to say that they extracted the last drop of bigotry and ignorance.

The Hon. J. R. Cornwall: It was an ignorance to call it spontaneous.

The Hon. R. C. DeGARIS: Perhaps the Hon. Mr. Cornwall now wants to amend the speech he made. I am afraid it is a bit late because *Hansard* has already recorded exactly what he said.

I listened with interest to the speech of the Hon. Anne Levy as well and I was rather amused by her use of the word "paternalistic". If one wants to accuse people of paternalism, let me remind the Council that all Governments are somewhat paternalistic, and socialist Governments are more paternalistic than any other. She felt, I believe, or tried to portray a swinger image by her advocacy of legalisation of marihuana.

The Hon. J. C. Burdett: Did she say that?

The Hon. R. C. DeGARIS: Yes. Not that the views of this Parliament evidently would count very much on this score because the Commonwealth Government—that repository of all wisdom and power—has decided to force its viewpoint on the State by using its presumed powers under the External Affairs power. Every honourable member should express total opposition to this procedure where any determination of the United Nations or of its constituent bodies can be forced upon the States by the Commonwealth under its presumed power. Having adopted that rather swinging approach to the question of marihuana, the Hon. Anne Levy then reverted to a hard line or an unrelenting line on the use of other drugs. Of course, there are many, but she quoted specifically heroin and morphine, leaving unidentified her attitude to a whole range of other drugs. She did not mention barbiturates, L.S.D., amphetamines, and several others.

The Hon. Anne Levy: I was not going to keep you here until midnight.

The Hon. R. C. DeGARIS: I found her viewpoint rather narrow and somewhat unrealistic on this question. As a Legislature, we have two courses to follow regarding drug usage: a hard-line approach to all drug use or a permissive approach to all drug use.

The Hon. Anne Levy: Why?

The Hon. R. C. DeGARIS: If the honourable member listens for a moment I shall come to it. I suggest, Mr. President, that those are the only two practical approaches to the whole question of drugs and drug use. In dealing with this matter at some length, I am sure honourable members probably appreciate that I have had some experience and done some research on the matter. As the then Chief Secretary and Minister of Health I was on the first Commonwealth-State conference on the matter. If one examines the position around the world (and I have done this in Japan, the United States of America, Europe, and Great Britain) one finds that the hard-line approach to drug use is failing, and failing badly. Whilst I am not advocating any other line at present, I warn members that the hard line on drug use will fail because it fails to get hold of the fundamental position in relation to drug use, and that is the crime associated with it. Only one country has been bold enough to tackle this problem, and has produced a situation where all drug use is virtually free in Government clinics. This has completely removed the high profit motive, and the pressure for those people who make a tremendous amount of money out of drug traffic from introducing drugs for their own profit to young people has been completely removed.

The Hon. C. J. Sumner: Which country is that?

The Hon. R. C. DeGARIS: Holland.

The Hon. Anne Levy: What about Jamaica?

The Hon. R. C. DeGARIS: Jamaica does not have a totally permissive policy on all drugs. It has legalised only marihuana.

The Hon. Anne Levy: You said it had to be one or the other.

The Hon. R. C. DeGARIS: Sure. Even Jamaica will fail in its approach. No matter how high—

The Hon. F. T. Blevins: No doubt you will have the answer, Ren.

The Hon. R. C. DeGARIS: One thing honourable members must recognise is that, no matter how high the penalties, no matter how strict the laws, all that happens is that the profit margin for the trafficking of drugs must become higher to compensate for the fine that goes with it. Crime will always follow in a situation, as in America and other countries, where it pays people to get children addicted to drugs. That is exactly what happens. The programme in Holland is of short duration, but from the statistics I have seen the result in Holland is that the addiction of young people, where there is no trade in drugs, is falling, while in all other countries in the world the problem of youth being addicted to hard drugs is growing.

I am not arguing the case on this at all, but I suggest that to take one drug on very limited evidence (I do not believe the evidence is correct, and I could go through my experience in Japan with an institute there doing much work on drug addiction) does not show that marihuana is an easy or a soft drug, as people make it out to be. Some of the information coming through has been refuted on the question that marihuana is not a dangerous drug. The work I saw being carried out in Japan indicated exactly the reverse. If one wants to approach this problem of drug dependence, there are only two ways in which to approach it: first, a totally hard-line approach which I believe history will show will fail; secondly, a completely permissive approach removing absolutely the profit motive, the crime, and the reasons for people to promote addiction as a means to their ends of profitability.

The Hon. F. T. Blevins: Do you support such a proposition?

The Hon. R. C. DeGARIS: I am not supporting any proposition. I am trying to show what has happened around the world and what I believe will happen in relation to the whole question of drugs.

The Hon. F. T. Blevins: You say that one line has completely failed—

The Hon. R. C. DeGARIS: No.

The Hon. F. T. Blevins: —so you would support the other.

The Hon. R. C. DeGARIS: I am not saying that at all. I am saying I believe that in Australia, for a start, we must attempt a hard-line approach. We must take that step but, on the evidence I have, on the information I have got, and on the research I have done, I believe that line will fail. I am sorry to say it, but I believe it to be true.

The Hon. F. T. Blevins: So we only have the alternative.

The Hon. R. C. DeGARIS: We are left with the alternative.

The Hon. F. T. Blevins: So you would support the alternative knowing, as you have told us, that the first proposition would fail?

The Hon. R. C. DeGARIS: I would support the other alternative if time proves that, in countries which are adopting a different approach, drug addiction in young people is declining because of that approach. On the information I have and on the research I have done I think that point will appear in the statistics on drug addiction. I cannot agree with the determination that marihuana is an easy or a soft drug that should be legalised. If one takes that view, one must go further and look at the whole range of drug dependence in this regard.

I turn now to the final point contained in the fourth paragraph of His Excellency's Speech, and I wish to make some examination of the catch cry of "one vote one value" that has suddenly become a political equality symbol in South Australia. No-one can deny the virtue of each vote cast in an election having as nearly as possible the same political value. All things being equal, that should be the aim and the objective of any electoral system. One vote one value is interpreted by the A.L.P. and, on press releases, by the Liberal Movement, as meaning arithmetical equalisation of population or electors in each district. When that is achieved, in the view of those people, one vote one value will be achieved.

However, that is not so. Suddenly one reads of political journalists, politicians, and their supporters, many of whom should know better, proclaiming that a redistribution proposal using single-man districts with near equality of numbers means that we are coming closer to the principle of one vote one value. They mean that the proposed distribution comes closer to arithmetical equalisation of numbers in each district. As I intend to show, this has nothing whatever to do with each vote having an equal political value.

The Hon. C. J. Sumner: It is the first step.

The Hon. R. C. DeGARIS: No. It has absolutely nothing to do with it.

The Hon. Anne Levy: I can see the relationship, even if you cannot.

The Hon. R. C. DeGARIS: I shall give an example. Let us consider 45 000 people, of whom 20 000 are in one electoral district, 12 000 in another district and 13 000 in another. Honourable members opposite will say that that is not one vote one value. Let us say that, in the first seat, Party A polls 12 000 votes, and Party B polls 8 000 votes; in the second seat, party A polls 3 000 votes, and Party B polls 9 000 votes; and in the third seat, Party A polls 4 000 votes, and Party B polls 9 000 votes. So, in the three seats there is a total of 19 000 votes for Party A, and 26 000 votes for Party B. On that distribution, Party A returns one member and Party B returns two members. So, we get roughly a one vote one political value principle in that distribution. Let us now divide the 45 000 people into three seats each with 15 000 electors; honourable members opposite may say that that is one vote one value.

Let us say that, in the first seat, Party A polls 8 000 votes, and Party B polls 7 000 votes; in the second seat, Party A polls 8 000 votes, and Party B polls 7 000 votes; and in the third seat, Party A polls 3 000 votes, and Party B polls 12 000 votes. So, in total, there are still 19 000 votes for Party A, and 26 000 votes for Party B, but in this distribution, with equal populations in the three districts, Party A, with a minority of votes, returns two members, and Party B returns one member. Honourable members opposite will tell me that that is one vote one value, but actually it is an electoral gerrymander.

The Hon. J. R. Cornwall: Are you suggesting proportional representation for the Lower House?

The Hon. R. C. DeGARIS: Not necessarily.

The Hon. J. E. Dunford: What happened over the last 20 years?

The Hon. R. C. DeGARIS: Can the honourable member tell me when the Labor Party gained more votes than did the other Parties? When did the Labor Party poll more than 40 per cent of the vote in South Australia between 1938 and 1956? The honourable member cannot answer, because the Labor Party never did achieve that.

The Hon. J. E. Dunford: Where are your figures?

The Hon. R. C. DeGARIS: I refer to the June, 1956, edition of the *Australian Quarterly*. In 1938 the Liberal and Country League polled 83 413 votes; the Labor Party, 76 093 votes; and others, mainly Independents, 65 780 votes.

The Hon. J. E. Dunford: How many Independents were there?

The Hon. R. C. DeGARIS: There were 15 in 1938. The Hon. Mr. Dunford asked what had happened over the last 20 years. If he looks at the figures he will find that on only two occasions did the Labor Party's vote exceed the L.C.L. vote. In 1944 the Labor Party polled 157 115 votes, while the L.C.L. polled 144 317 votes, but there were 57 383 votes for others, mainly Independents. If one examines the preferred vote, one sees that the Labor Party still did not have a majority. In 1956 the Labor Party polled 188 730 votes, while the L.C.L. polled 185 502 votes, and there were 32 712 votes for Independents.

The Hon. J. E. Dunford: How did you get on in the next 20 years?

The Hon. R. C. DeGARIS: I cannot quote the figures accurately, but I can give approximate figures from memory. Therefore, I may make a mistake. In 1959, the Labor Party polled 48.4 per cent of the votes.

The Hon. J. E. Dunford: The L.C.L. got 30 per cent. If you make comparisons over the last 20 years, you will find that the L.C.L. has been out of business.

The Hon. M. B. Dawkins: The year 1975 is not the last 20 years.

The Hon. R. C. DeGARIS: In 1956, the L.C.L. polled 185 502 votes; the Labor Party, 188 730 votes; and others polled 32 712 votes.

The Hon. N. K. Foster: How many seats did you contest? You are putting up the Country Party whine.

The Hon. J. E. Dunford: In the last 20 years the Labor Party has been the popular Party.

The Hon. R. C. DeGARIS: I am trying to be quite honest. There has been a promotion for a long time by honourable members opposite and others who have sought to gain political advantage by saying that for years and years the Playford Government governed without popular support. If one examines the figures, one sees that that was not so.

The Hon. F. T. Blevins: Everyone is out of step except you.

The Hon. R. C. DeGARIS: If what I have said can be proved wrong, I will withdraw it.

The Hon. J. E. Dunford: How many electors were there in Sir Thomas Playford's district when he was a member?

The Hon. R. C. DeGARIS: Now we are coming back to the illustration I gave. Mathematical equalisation of the numbers of electors has absolutely nothing to do with the question of one vote one value. I support one vote one value. The Party that polls 50 per cent of the votes should govern. If honourable members will agree with me on that point, we may get somewhere, but mathematical equalisation of electors will not produce a situation where 50 per cent of the people can determine who will govern.

The Hon. C. J. Sumner: It is the first step.

The Hon. R. C. DeGARIS: No. It denies other important democratic principles.

*Members interjecting:*

The PRESIDENT: Order! I think the Leader should be allowed to develop his point.

The Hon. R. C. DeGARIS: The idea of equality is not new. In the Western tradition, three concepts have provided the basis for philosophic discourse—liberty, equality and justice.

The Hon. Anne Levy: And fraternity!

The Hon. R. C. DeGARIS: The three concepts I am taking are liberty, equality and justice. The three words are so familiar that their very familiarity almost destroys their meaning, but each word has an infinite subtlety in itself and in its interaction with the others. They must bear equal weight in connection with our electoral laws. What this Parliament faces with regard to our electoral laws is that the thinking of the Labor Party and the thinking of the Liberal Movement at this stage are based on a false understanding of the meaning of the phrase one vote one value. The thinking of those groups is based on a conservative adherence to a single-man electorate system; it believes it produces votes of equal political value, no matter how the lines are drawn. Every single-man electorate system on its own is a gerrymander to some degree.

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

The Hon. R. C. DeGARIS: I am absolutely opposed to any Party governing with less than 50 per cent of the vote.

The Hon. D. H. L. Banfield: Why didn't you do something about it when Sir Thomas Playford was in office?

The Hon. R. C. DeGARIS: How does the Chief Secretary know what I did?

The Hon. D. H. L. Banfield: I know that you didn't do anything then. You could have introduced a Bill here, but you didn't.

The Hon. R. C. DeGARIS: I make this statement quite clearly. A Party polling 50 per cent of the preferred vote should govern. The only time over the last few years that I can discover with any certainty when the Labor Party should have governed was in 1962.

The Hon. Anne Levy: How about 1968?

The Hon. R. C. DeGARIS: If honourable members would only wait a minute, I would say what I intended to say.

The Hon. N. K. Foster: You should have been raising this for years, but you've been silent. Why didn't you raise it before?

The Hon. C. J. Sumner: He's changed his mind.

The Hon. R. C. DeGARIS: I have not changed my mind at all. I will come to that point, if honourable members will let me get to it. In 1962, the Labor Party polled 51 per cent of the preferred vote. It did not govern, although it should have done so. There was no change in the boundaries in 1965 and, if one looks at the preferred vote in 1962, one will find that that system then disadvantaged the Labor Party by about 3 per cent. In 1965, with exactly the same electoral boundaries, it advantaged the Labor Party by 4 per cent. In other words, in 1965 the vote of an A.L.P. member in this State was worth about 104 per cent, giving one vote a value of 100 per cent, and there were no changes to boundaries.

The Hon. Anne Levy: But there was a change in population.

The Hon. R. C. DeGARIS: That does not matter. I am saying that every single-man electoral system will not on its own produce one vote one value and, if one vote one value is a principle, I am willing to support it. However, I will say this: every time that a Bill or an amendment

has been introduced or moved in this Council to produce one vote one value (with one vote having as near as possible the value of one), the Labor Party and the Liberal Movement have voted against it.

The Hon. D. H. L. Banfield: But you know—

The Hon. R. C. DeGARIS: Let me make this point clear, and let honourable members opposite examine their own consciences. On the three occasions that a Bill has been introduced or an amendment moved in this Council which would have produced mathematically a situation in which each vote had the same political value, that Bill was defeated by the A.L.P. Twice since then the legislation has been amended to produce a system under which votes will have, as close as possible, equal political value in an election, but the A.L.P. and the Liberal Movement voted against it. I stand here and make that statement, and, if anyone wants to debate this question on television or radio before the South Australian public, I am willing to do so, because I know that what I am saying is correct. If honourable members want to garner their consciences on one vote one value for this Council or for the House of Assembly that will produce votes of equal political value, I will support them. However, I will say here and now that the A.L.P. and the Liberal Movement, in their electoral policies, did not wish to produce that system.

The Hon. C. J. Sumner: That's rubbish.

The Hon. R. C. DeGARIS: I have stood here for a long time and been abused, but what I am saying is true. On three occasions, the A.L.P. has voted against a system that would have produced one vote one value. In his speech, the Hon. Mr. Blevins quoted some extracts from Chief Justice Earl Warren of the United States Supreme Court to support his claim that equalisation of numbers in electorates produces the mystical one vote one value.

The Hon. C. J. Sumner: We didn't say it produces it: we said it's a start. You would have to be an idiot to say it produces it.

The Hon. R. C. DeGARIS: Honourable members should read His Excellency's Speech, which states, "We are to have one vote one value with numerically equal electorates." It is relatively simple for one to quote what a learned judge has said—

*Members interjecting:*

The PRESIDENT: Order! Repeated interjections are out of order. I think we will get on much better if we allow the Hon. Mr. DeGaris to develop his argument.

The Hon. R. C. DeGARIS: I think I have developed it rather well, Sir.

The Hon. D. H. L. Banfield: You didn't convince anyone.

The Hon. R. C. DeGARIS: I will return to my point: I make the challenge to any member opposite to face me on television before the people of South Australia to show that what I am saying is untrue. The move to produce one vote with one political value, since I have been a member of this Parliament, has been made on three occasions. It was introduced by the Liberal members in this Chamber, and on each of those occasions the Labor Party has voted against it.

The Hon. C. J. Sumner: What years?

The Hon. R. C. DeGARIS: In 1972, in the amendment to the franchise Bill in 1973, and in the 1974 Electoral Act Amendment Bill.

The Hon. D. H. L. Banfield: You will debate those three, will you?

The Hon. R. C. DeGARIS: I will debate this point: that the only time a Bill or an amendment to a Bill was

introduced to produce a situation in this State in which every vote cast would have had, as near as was practically possible, an equal value, the Labor Party voted against it.

The Hon. D. H. L. Banfield: Why don't you tell us how crook the situation was when six Ministers could be elected—

The Hon. R. C. DeGARIS: I think the Hon. Chief Secretary is stealing words from the Hon. Mr. Dunford, who is a colourful character, and I do not think the Chief Secretary should use his words. Let me return to the point made by the Hon. Mr. Blevins regarding what the Chief Justice of the United States Supreme Court, Earl Warren, said. It is relatively simply for an honourable member to quote learned judges, but I think the Council should be acquainted more thoroughly with the whole boundary revolution in the United States. In the now famous 1962 Tennessee case, *Baker v. Carr*, the Supreme Court overruled precedent and authorised judicial review of electoral boundaries. I do not think the Labor Party would like that here: to have the court look over its distributions. Up to this time, of course, the courts had refused to allow any appeal on proposed electoral boundaries.

In June, 1964, in a number of cases headed by *Reynolds v. Sims* (Alabama) the one man one vote interpretation (which means that all legislative bodies must be based substantially on equal population) was announced. In cases up to and including the 1964 Alabama victory in the Reynolds case, plaintiffs could establish their cause simply by showing mathematical inequality in existing districts. However, since 1964, the date of Earl Warren's words which the Hon. Mr. Blevins saw fit to quote, the wheel has gradually turned because, although up until that time the only necessity for the plaintiff was to show mathematical inequality to win a case, the fact emerges that since this narrow interpretation of one man one vote has been adopted by the courts there have been in office more Governments in the American States with a minority vote than previously. Here we have the situation that the court made the determination but, since the determination, votes do not count equally any more. Votes do not count equally any more now than they did before. What has happened is that there is more governing of the States of America by Governments with a minority than ever before. Since that 1964 case the courts have taken a much more relaxed viewpoint. What they are saying now is that the mathematical equality of electorates is presumed to be constitutional, unless challenges can show that equal districts are discriminatory in operation and prevent fair representation. The burden of proof on this point is not proving insurmountable in the American experience.

The Hon. D. H. L. Banfield: Since when did you show an interest in fair representation?

The Hon. R. C. DeGARIS: I have always been interested in fair representation. Indeed, I will predict to this Council that, in the near future, we will see the courts in America uphold an appeal against reapportionment, where the electorates will be exactly mathematical, but it will be shown that they are discriminatory and prevent fair representation. The ultimate rationale can be given for the decision in *Baker v. Carr*. That was the first important case when political avenues for redressing political problems became dead-end streets; judicial intervention in the politics of the people may be essential in order to have effective politics.

I would now like to look at the question of malapportionment in America. This brought about the *Baker v.*

*Carr* case which, in turn, brought about judicial intervention in that apportionment of districts. In Tennessee, when the distribution of seats was challenged in *Baker v. Carr*, Upper House seats varied from 132 000 to 20 000 and the Lower Houses seats varied from 42 000 to 2 000. In Florida the Upper House districts ranged from 935 000 down to 9 500, or 100 to one variation, and the Lower House varied from 312 000 to 2 800, 110 to one variation. I come to the point that the rationale for the *Baker v. Carr* case was to overcome gross malapportionment and distribution of seats. This was the only level that could be used.

In distributions such as these, with a political solution not possible, extraordinary methods to change the structure had to be used. Two issues were involved in the *Baker v. Carr* case. The first involved representation, and the second involved the right to vote. Regarding the representation aspect, Judge Frankfurter stated:

What is actually asked of the court in this case, is to choose among competing bases of representation, ultimately, really, among competing theories of political philosophy—in order to establish an appropriate frame of government for the State of Tennessee and thereby for all States of the union.

Judge Frankfurter dissented on the issue of whether the courts should enter the political thicket—but he did see that the whole problem of democratic institutional arrangements was involved. The point of course is that the courts have now entered the political thicket and, having done so, they must continue in the process, to give the decision real meaning, because it is obvious even to the most casual observer that the concept of “one man, one vote, one value” has practically nothing to do with mathematical equality in each district. In the broad perspective, other questions must be raised—the single-member electorate system, such devices as cumulative voting, limited voting, proportional representation in all its forms and the problem of political artificiality in mathematically equal districts.

Many have suggested that the right to be heard is a proper right, along with the right to vote. Many political commentators in America are pointing out that it is becoming critically important to move from the narrow concern of the obvious malapportionment existing prior to *Baker v. Carr* to a concern for malrepresentation of interests. There is a need to talk more of political equity than of mathematical equality of voters in each electorate. I believe—

The Hon. N. K. Foster: What do you mean by that?

The Hon. R. C. DeGARIS: There is a need to talk more of political equity than mathematical equality.

The Hon. N. K. Foster: Can you explain that?

The Hon. R. C. DeGARIS: What I have said is that mathematical equality will not produce one vote one value. If one wants political value, let us produce one vote one value. It can be done, but it cannot be done in any system of single-man electorates under a mathematically biased gerrymander. Not only that, but mathematically equal districts also deny other democratic principles.

The Hon. N. K. Foster: What?

The Hon. R. C. DeGARIS: It also denies other democratic principles. Once again I refer to what Judge Frankfurter said in 1964 in *Reynolds v. Sims*, as follows:

What then is this question of legislative apportionment? Appellants invoke the right to vote, and to have their votes counted—but they are permitted to vote and their votes are counted. They go to the polls, they cast their ballots, they send their representatives to the State Councils. Their complaint is simply that the representatives are not sufficiently numerous or powerful—in short, that Tennessee has adopted a basis of representation over which the appellants are dissatisfied.

He goes on to say:

Talk of “debasement” or “dilution” is circular talk. One cannot speak of “debasement” or “dilution” of the value of a vote until there is first defined a standard of reference as to what a vote should be worth.

What they have constructed in America in their judicial decisions is a three-legged stool and, as Judge Frankfurter pointed out, there is still the fourth leg of the stool to be constructed. Following *Baker v. Carr*, the redistribution revolution in the Alabama case of *Reynolds v. Sims* was the vehicle for the principle opinion in redistribution decisions. The third uncertainty which ran through the pack of cases, of which *Reynolds v. Sims* was the forerunner, was, “How equal is equal?”—and was answered only with a formula of “substantial equality”. And this question still remains to plague American legislators and courts alike.

The principle opinion of the court on these matters was delivered by Chief Justice Earl Warren in the Alabama case (*Reynolds v. Sims*). The court espoused equal population principles for both Houses of a bicameral Parliament, thus invalidating at least one House in every State of America and, in most instances, both Houses. The whole tone of Chief Justice Warren’s opinion was flatly inconsistent with a statement he made earlier as Governor of California. In 1948, speaking in opposition to a flat population equality rule, he stated:

Many Californian counties are far more important in the life of the State than their population of the State.

The Hon. F. T. Blevins: That was when he was a politician.

The Hon. R. C. DeGARIS: In that case, I will skip what he said as a politician and refer to what he said as a judge, in order to satisfy the honourable member. Chief Justice Earl Warren said (and the Hon. Mr. Blevins picked out a little piece and blew it up in this Chamber):

Legislators represent people, not trees or acres. Legislators are elected by voters, not farms or cities, or economic interests.

Then Chief Justice Warren indulged in some very puzzling provisos in his judgment. I shall quote some of them, taken from the judgment as follows:

We realise that it is a practical impossibility to arrange legislative districts so that each one has an identical number of residents or citizens or voters. Mathematical exactness or precision is hardly a workable constitutional requirement. Later, he said;

Indiscriminate districting, without any regard for political subdivision or natural or historical boundary lines, may be little more than an open invitation to partisan gerrymandering.

He went on in his judgment, making it more puzzling, to characterise the goal of redistribution or apportionment of districts as:

Full and effective participation of all citizens in the State Government.

He added:

Fair and effective representation for all citizens is concededly the basic aim of all legislative apportionment. He comes back to the question of fair and effective representation. The essence of the judgment in *Reynolds v. Sims* is its narrow simplistic quality. The theory that equal numbers guarantee equal representation is the greatest fallacy of all. In his dissenting judgment, Justice Stewart emerged with two principles. He expressed, first, concern for the preservation of effective majority rule and added:

The use of a rational basis in making classifications for electorates.

His views were well captured in the following extract from his judgment:

Representative government is a process of accommodating group interests through democratic institutional arrangements. Its function is to channel the numerous opinions, interests and abilities of the people of a State into the making of the State's public policy. Appropriate legislative apportionment, therefore, should ideally be designed to ensure effective representation in the State's Legislature, of the various groups and interests making up the electorate.

The Hon. J. E. Dunford: Do you believe that?

The Hon. R. C. DeGARIS: Yes.

The Hon. J. E. Dunford: Are you going to move an amendment for proportional representation?

The Hon. R. C. DeGARIS: I have not said that.

The Hon. J. E. Dunford: You have got to do what you believe in here, you know.

The Hon. R. C. DeGARIS: I know that.

The Hon. J. E. Dunford: You are supporting proportional representation. You say it is right and yet you will not move an amendment.

The Hon. R. C. DeGARIS: I have not supported proportional representation. If one wants one vote one value and if one wants each vote cast to have an equal political value, then one must change the voting system. Does the Hon. Mr. Dunford believe that that is right? Does he agree?

The Hon. J. E. Dunford: Yes.

The Hon. R. C. DeGARIS: What the honourable member is saying and what I am saying is that numerically

equal numbers do not produce one vote one value and cannot produce it. It also denies another principle of fair and effective representation and an involvement of all people in the State in State politics. I can see that the Hon. Jim Dunford and I will get on very well together.

The Hon. J. E. Dunford: No. I will not interject any more.

The Hon. R. C. DeGARIS: There is a pounding stress on equality of population in Warren's judgment, with only an occasional mention of the much more difficult question of effective representation. This equality standard, geared solely to gross population, cannot be attuned to the finer aspects of representation. Such a standard is not responsive to the overall goal of fair representation, nor does it ensure adequate majority representation.

The Hon. N. K. Foster: Who wrote that?

The Hon. R. C. DeGARIS: They are my own words. A representative democracy must be sufficiently majoritarian to guarantee majority rule, but an excess of the majoritarian principle may rob the system of its representative character. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

#### ADJOURNMENT

At 5.56 p.m. the Council adjourned until Thursday, August 21, at 2.15 p.m.