LEGISLATIVE COUNCIL

Thursday 25 September 1980

The PRESIDENT (Hon. A. M. Whyte) took the Chair at 2.15 p.m. and read prayers.

PETITION: FILM CLASSIFICATION

The Hon. C. J. SUMNER presented a petition praying that the Attorney-General would grant a classification for the film *Sweet Sweetback's Badasss Song* under the Film Classification Act or grant an exemption for this film from the provisions of that Act to allow it to be screened in its original form during the 21st Adelaide International Film Festival.

Petition received and read.

PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. K. T. Griffin)—

Pursuant to Statute—

Lotteries Commission of South Australia—Auditor-General's Report, 1979-80.

Pipelines Authority of South Australia—
Report and Statement, 1979-80.
Auditor-General's Report, 1979-80.

State Government Insurance Commission—Auditor-General's Report, 1979-80.

By the Minister of Local Government (Hon. C. M. Hill)—

Pursuant to Statute—

Libraries and Institutes—Libraries Board of South Australia—Report, 1979-80.

South Australian Local Government Grants Commission—Report, 1980.

South-East Regional Cultural Centre Trust; Pirie Regional Cultural Centre Trust and Whyalla Regional Cultural Centre Trust—Auditor-General's Report, 1979-80.

West Beach Trust—Auditor-General's Report, 1979-80.

By the Minister of Arts (Hon. C. M. Hill)—

Pursuant to Statute—

Adelaide Festival Centre Trust—Report, 1979-80.

Auditor-General's Report, 1979-80.

State Theatre Company of South Australia—Auditor-General's Report, 1979-80.

MINISTERIAL STATEMENT: PARTY INVITATION

The Hon. C. M. HILL (Minister of Local Government): I seek leave to make a statement concerning invitations sent out by Mr. Bannon, M.P.

Leave granted.

The Hon. C. M. HILL: The Government deplores the action and intentions of the Leader of the Opposition in the other place (Mr. Bannon, M.P.) in sending invitations for a party at his home to members of the Public Service currently employed by the Department of Local Government, Department of Art Gallery, and at least one other department, all of which departments were grouped under Mr. Bannon's portfolio in the former Government. The party is to be held this Saturday evening, 27 September. The invitations were individually addressed and forwarded to persons at their respective departments. I seek leave to have a copy of the invitation inserted in *Hansard* without my reading it.

Leave granted.

PUBLIC SERVICE ACT, 1967-1978: CREATION OF DEPARTMENT OF COMMUNITY DEVELOPMENT

SOUTH AUSTRALIA, *to wit* } *Proclamation by His Excellency the Governor of the State of South Australia*

(L.S.) K. D. SEAMAN

BY virtue of the provisions of the Public Service Act, 1967-1978, and all other enabling powers, I, the Governor, of the State of South Australia, upon the recommendation of the Public Service Board, and with the advice and consent of the Executive Council, do hereby:—

1. Bring into existence a new department by declaring it to be a department of the Public Service.

2. Assign the name "Department of Community Development" to the new department.

3. Create an office of permanent head of the Department of Community Development, and assign to the office the title of "Director of Community Development".

Given under my hand and the public seal of South Australia, at Adelaide, this 5th day of October, 1978.

By command,

D. H. BANFIELD, for Premier

P.S.B., 526/1978

GOD SAVE THE QUEEN!

Is there life after death?

You are invited to explore the possibility, at a party on Saturday 27 September at John Bannon's place, 27 Olive Street, Prospect, from 8.30 p.m.

PUBLIC SERVICE ACT, 1967-1978: DEPARTMENT OF COMMUNITY DEVELOPMENT DISCONTINUED

SOUTH AUSTRALIA, *to wit* } *Proclamation by His Excellency the Governor of the State of South Australia*

(L.S.) K. D. SEAMAN

BY virtue of the provisions of the Public Service Act, 1967-1978, and all other enabling powers, I, the Governor, with the advice and consent of the Executive Council, do hereby:—

1. Discontinue the Department of Community Development.

2. Abolish the Office of Director of Community Development.

Given under my hand and the public seal of South Australia, at Adelaide, this 20th day of September, 1979.

By command,

W. ALLAN RODDA, for Premier

P.S.B., 523/1979

GOD SAVE THE QUEEN!

R.S.V.P. 25.9.80
Phone 44 2476

The Hon. C. M. HILL: I thank the Council for allowing the invitation to be inserted in *Hansard*. The invitations feature copies of two proclamation notices, the first, dated 5 October 1978, proclaiming the bringing into existence of a new department and naming that department the Department of Community Development, and the second, dated 20 September 1979, proclaiming the discontinuance of that Department of Community Development. The first proclamation deals with the establishment of the new department, when Mr. Bannon became its Minister, and the second proclamation was issued immediately the new Liberal Government took office.

Honourable members will recall that, at the same time, a new Department of Local Government was established, generally replacing the former Department of Community Development. On the invitation, as indicated, between

those copies of proclamations, are the following words:

> Is there life after death?
>
> You are invited to explore the possibility, at a party on Saturday 27 September at John Bannon's place, 27 Olive Street, Prospect, from 8.30 p.m.

An R.S.V.P. is required by 25 September, the telephone number being Mr. Bannon's electoral office. I was informed of the invitations when officers approached me yesterday. Naturally, they expressed concern, and are very worried as to what they should do.

Members interjecting:

The Hon. C. M. HILL: Honourable members opposite can treat this matter as a joke, but I assure them that, in the view of the public servants of this State, it is not a joke.

Members interjecting:

The PRESIDENT: Order!

The Hon. C. M. HILL: The clear implications conveyed by the invitation are that Mr. Bannon would like to discuss plans for the future resurrection of a Department of Community Development, to involve his former officers in the new department, and generally develop his Party's policy in conjunction with such officers.

It can be seen, therefore, that this invitation poses a cruel dilemma to the individual public servant. If he or she accepts, the accusation can be made that they are sympathetic to the Opposition and, if they decline, they could fear being branded supporters of the Government. A public servant, particularly a junior public servant, should never be placed in a position of having to make a judgment of this nature. Mr. Bannon should write personally to those to whom he has sent invitations, regretting that he has placed them in this most embarrassing and difficult position.

The Government condemns the Leader of the Opposition, Mr. Bannon, in regard to this whole affair. First, he has placed conscientious public servants, who are respected by this Government for their high ethical standards, in a most invidious and embarrassing position, which adversely affects their morale and may adversely affect their careers.

Secondly, Mr. Bannon seeks to develop his own policy, with the aid of his former officers within the Public Service. From this it is not unreasonable to assume that he infers that those who come forward to his home and co-operate with him now, and tell him all that has happened within the Local Government Department and other departments involved within the past 12 months, will gain their rewards in the unlikely event of a change of Government.

Thirdly, he shows scant regard for the non-partisan and non-political principles of the Public Service generally, and disregards totally the principle (so vigorously and properly upheld by his own Party when in office) that, if an Opposition member wishes to contact a public servant in regard to a political matter, that contact should be made through the responsible Minister.

QUESTIONS

FILM CLASSIFICATION

The Hon. C. J. SUMNER: After that display of sensitive paranoia, I would like to ask the Minister of Arts the following question. Does the Minister of Arts support the Attorney-General's banning of the film *Sweet Sweetback's Badasss Song* after it had been approved by the Commonwealth Censorship Board for screening in South Australia, even though the Attorney-General, at the time it was banned, had not seen the film? Secondly, if the Minister does approve of the banning of the film, will he explain why?

The Hon. C. M. HILL: I do approve, because I am advised that anyone showing the film in its present form breaks the law, and the law in question is the law brought down by the Dunstan Government in 1978.

The Hon. ANNE LEVY: I desire to ask a supplementary question. Does the Minister agree that whether or not a law is broken (and this includes all laws) is a matter to be determined by the courts and not by an individual?

The Hon. C. M. HILL: I do not follow the honourable member's question. I simply support the law. I do not condone the breaking of the law.

The Hon. ANNE LEVY: I desire to ask a further supplementary question. The Minister has obviously not understood my question concerning whether a certain film contravenes the law, namely, the Criminal Law (Prohibition of Child Pornography) Act. I ask him whether or not something that contravenes a law is a matter to be determined by the courts in this country and not by any other individual.

The Hon. C. M. HILL: I simply said earlier that I was advised that it broke the law. I accept that advice.

The Hon. R. J. RITSON: I seek leave to make a brief explanation before asking the Attorney-General a question about the film festival.

Leave granted.

The Hon. R. J. RITSON: I have become concerned about some of the unfair criticism that has been levelled at the Attorney-General in relation to—

Members interjecting:

The PRESIDENT: Order! The Hon. Dr. Ritson.

The Hon. R. J. RITSON: —the film *Sweet Sweetback's Badasss Song*. I am aware that the film festival is struggling, and I am aware that the Government gives its substantial support. I am also aware that, when the Attorney-General expresses a legal opinion that a film contravenes the law, that is his duty as Attorney-General. It is his duty to publicly support the law, and I doubt that it is a matter in which he has any discretion. I think it is a matter in which Parliament is supreme, and the Dunstan Government made this law.

Members interjecting:

The PRESIDENT: Order!

The Hon. R. J. RITSON: The unfair thing is that people are running around with little catch-cries and calling us a hick town.

The Hon. J. R. Cornwall: They're calling the Attorney-General worse things than that.

The Hon. R. J. RITSON: Do not be so rude, Dr. Cornwall. If Adelaide is a hick town and is in fact preventing South Australians from seeing a highly successful film, will the Attorney detail the world history of this film and tell the Council of some of the non-hick towns in which the film has been shown and acclaimed?

The Hon. K. T. GRIFFIN: Some wild accusations have been made by those who seek to oppose the decision I took. One of those wild statements is that Adelaide is either a backwater or a hick town. I must say that that concerns me, because those people do not seem to understand what the controversy is all about. In answer to the honourable member's question, I can say from inquiries I have made that the film has been seen only in the United States. It was released for a brief showing in France. I understand that it is likely to be shown at the London Film Festival, but other internationally acclaimed film centres of the world have refused to show the film.

It is interesting to note that, in the United Kingdom in May this year, *Variety* magazine contained a comment on the attitude of the United Kingdom Government as

reflected in the Protection of Children Act, which was passed in the United Kingdom in 1978. It is an Act which covers very much the same area as that covered by the Criminal Law (Prohibition of Child Pornography) Act passed in South Australia. That was a Government Bill which was promoted by the Hon. John Burdett's private member's Bill, which the previous Government refused to adopt. The whole question of the Protection of Children Act, which relates to child pornography, was canvassed in that article in *Variety* magazine. There is no criticism of the emphasis of that legislation. The film-making community appears to accept without question that the artistic validity of a particular film should not be a defence as it is under their obscenity laws but because the new Act in the United Kingdom is not concerned with the film's effect on the audience. The Protection of Children Act in the United Kingdom, as with the Criminal Law (Prohibition of Child Pornography) Act in South Australia, is directed towards the protection of children.

The Hon. R. J. RITSON: I wish to ask a supplementary question. The Attorney has just mentioned the effect on the audience not being the key concern in this matter. However, I am concerned that the alleged exclusive nature of membership of this festival may not be as exclusive as it is said to be. I have evidence of complimentary tickets being scattered around like confetti. Will the Attorney-General explain to the Council the conditions of membership of this festival and any cost barriers to this membership so that we may see how exclusive the club is?

The Hon. K. T. GRIFFIN: I think I ought to make clear from the outset that it is not my intention to criticise the film festival or its organisers. It is unfortunate, in the way this has developed, that there appears to be criticism of the festival organisers, and I want to make quite clear that we do not criticise the film festival or its organisers. What we are criticising is the fact that this particular film breached the law by virtue of the scenes that appeared in the first four minutes or so of the film, and we are saying that that was not a proper film to be shown at the film festival in the light of the law relating to the prohibition of child pornography.

I think the film festival has been going on for more than 14 years and, over that period, it has tended to be something of a more exclusive festival, although I understand that this year, in an attempt to widen the range of interest in the community and increase the audiences, changes were made in the membership format of the festival, so that now it becomes much more a public film festival than a festival the membership of which is of an exclusive nature. As part of that initiative, I am informed, any member of the public can turn up at a theatre where a festival film is being shown and, upon payment of $6 at the door by a person who declares that he or she is over 18 years of age, gain admission to the film, because the $6 encompasses festival membership, plus $2 for a film festival programme or brochure.

One can see that, for $6, which gives membership, there is also the opportunity to see one film, and I may point out that on the Adelaide commercial film circuit the average cost of entry for an adult person to view a film is $4·75, so I guess that one needs to take into account not only that it is a film festival but also that it has a much wider audience now than it has had in previous years. Notwithstanding that fact, I still adhere to the view that the decision I took was a correct one, because the film did break the child pornography laws, and that was relevant to the exercise of my discretion under the 1971 Film Classification Act, an Act that was initiated by former Premier Dunstan, who himself provided that the Minister shall have the ultimate responsibility for the decision under that Act.

PRISON SENTENCE SUSPENSION

The Hon. C. J. SUMNER: I seek leave to make a brief statement prior to directing a question to the Attorney-General about the case in the Supreme Court involving Mark Steven German.

Leave granted.

The Hon. C. J. SUMNER: It seems to me that the Attorney-General, as the Minister responsible for Crown prosecutions, has been in dereliction of duty in not submitting evidence to Mr. Justice Zelling in the case of Mark Steven German. German was given suspended sentences on armed robbery and canteen-breaking charges. Mr. Justice Zelling said that, while German was in gaol, there was a danger that he would be sodomised or seriously assaulted if he did not submit.

The Attorney-General has responsibility for Crown prosecutions, and apparently failed to call evidence to show how German could be protected in gaol. The Crown was given an opportunity by Mr. Justice Zelling to call evidence on whether the prisoner could be protected from being compelled to enter into sodomy or from being seriously assaulted, but it failed to call such evidence. The clear implication is that the Government cannot protect prisoners from sodomy or assault.

Alternatively, the Attorney-General has been negligent in failing to call evidence and thereby letting an armed robber go free, when the judge said a sentence of imprisonment was warranted. An armed robber has been released into the community, because the Government was not prepared to give evidence about the protection of prisoners in South Australian gaols. The administration of prisons in the past 12 months has been woeful. The Government was not prepared to allow facts relating to the treatment of prisoners to be brought before the court.

This adds further weight to Labor's call for a widening of the terms of reference of the inquiry into prisons to cover the treatment of prisoners. I also believe the threats occurred while on remand. If this is so, it is a further condemnation of the Government's failure to act on a new remand centre. Labor had made a decision on this, but in 12 months nothing has been done by the Liberal Government. The need for an early decision has now been demonstrated.

Will the Attorney-General say why the Crown did not tender evidence regarding the conditions in South Australian gaols in the case of Mark Steven German after having been given the opportunity to do so, thus forcing Mr. Justice Zelling to release the prisoner because of the fear that that prisoner would be assaulted or sodomised if committed to a South Australian prison?

The Hon. K. T. GRIFFIN: My understanding is that the Crown did make submissions with respect to the treatment of prisoners but the learned trial judge decided, on the basis of material before him, that he should take the course of releasing this prisoner on a suspended sentence. As everyone knows, the Government has taken steps by having passed in this Council a Bill which is presently before the House of Assembly and which, in those sorts of cases, gives the Crown an opportunity to appeal against the sentence. Whilst I am not suggesting that in this case it would be appropriate to do so, I am saying that if that right was available to the Crown we would look very carefully at this case, as we would look at all other cases where penalties are imposed, and make a decision whether or not, on the facts, it was an appropriate case for an appeal.

The Hon. C. J. Sumner: Why didn't you call evidence?

The Hon. K. T. GRIFFIN: It was not a matter of calling

evidence; it was a matter of making submissions to the judge.

The Hon. C. J. Sumner: He gave you an opportunity to call evidence.

The Hon. K. T. GRIFFIN: I have indicated that, as I understand it, submissions were made. The Leader of the Opposition is attempting to link this with calls by his colleague Mr. Duncan in another place for inquiries into the prison system.

The Hon. M. B. Cameron: He's trying to take back over from Mr. Duncan.

The Hon. K. T. GRIFFIN: I am not sure about that; perhaps Mr. Duncan is trying to challenge him for the front bench. In any event, the Leader is attempting to divert attention from the Opposition's own failings when previously in Government. The fact is that under the present system the rules which apply now have applied for a considerable time, and that is that, regarding any prisoner who indicates that he is under threat, or appears to the authorities to be under threat, every step is taken to ensure the protection of that prisoner, even to the point of moving prisoners from one institution to another. That is a practice which has been continued by the present Government in addition to what the previous Government was doing during its term of office.

One must keep in mind that this whole matter really was in the hands of the Labor Government for some 10 years. All the chickens are now coming home to roost, and we are endeavouring to take some remedial action to overcome all the problems existing in the prison system. The Chief Secretary has indicated a number of initiatives which he has taken with respect to security. He has also publicly indicated steps which will be taken to protect prisoners in situations similar to the German case. He has also indicated a comprehensive review of conditions and procedures in the prison system.

The Government believes that the steps which the Chief Secretary has taken will be adequate and will result in remedies being implemented in the foreseeable future. The Chief Secretary has also made recent announcements with regard to remand centres and maximum security prisons, all of which it is admitted have been in the pipeline for some months.

The Hon. C. J. SUMNER: I wish to ask a supplementary question. Mr. Justice Zelling, in sentencing Mark Steven German, said:

> The Crown was given the opportunity to call evidence on the disputed question of fact and declined to do so, and, therefore, I sentence you on the basis most favourable to you.

In view of that fact and the fact that the disputed question of fact was whether Mr. German was going to be assaulted or sodomised in a South Australian prison, why did the prosecuting authorities not tender evidence, as opposed to making submissions, before Mr. Justice Zelling and thereby lead to the release of the prisoner who, according to Mr. Justice Zelling, should have been sentenced to imprisonment and not released into the community?

The Hon. K. T. GRIFFIN: It is unusual for any court to concern itself with the prison system. What it needs to do is take into account all of the factors relating to a criminal, his antecedents and the circumstances of the offence that was committed, as well as what the likelihood of his rehabilitation may be. In this case, as I understand it, the Crown did make submissions, and—

The Hon. C. J. Sumner: It was asked to tender evidence.

The Hon. K. T. GRIFFIN: According to the newspaper report, the judge gave the Crown an opportunity to do so, but the usual and proper course in all these sorts of cases is for submissions to be made to the court, and I understand that those submissions were made.

COAL

The Hon. N. K. FOSTER: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister of Mines and Energy, a question about the ownership of coalfields in South Australia.

Leave granted.

The Hon. N. K. FOSTER: An announcement was made last week about a coalfield that has been recently discovered which has some huge deposits of quite good grade steaming coal.

The Hon. D. H. Laidlaw: The emphasis needs to be on "quite".

The Hon. N. K. FOSTER: Perhaps so, Mr. Laidlaw, but that will not make any difference to the question, although you may object to it. The emphasis I would make is that this coalfield was practically unknown to most people in South Australia. With the announcement of its discovery it was also announced that a huge Japanese consortium already owned that South Australian deposit. Much has been said about who has direct ownership (if not ownership, mining and exploration rights) over the huge coal-bearing area of Lake Phillipson. We know of the coal in the Inkerman area, which is perhaps better identified as the Port Wakefield-Bowmans area, from which already has been sent an extraction of coal to West Germany for assessment for a number of obvious reasons. There has been information to suggest that there is a huge water problem in respect of the two fields that I have named—Lake Phillipson, which is directly within the artesian basin in South Australia; and Inkerman, where there is brackish water because of its close proximity to the head of the gulf.

Will the Attorney-General ascertain from the Minister of Mines and Energy what company or companies or consortia of overseas companies have mineral rights leases or exploration rights to the Kingston, South-East, area coalfields, to the Moorlands, Upper South-East, area, the Inkerman and Port Wakefield coalfield, the Lake Phillipson pastoral area, and any other coal deposits in the North-East of this State?

Secondly, will the Minister also tell the Council what representations have been made to any Government since any company was given exploration rights for coal within the boundaries of South Australia and, thirdly, will the Minister of Mines and Energy, on behalf of the South Australian Liberal Government, say whether it is or has been involved in discussions with the Department of Mines in the Northern Territory in relation to the disposal, with the acquiescence of Utah, a multi-national company, of Lake Phillipson coal to the Northern Territory on a guaranteed basis for the purpose of refining bauxite?

The Hon. K. T. GRIFFIN: I will refer the honourable member's question to my colleague and bring back a reply.

DRY-LAND FARMING CONGRESS

The Hon. B. A. CHATTERTON: I seek leave to make a brief statement before asking the Attorney-General, representing the Premier, a question regarding letters that have been sent to the *Australian*.

Leave granted.

The Hon. B. A. CHATTERTON: The Premier recently wrote to the *Australian* outlining the opening of the Dry-Land Farming Congress. In part, he said:

> The programme also contained Westernised versions of melodies representative of most nations, including the Arab countries and China.

Last week the Minister of Agriculture was reported in the *Stock Journal* also as describing the opening of the Dry-Land Farming Congress. It is quite noticeable that he was sliding away from the statements made by the Premier. The Minister of Agriculture was reported in the *Stock Journal* as saying the following about the programme:

> The list of tunes included Western renditions of Middle East and Asian themes, as well as an Israeli tune.

The Minister of Agriculture, in another place last week, also referred to some of the tunes. I also have a list that was provided for me by the organisers of the Dry-Land Farming Congress. It is very noticeable that there is not one single Chinese song or Arab song on that list. In fact, the only song that could come remotely near an Arab song is one called *Caravan* written by Duke Ellington, and I am at a loss to know how even the Premier could have believed that that was an Arab song.

As it has now been proved quite conclusively that the statements that the Premier made in a letter to the *Australian* are quite false and that no Arab or Chinese tunes were played at the opening of the Dry-Land Farming Congress, will the Premier now write to the *Australian* and explain that his statement was in error? Also, will he report the true situation?

The Hon. K. T. GRIFFIN: I will refer the honourable member's question to the Premier and bring back a reply.

FILM CLASSIFICATION

The Hon. J. A. CARNIE: The Opposition and some other people in the community have criticised the Attorney-General over the handling of the film that will now not be shown at the Adelaide Film Festival. Will the Attorney detail the timing involved with the issuing of a certificate for the now widely publicised film and the critical path that he had to follow to ensure that the Film Festival organisers were given as much notice as possible of the events surrounding the situation?

The Hon. K. T. GRIFFIN: First, I point out that it would be obvious from reading the newspapers in the past day or so that the Commonwealth Attorney-General has, in fact, recalled the film under the powers that he possesses.

The Hon. C. J. Sumner: Did you speak to him about it?

The Hon. K. T. GRIFFIN: No, I did not speak to the Commonwealth Attorney-General about it. He is capable of making up his own mind.

The Hon. Anne Levy: He doesn't make decisions himself. He uses a board.

The Hon. K. T. GRIFFIN: The Commonwealth Attorney-General has the authority to make a decision himself.

The Hon. Anne Levy: But he always uses the board, without exception.

The Hon. K. T. GRIFFIN: However, the Commonwealth Attorney-General has Ministerial authority to override a decision of that board and, if members opposite want to criticise the Film Classification Act, they should criticise Mr. Dunstan, as the Labor Government introduced the Film Classification Act in 1971.

There have been a number of inaccuracies in some of the reports about the course that this film has followed since last week. I believe that I should really set out that detail in order to get the record straight. Before I do that I should say that, in order to exhibit a film in South Australia, it is necessary to submit it for classification under the South Australian Film Classification Act, 1971.

In practice, the classifying is normally carried out by the Commonwealth Film Censorship Board in Sydney. The board undertakes this work for all States under an agreement at the same time as it decides whether a film may be imported under the customs regulations. Although Australian films do not come through customs, the board nevertheless classifies them for exhibition under the delegated authority that it exercises from the various States.

It ought to be made clear that each year a number of films are refused entry to Australia. At the same time, the board refrains from classifying them for exhibition in the States. If the classification of the film is disputed locally, the State authority may change the classification. For example, a film called *F.J. Holden* was classified M but was changed by South Australia and subsequently by some other States to an R classification film.

Film festivals held in the various Australian capitals have customarily been granted an exemption by the States from complying with the need to obtain classification. This exemption is granted on the basis that the film will be shown at the festival and then re-exported. Exemptions are granted because films arrive late, and festivals, being non-profit organisations, cannot afford fees payable under the Act, because a fee goes with the classification.

Nevertheless, films must still be registered with the Commonwealth Film Censorship Board, which may or may not exercise its discretion to let a film into Australia. There has been some disquiet in various States in the past because of films brought into festivals clandestinely. Generally speaking, festival organisers have not abused the exemption privilege. Against this background, the Adelaide International Film Festival submitted a list of films about a week before the festival was to begin.

The Commonwealth Film Censorship Board followed its usual practice of registering the films except for *Sweet Sweetback's Badasss Song* which was in its records as a prohibited import in the early 1970's. The board asked to see it, and the Chief Film Censor phoned my office to obtain details of our law on child pornography, thus alerting us to the problem. The Commonwealth board decided by a majority decision to register it and at the same time to classify it as an R classification film, which would enable the film to be shown commercially as well as at the Adelaide festival. The Chief Film Censor in Sydney explained that the film contained a fairly long and explicit sexual encounter between a mature woman and a boy of about 11 or 12 years of age, and that it probably contravened the South Australian Criminal Law (Prohibition of Child Pornography) Act, which was passed as recently as 1978.

I acted initially, because of time constraints, on the description given to my officers by the Chief Film Censor, and on Friday of last week I viewed the first 10 or so minutes of the film. The scene in that film in my view did come within the description of child pornography, because it involved the seduction of a 12-year-old boy by a woman and explicit sexual intercourse.

I asked the film festival organiser to cut those scenes from the film so that it could be exhibited but, after contacting the producer, the festival organisers indicated that they could not gain his permission to do so. The grounds for refusal appear to be that the scene is so germane to the whole film that an abridged version would be unacceptable. The film is described as being about two hours in duration. It is perhaps a matter of opinion about whether or not that sequence is germane to the film, but my view is that, whilst the State may extend some latitude to festivals in relation to obscene pictures, it will not

tolerate child pornography. As Attorney-General, I have over-ruled the Commonwealth Film Board and have cancelled the R classification in the belief that it does not meet the "standards of morality, decency and propriety that are generally accepted by reasonable adult persons in this State". Further, from the hundreds of letters and telephone calls that have come to my offices, unsolicited, that is the view that is shared by many of the South Australian community.

LIBRARY FUNDS

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister of Local Government a question about libraries funds.

Leave granted.

The Hon. ANNE LEVY: I ask this question of the Minister in the expectation that, although it deals with fine detail in only one of his many areas of responsibility, he will be able to reply readily. I understand that a letter has already gone to him on the same subject from the Leader of the Opposition in another place. This week is Australian Libraries Week and, because of this, I wish to ask this question and obtain the Minister's reaction to it.

A decision was made recently to reduce the allocation for periodical subscriptions by the Libraries Board. I can only assume that it was forced into this position because of the Government's insistence on a 3 per cent all-round pruning of spending. Anyway, the Acting State Librarian has circulated a list of periodicals that the board intends to cancel. It is a frightening list and includes many items that one would have believed to be absolutely vital for the State's central library to hold. The State Library is amongst others intending to drop subscriptions to the following: biological abstracts, chemical abstracts, analytical abstracts, physics abstracts, electrical and electronic abstracts. It has been stated that this 20 per cent cut in State Library periodical holding, "would make the Goths and Vandals look like conservationists". It is also a fact that, although South Australia has about the same population as Western Australia, we have only half the number of periodicals that Western Australia holds in its State Library in Perth. These abstracts are extremely important journals that are used by anyone interested in these areas of study. They contain information in abstracted and compressed form plus information and references about where further details can be found and the libraries interstate or overseas where they can be obtained.

Without these abstracts it is difficult for people to obtain up-to-date information on what is happening in various fields. It seems that the proposal to cut these abstracts in the periodical collection of the State Library is regrettable, indeed. Can the Minister say why the Libraries Board is being forced into the financial position where it has to consider such totally unacceptable economy measures? What is the Government doing to ensure that savage cuts in the ordering of periodicals will not be proceeded with?

The Hon. C. M. HILL: First, I refer to the overall vote to the libraries this year compared with the amount spent by libraries in the last financial year. The amount spent in 1979-80 under the heading "Funding for Libraries" totals $7 367 562, and the proposal for expenditure in this current year is $8 687 100. That represents a considerable increase on the previous year. Within that total amount I would assume that the items that have been mentioned by the honourable member would come under the heading "Transfer to Libraries Board for Library Purposes", and in 1979-80 the amount of $696 500 was spent and the Government has allocated $713 000 for this current year.

Referring specifically to the point raised by the honourable member, the Libraries Board itself makes the decisions within the context of the main headings of expenditure, one of which I have just referred to. Concerning the honourable member's question, the board on review of its 1980-81 budget resolved to save $44 000 from the materials vote and, further, periodicals subscriptions was the area determined to be cut. That has been done by 20 per cent—67 titles are to be cancelled. All but 11 of the periodicals are held elsewhere in the State. Referring to just one specific item raised by the honourable member, concerning chemical abstracts—

The Hon. Anne Levy: I referred to all the abstracts.

The Hon. C. M. HILL: Yes, but I have some important information about chemical abstracts which I think will serve as an example and which I think it is fair and reasonable to submit. This was selected for cancellation because it cost $4 410 in 1979-80 and is available at both Adelaide University and Flinders University. It was felt, therefore, by the board that users had a reasonable opportunity of having access to those abstracts. I also mention that item in particular because I think there was some press correspondence, or a press article, which appeared under the name of a Mr. Mortimer and in which that item was mentioned. The library, however, has no statistics of use by the public of chemical abstracts and most of the other publications that have been cancelled. It is considered by the Libraries Board that most of the publications are used more by library staff than members of the public because they are indexes or guidelines to the literature on the subject rather than literature itself.

Secondly, the board considered that most only have little or moderate use and are called for on only two or three occasions a month. In summary, I say that the decision taken was a decision of the board, which certainly had more money in total to spend in this financial year than the last. Frankly, I do not think, as the responsible Minister, that I should interfere with decisions of this kind made by the Libraries Board.

BELAIR RECREATION PARK

The Hon. J. R. CORNWALL: Has the Minister of Community Welfare an answer to the question I asked on 12 August regarding Belair Recreation Park?

The Hon. J. C. BURDETT: Yes. I am advised by my colleague, the Minister of Environment, that at no stage has the Minister of Environment indicated that the golf course in Belair Recreation Park is to be sold. However, the Government is of the opinion that the Department for the Environment should not be responsible for management of golf courses. Investigations have recently commenced into ways and means of transferring the golf course management to an area other than Government, that is, either to local government or private enterprise by leasing arrangement.

It is intended that the golf course would be retained within the boundaries of the Belair Recreation Park. Internal funding for at least six months has been made available to the golf course pending its successful transfer from Government management. In the event that the transfer cannot be effected in that time, finance will be provided to continue the present standard of management. The attendance figures for Belair Recreation Park are approximately 640 000 per annum. Of these, some 41 000 visit the golf course.

The present classification system for parks under the National Parks and Wildlife Act in South Australia is as

follows:

National Parks

These are areas of national significance by virtue of their wildlife or the natural features of the land. Their management allows public access to a wide area of the park. Visitors are encouraged to camp in national parks.

Conservation Parks

These are areas with valuable wildlife or interesting natural features conserving a wide variety of habitats and landscapes of South Australia. Visitor development is kept to a minimum although bush camping is allowed in most parks.

Game Reserves

Game reserves are areas which are particularly suitable for the management and conservation of native game species (usually ducks and quail). Shooting of some game species may be allowed during declared, but restricted, open seasons.

Recreation Parks

These areas are set aside primarily for the purpose of public recreation in pleasant surroundings. Sporting facilities, such as tennis courts, ovals and golf courses, have been developed in some of these parks and large areas are available for picnics and barbecues.

POSSUMS

The Hon. J. R. CORNWALL: Has the Minister of Community Welfare an answer to the question I asked on 14 August regarding possums?

The Hon. J. C. BURDETT: Yes. I am advised by my colleague, the Minister of Environment, that:

(1) Possums are fully protected under the National Parks and Wildlife Act.

(2) Possums do constitute a significant nuisance to householders in the metropolitan area. Brush-tailed possums have increased greatly in number due to the provision of food and shelter with the advent of urbanisation, and it is necessary that their numbers be reduced. The National Parks and Wildlife Service is proposing an investigation into the possibility of providing a service for the humane destruction of possums which have been taken by private persons or pest control firms under a destruction permit issued under section 53 (1) *(c)* of the National Parks and Wildlife Act.

The PRESIDENT: Order! Question Time has expired.

The Hon. K. T. GRIFFIN (Attorney-General): I move:

That Standing Orders be so far suspended as to enable Question Time to continue until 3.30 p.m.

Motion carried.

BALCANOONA STATION

The Hon. J. R. CORNWALL: Has the Minister of Community Welfare an answer to the question I asked on 20 August regarding Balcanoona Station?

The Hon. J. C. BURDETT: Yes. I am advised by my colleague, the Minister of Environment that:

(1) Negotiations have not been conducted with adjoining pastoralists for sale of the Mitchell grass plains.

(2) Discussions have taken place between the Nepabunna people, the Minister of Aboriginal Affairs and the Minister of Environment regarding the Mitchell grass plains.

However, at the present time no decision has been made on the future of the area. The homestead and the shearing shed, however, will not be subject to sale by the Government.

ABORIGINAL HERITAGE ACT

The Hon. J. R. CORNWALL: Has the Minister of Community Welfare an answer to the question I asked on 12 August regarding the Aboriginal Heritage Act?

The Hon. J. C. BURDETT: Yes. I am advised by my colleague, the Minister of Environment, that matters relating to the Aboriginal Heritage Act are currently under review.

GAWLER RAILWAY SERVICE

The Hon. C. W. CREEDON: Has the Attorney-General an answer to the question I asked on 7 August regarding the Gawler railway service?

The Hon. K. T. GRIFFIN: Yes. I am advised by my colleague, the Minister of Transport (Hon. Michael Wilson), that, in the two months from 22 June 1980, when the new timetable on the North Gawler line was introduced, to 19 August 1980, the authority's records show that the 5.42 p.m. express train to Gawler was between three and six minutes late on eight occasions. The State Transport Authority advises that experience has shown that the 12-minute margin between the departure of stopping trains and express trains is sufficient on this service to allow smooth running of the express trains in normal circumstances. Nevertheless, my colleague advises that he has asked the Chairman of the authority to re-examine the timetabling of this train.

HOSPITAL TOWELS

The Hon. G. L. BRUCE: Has the Minister of Community Welfare an answer to the question I asked on 21 August about hospital towels?

The Hon. J. C. BURDETT: Yes. I am advised by my colleague, the Minister of Health, that there has been a shortage of towels available from the Central Linen Service during recent months which has arisen partly from delays in deliveries by manufacturers of replacement linen and partly because of a heavier rate of condemning due to wear and tear on existing stock. These measures are in no way attributable to economy measures introduced into the health care system. In order to overcome this supply problem, a special submission has been made for additional funds in order that the general stock level of the Group Laundry can be increased to a point where adequate reserves will be available to meet the demands of the individual institutions.

CRIME WAVE

The Hon. G. L. BRUCE: Has the Minister of Local Government a reply to the question asked by the Hon. Mr. Dunford on 21 August regarding the crime wave?

The Hon. C. M. HILL: There is no denying that in recent years, in common with all other States of Australia and probably most countries in the world, South Australia has experienced an increasing incidence of crime, particularly in relation to offences against the person and against property. In order to combat this trend, the South Australian Police Force has taken all possible action open

to it. Some of the more notable initiatives taken are:

Appointment of a fourth Assistant Commissioner of Police to allow responsibility for the Crime Command to be vested solely with one Assistant Commissioner;

Active participation in and support for the formation of a proposed Australian Bureau of Criminal Intelligence for the primary purpose of developing strategic plans to combat crime on a national basis;

Greater emphasis on crime prevention strategies through the restructuring and upgrading of the crime intelligence function within the Crime Command and the implementation of community awareness programmes such as Operation Crime Alert;

Increased concentration on detective training by way of regular in-service training courses and more frequent interchange of personnel with other Australian Police Forces;

Greater involvement of senior police personnel on various multi-disciplinary committees whose common goal is the reduction of crime; and

On-going monitoring of crime patterns within geographical areas and adoption of the "policing by objectives" concept.

As to the second part of the honourable member's question, my colleague is surprised at the implication that an industrial union is better placed to inform Government of the force's manpower and equipment needs than is police management. In this connection, it is pointed out that the Commissioner of Police always has ready lines of communication with his Minister.

HOSPITAL RECORDS

The Hon. FRANK BLEVINS: Has the Minister of Community Welfare a reply to my question of 12 August regarding hospital records?

The Hon. J. C. BURDETT: If a patient asks to see his or her medical record, this is usually complied with by the hospital, although the administration usually requires a reason. In practice, few patients ask to see their records. In the case of patients admitted with psychiatric illness to approved hospitals under the Mental Health Act there are specific sections of that Act relating to case-notes and information, as follows: section 11 outlines the kinds of records that are to be kept; section 12, especially section 12 (2), outlines the guidelines to supply information; section 34 establishes the powers of the tribunal to summons information; section 48 provides for the confidentiality of information; and section 49 outlines the extent of the penalty in contravention of these laws.

Insurance companies do not have direct access to patients' notes or to medical records. There is considerable demand from insurance companies for medical reports, which are compiled by hospital medical staff under the direction of the hospital administration. However, no information is released from medical case-notes, without the patient's consent.

Bodies other than insurance companies (such as legal firms) are subject to the same limitations expressed as above. However, if case-notes are subpoenaed by a court order, the hospital is obliged to tender them to the court, since there is no provision in the Evidence Act which makes case-notes immune in either civil or criminal procedures.

As stressed earlier, patients are given access to their medical records under certain conditions. The whole issue of patient access is one which the Health Commission is presently examining. The Australian Law Reform Commission has recently prepared a discussion paper entitled *Privacy and Personal Information,* which supplements its earlier research paper on the privacy of and rights of access to medical records. This paper, although it does not represent the final view of the Law Reform Commission, appears to take the view that patients ought not to be prevented from having direct access to their own medical records, except where there is either a risk of significant harm to either the patient or to a third party, or it is expressed in complex terms. In these cases, access should be permitted to a person (perhaps a family doctor) nominated by the patient, to examine the record on his or her behalf. (The Law Reform Commission refers to this as intermediary access).

As my colleague has indicated previously, third parties do not normally have access to patient records. Where this does occur, it is either with the patient's consent or specifically justified by legislation. Again, the Australian Law Reform Commission discussion paper contains tentative statements of principle which confirm the hospital's policy. The Commission considers that disclosures (of information including medical records) which violate the individual's reasonable expectation of privacy should only be permitted where there is a significant countervailing public interest. The investigation by police of a serious criminal matter might legitimately be one such example which could be justified in public interest.

The Health Commission is aware of the need to monitor policies relating to patient records, and will examine the Australian Law Reform's Discussion Paper in detail, together with any subsequent reports.

WOMEN'S ADVISER

The Hon. FRANK BLEVINS: I understand that the Minister of Local Government has a reply to the question asked by the Hon. Barbara Wiese on 20 August regarding the Women's Adviser, and I know that the Hon. Miss Wiese would be happy to have the reply inserted in *Hansard.*

The Hon. C. M. HILL: I seek leave to have the reply inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

As with other positions of similar or greater seniority within the Education Department, no attempt has been made to specify what proportions of time the proposed officer would devote to the various duties. Any attempt to do so would be inappropriate in that it would leave insufficient flexibility for such an officer to respond to needs as they arose, and would render meaningless the Minister of Education's priority planning in regard to the functions of the positions.

It has been recognised that a major component of the responsibility of the position will be a continuation of the work undertaken by the former Women's Adviser. The need for some initiatives to be taken on behalf of other disadvantaged groups in education will give rise to a gradual increase in attention to those groups, for example, handicapped, Aboriginal and ethnic people, as the department's limited human resources are used to best advantage.

ABORIGINAL TREATY

The Hon. FRANK BLEVINS: I understand that the Minister of Local Government also has a reply to the

question asked by the Hon. Barbara Wiese on 21 August regarding the Aboriginal treaty, and, again, I know that the Hon. Miss Wiese would be happy to have the reply inserted in *Hansard*.

The Hon. C. M. HILL: I seek leave to have the reply inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

The matter was discussed at the Council of Ministers of Aboriginal Affairs held at Hobart in February 1980. The obvious legal difficulties of a "Treaty" between the Commonwealth Government and a particular section of the community were noted, especially if it is seen as something enforceable as a discrete entity within the Australian Constitution. Some States saw the possibility of such a movement being divisive rather than cohesive, therefore. The Commonwealth has welcomed the concept in principle as a further development of the consensual nature of arrangements affecting Aborigines in Australia. The South Australian Government has indicated its support for such a consensual approach rather than any attempt to bring it into law. It was agreed at the conference that arrangements be made for the national aboriginal conference to attend a future Ministers' council for a full discussion of the implications of this proposal.

SWAN SHEPHERD PROPRIETARY LIMITED

The Hon. FRANK BLEVINS: I further understand that the Attorney-General has a reply to the question asked by the Hon. Barbara Wiese on 19 August regarding Swan Shepherd Proprietary Limited and I know that the Hon. Miss Wiese would be delighted to have the reply inserted in *Hansard*.

The Hon. K. T. GRIFFIN: I seek leave to have the reply inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

I have been informed by the Commissioner for Corporate Affairs that during the three-month period after the appointment of the commission as inspector to investigate the affairs of the Swan group of companies, books and records of those companies, equivalent in volume to approximately 20 tea-chests, were received by the commission.

The official liquidators have informed the Corporate Affairs Commission that a report dated 1 September 1980, outlining their progress in the administration, has been forwarded to creditors. In their report, the liquidators advise that the current estimate for the completion of the various statements of affairs is now the end of September 1980. Creditors are also informed in the report of meetings of creditors for the various companies scheduled to take place in October 1980.

Because of the size of the task facing the Official Liquidators and the Corporate Affairs Commission, it is not possible to give any date by which investigations will be concluded.

LOCAL GOVERNMENT REGULATIONS

The Hon. N. K. FOSTER: I request that the Minister of Local Government seek leave to have the reply to my question regarding local government regulations inserted in *Hansard*.

The Hon. C. M. HILL: I seek leave to have the reply inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

The new regulations are being prepared by a committee on which the Adelaide City Council is represented along with representatives of the Department of Local Government and the Department of Legal Services. It is chaired by the Deputy Director of my department. The R.A.A., the Local Government Association, the Road Traffic Board and the Police Department have been given a draft copy of the proposed new regulations, and members of the committee have attended with those bodies when requested. In addition, following the consultation with councils under the auspices of the Local Government Association, my departmental officers have had very many telephone calls from individual council officers concerning certain aspects of the regulations as contained in the draft. Response to the consultations is now in, and the committee is giving consideration to all the suggestions and effect to a number of them. I am aware of the very detailed consideration the committee has given the R.A.A.'s response to the draft.

My department has kept me fully informed on progress with the regulations and I am aware that the Local Government Association has widely circulated the copy of the draft regulations that was given to it. Minutes of the meeting with the Local Government Association on the evening of Thursday 11 September were made available to my officers first thing on the morning of Friday 12 September. The entire committee attended that meeting and it was a very valuable consultation.

Finally, may I emphasise that the regulations have been prepared by a committee on which the Adelaide City Council is only one of the members. I am aware of a meeting called by the Local Government Association for metropolitan town clerks and their senior officers on 4 September to discuss the draft regulations. The officer attending on behalf of the Adelaide City Council was also the City Council's representative on the committee to review the regulations and he was in a position to settle most questions raised at that meeting and to bring back to the committee other matters for further consideration. It could be through his participation at that meeting that the honourable member has inaccurately claimed that the Adelaide City Council has been the sole author of the new regulations. This is not so, and the Local Government Association has also provided minutes of that meeting to my officers.

I do not understand the reference to me being uninformed by the Adelaide City Council. The council has on its own volition recently forwarded to me a copy of a reply addressed to the honourable member responding to a number of questions asked by him in correspondence with the City Council, one question of which concerned the parking regulations.

TECHNOLOGICAL CHANGE

The Hon. FRANK BLEVINS: I understand that the Minister of Community Welfare has a reply to the question I asked some time ago about technological change, and I would be happy to have that inserted in *Hansard*.

The Hon. J. C. BURDETT: I seek leave to have the reply inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

I am advised by my colleague the Minister of Industrial Affairs that on 8 May 1980 the Minister of Industrial Affairs made a public announcement concerning the functions of the Council on technological change. The Government has deferred announcing the composition of the council pending the release, and consideration by the Government, of the Myers Report on technological change. In due course appropriate announcements will be made.

ESTIMATES COMMITTEES

A message was received from the House of Assembly requesting that the Legislative Council give permission for the Attorney-General (Hon. K. T. Griffin), the Minister of Local Government (Hon. C. M. Hill), and the Minister of Community Welfare (Hon. J. C. Burdett) to attend and give evidence before the Estimates Committees of the House of Assembly on the Appropriation Bill (No. 2) and the Public Purposes Loan Bill.

The Hon. K. T. GRIFFIN (Attorney-General): I move:

That the Attorney-General, the Minister of Local Government, and the Minister of Community Welfare have leave to attend and give evidence before the Estimates Committees of the House of Assembly on the Appropriation Bill (No. 2) and the Public Purposes Loan Bill if they think fit.

Motion carried.

PIPELINES AUTHORITY ACT AMENDMENT BILL

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

The Hon. K. T. GRIFFIN (Attorney-General): I move:

That this Bill be now read a second time.

The recent nine-minute interruption in the supply of natural gas to the Torrens Island Power Station and the consequent widespread power failure on 30 June 1980 point up the fact that the Pipelines Authority could possibly find itself exposed to huge damages claims resulting from even quite minor interruptions to the supply of natural gas. The problem is exacerbated by the fact that the authority's insurers have now declined to extend cover to the authority against risks of this kind, and the authority has been unable, despite a world-wide search, to find an insurer who is prepared to undertake the risk.

Many public authorities are protected in one way or another against liabilities of this kind. For example, the Electricity Trust protects itself by the conditions governing supply. The Electricity Commission of New South Wales is statutorily protected from claims should the supply of electricity fail for any reason. The Government believes that a form of statutory protection is appropriate for the Pipelines Authority. Hence the purpose of the present Bill is to provide that the Pipelines Authority will incur no penalty and no liability in damages in consequence of an interruption of or failure in the supply of petroleum. Clause 1 is formal. Clause 2 enacts new section 20 of the principal Act. The purpose of the new section is to provide the kind of statutory protection against penalties and claims in damages that I have outlined above.

The Hon. B. A. CHATTERTON: I support the Bill. I realise the problems faced by the Government in terms of requiring insurance for the Pipelines Authority. The Government has tried to cover this risk but has been unable to do so. Precedents do exist for this type of statutory exemption. While we accept the necessity for this legislation and the exemption that it provides to the authority, I point out to the Attorney-General that there is also a precedent for the Government's making *ex gratia* payments to people who have been adversely affected.

I hope that, even if the Government has no legal requirement to make any payment to people, if it believes that such a payment is justified and that people have been severely affected it will continue in that tradition and make those payments.

The Pipelines Authority is under the jurisdiction of the Act involving the activities of the Ombudsman, and it seems that it would be quite appropriate in certain circumstances, where people believe that they do have some sort of claim, that the Government seek the recommendation of the Ombudsman as to whether any *ex gratia* payment is justified.

I hope the Government does take this attitude, because when we remove complete liability we do give it something of an open cheque as far as its operations are concerned. I support the Bill.

The Hon. K. T. GRIFFIN (Attorney-General): I thank the Hon. Mr. Chatterton for his support of the Bill. I recognise that it is being dealt with expeditiously only because of the insurance problems to which I referred in my second reading explanation. So far as *ex gratia* payments are concerned, I believe that that matter needs to be looked at in the circumstances of each claim. Whilst I do not suggest that those payments will be made readily, I believe the experience of all Governments has been that if there is a genuine case, where there has been an abuse of any powers by a Government or its instrumentality which has resulted in damage, that matter would be considered sympathetically. That is not to say that that will happen in all cases, but certainly the Government will have an open mind about this, and each case will be looked at on its merits on each occasion.

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

SOUTH AUSTRALIAN GAS COMPANY'S ACT AMENDMENT BILL

The House of Assembly intimated that it had agreed to the Legislative Council's amendments.

COMPANY TAKE-OVERS BILL

Returned from the House of Assembly without amendment.

BUDGET PAPERS

Adjourned debate on motion of the Hon. K. T. Griffin:

That the Council take note of the papers relating to the Estimates of Expenditure, 1980-81, and the Loan Estimates, 1980-81.

(Continued from 17 September. Page 870.)

The Hon. J. R. CORNWALL: For some inexplicable reason, the Government has seemed anxious recently to publicly review its first 12 months in office. In the areas of environment and planning, that has been a sorry record of vacillation and inaction, punctuated by great leaps backwards and ideological stupidity.

There is a great temptation to spend the time which is available to me today giving a lengthy recitation of these foibles, faults and foolishness. However, there have been, and will continue to be, many other opportunities to do this. They will be highlighted by the Budget Estimates Committees and pinpointed at later stages of the Budget debate.

The so-called new conservatism of the present Government is in practice a very old brand of reactionary politics. Ideals and goals are needed which will surmount and supersede the small-minded and short-sighted policies of this Administration. I therefore intend to address many of my remarks today to the vision which must be used to overcome the problems in the areas of planning, conservation and energy.

I would like to begin by briefly outlining the philosophy underlying our approach to environmental protection and the maintenance of environmental quality. The Labor Party has a deep concern for the preservation and rehabilitation of the natural environment and our architectural heritage. This contrasts starkly with the present Government's attitude. Their rhetorical promises, when in Opposition, show a striking difference from their performance in Government.

The sad fact is that the Tonkin Government has fallen enthusiastically for the three-card trick. It regards economic development and environmental protection as being mutually exclusive. Nothing, of course, could be further from the truth. Contrast this with the policy of the alternative Government. We believe that orderly, sensitive and sequential development of non-renewable resources and environmental protection are certainly not incompatible. Rather, they should and must be seen as different sides of the same coin.

Let me explain that further. Rational economic development (as opposed to exploitation) is entirely consistent with our philosophy. Economic growth and development have been central to every successful democratic socialist Government in Western economies. Sweden is an outstanding example of the compatibility of development, high technology, economic growth, full employment and environmental protection. Rational exploitation of resources, as opposed to development rip-offs, is central to improving the living standards of the disadvantaged members of society. The A.L.P. is not, and never has been, anti-development.

None of this is inconsistent with sound environmental protection policies. If environmental considerations are taken into account from the outset of any project, it is nearly always possible to minimise impacts to an acceptable level. When the degree of damage is gross and irreversible (as in the recent Tasmanian hydro-electric proposals), or the risk is unacceptably high (as in the nuclear fuel cycle), the project should be rejected.

However, by careful forethought and planning most development projects can be made environmentally acceptable. What is essential, and what is sadly lacking in this State, is specific and clearly codified environment protection and assessment legislation. At the same time, it is obvious that we must revise some of the conventional wisdom of the past. Historically, growth and increased per capita income have been based on an exponential consumption of fossil fuels. On the world scene that party is over. Unless a radically different approach is developed quickly, it is difficult to see the transition to a sustainable society, based increasingly on renewable resources, occurring without more social dislocation than mankind has ever known. The sad truth is that we are already within the lead time for that radical change without even planning, let alone implementing, the strategies necessary to cope with the problems.

I want to make abundantly clear that I am not advocating voluntary poverty as a lifestyle; nor am I suggesting a return to living in caves with candles. What the sustainable society is all about is living within our resources and not polluting ourselves out of existence. The renewable energy resources that are available to that society are virtually limitless, provided we use our formidable knowledge in the scientific and technological fields to harness them. If those resources are developed rapidly and allocated rationally, affluence and standards of living can be not only maintained but also substantially improved.

It is tragic that the only alternative to fossil fuels seriously promoted to date is the nuclear path. I do not intend in this contribution to debate the environmental problems, worker safety, the dubious economics, or the proliferation and unenforceable safeguards arguments. However, even on the most optimistic predictions of the industry itself, it will not provide more than 15 per cent of our total energy requirements by the end of the century. Even as a stop-gap measure, to allow an extended transition period to the use of renewable energy resources, its contribution will be very limited. The decisive strategies will ultimately be those that will achieve production energised by renewable resources. Those same strategies, used correctly, will eliminate endemic unemployment and poverty.

An ever-increasing body of informed scientific opinion is already conceding these points, but neither Governments nor private entrepreneurs are promoting the practical development of the necessary technology on anything approaching the necessary scale. This is despite the fact that it can and must now be developed within very short lead times. The difficulties seem to be caused not so much by lack of technology. Rather, they are caused by inertia and by social, economic and political considerations that react to the short-term considerations of the market place instead of the needs of humanity.

Abundant renewable energy is available far in excess of what mankind will ever need in any time span that can be seriously comprehended. Contrary to what the gee-whiz men of the nuclear lobby say, the harnessing of that energy is not the pipe-dream of a minority group of eccentrics. Energy from within our solar system, in its many and various manifestations, can and will be harnessed because our civilisation will depend on it for survival. We should immediately begin a diversion of resources to the development of advanced technology in areas such as solar collectors, wind, tide and biomass energy collection.

The development, application and marketing of these technologies for the shift to renewable energy resources is opening vast new fields. South Australia is well placed to become a world leader in their development. As one small but very significant example, the electric car was developed at Flinders University with minimum funding. It requires little imagination to envisage what a well endowed renewable energy institute, a centre of academic and technical excellence, could do for this State, both in terms of prestige and, more important, employment creation. The State Government should seek Federal support and industry funding to establish such an institute as a matter of the highest priority. We could become world

leaders in developing, manufacturing and exporting renewable energy technology and equipment. It is essential at this point in our history that we become innovators instead of imitators.

At the same time, we must initiate energy conservation programmes. Amended planning principles should not only simplify the present maze but should also give a high priority to energy-saving designs. Accelerated urban renewal programmes must be encouraged by the three tiers of Government. The time is past when this can be pursued piecemeal as the Government is currently attempting to do in areas like Hindmarsh, Bowden and Brompton.

Flexible cluster housing and medium-density living should be the norm in the renewal of our inner-suburban and city accommodation. Such housing should minimise the need for domestic energy consumption and transport. Existing commercial buildings and housing stock present great difficulties for rapid conversion to low-energy consumption. Each architectural fashion, regardless of its aesthetic or other merits, seems to have produced buildings with ever-increasing energy needs.

It would be both foolish and impractical to suggest that the great majority of those buildings could or should be replaced. Various measures such as improved insulation and shading could ameliorate existing problems. Maintenance of a constant or ambient temperature by year-round air-conditioning may have to be compromised within the limits of tolerable working and living conditions.

On the other hand, an enormous effort should be made immediately to prevent a repetition of the mistakes of the past. Planning and building codes should be revised urgently. These should address the twin problems of providing more flexibility in planning while demanding more rigid design principles based on maximum energy conservation. Although research is well advanced in many of these areas, its practical application is far too slow. At present, there are few monetary or legislative incentives in this State to promote construction of such buildings.

Every new building should incorporate known technology for passive and active energy conservation, which is economically feasible as a minimum requirement. Some excellent work has been done in this area by Hank Den Ouden of the South Australian Housing Trust. I am indebted to him for the following summary.

The first relates to solar hot water. Mr. Den Ouden describes that as a practical and reasonable alternative for heating domestic water. It is available commercially at about $1 400 for an average home. Secondly, he talks about space cooling, which he describes as a very attractive possibility that eliminates air-conditioning at little or no additional cost.

Thirdly, Mr. Den Ouden talks about solar space heating, which he describes as a practical and exciting possibility at reasonable cost. Finally, he refers to landscaping, which he describes as an essential part of solar heating and natural cooling that can be done at little or no additional cost compared with a conventional landscape.

In addition, at the time of Mr. Den Ouden's study, wind power was considered. That was in 1977. It was technically possible but was thought to be too expensive for incorporation in routine house construction at that time. The cost in 1977 for a 2 kw unit installed was $10 000. Mr. Den Ouden commented as follows:

> It can be seen therefore that, although wind is an infinite non-polluting source of energy and as such attractive, a practical economical solution to its use is not yet available. Nevertheless, our investigations showed that, if very much larger and more powerful units were available, the capital cost per unit would be substantially reduced.

No discussion on energy, planning and the human environment would be complete without reference to the ultimate suburban monstrosity, the large regional shopping centre. Their extravagant energy consumption, environmental impact, social impact and the monopolistic or oligopolistic practices of the supermarkets on which they are based makes them the monster of our generation.

By any standards or parameters which are set for the transition to a sustainable society, no more should be built. Yet, in 1980, the Tonkin Government and some local councils are still encouraging their construction. This is a form of lunacy. In any future planning please let us preserve central business districts readily accessible by public transport and encourage neighbourhood shopping centres based on the needs of the local community.

Possibly the most urgent problem which faces Governments in the immediate future is to prepare for the certain depletion of petroleum products. It is tragic in these circumstances that conservative politicians and planners still talk of urban public transport modes which rely on liquid fuels. Such planning, although it may have a certain nostalgic attraction, flies completely in the face of reality. That naturally brings me to the Government's tragic commitment to the north-east busway system. It is erroneous, of course, to call it an O'Bahn system, as it will use a guideway for less than a quarter of its entire run from Tea Tree Gully to the city.

There are many reasons why it will be a technical, environmental, financial and social disaster. The Government is persisting with it simply because of an illusion developed immediately prior to an election. By its actions in this matter it has put itself on a short fuse for self-destruction.

First, let me examine the technical problems. The strange watered down version of a guided busway will at best be an extremely expensive technical experiment. The Wayte and Miller report prepared for the Government by its own officers, Mr. Wayte, the Assistant Director of Transport Planning, and Mr. Miller, of the State Transport Authority, following an overseas assessment of guided bus systems, makes these points clear.

They make the point strongly that there are no practical or commercial applications of such schemes operating anywhere in the world at present. Because of this the Government has apparently decided to compromise with less than a quarter of a guided system. Nor were they able to make even an educated guess at the cost of either the buses or the track. I will return to the buses in a moment. With regard to the track, Wayte and Miller conceded that a suitable track could be built, but pointed out that the developers were still experimenting to find the best method.

Significantly, they stressed that this would require further research and design effort in what they rather euphemistically called our expansive soils. For the majority of its route the so-called O'Bahn will traverse Bay of Biscay soils, which are not only expansive but notoriously unstable. Again, because it could find no solutions, the Government decided to install only a small section of what will amount to an extraordinarily expensive experimental test track.

Because the transport modes themselves, the so-called hybrid buses, were still in a very experimental stage, no accurate estimate could be made of their real unit cost. The Government's own senior officers concluded in a masterpiece of understatement, "It is therefore difficult at this stage to be confident of cost estimates." The Government has tried to have the public of South Australia believe that they were getting the best of all

transport worlds. That was an attempt at gross deception. We were told that these buses could have combinations of mains electricity, battery power, l.p.g., l.n.g., methanol, ethanol, or any combination or permutation of these fuels.

Again, let me examine the facts about these so-called hybrid buses. Wayte and Miller reported as follows:

> All of these hybrid buses suffer some penalties as a result of their additional complications.

There is page after page in the report which details the unsatisfactory aspects of combinations of power and why in nearly all cases they are grossly unsatisfactory. They can be found on pages 12 to 18 of the report. I will not burden the Council with all the details but there are some gems which are worth recording. For example, try the description on page 15 of the M.A.N. battery bus:

> Their own well-known battery bus carried its batteries on a trailer, partly to overcome this (weight) problem.

The authors of the report refer specifically to the greatly increased weight of the dual-powered or hybrid bus as one of their most notable disadvantages. Rear axle loads of over 12 tonnes are produced which is well in excess of the existing 8-tonne limit. Were the buses to operate on normal roadways—and this is supposed to be the great virtue, the great flexibility of the whole system—"severe problems could arise in road damage". Those are the authors' words, not mine. One of the other significant problems is the additional complexity itself. The authors had this to say:

> Two-power systems inevitably produce additional service problems. In the case of the battery-equipped versions there is a need for extensive servicing and recharging equipment. In the case of the diesel/trolley combination there is the added complication of a dual transmission system from both the diesel engine and the electic motor.

Daimler-Benz, the authors tell us, have no enthusiasm for dual-fuelled vehicles. It is significant that Daimler-Benz will almost certainly supply the vehicles. That is the most important point of all, and I will return to it when I get to the final and only option.

M.A.N. has not undertaken such an extensive development and trial programme as Daimler-Benz on hybrid buses. It has examined trolley/battery versions but is concerned about the weight penalty. I have already referred to its battery bus which carries its batteries in a trailer! What of the Volvo company, an organisation with some of the highest technical expertise in the world? The company is not doing any work on hybrid buses at all. It can supply trolley buses but at a cost 50 per cent higher than diesel buses. The officers say this about the trolley buses: "No information on operating costs was obtainable." What were the options of the three companies in summary? Daimler-Benz believed that the conventional diesel engine remained the best option for the present. M.A.N. "left a strong impression that they see the diesel-powered bus as the most economic and efficient option for the foreseeable future". Volvo's attitude was that the diesel engine was likely to remain the most viable option for the foreseeable future.

Let there be no doubt about what we are going to get: monstrous diesel buses, which will disastrously pollute the entire route of their operations—not hybrid buses, but meandering monorchid monsters. These buses will pollute the Torrens Valley, possibly irreversibly, and will add very significantly to our already intolerable air pollution problem. They will be a calamity of immeasurable dimensions.

On a cost basis we must allow for escalating fuel costs, the much shorter operating life of the buses as opposed to trams and the almost certain conversion to other methods of fuelling and propulsion at some stage of their history. On this basis we are getting extremely poor value. In the medium to long term they will be the most expensive possible transport mode.

Contrast this with a modern, fast tram service operating from Tea Tree Gully to Glenelg with electric traction, silent, comfortable, fast, unobtrusive, pollution free and using an advanced technology for a system which has been proven for almost 100 years.

The Hon. D. H. Laidlaw interjecting:

The Hon. J. R. CORNWALL: I am not surprised that the Hon. Mr. Laidlaw now interjects, because I know how strongly opposed he was to this project and how he tried to tell his colleagues how foolish they were to adopt this half-baked mongrel version of a busway. It is interesting to note that light rail technology had its beginnings as long ago as the 1880's when the electric streetcar was developed as a logical successor to the horsecar, largely as a result of the experiments and research of Thomas Edison and Frank J. Sprague. We would not be buying an untried, unproven system. Quite the contrary.

Most of the tramways from that time ran on existing roads, sharing them with other traffic. This system has survived, for example, in cities such as Melbourne.

The term l.r.t. has been bandied about by the Liberal Party in South Australia as though it was some new and unproven invention. All it denotes, put simply, is a tramway system run on a separate carriageway, as distinct from a system which shares roadways with other transport systems, both public and private.

The Hon. C. J. Sumner: Like the Glenelg tram.

The Hon. J. R. CORNWALL: I will come to that, and I thank my Leader for his assistance. They distinguish this form of transport from conventional rail transit: in other words, trains. For all this attempted confusion, what we are proposing is simply a highly efficient, fast, pollution-free tram service.

The surprising fact is that, because it runs for much of its journey on a separate carriageway, the Glenelg tram service, to which the Hon. Mr. Sumner just referred, is an l.r.t. system within modern terminology. Adelaide has had an l.r.t. system for more than 60 years.

The Hon. C. J. Sumner: And a good one.

The Hon. J. R. CORNWALL: Yes.

The Hon. R. J. Ritson: Where does the electricity come from?

The Hon. J. R. CORNWALL: If the honourable member had been listening to my speech, he would know that electricity can come from a whole variety of sources, and the flexibility of that is the great attraction of going to electric traction. Will members on the other side never learn that the whole idea of electric traction is that its power can be generated for the time being from a whole variety of fossil fuels? Eventually, when we develop the technology, as we must develop it, for wind and direct solar energy and all the other varieties—the infinite non-polluting varieties—of energy available in our solar system, then we will already have the electric vehicles to take advantage of that energy.

As I was saying before being interrupted somewhat unintelligently by the Hon. Dr. Ritson, Adelaide has had an l.r.t. for more than 60 years. The other reason why the term l.r.t. is used is to distinguish trams from trains: "light rapid rail transit" is a tram and "standard rapid rail transit" is a train, so it is really not too difficult, and even the most simple-minded members of the Government ought to be able to follow that.

On environmental, social and energy grounds, the modern fast tram must win easily. That is a matter close to the heart and mind, the substantial and considerable mind,

of the Hon. Mr. Laidlaw. That is why, of course, he was against the so-called O'Bahn system, because he knows, on any cost benefit analysis, that the bastardised version that is to be put into the Modbury corridor just will not stand up. For the purpose of this exercise we must assume that the very rubbery cost estimate of $52 000 000 that the Government has given us for the busway is somewhere near the mark. It could be substantially more expensive. There is no way now that it is going to be less expensive.

However, allowing for an untried busway at a $52 000 000 initial capital cost, and a proven modern fast tram service at $115 000 000, the break-even point in combined capital and operating costs comes at about the time of the first changeover of the worn-out, polluting monster buses. After that point, the tram is a financial mile in front. For the sake of sanity, the environment, and particularly of future generations, let us forget this ridiculous bus system. Let us show a foresight and wisdom, a sense of proportion which becomes us, or should become us, as custodians of the future. Let us file in the archives this plan for an untried, polluting busway system and record it for posterity as the temporary political aberration that it is. Let us start on an electrified light rail system, a modern tram service, for the north-eastern suburbs now.

The Hon. C. J. SUMNER (Leader of the Opposition): I wish to direct my remarks to the new federalism policy of the Fraser Government announced prior to the 1975 election. The simple fact is that the Liberal Party, both State and Federal, is in a mess over this new federalism policy. It is quite clear to me that an income tax surcharge in South Australia is a certainty if Mr. Fraser wins the next election. The whole business of the Liberals' new federalism policy announced in 1975 was that power should be given to the States to raise extra income tax over and above that raised by the Commonwealth. This extra tax could be imposed to supplement the States' fixed share of Commonwealth tax revenue. The Premier, Mr. Tonkin, has been an ardent supporter of the Liberal Party's new federalism policy. On 20 September 1976, he is quoted in the *Advertiser* as saying:

> The Party's federalism policy is the best thing that could happen to Australia and the States . . .

Again, on 7 April 1977 the Premier is referred to in the *Advertiser* as follows:

> Dr. Tonkin said that he would support the federalism policy no matter what Government brought it in. "It is in the best interests of South Australia," he said.

It is now quite clear that Mr. Tonkin is nowhere near as enthusiastic about the new federalism as he was when in Opposition. Mr. Tonkin and the other Premiers, at a meeting on 12 September 1980, decided to seek (and I quote from the *Advertiser*) "a realistic guarantee of a minimum level of support from the Commonwealth". What the Premier is really after is a return to the guarantee to the States which was introduced by the Whitlam Government. In fact, the Whitlam guarantee has operated in most financial years up until the end of the guarantee period, 1979-80. The Premiers have called on the Commonwealth to announce its intentions regarding a new financial agreement before the Federal election on 18 October. The Prime Minister has not done so, and I do not believe that he will. If he does accept the States' proposal for a continuation of the guarantee, he is virtually abandoning his 1975 new federalism policy.

That is why I believe Mr. Fraser will not accept the States' proposal and will insist that if the States have a shortfall of funds they should make it up by their own income tax surcharge. The only way for South Australians to resist this is to vote against Mr. Fraser at the Federal election on 18 October. In discussing this matter, I would like to briefly take the Council once again through the situation of State-Federal financial relationships since the Whitlam Government.

The Whitlam Government devised a formula that was to overcome the problems that occurred prior to that Government's term of office, namely, the problem of the States not knowing what their financial position would be and having to go every year to the Premiers' Conference and Loan Council and involve themselves in the traditional haggling. The Whitlam Government's formula guaranteed, depending on wage levels and population growth, a betterment factor of 3 per cent. It guaranteed an increase in the revenue base by at least 3 per cent a year or more, depending on the level of wages and population growth.

In 1975 the Liberals introduced their new federalism policy that I have described. It gave the States a fixed share of income tax, and at present that is 39·87 per cent of Commonwealth taxation revenue. In addition, the new federalism policy provided that the States were able to raise their own income tax, and that is the present position. What the States are now arguing is that, in addition to having that fixed percentage share of Commonwealth taxation revenue, they ought also to have a guarantee. It is interesting to note that the guarantee is almost the same as the one that operated during the Whitlam Government's term. A report in the *Advertiser* on 13 September, after a meeting on 12 September, states:

> The formula proposed by the Premiers provides for a guaranteed share of income tax receipts and a financial guarantee based on changes in population and wage levels with a betterment factor of 1·8 per cent.

The Premiers are accepting almost *in toto* the Whitlam guarantee, except that they are now talking about a betterment factor of 1·8 per cent, less than the 3 per cent that Mr. Whitlam provided. Apart from that, at present State Premiers want to return to the Whitlam guarantee. They are saying that, if the 39·8 per cent of Commonwealth tax revenue is not sufficient, they will rely on the guarantee, so the State Premiers want it both ways. If the 39·87 per cent is the greater, they will take that: if the betterment factor is greater, they will take that.

It is surprising to see the Liberal Premier, Mr. Tonkin, participating in that scheme, when he said that he supported fully the new federalism policy outlined by Mr. Fraser, because, if the guarantee that Mr. Tonkin now wants is accepted by the Prime Minister, that will be the end of the Prime Minister's new federalism policy. That is why I believe that the Prime Minister will resist the approaches from the States. If he does not, his policy of 1975 will be stone dead. If he does resist them, the States will be forced to raise additional revenue by income tax surcharge. In debates in this Council going back to 1976, I have asserted that fact. On 14 October of that year I said:

> It looks almost certain that in future the States will have to raise their income tax or cut back drastically the level of service they are providing.

On 23 October, I said:

> I believe that all States will be forced into an income tax surcharge. That may not happen this year because, as we know, there is an election next year. Mr. Fraser may well decide not to enforce the new federalism immediately. He may continue the guarantee for a short time. However, in the ultimate analysis, once the political problems such as elections are disposed of, I predict that Mr. Fraser will force the States into imposing an income tax surcharge.

It is interesting to note that the new federalism policy has not operated from 1976 until the present time, except in one year. I believe that in all other years the States have

had to rely on the guarantee they obtained from Mr. Fraser in 1976. If the betterment factor is maintained, that will be the end of the new federalism policy.

The only person in the Liberal Party in this State who is prepared to grasp this problem and be logically consistent about it is the Hon. Mr. DeGaris. On 20 August that member addressed himself to the question of State and Federal relationships and said:

> What I am saying is that, if it is to be a means whereby the States accept responsibility for the raising of taxation, then I give my wholehearted approval to it. What I do not want to see is a continual haggling match between the States and the Commonwealth on this question, because, if we are going to achieve anything in the expenditure of money, it must be with responsibility; otherwise, the States will lose their present jurisdiction.

I interjected:

> It sounds to me as though you are offside with the Premier.

The Hon. Mr. DeGaris then said:

> That may well be. I may be offside with all Premiers. I do not think, over the years, that anyone has fought more vigorously for the preservation of State jurisdiction than I.

It is clear that the Hon. Mr. DeGaris is very much offside with the Premier, because, thinking through the new federalism policy logically (which the Premier is not prepared to do), if the States wish to retain their responsibility for education, health, and all the other areas that are State responsibilities, they must have some kind of income or revenue base. The Hon. Mr. DeGaris has said that that revenue base could be the income tax surcharge, so he does not have any qualms about that surcharge. He believes that it would benefit the State if it was imposed.

The Premier does not agree and wants to say what a great thing the new federalism is and, in another breath, to press the Prime Minister to scrap it and return to some kind of guarantee with a betterment factor. The new federalism scheme introduced by Mr. Fraser was not the Labor Party's policy.

As I have said in this Council, in a national approach to these problems, when the Commonwealth should take a dominant role in management of the economy, revenue raising, and so on, we support the proposal that there ought to be some kind of guaranteed minimum level of funding from the Commonwealth to the States, just as there was under the Whitlam Government. However, the Tonkin Government, and Mr. Tonkin particularly, support the new federalism policy on the one hand and on the other try to force the Prime Minister to provide a guarantee for the States.

I do not believe that the Prime Minister will accede to that request. The only way he would do so would be if pressure was applied to him during the present election campaign. I ask the Premier whether he is prepared to make a statement during this campaign, calling on the Prime Minister to abandon his new federalism policy and adopt the proposal that the Premier is now putting forward.

Unless that is done, and unless the South Australian community expresses its dissatisfaction with the new federalism proposals of Mr. Fraser, I believe that there will be an income tax surcharge applied in this State within the next few years. There is no escaping it unless Mr. Fraser changes his policy and accepts some kind of guarantee similar to that of the Whitlam Government. That will mean the failure of his new federalism policy. I support the motion to note the Budget papers but would like to place on record in the Council that, in adopting this procedure of debating the motion to note the Budget papers, we are in no way saying that we will not debate the second reading of the financial Bills, nor are we saying that we will in any way restrict our debate in the Committee stages on those Bills. It may be that by adopting this procedure the debate on those Bills can be shortened. However, I want to make clear that there is no understanding that this year the debate on the motion to note the Budget papers in any way prejudices our right to speak on the other Bills.

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

ADJOURNMENT

At 4.27 p.m. the Council adjourned until Tuesday 21 October at 2.15 p.m.