# HOUSE OF ASSEMBLY.

Tuesday, October 31, 1961.

The SPEAKER (Hon. B. H. Teusner) took the Chair at 2 p.m. and read prayers.

## QUESTIONS.

### BEDFORD PARK HOME.

Mr. FRANK WALSH: Has the Premier a reply to my question about the use of the Bedford Park home by the Children's Welfare and Public Relief Department and the number of children accommodated there?

The Hon. Sir THOMAS PLAYFORD: The Chairman of the Children's Welfare and Public Relief Department reports:

The Children's Welfare and Public Relief Department had one staff member at Bedford Park before the Hospitals Department vacated the property. Some of the farm and domestic staff were taken over from the Hospitals Department and other staff members have been employed since. The staff establishment for the girls' section was decided some time ago but it has not been possible to obtain a suitable matron and resignations of other women staff members have occurred. Nevertheless, eight girls have been admitted, and there are currently seven girls in residence. There is accommodation for about 20 girls and the numbers will increase as the staff position becomes stabilized.

The staffing of the boys' section has also been difficult and, apart from small working parties of boys who have been there on a daily basis, no boys have yet been admitted. However, most of the staff for the boys' section will begin duty on October 10, 1961, and boys will be admitted the following week. It is expected that the number of boys will soon reach 40 and that approximately 60 will be accommodated later.

### TOWN PLANNING.

Mr. DUNNAGE: Last Thursday I asked the Premier a question about town planning, but he answered only the first part of it. The main part dealt with a newspaper report of a statement made by Professor Denis Winston, Professor of Town and Country Planning, University of Sydney, who in a recent lecture said:

Modern urban developments are too large, too complex, to be fitted into old city patterns without overall planning and stringent controls . . . A strong metropolitan development authority is needed, and will be needed more than ever in the future if Adelaide's growth and prosperity is to continue.

Did the Premier see this report and will he comment on the Professor's remarks?

The Hon. Sir THOMAS PLAYFORD: I did not see the report. However, the Professor was not extremely well-informed in this matter regarding South Australia. This matter has been dealt with by Parliament and a committee has been established; it has almost completed a report covering the whole of the metropolitan area and some places beyond it. The report is being prepared for printing and I believe will be available in March or April next year. Members will remember that the legislation as introduced provided that the report of the committee became effective when tabled, but members considered that that probably would give the committee far too much power and, if I remember correctly, amended the legislation to provide that the report had to lie on the table of both Houses for a certain period before becoming law. Either House has the right to disallow the report or refer it back to the committee. The committee's report is voluminous and deals, I think, with every aspect of town planning. I believe about 350 pages, with a variety of maps and diagrams, have already been prepared. Some idea of its size can be gained from the estimate submitted to Cabinet that £28,000 will be required for printing, so I may say that it is something "out of the box".

### TELEVISION EQUIPMENT.

Mr. LOVEDAY: Has the Premier a reply to my recent question about the possibility that certain television equipment now in use will be unsuitable if television facilities are extended to various parts of the State?

The Hon. Sir THOMAS PLAYFORD: I have not seen a reply from the Postmaster-General, but I refer the honourable member to a public statement, made on Wednesday or Thursday last, by the Postmaster-General. This, I believe, applies to his question.

### PROROGATION.

Mr. HARDING: His Excellency the Governor and Lady Bastyan will be visiting at least four South-East electorates soon. Can the Premier say whether the House will rise before the date of the Governor's visit as I am sure members would wish to be in their districts during the visit?

The Hon. Sir THOMAS PLAYFORD: All the Government Bills to be dealt with by the House this session are on the Notice Paper at present, except a Bill to amend the Scaffolding Act, which I hope to be able to introduce early this afternoon, and one to give effect to

some recommendations of the Workmen's Compensation Committee. I think they are the only matters of which members have not yet had notice. The amount of business on the Notice Paper is not very large, nor is the business contentious, so members could reasonably expect to complete the sittings of the House on Thursday this week. However, I point out to the honourable member that, whether or not the House rises this week, there has always been an amicable arrangement that if an honourable member has sufficient cause he can get a pair to enable him to attend an important function in his district.

MILLICENT COURT.

Mr. CORCORAN: Can the Premier say whether any firm decision has been reached upon the question of transferring the clerical work from the Millicent local court to Mount Gambier?

The Hon. Sir THOMAS PLAYFORD: Some representations made from the honourable member's district were probably made under a misapprehension about what was contemplated. The Government considered appointing additional officers in the South-East to look after some of the clerical work of the courts, but I believe that in view of the opposition expressed to the change the Attorney-General has decided not to go on with the matter.

EDEN HILLS SCHOOL.

Mr. MILLHOUSE: Last Saturday I attended a function at the Eden Hills school, and while there the question of a request which had been made to the Education Department some time ago for the provision of a sick bay and utility room was raised. Subsequently I received a letter from the secretary of the school committee, embodying the departmental reply to the effect that a separate administrative unit might be provided if enrolments increased sufficiently to warrant an additional classroom. As it seems most unlikely that enrolments will increase in the foreseeable future—and certainly the facilities of the school are not up to the standard of other schools in my district—will the Minister of Education reconsider the matter with a view to providing the extra accommodation requested?

The Hon. B. PATTINSON: I shall be pleased to do so. I point out that the Eden Hills school committee applied some time ago for the provision of a utility room at the school and it was suggested that portion of the shelter area be converted for this purpose. The request was investigated by the District Inspector of Schools, but it was considered not wise to reduce the shelter accommodation by using part of it as a makeshift staff room. It was recommended that an administrative block consisting of office, book room, lunch room and kitchenette be erected at the school. It has not been possible to provide rooms of this sort at all schools, as the available resources have been directed towards the provision of classrooms. However, consideration will continue to be given to this recommendation, but the comparative smallness of the school may militate against giving it a high priority in the buildings lists. Nevertheless, I will give the matter my personal attention in the recess and see how soon it can be expedited.

CONCESSION FARES.

Mr. RICHES: From time to time I have asked the Premier questions relating to concession fares for pensioners on Commonwealth railways. As the Christmas season is coming and the pensioners in my district are anxious to take advantage of the concessions that have been made available by the State Government, can the Premier say if he has yet received the promised reply from the Commonwealth Minister for Transport as to whether the Commonwealth Government will fall into line with the State Government to enable people living beyond the limits of the South Australian system to be able to take advantage of the two concessions a year? I know the Premier has made representations and that the Commonwealth Minister has agreed to investigate the matter, but as four or five months have passed I think it is about time the reply was to hand.

The Hon. Sir THOMAS PLAYFORD: The honourable member realizes that this matter is completely outside the jurisdiction of the State Government. We have made representations to the Commonwealth Minister and submitted the honourable member's views in full, but no reply has been received about any decision reached.

TRANSPORT BOARD'S FEES.

Mr. RICHES: Has the Premier a reply to the question I asked on October 17 regarding the Transport Control Board's fees for carriers conveying temporary houses for charitable organizations?

The Hon. Sir THOMAS PLAYFORD: The Chairman of the Transport Control Board has agreed to a nominal charge of 5s. to be paid by carriers shifting temporary houses which

have been sold for charitable purposes and for which the price of £50 has been approved by the Government. It does not apply to houses that may be sold to private individuals, but the Transport Control Board will allow those sold for charitable purposes as a result of the Government approval to be transferred on the payment of 5s. for a permit fee.

Mr. Riches: Will that apply to those I referred to?

The Hon. Sir THOMAS PLAYFORD: If the honourable member will give me the details I will have the matter examined. The report refers to Messrs. Whiting & Sons, who, I think, are the people the honourable member had in mind.

## CIVIL DEFENCE.

Mr. JENKINS: I suppose South Australia is geographically situated in as safe an area from fall-out from atomic bombs as any country in the world, but some uneasiness seems to be growing in the public mind as to the dangers from fall-out should the scope or range of these bombs be increased. Can the Premier say whether there is any firm understanding between the State and the Commonwealth Governments on civil defence for the protection of the people should this occur?

The Hon. Sir THOMAS PLAYFORD: A letter I received from the Prime Minister this morning, which has not yet been before Cabinet, states that the Commonwealth Government is prepared to assist regarding certain measures for civil defence. I am not yet sure what is involved, because some terms used in the letter are extremely vague and do not give the full meaning in the glance I have given to the letter. As far as I can ascertain, however, the letter states that the Commonwealth is prepared to make finance available to the States up to certain limits if the States use it satisfactorily. Again speaking entirely from memory, the amounts are: £50,000 for New South Wales; £30,000 for Western Australia; £30,000 for Queensland; £20,000 for Victoria; £15,000 for Tasmania; and £15,000 for South Australia but, until I have the letter examined, I shall not be able to say to what extent it answers the honourable member's question.

## SAVINGS BANK CHEQUES.

Mr. DUNSTAN: Will the Premier approach the Savings Bank of South Australia about its procedure for giving cheques to depositors? The present procedure is that rarely are cheques given to depositors upon their request unless the amount is for £100 or more. Some depositors have found this procedure difficult. The matter was submitted to me by the Trades Union Hire-Purchase Co-operative Society Ltd., a member of which had to pay £25 to the secretary. He went to his local Savings Bank manager and was told that he could not have a cheque for that amount; a cheque had to be for £100 or more. As a result of that, he had to go down the road and purchase a money order at the post office. Consequently, he had to pay a charge of 4s. 3d., additional to his £25. In contrast to this, the Commonwealth Savings Bank allows cheques for £10 or more upon reasonable application. The depositors have little difficulty in getting cheques on the Commonwealth Savings Bank as long as they do not make a continued habit of it, even where they have not cheque accounts. Will the Premier take up with the Savings Bank of South Australia the possibility of its changing its procedure so that greater facilities in this regard may be made available to depositors?

The Hon. Sir THOMAS PLAYFORD: I shall have this matter examined. I mentioned in the House last week that the Government had received a request from the Savings Bank for the right to operate cheque accounts, but that immediately brought a request from the trading banks to allow them freedom from stamp duty in respect of non-profit accounts. Honourable members will see that an extension of that facility would embarrass the finances of the Treasury because at present the definition is wide. In fact, I would not pretend to know the definition under which the Savings Bank is at present working. It is being examined and I will submit the honourable member's question for examination at the same time.

## ROAD GRADING.

Mr. HALL: Can the Minister of Works, representing the Minister of Roads in this House, answer my recent question about the grading of road shoulders?

The Hon. G. G. PEARSON: My colleague, the Minister of Roads, informs me that the Highways Department has at various times used weed killers, but was unable to obtain a completely satisfactory type. Recent experiments with herbicides indicate that the hormone types would be satisfactory. Experiments are still continuing, but as yet no comparable costs are available. The grading of shoulders, however, is still necessary to protect the edge of the pavement, and is not undertaken generally for the sole purpose of removing growth

from the shoulders of the road. At present the department is using grass cutters for this purpose in some districts, and additional grass cutters are being manufactured departmentally.

THIRD-PARTY INSURANCE PREMIUMS.

Mr. McKEE: Has the Premier a reply to a question I asked some time ago about third-party insurance premiums?

The Hon. Sir THOMAS PLAYFORD: No. We have referred the matter to the Premiums Committee which has not yet given the Government a report. I will see whether I can get it to reconsider the matter and I will inform the honourable member as soon as a report comes to hand.

ROAD MARKING.

Mr. NANKIVELL: On October 18 I asked the Minister of Works, representing the Minister of Roads, if he would find out from his colleague whether the Highways Department had considered following a practice adopted in Southern California of painting the edges of the bitumen pavement with a white line in order to obviate the necessity of posts as markers at the side of the road. Has he a reply?

The Hon. G. G. PEARSON: My colleague, the Minister of Roads, has informed me that it is a common practice in California and other States of the U.S.A. to put a white line on the edges of roads, not, however, in lieu of sighter posts. Sighter posts, in addition to white lines, are desirable as they indicate curves, and with the modern practice of attaching reflectorized delineators, show up better at night, particularly during wet weather. The painting of white lines on the edges of a road, however, has merit, and the Highways Department is at present investigating the practicability of adopting this on the Main North Road.

BROKEN HILL RAIL SERVICE.

Mr. CASEY: I understand that the Minister of Works has a reply to my recent question about the Broken Hill to Adelaide railway service.

The Hon. G. G. PEARSON: My colleague, the Minister of Railways, informs me that proposals for the introduction of railcars on the passenger services between Terowie and Broken Hill have been under review on two occasions since 1958, but the patronage offering at those times did not appear to make it a worthwhile proposition. In addition, the considerations of the Railways Department have been clouded by the gauge standardization proposals and by their effect on the advisability of acquiring new rolling stock at this juncture. However, the matter is the subject of investigation and when additional information comes to hand it will be made available to the honourable member.

CHAFFEY IRRIGATION AREA.

Mr. KING: I believe the Minister of Irrigation has an answer to a question I posed in this House some time ago about the work to be done in the Chaffey irrigation area?

The Hon. Sir CECIL HINCKS: The Secretary for Irrigation reports that the item in the Loan Estimates for work on pipelines and channels in the district of Chaffey refers to the Chaffey irrigation area. The work to be undertaken is the concreting of further earth channels in the Ral Ral division. Investigations as to the best method are in progress and it is hoped to complete the work during the current financial year.

FREELING RAILWAY STATION.

Mr. LAUCKE: Has the Minister of Works, representing the Minister of Railways, a reply to the question I asked last week about the removal of the old railway station building at Freeling?

The Hon. G. G. PEARSON: My colleague, the Minister of Railways, informs me that a contract has been let for the demolition of the Freeling railway station.

GAWLER RAIL SERVICE.

Mr. CLARK: Has the Minister of Works, representing the Minister of Railways, a reply to my recent question about overcrowding on trains on the Gawler service?

The Hon. G. G. PEARSON: My colleague informs me that the 2.10 p.m. Adelaide to Gawler train, which departed Adelaide on Friday, October 20, had all seats occupied at Adelaide as well as 15 passengers standing, and the Railways Commissioner is of the opinion that this number of standees did not create a dangerous situation. The Commissioner further stated, however, that as the patronage on this train appears to be growing, arrangements are being made to increase the consist.

BLANCHETOWN BRIDGE.

Mr. STOTT: Has the Minister of Works a reply to my recent question about the Blanchetown Bridge?

The Hon. G. G. PEARSON: My colleague, the Minister of Roads, informs me that the contractor proposes to erect camp at Blanchetown in December to commence work early in January. In the meantime plant for the purpose is being assembled in Adelaide.

RECREATION AREAS.

Mr. BYWATERS: In an article in Saturday's *Advertiser* about a symposium on town planning and recreation areas it was stated that 15 uneo-ordinated organizations were endeavouring to do something about this problem, but without sufficient capital individually to acquire areas of any size. It was also stated that our rate of providing open space was not keeping pace with our rate of population increase, and that South Australia had merely muddled through its acquisition and development of land. Will the Minister of Education consider appointing a committee, comprising representatives of local government, the Town Planner's office, and the National Fitness Council, to acquire land and develop areas for recreational purposes as has been done in recent years in New South Wales and Victoria where councils have contributed to a common pool, subsidized by the Government, for acquiring large areas?

The Hon. B. PATTINSON: This is a question of Government policy and it would be beyond my jurisdiction to appoint such a committee. I have had discussions recently with the President of the National Fitness Council (Professor Sir Mark Mitchell) and the Director of the council (Mr. Albert Simpson) and they are formulating proposals for greater co-operation between the council, youth bodies and the Education Department. I hope to have further discussions with them soon after Parliament rises. I will then be able to discuss the matter with the Premier and with Cabinet.

FIREWORKS.

Mr. HUGHES: In this morning's *Advertiser*, under the heading "Sunday Guy Fawkes Crackers Blasted" the following appears:

The Commissioner of Police (Mr. J. G. McKinna) and church leaders yesterday protested at the suggestion that bonfires might be lit and fireworks let off on Sunday. Mr. McKinna said the Police Department would prefer to see the celebration conducted on Saturday night and not on Sunday. "This would be in keeping with the observance of the Sabbath," he said.

I entirely agree with the Commissioner. Is the Premier prepared to make a statement to the House in support or otherwise of the Commissioner?

The Hon. Sir THOMAS PLAYFORD: Yes. I entirely agree with the Commissioner and I hope that his views and the views of many church leaders will be given effect to.

BURBRIDGE ROAD EXTENSION.

Mr. FRED WALSH: Has the Minister of Works a reply to the question I asked last week about extending Burbridge Road from Tapley Hill Road to Military Road, Henley South?

The Hon. G. G. PEARSON: My colleague, the Minister of Roads, has informed me that it is expected that construction of the extension of Burbridge Road from Tapley Hill Road to Military Road will be commenced early in 1962.

MOUNT GAMBIER HOSPITAL.

Mr. RALSTON: I understand that the ledgers concerning patients admitted to the Mount Gambier hospital are kept in Adelaide and that assessments of fees payable, including applications for remissions made by pensioners and others of limited means, are decided in Adelaide. I have been informed that all other Government hospitals in country areas retain their ledgers and that the assessments are made by the hospitals concerned. Will the Premier refer this matter to the Minister of Health to ascertain why the ledgers are not kept at the Mount Gambier hospital?

The Hon. Sir THOMAS PLAYFORD: Yes.

WOODVILLE HIGH SCHOOL.

Mr. RYAN: In the Loan Estimates for 1961-62, in the works programme an amount of £190,000 was appropriated for urgently required additions to the Woodville high school. I have heard rumours that the credit squeeze is on so far as school buildings are concerned and that many school buildings, for which amounts were appropriated by Parliament, will not be commenced this financial year. Can the Minister of Education say whether the Woodville high school will be affected by the credit squeeze this year and, if not, can he indicate a possible date for commencing the additions?

The Hon. B. PATTINSON: I am unable today to reply specifically to this question, but I shall endeavour to ascertain the position from the Director of Education and the Director of the Public Buildings Department and, if possible, let the honourable member have a reply by Thursday.

WATER PRESSURES.

Mr. FRANK WALSH: Has the Minister of Works any information for residents of Ascot Park, Parkholme, Plympton Park and adjacent areas, who were affected by poor water supplies over the week-end?

The Hon. G. G. PEARSON: The honourable member was good enough to indicate that he desired information and I have a report from

the Engineer-in-Chief, which was compiled by Mr. Campbell (Engineer for Water Supply). It is lengthy and I shall pass it on to the honourable member for his perusal and information. Summarizing it, the position is that, generally speaking, two feeds supply the whole of the metropolitan area. They are the northern feed (from the Mannum-Adelaide main and from Millbrook and other reservoirs in that area) and the southern feed (from the Onkaparinga River system through Mount Bold and Happy Valley). This will later be linked with the Myponga system. Normally, about 60 per cent of Adelaide's water supply comes from the Onkaparinga River system, but this year, because the rainfall has been much below average, the reservoirs at Mount Bold and Happy Valley have not nearly filled, so it has been necessary to draw some of the city's total water supply from the northern feed, which is augmented more ably and more fully by the Mannum-Adelaide main. An attempt has been made this year to take about 50 per cent of the metropolitan supply from each of these feeds; this has reduced the quantity coming from the southern feed and has meant closing to some extent some of the larger control valves in the feeds from the southern side of the metropolitan area. Those control valves affect the pressures in the districts mentioned by the Leader. With those valves closed to some extent and with the high consumption over the week-end certain areas were short of water. Steps have been taken to rectify the position, and the Engineer-in-Chief considers that the trouble will not recur. However, he suggests that, because of the reversal of the normal flow in certain areas, some problems will arise because sludge deposits in the mains will be stirred and the water discoloured. I shall be happy to hand the Leader the full report.

## SCHOOL AMENITIES.

Mr. RICHES: In the classrooms of the Port Augusta primary school yesterday the temperature exceeded a century, and the parents and school committees are anxious to have canopies over windows installed with the utmost expedition. Will the Minister of Education obtain a report on the progress being made in installing canopies and in extending shelter sheds? Will he also clear up a doubt in the minds of members of school committees about departmental policy regarding subsidies on fans for classrooms?

The Hon. B. PATTINSON: I shall be pleased to obtain a report by Thursday next about how long ago the request was made for awnings. Many of these requests have been referred to the Public Buildings Department, and I have been informed that it is impossible to carry out all the installations at present.

Mr. McKEE: Has the Minister of Education a reply to my recent question about installing cooling systems in Port Pirie primary schools?

The Hon. B. PATTINSON: Consideration is being given to extending the policy relating to subsidies to cover the provision of fans of the oscillating or gyrating type in such areas as Port Pirie, Port Augusta and Whyalla. That is an extension of the policy of subsidizing water cooling systems. However, information received from the Public Buildings Department indicates that ceiling fans are not entirely satisfactory for classroom use. The department is still investigating this problem.

## PENOLA ABATTOIRS.

Mr. HARDING: Has the Premier received a recent inquiry or any evidence to substantiate a claim made by Penola people for a killing works in the district? Also, will he report on the recently established killing works at Peterborough and say why Mr. Popp decided to establish there instead of in the South-East?

The Hon. Sir THOMAS PLAYFORD: I have received some correspondence from various people at Penola suggesting that the Government establish a meatworks there. The Government has a policy regarding the establishment of a meatworks; it will assist a country abattoirs and give it a quota of the metropolitan supply, but requires sufficient contributions and a proposition from the local authorities that will be acceptable to the Industries Development Committee, which has been set up by Parliament. The Government has not yet had a proposition that it considers should go to that committee. The Peterborough abattoirs was set up without Government assistance (financial or otherwise) by a private company, but I believe it has now requested to be allowed to sell portion of its killings in the metropolitan area. I think that the Minister of Agriculture has received such a request and I do not doubt that it will be considered favourably if it is otherwise satisfactory.

## KYBUNGA SCHOOL RESIDENCE.

Mr. HALL: Has the Minister of Education a reply to my recent question concerning the Kybunga school residence?

The Hon. B. PATTINSON: Negotiations for the purchase of a site for a residence at the Kybunga school have now been successfully completed, and site plans are being prepared to enable the construction of the residence to proceed.

PORT PIRIE RAIL SERVICE.

Mr. McKEE: I understand the Premier has a reply to a question I asked some time ago regarding the unsatisfactory rail service between Port Pirie and Adelaide.

The Hon. Sir THOMAS PLAYFORD: The Railways Commissioner reports:

When the Bluebird service was introduced on the Adelaide to Port Pirie passenger run it was intended, where practicable, to use this railcar train on the evening service to Port Pirie and the morning return service from Port Pirie. When the *Minnipa* was withdrawn from the gulf service, however, it was necessary to use a locomotive-drawn train on the evening service from Adelaide to Port Pirie on Wednesdays each week, in order to convey perishables, etc., for Eyre Peninsula. It is not possible to carry these perishables on a railcar train. On Sundays the train from Adelaide conveys mails for Alice Springs and heavy passenger patronage, requiring the use of a train hauled by a locomotive. This means that out of six return movements each week, two of them must be hauled by locomotives.

During the period from September 30 to October 11 inclusive, referred to by Mr. McKee, 19 return trips were made, of which four were operated by Bluebirds and 15 by locomotive-hauled trains. Of these 15 trains, seven worked on the Wednesdays and Sundays, and three worked immediately prior to and on the public holiday week-end, the need for this being the additional patronage which could not be accommodated in the railcars. There remain five trains to be accounted for, and our inability to use the railcars on these five trains was caused by a greater than normal number of our limited fleet being out of traffic for servicing and repairs. Action has been taken which should result in a greater availability of "250" (Bluebird) cars for the evening service in question.

RENMARK NORTH POOL.

Mr. KING: Approval has been given for the erection of a learners' swimming pool at the Renmark North school and the school committee, which has raised its share of the cost, desires to do the work before the fruit harvest in order to have the pool ready for the new year. Can the Minister of Education say whether the preparation of plans and specifications can be expedited so that advantage can be taken of the time available between now and next harvest (which commences about the middle of December) to enable the work to proceed?

The Hon. B. PATTINSON: I shall inquire immediately to see whether the work can be expedited. Although I remember giving a general approval for the subsidy some time ago, the plans and specifications have not yet reached my level. However, I will ascertain the position from the appropriate officer in the department and endeavour to do as requested so that the work can be commenced soon.

COUNTRY SCHOOLS.

Mr. QUIRKE: Has the Minister of Education a reply to the question I asked on October 25 regarding improvements to the Mannanarie, Booborowie, Mintaro, Black Springs and Burra primary schools?

The Hon. B. PATTINSON: No, I have not yet received the replies from the Public Buildings Department, but in view of the Premier's announcement that Parliament may rise on Thursday I shall endeavour to obtain the replies by then.

ELIZABETH BY-PASS ROAD.

Mr. CLARK: In a reply to the member for Barossa's question last week regarding a by-pass road around Elizabeth, the Premier said that the road to Gawler was surely one of the best highways in Australia. I agree with that, although I can remember the time when the duplication was considered unnecessary. The Premier went on to say:

I do not favour further expenditure in that area to provide a by-pass when already a limited access road is available.

I remember a few years ago driving back from Gawler with the Highways Commissioner, who pointed out to me where the proposed by-pass road to skirt the foothills would leave the Main North Road and where it would enter that road. Does the Premier's statement of last week mean that previous plans for this road will not be proceeded with for the time being, or does it mean that plans for the road have been permanently abandoned?

The Hon. Sir THOMAS PLAYFORD: As I understand the position, the Housing Trust has reserved land for a by-pass road in the future. I took the member for Barossa's question as being one that had immediate application, and my view still remains very strongly that this road has had a large expenditure upon it and that there are many traffic hazards in other places on which no money has been spent recently and which I believe would have a priority over a by-pass road at this stage. Regarding the first part of the honourable member's question about the necessity for the

duplication of the road, his comment is not strictly in accordance with fact. The Government purchased the additional strip of land for the duplication of that highway during the war years, and that was why it was so readily available for this work.

## SCHOOL CLERICAL ASSISTANTS.

Mr. RYAN: During this session I have asked the Education Department whether it would consider the appointment of junior clerical assistants in secondary schools, thus relieving the academic staff of clerical work. The Minister of Education promised to confer with the Public Service Commissioner on the matter. I believe many students would be applicants if such positions were made available before the end of this term, for they could be appointed in time for the commencement of the next school year. Can the Minister say whether the matter has been referred to the Commissioner and, if so, what decision has been arrived at?

The Hon. B. PATTINSON: As promised, I referred the matter to the Public Service Commissioner, and he and his officers have investigated the whole position. The matter was referred to the Public Service Board, which has come to certain decisions in the form of recommendations. Those have now been completed and the Public Service Commissioner desires to see me this week. If the recommendations are mutually satisfactory, I shall be referring them to Cabinet next Monday and then, if they are approved, applications for a number of clerical positions will be called for.

## PORT AUGUSTA HOSPITAL.

Mr. RICHES: My question relates to representations that have been made for the installation of air cooling units at the Port Augusta hospital. The requisitions were lodged with the department as long ago as last March, and summer is already upon us. In response to requests I made some weeks ago that this matter be expedited, can the Minister of Works let me know this week what progress has been made in the installation of air cooling units in various parts of the Port Augusta hospital?

The Hon. G. G. PEARSON: Speaking from memory, I believe that this matter was approved and finalized last week, as far as the dockets were concerned. I will check up on that and let the honourable member know either tomorrow or Thursday.

## RIVER TORRENS.

Mr. DUNSTAN: Has the Minister of Works a reply to my question concerning the transfer of an area to the Corporation of St. Peters and the creation of an oval with the diversion of the River Torrens?

The Hon. G. G. PEARSON: My colleague, the Minister of Local Government, informs me that the present position is that the Land Board is obtaining certain information, which is being transferred from aerial photographs on to a scale plan, in order to determine the area of useful land in the event of the St. Peters Corporation exercising its intention to prevent further rubbish dumping. On the receipt of this information, which is expected within a few days, the board will proceed to make a valuation of the land for the purpose of acquisition.

## TELEPHONE DIRECTORY.

Mr. CASEY: Has the Premier a reply to a question I asked some time ago about certain towns being included in the new telephone directory for South Australia?

The Hon. Sir THOMAS PLAYFORD: Mr. Davidson, the Postmaster-General, has replied as follows:

I refer to your personal representations of October 16, 1961, and the extract from the South Australian *Hansard* which you forwarded in regard to the omission of Cockburn and Mingarie from the South Australian telephone directory. I shall be pleased to examine this matter and will write to you again as soon as possible.

## NORWOOD GIRLS TECHNICAL HIGH SCHOOL.

Mr. DUNSTAN: Has the Minister of Education a reply to my question about the Norwood girls technical high school?

The Hon. B. PATTINSON: An accurate survey of the whole of the site has just been completed and consideration is now being given to the most effective way in which the rather restricted site may best be utilized for educational purposes. Plans for the development of the girls technical high school, including the erection of an additional wing to the main structure and the clearing away of a number of old buildings, will depend to some extent on the establishment of another girls technical high school on the site of the old Norwood high school.

The buildings formerly occupied by the boys technical high school have not been "condemned" and, although old, are still considered quite satisfactory for educational purposes. The South Australian Gas Company proposes

to renew all the gas pipes in the old residence where gas leaks have occurred. Classes were removed from the cellar as soon as gas leaks were reported and it is not proposed to use the cellar in future as a class room. A new home science block has not been provided for in the 1961-62 Loan programme, but will be included in the overall plan for the development of the site. As it is not possible to erect further additional temporary buildings on the site, arrangements have been made to use very good accommodation in a nearby church hall in 1962. This together with existing accommodation will be sufficient to accommodate the expected enrolment next year of 600 to 650 girls. It is intended to convert the old Norwood high school, which will become the Kensington girls technical high school. It is expected that use can be made of accommodation on this site in 1963. The gradual development of the school will enable the numbers at the Norwood girls technical high school to be reduced considerably.

JERVOIS BRIDGE.

Mr. TAPPING (on notice): What is the present structural condition of Jervois bridge?

The Hon. D. N. Brookman, for the Hon. G. G. PEARSON: Jervois Bridge is continuing to deteriorate, and increasingly heavy maintenance is necessary to keep the bridge open to traffic. The condition of the bridge is being closely watched.

BAROSSA PLANTATIONS LIMITED.

Mr. TAPPING (on notice): Is a progress report available concerning police inquiries into the affairs of Barossa Valley Olive Plantations Ltd.?

The Hon. B. PATTINSON: A report has been received by the honourable the Attorney-General. On the report there does not appear to be evidence to support a charge of fraud or any other charge.

SCHOOL BUSES.

Mr. McKEE (on notice):

1. Are school bus contractors permitted to carry newspapers or parcels for personal gain?

2. Are they expected to pick up children as soon as school finishes each afternoon?

3. How far from their destination are they allowed to leave children?

The Hon. B. PATTINSON: The replies are:

1. They are not permitted to carry goods or merchandise, except with the permission of, and on conditions approved by, the Director of Education in writing.

2. They are instructed to pick up children and leave schools not later than ten minutes after closing time in the afternoons. This instruction must be varied, of course, when a bus serves more than one school.

3. Pick-up points on bus routes are decided by the heads of the schools served and bus contractors. The pick-up points are arranged to enable children to be picked up and set down as close as possible to their homes. It must be pointed out, however, that some children may have to travel to a group pick-up point which is not adjacent to their homes because the number of pick-up points on a bus route is limited by the length of the route and the distribution of homes along the route.

COUNTRY ABATTOIRS.

Mr. HUGHES (on notice):

1. What is the policy of the Government in relation to the establishment of Government-owned and operated abattoirs in country areas?

2. Is the Government prepared to consider schemes for the establishment of Government-owned abattoirs operated by local authorities?

3. Has the Government formulated a policy on this basis and if so what are the principles of operation?

4. Is the Government prepared to finance the construction of an abattoirs on similar lines to the Wagga abattoirs in New South Wales?

5. What assistance is the Government prepared to offer a privately-owned or district-owned abattoirs for:

(*a*) capital for a factory;
(*b*) capital for plant and working capital;
(*c*) services such as railways, water, power, etc.;
(*d*) a quota of the export market; and
(*e*) a quota of the metropolitan home market?

The Hon. Sir THOMAS PLAYFORD: The general question of decentralization of industry is at present under examination by a Select Committee of Parliament. The Government has announced specific offers to abattoirs qualifying under section 78 (*b*) of the Metropolitan and Export Abattoirs Act, 1936-1958, in that such an abattoirs would be allowed to offer for sale in the metropolitan area a quantity of meat—

(i) not exceeding 50 per cent by weight of the total slaughterings at the country abattoirs; and
(ii) not exceeding one-seventh of the total metropolitan consumption.

## POLICE OFFENCES ACT AMENDMENT BILL (No. 2).

The Hon. B. PATTINSON (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Police Offences Act, 1953-1960. Read a first time.

The Hon. B. PATTINSON: I move:

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

Over the last few years I have received numerous protests about the high pressure tactics of certain book salesmen from nearly half the members of this Parliament by questions, correspondence and discussions. I have also received scores of complaints from representatives of school committees and innumerable individual complaints from parents who find that they have been victimized by these people who purport to be acting under the authority or on behalf of the Education Department when selling certain sets of encyclopaedias and other reference books.

The practice of certain companies and firms is to have incorporated the word "education" into their business names, which are used in their literature and contract forms. Many of their salesmen claim to be representatives of the Education Department. Some have even named high officials of the department as having recommended that they should call on parents in the interests of the children's education. In nearly every instance they call in the day time when only the housewife is at home and they make false and fraudulent representations about the Education Department. These salesmen use the fear complex with mothers and allege that their children will be deprived of proper education without the use of these books. They also suggest to these mothers that they cannot have the true welfare of their children at heart if they are not prepared to purchase these books.

I have made numerous public statements on this matter from time to time at the request of various honourable members on both sides of the House and on my own initiative. The press and radio and television stations have given much publicity thereto, but the nuisance and annoyance caused by these people still continues. Over a year ago I placed the matter in the hands of the Director of Education (Mr. Mander-Jones) and the Deputy Director (Mr. Griggs) for their personal and detailed attention. They and other responsible officers of the department have since been dealing with numerous individual complaints. On my authority, the matter was referred to in the *Education Gazette* and circulars were issued to the heads of over 700 of our schools. The most recent of these circular letters issued by the Deputy Director was dated May 24 this year and read as follows:

During recent months further complaints have been received from members of Parliament, school committees and especially from parents that high pressure salesmen are again visiting many homes and are attempting to persuade parents to buy sets of encyclopaedias and similar reference books, alleging that if these books are not in the home the children will be at a disadvantage in their school work. A particularly unfortunate aspect of this campaign is that the salesmen often urge a parent to sign an enrolment form or an order form for the whole of an expensive set of books with a down payment of usually only £1.

Sometimes too, the salesmen produce letters purporting to have been written by heads of schools or by teachers praising the value of such books. The effect on many parents is often strong enough to influence them to sign the order form and to pay the small deposit required. It is particularly requested that heads of schools and members of their staffs should refrain from giving book salesmen any statement, either in writing or orally, which could in any way be used to influence parents to buy sets of books.

These travelling salesmen have not in any instance been authorized by the Education Department and embarrassment has frequently been caused by their carefully worded hints that they have the endorsement of senior officers of the department or of individual heads of schools. Heads of schools are advised that they may inform parents, through the children, that visiting book salesmen are not in any way connected with the Education Department, and that this department does not recommend the purchase of any particular set of encyclopaedias.

On several occasions the directors of these interstate companies have interviewed me and the principal officers of the department and have offered to dismiss the unsatisfactory salesmen and to substitute honest and reliable ones. However, if these salesmen have been dismissed their successors have proved just as unreliable as those who were dismissed. Despite the earnest endeavours of the departmental officers and myself to put an end to these deplorable practices they still appear to be widespread. A particularly unfortunate aspect of the whole matter is that when the women who have been persuaded to sign up for the purchase of these books are unwilling or unable to continue with the purchase, they receive summonses issued out of interstate courts, thus making the cost of defending the proceedings totally prohibitive.

Some time ago I referred the matter to my colleague, the Attorney-General, and the advice he received from the Crown Solicitor was to the effect that under the existing law no really effective remedies could be availed of by the persons so victimized. I also sought and obtained the aid of the police. The Commissioner and the Deputy Commissioner were extremely helpful, but could not render any real relief under the existing law. Considering that these companies and firms and their salesmen should not be allowed to continue their operations in South Australia in this disgraceful manner I then submitted the matter to Cabinet. Accordingly I was authorized to introduce this Bill.

It is a short Bill and its object is to make it a specific offence to induce persons to purchase books or educational matter by the representation that the seller or his agent is a representative of the Education Department. Clause 3 (1) accordingly so provides. Subclause (2), which is based upon a provision in the Land Agents Act concerning sales of subdivided land, is designed to enable persons who are induced to enter into contracts to buy books or educational matter by unreasonable persuasion to avoid their contracts. As has been stated previously, the Government has endeavoured to prevent these activities, but in the absence of some specific legislation is unable to prosecute. This legislation will enable action to be taken in proper cases. At the same time it will help those people who find themselves committed to a contract to buy something as a result of unreasonable persuasion by salesmen. I hope that it will not be necessary to put the penal provisions of this Bill into practice, but that its mere enactment and the publicity associated with it will have a strongly deterrent effect.

Mr. FRANK WALSH secured the adjournment of the debate.

## THE CHURCH OF ENGLAND IN AUSTRALIA CONSTITUTION BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) moved:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the Church of England in Australia Constitution Bill.

Motion carried.

In Committee.

Clauses 1 to 7 passed.

Clause 8—''Power of Diocese of Adelaide to withdraw.''

The Hon. Sir THOMAS PLAYFORD: I move:

After ''Adelaide'' in subclause (1) to insert ''or the Synod of any diocese formed entirely out of the diocese of Adelaide as constituted at the date of the commencement of this Act''.

This amendment was recommended by the Select Committee after it had taken evidence and had consulted the authorities. The committee also recommended other amendments.

Amendment carried.

The Hon. Sir THOMAS PLAYFORD moved:

After ''diocese'' second occurring in subclause (1) to insert ''concerned''.

Amendment carried.

The Hon. Sir THOMAS PLAYFORD moved:

After ''within'' in subclause (1) to strike out ''that diocese'' and insert ''the diocese concerned''.

Amendment carried.

The Hon. Sir THOMAS PLAYFORD moved:

In subclause (1) to strike out ''connected with or in any way relating to the property of the said church in that diocese''.

Amendment carried.

The Hon. Sir THOMAS PLAYFORD moved:

After ''passed'' in subclause (1) to add ''and all real and personal property of, or held in trust for or for the purposes of, the said church within that diocese shall be and become the property of, or as the case may be held in trust for or for the purposes of, the Church of England in that diocese by whatever name it shall thereafter be known, freed and discharged from any right, title, interest, claim or demand by or on behalf of any person claiming under, or by virtue of the Church of England in Australia or the Constitution''.

Amendment carried.

The Hon. Sir THOMAS PLAYFORD moved:

After ''apply'' in subclause (2) to insert ''in pursuance of this section''.

Amendment carried.

The Hon. Sir THOMAS PLAYFORD moved:

In subclause (2) to strike out ''the diocese of Adelaide'' and insert ''a diocese concerned''.

Amendment carried.

Mr. DUNSTAN: As one of the members of the Synod of the Diocese of Adelaide, which has debated this constitution over a considerable period, I consider that I should say a word about the position that I believe now obtains. The constitution, as authorized by this Bill, met with much opposition in the Diocese of Adelaide. It was defeated by the synod of the diocese in 1955. An amendment to defer the operation of the constitution was narrowly defeated by the synod this year, but,

that amendment having been defeated, the motion for the acceptance of the constitution was passed by a large majority. However, there was then (and it remains) a considerable misgiving within the Diocese of Adelaide about the operation of this constitution, and I think this clause will allay the fears of those who opposed the constitution.

It met with opposition largely because, on the face of it, it was unsatisfactory in a number of ways for the future development of the church and unfortunately it contained provisions for its amendment that were so rigid that it was unlikely that the constitution could be altered in future to accord with the views of many churchmen throughout Australia as to the needs of the church. However, once this matter has come before us, I think the proper attitude to take is that it is a matter not for this House but for the church, having made a decision, to debate internal matters of the Church of England. We should simply decide whether the proprietary rights of the people under the existing constitution of the Synods of the Dioceses of Adelaide and Willochra are safeguarded. I think that they are, and that it is proper for this House to take the action it intends in order to give effect to the expressed will of the governing bodies of the Church of England in this State.

Clause as amended passed.

Schedule, preamble and title passed.

Bill read a third time and passed.

## WORKMEN'S COMPENSATION ACT AMENDMENT BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Workmen's Compensation Act, 1932-1960. Read a first time.

The Hon. Sir THOMAS PLAYFORD: I move:

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

Its object is to make certain amendments arising out of a report of the Workmen's Compensation Advisory Committee recently submitted to the Government. Clauses 4, 5 and 8 increase rates of compensation. Members will recall that last year rates were increased by roughly 10 per cent, the maximum for incapacity and death being raised by £250. The present Bill will make a similar increase in both cases, bringing the maximum in case of death to £3,000 and the maximum in case of incapacity to £3,250. Other changes will be an increase for the minimum on death from £900 to £1,000, with a corresponding increase for each dependent child from £90 to £100. The weekly payments for dependent children in cases of incapacity will be raised from 25s. to 30s. and the weekly amount for a dependent wife from £3 5s. to £4. Weekly payments to a workman in cases of incapacity will be raised from £14 5s. to £15, the corresponding rates for single men being raised from £9 15s. to £10 5s. Lastly, the minimum amount payable to a workman during total incapacity is raised from £5 to £5 10s. per week. All of these proposed increases are recommended by the committee unanimously.

The other amendments cover various matters. Clause 3 will alter the present Act which provides cover for a workman travelling during working hours between his place of employment and a trade school which he is required to attend, but does not cover a workman unless he is travelling from his place of employment and during working hours. It is proposed to extend the cover to cases where an apprentice travels between trade school and his place of residence, provided that the apprentice travels in accordance with arrangements concerning the journey made with the employer. Provision to cover workmen travelling to and from trade school and home is found in most of the States of the Commonwealth. Paragraphs (*b*) and (*e*) of clause 5 will make provision for the payment of compensation in respect of wives who were not actually dependent on the workmen at the time of the accident. The principal Act provides for such payments only where the workman had a wife dependent on him at the time of the accident. There are two particuar cases which can and do occur and for which no provision is made. In the first place, a wife may not be dependent at the time of the injury to the husband because she is employed herself. Upon the happening of the injury to the husband or for some other reason after the injury the wife ceases to be employed and thus ceases to be independent. There is also the case of the engaged couple where the workman shortly before the marriage, for which all the arrangements have been made, suffers a compensable injury. The wedding takes place and here the wife becomes dependent very shortly, perhaps immediately, after the accident but is not covered by the Act because she was not a dependent wife at the time of the accident. The committee agreed unanimously that provision should be made to cover these cases.

Clause 6 amends section 18a of the principal Act in two respects. The first will add, to the

special services for which compensation is payable, such as artificial teeth, spectacles, etc., damage to clothing to a maximum of £25. Clause 6 (*b*) is designed to make it clear that where a man suffers a very slight injury which perhaps does not entail more than some local first-aid treatment but yet has, for example, his glasses broken as a result of the injury, he will receive compensation for the glasses, provided, of course, that the accident is otherwise within the terms of the Act. The committee was of the opinion that this point was already covered, but it appears that some doubts have been expressed and the committee agreed that some amendment should be made to remove them.

Clause 7 amends section 25 of the principal Act which provides that in a case of partial incapacity the maximum weekly payment is the difference between the average weekly earnings before the accident and the average weekly earnings after it. Cases occur where average weekly earnings are increased by way of award or otherwise shortly after the accident. Thus two persons might suffer injuries within a few days of each other. The first man's weekly payment would be based on the average weekly earnings before the accident, while if there had been a change in rates for the second man's accident, his average weekly earnings would be based on the higher rate. The committee agreed that provision should be made so that account could be taken of such variations, and clause 7 is designed to do so. As on previous occasions, the new provisions are to apply only in respect of accidents occurring after the commencement of the amending Act.

Mr. FRANK WALSH secured the adjournment of the debate.

## SCAFFOLDING INSPECTION ACT AMENDMENT BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Scaffolding Inspection Act, 1934-1957. Read a first time.

The Hon. Sir THOMAS PLAYFORD: I move:

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

Its main object is to widen the scope and application of the principal Act. Under section 3 (1) (*e*) of the principal Act the application of the Act could be, and from time to time has been, extended by proclamation of the Governor to portions of the State besides those portions mentioned in paragraphs (*a*) to (*d*) of that subsection. Under subsection (2) of that section the Governor is also empowered by proclamation to revoke or vary any earlier proclamation extending the application of the Act and to declare that the Act shall cease to apply to any municipality or district council district mentioned in subsection (1) (*d*). The Government considers that, if the powers now exercisable by proclamation were exercisable by regulation, Parliament would have a more effective control over the application of the Act in the future.

Clause 3 of the Bill accordingly provides that, in future, the powers now exercisable by proclamation under section 3 may be exercised by regulation. The new paragraph (*da*) inserted by clause 3 (*a*) of the Bill in section 3 (1) of the principal Act preserves the validity of all proclamations made prior to the time when this Bill will become law. The remaining provisions of clause 3 merely make such consequential amendments to section 3 of the principal Act as are necessary to substitute a regulation-making power for the existing proclamation-making power.

With the increasing use in recent years of explosive-powered tools and power-driven equipment in all phases of building operations, it has become necessary to ensure the safe use and operation of such tools and equipment. Regulations governing their use and operation are in force in the other States and it is proposed to bring the use and operation of such tools and equipment within the scope and application of the principal Act. With that object in view, clause 4 defines "explosive-powered tool" and "power-driven equipment". That clause also clarifies the definition of scaffolding so far as it applies to such gear as steps and planks or trestles and planks. At present such gear, usually used for painting, paperhanging, and decorating or for riveting iron, is excluded from the definition of scaffolding unless workmen are required to work thereon more than 10ft. above ground level or floor level. It follows that, if such gear is usually used for those purposes, it would still be excluded from the definition of scaffolding even when used for other purposes unless workmen work thereon more than 10ft. above ground level. The words "usually used for painting, paperhanging, and decorating and for riveting iron" therefore serve no purpose and accordingly are struck out.

Clause 5 of the Bill is designed to extend the application of the principal Act to a much wider range of work than it covers at present. Within its present framework the Act could

apply only where scaffolding or hoisting appliances were erected in connection with building work, and it would seem that such application is dependent on the erection of scaffolding or hoisting appliances. It is now a common practice for mobile cranes to be used in connection with many large-scale building operations and, in fact, such cranes are in common use in the construction of multi-storied buildings around the city. As mobile cranes are not erected, it is doubtful whether the Act could apply to work involving their use. Under the new section 5a inserted in the principal Act by clause 5, the use of such cranes is included within the range of work to which the Act applies. That range also is extended to include work involving the demolition of any building exceeding 20ft. in height and excavations for building foundations exceeding 5ft. in depth because the hazards associated with demolition of large buildings and excavations in connection with multi-storied building work could in some cases be greater than those experienced by workmen on scaffolding engaged on building operations to which the Act at present applies.

Section 6 of the principal Act requires that the person intending to erect any scaffolding or hoisting appliance shall give notice to the Chief Inspector before commencing to erect the same. This provision creates difficulty where a person who contracts to erect a building engages a subcontractor to do all or most of the work. A legal opinion obtained in connection with this provision expresses the view that a contractor who engages a subcontractor to do all the work is not obliged to give the notice but in such a case the subcontractor is the person who must give the notice. In those circumstances it has proved most difficult to police the section. Accordingly, paragraphs (*a*) and (*c*) of clause 6 of the Bill amend section 6 so as to place the obligation to give the notice and to pay the prescribed fee on the principal contractor before any work to which the Act applies is commenced.

Section 6 (3) provides that no notice shall be required to be given for the erection of scaffolding on any ship or boat. The Government considers that this provision should be limited to the erection of scaffolding in connection only with the repairing, cleaning or painting of any ship or boat, and should not apply to the work of constructing a ship or boat. Clause 6 (*b*) accordingly makes this clear.

A considerable amount of maintenance work is undertaken in large factories which are registered under Part V of the Industrial Code or under the Country Factories Act. Those factories are already subject to regular inspection and an annual registration fee is paid under those Acts. The maintenance work in those factories is usually undertaken by their own regular maintenance staff and in many instances the scaffolding is erected and dismantled on the same day. In the circumstances it is proposed to exempt such factories from the obligation to give notice under section 6, and this proposal is given effect in the new subsection (6) inserted in that section by clause 6 (*c*). The exemption, however, applies only to the giving of the notice and the payment of the fee, but any scaffolding, hoisting appliance, gear or power-driven equipment used in such factories will be subject to inspection and the direction of inspectors and will have to comply with the Act and the regulations.

Section 7 of the Act requires all scaffolding, gear and hoisting appliances to be in conformity with the regulations and to be set up, erected, maintained and used in accordance with those regulations. Clause 7 of the Bill repeals and re-enacts section 7 to extend its application to power-driven equipment and to all work to which the Act applies.

Section 8 of the principal Act, *inter alia*, provides that the Chief Inspector shall be notified of every accident which occurs in connection with any scaffolding, gear or hoisting appliance and which causes loss of life or which causes any person to be absent from work for at least one week or in which any load-bearing part of the scaffolding, gear or hoisting appliance is broken or damaged. Under that section an injury to a person which occurs in the course of building operations and is not connected with scaffolding or hoisting appliances is not reportable. Clause 8 of the Bill repeals and re-enacts section 8 to extend its application to every accident occurring in the course of work to which the Act applies and which incapacitates a person from work for more than 24 hours. The section as so re-enacted will require the employer of any person injured in the accident to keep a record relating to the accident containing certain specified particulars and, if the accident causes loss of life or loss of working time of three days or more, also to make a written report to the Chief Inspector. The present requirement of the section regarding the reporting of accidents in which any load-bearing part of any scaffolding or hoisting appliance is broken or damaged has not been altered.

Section 11 of the principal Act deals with the general powers of inspectors under the Act in

relation to scaffolding, gear and hoisting appliances and also in relation to the giving of directions for the purpose of removing or reducing certain risks to which men engaged in building operations may be exposed. Clause 9 (*a*) of the Bill re-enacts subsection (1) of that section in better form so as to extend its application to power-driven equipment and to bring it into line with the more appropriate wording of section 7 as re-enacted by clause 7. Paragraphs (*b*) and (*c*) of clause 9 amend section 11 (1a) by extending its application to risks to which men engaged in any work to which the Act applies are exposed. Clause 9 (*d*) merely clarifies subsection (1a) and paragraph (*a*) of that clause makes two consequential amendments, firstly in subsection (2) and, secondly, in subsection (4) of section 11.

The Government is always keeping under consideration the question of extending the application of the principal Act to additional portions of the State as is provided by section 3 of the Act, and in the last two years its application has been so extended to all the country districts where the volume of building operations has warranted such action. The Government considers that that policy, combined with the amendments proposed in this Bill, will improve the effectiveness of the Act and provide the means whereby the working conditions of workmen engaged in the building industry may be made as safe as is reasonably possible.

Mr. FRANK WALSH secured the adjournment of the debate.

## PULP AND PAPER MILL (HUNDRED OF GAMBIER) INDENTURE BILL.

The Hon. Sir. THOMAS PLAYFORD brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and ordered to be printed.

Bill read a third time and passed.

## GAS ACT AMENDMENT BILL.

Mr. KING brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read. Ordered that report be printed.

### The Report.

The Select Committee to which the House of Assembly on October 17, 1961, referred the Gas Act Amendment Bill, 1961, has the honour to report:

1. Your Committee met on two occasions and examined the following witnesses:

Dr. W. A. Wynes, Parliamentary Draftsman.

Mr. R. M. Steele, Chairman of Directors, South Australian Gas Company.

Mr. S. R. Preston, General Manager and Chief Engineer, South Australian Gas Company.

Mr. R. Wagstaff, Secretary, South Australian Gas Company.

2. Advertisements were inserted in the daily press inviting persons desirous of submitting evidence on the Bill to appear before the Committee. There was no response to these advertisements.

3. Your Committee is of opinion that there is no objection to the Bill, and recommends that it be passed in its present form.

Bill read a third time and passed.

## STUDENT HOSTELS (ADVANCES) BILL.

Adjourned debate on second reading.

(Continued from October 26. Page 1572.)

Mr. CLARK (Gawler): I suppose this Bill has great merit; certainly, it has one of the longest titles of any measure introduced in this House this session. I support the measure in principle. I believe the hostels that have been established in this State mainly for the benefit of students who have to live away from home have been of great value to them. These hostels have also assisted parents, not only because they have been saved money but because many are reluctant to have their children come to the city to go to the Teachers College, the University or other schools at an age when they would prefer their children to be under the family wing.

From what I have seen and know of these hostels, they overcome the difficulty to a great extent, as the young people living in them have a degree of supervision that their parents know is highly desirable. Also, of course, they provide accommodation at a reasonable price. In his second reading explanation the Minister said they were designed primarily to assist country students. I have examined the Bill and the second reading explanation and, although it seems that such an idea is implicit, I wonder whether these hostels could be established in the country as well as in the city. Probably they could, as I know of several large country towns that would be happy to have the opportunity to establish hostels; in fact, I believe some have done so. I am thinking particularly of Port Lincoln, to which many students come from surrounding areas to live all the week away from home in a hostel. These hostels can benefit country towns as well as the city.

The Bill stipulates that, if people desire to build a hostel, 90 per cent of the cost of the land may be borrowed and be repaid over a

term of up to 40 years. It also provides that 50 per cent of money spent on furniture and fittings can be obtained as a loan, to be repaid over a term of up to 12 years. The Bill will encourage more hostels to be built and fitted out; certainly many more are desirable. Many students have come to the city to study at the Teachers College and other places and have found that little of their allowances has remained after they have paid board. I can remember when, in the bad old days of the 1920's, I had the pleasure of attending the Teachers College and received the princely sum of £40 a year. Little remained after I had paid board.

The Bill provides that the rate of interest on money borrowed will be fixed by the Treasurer; and I trust that it will be as low as possible. I applaud this Bill, but I would rather it was a little more generous. It is not over-generous. I thought when I heard the Minister's second reading explanation about the possibility of a £1 for £1 subsidy or (as in other cases) a £2 for £1 subsidy. To be honest, I should like to have seen the moneys lent free of interest, but I realize there are difficulties in allowing Loan funds to be provided under such terms. I believe that this Bill will effectively assist in building and fitting out more hostels, which are needed, so I wholeheartedly support it.

Mr. COUMBE (Torrens): I support this Bill, which I welcome. It will primarily assist country children who, because of their geographical situation, have to live away from home and board somewhere so that they can get further education. As a city member, I welcome this move, which helps people in the country and, as my district is so peculiarly situated, it already has many hostels that provide accommodation for children whose parents prefer them to come to city schools. As all members know, it is now expensive to board a child at any private college in Adelaide. In fact, the cost is becoming prohibitive, and only last week several leading colleges announced further increases in fees. Some parents can board their children privately, but this accounts for only a small proportion of those who have to come to the city, so certain organizations and institutions have set up hostels so that pupils can be boarded nearer the city and attend the schools they wish to attend.

Mr. Fred Walsh: But the Bill does not provide for boarding colleges, does it?

Mr. COUMBE: No, but some parents cannot afford to board their children at boarding schools. Certain other bodies are prepared to help by providing other accommodation for children who attend primary, secondary or technical schools or the University of Adelaide. In North Adelaide there are a number of hostels at present. The Methodist Church has three hostels which provide for both male and female students, and the Churches of Christ have announced their intention to establish a hostel in Medindie to provide a similar service.

If an organization wishes to erect a building or enlarge an existing one it can apply for assistance under this Bill, and therefore hostels can be erected where previously they might not have been built because of a shortage of money. The hostels in my district are doing a mighty job. Parents welcome the existence of girls' hostels because they know their girls are being looked after and that they are in safe hands while in the city doing their studies. The Bill enables the extension of these services, and I know that further extensions may be carried out in North Adelaide, where there are already several such hostels. We already have the theological and university colleges in North Adelaide, and hostels may now be built to house students wishing to attend the various levels of our educational system.

The Minister of Education will be interested in this matter because of the drive his department has been conducting recently to increase enrolments at the teachers training colleges. People now boarding in North Adelaide wish to attend teachers training colleges, and for that reason alone I welcome this move to assist organizations that are prepared to undertake this work or to extend their existing facilities. Apart from the facilities being offered for buildings, considerable support and assistance is also provided for the provision of furniture and equipment, which is a big item. It is necessary to provide bathrooms and cooking facilities for these hostels, and under the Bill those things are brought within the scope of assistance available by way of bank loans.

Many organizations will welcome this provision, and I know that the parents of country students who will use the facilities welcome it. As I understand it, that is only one facet of the Bill, for it will mean that in country areas where there are large congregations of people and where certain scholastic facilities are provided, children from the outlying areas will be able to go to those towns and board in hostels established under this Bill.

Mr. BYWATERS (Murray): I support the Bill. I am pleased to see that the Treasurer has gone beyond his original intention. When

he gave notice over the radio and television services that he intended to introduce a Bill along these lines, he said that it would apply to school councils and such bodies. In a question in the House following that announcement I pointed out to the Treasurer that possibly it would be difficult for school councils and committees to raise sufficient money to commence these operations, and because of that he has seen fit to extend the provisions to include any approved person. The member for Torrens (Mr. Coumbe) recalled that some of these hostels had already been established in his district. I played some part in the purchase of a building at Medindie for the Churches of Christ. That church has already paid a deposit on the building, and I am wondering whether it will be covered by the provisions of this Bill and whether it will be necessary for this legislation to operate before such organizations will be recognized. In Committee I shall ask a question on this matter, because this organization is interested in the welfare of students and should be considered.

The members for Gawler and Torrens referred to country areas being covered by the Bill. However, I have some doubt about the matter, and I should like it clarified. Clause 7 (2) specifies that an advance shall not be made unless the Treasurer is satisfied that any land, buildings, furniture or equipment to be purchased or constructed is intended to be used wholly or mainly for the purpose of a student hostel and that reasonable preference in accommodation at that hostel will be provided for students whose ordinary place of residence is not within the metropolitan area.

Mr. Clark: That certainly would not exclude country areas.

Mr. BYWATERS: Not necessarily, but there is a possibility that some students may go from the metropolitan area to the country. I know that is not likely, but it is possible, and in Committee I shall seek clarification on that point. The other point that I had in mind concerns the possibility of the legislation going further and covering teachers in country areas. Teachers who come from the city to the country frequently find it difficult, particularly in the larger towns, to obtain adequate board at a reasonable price. The high school council with which I am associated has requested that a hostel be established in a country area for this purpose.

Mr. Clark: Clause 7 (2) uses the words "wholly or mainly".

Mr. BYWATERS: Yes. Perhaps the Act can be altered at some future time to provide for that matter if it is not already covered. I think hostels for teachers in country areas are well worth considering, and perhaps something could be done to enlarge the scope of the Act to provide for this. I support the Bill because it is a step in the right direction. From time to time parents have expressed concern that they do not always know the type of board available for their children, but if such hostels are under good supervision, and particularly if they are run by the church organizations that have been interested in this matter in the past, they will have nothing to worry about. The Churches of Christ organization at Medindie has already received far more applications for accommodation than it can satisfy, although applications were called for only a few weeks ago. This legislation is needed and I am confident that all members will support it.

Mr. BOCKELBERG (Eyre): I support the Bill. Perhaps it affects my district as much as any other. This idea was probably born in the mind of the Premier when he received a deputation at Ceduna last time he visited there. The idea there was that the Government should build hostels, and the Premier explained on that occasion proposals similar to those contained in this Bill. We have area schools, and particularly good ones, at Cleve, Streaky Bay and Ceduna, but some children in the outlying districts cannot attend them because of the boarding difficulty. The country towns have no surplus boarding accommodation for children and many do not wish to take in children. If something along the lines of these hostels were built in these areas, that would overcome much of the problem of secondary education for the children there. On the mainland children may return home at week-ends but, on Eyre Peninsula, and particularly in the outlying districts, they cannot do so except at the usual end-of-term holidays. This Bill will be a boon to settlers and their children on Eyre Peninsula.

Mr. QUIRKE (Burra): I, too, support this Bill. As honourable members know, in a much wider field than this I have supported the application of the principle of hostels to the country, and I hope I shall live long enough to see that idea eventually brought to fruition and this scheme of hostels extended so that it is associated with places of learning like high schools or, more particularly, technical schools and trade schools where boys in the country can learn a trade and be educated in their

local surroundings. I have always had that ideal, and honourable members will remember that on several occasions I have mentioned it. This seems to indicate a beginning. I do not think I have any misgivings, as the member for Murray (Mr. Bywaters) has, for he wants to ask a question. I should be grievously disappointed if this Bill did not apply equally to country towns and to the city.

Mr. Shannon: This is more needed in the country towns.

Mr. QUIRKE: Yes, and the provision in the second part of clause 7, to the effect that some preference should be given to people not resident in the metropolitan area, is a good one. If hostels are built in the city, preference should be given to country students who come to town for their education. I think that is the purpose, and I presume that the same will apply at Port Pirie, Port Augusta, Clare or Jamestown, where a hostel is needed—and, believe me, hostels are badly needed in the big country towns.

The Hon. B. Pattinson: The Government would much prefer to see them established in country areas than in the city, but, if they are established in the city, we want to give preference to country students.

Mr. QUIRKE: I thank the Minister for that elucidation because the school bus journeys being made now are getting stretched to such an extent that they are no longer feasible. Journeys of 60 miles a day and 10-hour days at school and on the road are getting a little too tall an order for children 12 years of age. The provision of a hostel in a town where there is a high school, such as Jamestown, Clare, Burra or Balaklava, would reduce the lines of transport. I should like to see it operate that way. I know that many parents, if they could have guaranteed accommodation under an able and kindly administration, like a home from home, would be far more pleased to have their children resident in such a place than that they should make long journeys morning and night. The children get home tired out and have to do their homework. In fact, I think that this legislation establishing these hostels will benefit the various country towns if they use it and will relieve the educational transport problem.

But it must be clearly understood that nothing is being given away. Up to 90 per cent of the total cost of land and buildings is involved —and that is an easy way of getting a loan. Although nothing is being given away, at the same time I do not know how one could raise that money over a period of 40 years from any other source. At the end of that time, if it is worked on the same principle as the Advances for Homes Act, the people who build these hostels will be up for a lot of money because, at the end of 40 years, they will have paid more than double the original cost if the interest charge is at normal rates. That has to be considered.

A hostel of this kind to accommodate any number of children will be a great burden on the people undertaking to build it. With the establishment of these hostels and the probable reduction of school bus services, I should like to see the Government ease the position in relation to the financial burden that will hit the people undertaking to build these hostels, because that burden will not be small. Even with this advantage, much money would have to be paid over the 40 years. It will be a long-term business to pay for them. It is not like a church hall, where many people have an immediate interest in it. When their children leave school, people are apt to forget all about these hostels, and the burden falls on other people coming along. There is no massive effort; it is an effort principally concerned with the few people taking advantage of it the whole time. Assuming that a hostel is full all the time, there will be much more interest than that generated by the people whose children go there immediately. I support this measure because it is a start. We have had an instance today of workmen's compensation operating. Gradually such provisions are improved. There must be a starting point somewhere. I do not doubt that as the years go by this idea germinated now will grow big and probably bear fruit in entirely different circumstances.

Mr. LAUCKE (Barossa): I, too, support this Bill, which I regard as a little beauty. These days a proper education is a prerequisite to any career. With the assistance that this legislation will give, we shall see, particularly in the remote country areas, hostels rising that will be of real benefit to the State and will enable boys and girls to have an education beyond that which they could possibly have in present conditions.

This is democratic legislation and will cater for those people who cannot afford to send their children to boarding schools. The children will be able to reside in a hostel in a town where there is a high school and so enjoy the same educational benefits as those enjoyed by children attending boarding schools. The terms

of the loan—90 per cent for buildings and land and 50 per cent for internal fittings—are most generous. I can imagine that the Country Women's Association and other organizations will examine this legislation with keen interest because it will enable country children to be educated as they would desire and as is the wish of members of the many organizations that work for the welfare of country people. I warmly commend the Government for introducing this legislation and look forward to seeing hostels springing up throughout our country areas to further the high cause of education.

Mr. FRANK WALSH (Leader of the Opposition): It was not my intention to speak on this Bill, but I am concerned with one matter referred to by the previous speaker. He said that the Country Women's Association would probably be interested in establishing hostels. The C.W.A. branches, and other organizations, perform commendable work, but a considerable sum is required to construct a hostel and also to run it. In the metropolitan area many religious bodies have established day and boarding colleges, but the debts they are facing, created by the interest on their loans, are considerable. Who would be responsible for establishing a hostel at Port Lincoln, for instance? If the C.W.A. received financial assistance it could possibly run a hostel, but such expenditure would need to be subsidized, I suggest on a 50-50 basis. That would undoubtedly lessen the cost to parents, particularly those with more than one child at the hostel.

The interest on the capital expenditure involved in a boarding college is considerable and it was interesting to notice in the press last week that some well-established colleges are contemplating increasing their fees for the coming year. Many parents want to send their children to these colleges, but they cannot do so because of the cost. A new boarding school has been established in my electorate, but I suggest that because of the capital expenditure involved it is starting from behind scratch. Clause 7 of the Bill refers to purchasing land without buildings on it, to constructing and enlarging buildings and to purchases of furniture and equipment. The organizations that establish hostels should receive greater assistance for the initial capital expenditure and should be subsidized on running costs. I support the second reading.

Mr. RALSTON (Mount Gambier): I support the Bill, the provisions of which have been wanted for some time. The legislation affords me immense pleasure. All previous speakers have supported this measure. When the member for Burra was speaking, the Minister, by interjection, made it clear that its provisions would apply as equally to country districts as to the metropolitan area. He also said that the Government would prefer that hostels be established in country centres rather than in the city. That must have given much pleasure to members privileged to represent country areas; it certainly pleased me. I have a personal interest in this Bill, as Mount Gambier has the only technical high school in the South-East. No doubt many parents from surrounding towns would rather send their children to a technical high school than to a normal type of high school, because there is now a demand for children skilled in technical work who have been taught the basic technical knowledge in a technical high school. I believe it is possible to extend this facility to all children in the South-East. I think the Bill is good and that much benefit will be derived from it; I therefore support it.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—"Advances for student hostels."

Mr. BYWATERS: Teachers coming to a country area sometimes find it difficult to obtain board. Will they be able to take advantage of a hostel if accommodation is available in it? This matter has been a problem to high school councils, because board has not always been available for teachers.

The Hon. B. PATTINSON (Minister of Education): The Bill is designed to assist students; other provisions are made for teachers. In parts of the State there are teachers' hostels, but the Bill has purposely been drafted in wide and flexible terms to give the greatest possible powers of approval to the Treasurer. If the need arose for one or more teachers to be accommodated in a hostel, and if some rooms were not being occupied by students, I do not think there would be any insurmountable difficulty in allowing them in from time to time. However, this would be guided by the circumstances of each case.

Clause passed.

Clause 8 passed.

Clause 9—"Advance to be secured by mortgage."

Mr. BYWATERS: If a hostel with an existing mortgage were purchased, could this mortgage be relieved by a State Bank loan? An organization could have purchased a hostel

under these circumstances recently; the owner was prepared to allow the mortgage to remain until sufficient money was raised. Will the Minister say whether the State Bank would be allowed to take over such mortgages?

The Hon. B. PATTINSON: Normally, any legislation commences from the date of proclamation: it is not usually retrospective. All this clause means is that the State Bank is to have a first charge on the property. However, as I said before, this Bill has been purposely drafted in the widest and most flexible terms, and I am confident that any application will be considered most sympathetically on its merits by the bank and the Treasurer.

Clause passed.

Remaining clauses (10 and 11) and title passed.

Bill read a third time and passed.

## PREVENTION OF POLLUTION OF WATERS BY OIL BILL.

Returned from the Legislative Council without amendment.

## INFLAMMABLE LIQUIDS BILL.

Received from the Legislative Council and read a first time.

## CHILDREN'S INSTITUTIONS SUBSIDIES BILL.

His Excellency the Governor's Deputy, by message, recommended to the House of Assembly the appropriation of such amounts of the general revenue of the State as were required for the purposes mentioned in the Bill.

Adjourned debate on second reading.

(Continued from October 26. Page 1572.)

Mr. FRANK WALSH (Leader of the Opposition): This Bill deals with the provision of buildings and equipment for the accommodation, care and training of children, and states that a grant will be made only to an institution that is not conducted for profit. Clause 4 provides that a grant may be made on a 50-50 basis. I wonder—and perhaps the Premier can answer my query—whether a certain establishment that was completed in the country about two years ago at a cost of about £40,000 would be eligible for a grant under this legislation. That organization probably has to repay an amount of between £25,000 and £35,000, and I wonder whether the interest charges it is now compelled to pay—I believe 5¾ per cent—could be reduced. It is a hardship on this organization to have to pay this interest rate in addition to the capital cost of the buildings. The Bill has much merit and I support the second reading. In Committee, perhaps the Premier could answer the query that I have raised.

Mr. FRED WALSH (West Torrens): I support the Bill. I was a little confused when the Minister of Agriculture, in explaining the Bill, said:

> Its object is to enable the Government, acting through the Minister administering the measure, to grant financial aid in deserving cases to persons, institutions, and authorities engaged in the care and training of children.

Does that mean that the institution shall be deserving or that the children being cared for shall be deserving? There is a difference, because although an institution is deserving it may be able to obtain sufficient finance to erect its own buildings and conduct its administration. I have in mind an institution in my own electorate, one that I believe is second to none amongst those that I have seen in this or any other State, which cares for neglected children. Only last Saturday the Premier opened a function there, and I know he was impressed with the amenities and facilities provided for the inmates and particularly with the way in which the institution was administered. It has a strict code of discipline that is accepted by all the inmates.

The Public Works Committee, when dealing with the Magill reformatory project, saw fit to visit this institution, among others, and all members of the committee were much impressed with what they saw. Nothing but the highest commendation can be given that institution, but in view of the Minister's remarks it could be that it would not be considered deserving under this Bill. However, as I read the Bill, any institution that desired to construct buildings and provide equipment for the accommodation, care and training of children who in the opinion of the Minister were destitute or otherwise in need, would be eligible for the grant: the institution itself would not have to be destitute or in need. I believe the Bill is a good one, and I am confident that the House will support it.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Grants may be made to approved institutions, etc."

Mr. TAPPING: I have in mind an institution in my district serving about 40 to 50 aboriginal children who came from the north some years ago. It is conducted by a private person. The Bill states that, provided there is no profit, the Government through the Children's Welfare and Public Relief Department may make a grant. In this case, the gentleman had at heart the noble cause of these aboriginal children. He would be making a small return but not a profit. Will the Premier consider the position of this man who would not even be making the basic wage out of the institution?

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): If the honourable member will examine the wording he will see that it is "will not be conducted for profit". That does not mean that one could not have associated with a children's home a dairy farm, for instance, to provide milk or sell pigs. The test is whether the home itself is conducted for profit or for charitable purposes. Most of these homes if they are to carry on must get income from somewhere. The Government does not intend to subsidize something used for making a profit, but it does not desire to exclude people of the type mentioned by the honourable member. There is no children's home in the State that does not grow vegetables or keep pigs or fowls. At Struan or the Magill reformatory pigs are kept and vegetables grown. Those places are conducted not for profit but for the maintenance of the welfare of the inmates. No problem arises from this wording.

Clause passed.

Clause 3—"Grants to be paid out of moneys appropriated."

Mr. FRANK WALSH (Leader of the Opposition): A certain home was built in the country and completed two years ago. Can the Premier say whether its present loan arrangements could be converted to what is provided for in this clause in an attempt to relieve it of some of its interest burden?

The Hon. Sir THOMAS PLAYFORD: I shall have the matter examined. When an Act begins to operate, there is always the difficult problem of what has happened previously. Supposing an organization worked hard and raised £10,000 to establish a home: if we accepted the position as it was before the Act operated, that organization would get nothing. If, on the other hand, we accepted the fact that it borrowed £10,000 and we subsidized it, that would be totally different. I will examine the point but I do not want to give a firm decision until I have looked at the surrounding circumstances.

Clause passed.

Clause 4 and title passed.

Bill read a third time and passed.

## BRANDS ACT AMENDMENT BILL.

In Committee.

(Continued from October 26. Page 1582.)

Clause 3—"Further offences."

Mr. HALL: I move:

After "substance" second occurring in new paragraph (*da*) (ii) to insert "registered as a stock medicine under the Stock Medicines Act, 1939, or".

Last week I explained fully the purpose of my amendment. The last clause of the Bill is wide and I said then that, unless a substance was prescribed by regulation, it could not be used in any form on a sheep and, therefore, the almost innumerable substances used in the care of sheep would have to be prescribed. They all come within the listing under the Stock Medicines Act. The insertion of these few words will make it unnecessary for the Governor to be a prescribing chemist and prescribe every article. An item will automatically be allowable when included in the list of stock medicines.

The Hon. D. N. BROOKMAN (Minister of Agriculture): I have fully considered this amendment, which I am prepared to accept.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

## HEALTH ACT AMENDMENT BILL.

In Committee.

(Continued from August 31. Page 688.)

Clause 3—"Licensing of rest homes."

Mr. DUNSTAN: Progress was reported when this legislation was last before us for the purpose of seeing whether an amendment could be devised to cope with the difficulties I foresaw. Unfortunately, as I predicted, a suitable amendment was incredibly difficult to draft and has eluded both the Parliamentary Draftsman and myself. We cannot recommend a satisfactory way around the difficulty and I suggest that the legislation proceed as it is.

Clause passed.

Title passed.

Bill read a third time and passed.

## FRIENDLY SOCIETIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 26. Page 1575.)

Mr. FRANK WALSH (Leader of the Opposition): The major portion of this Bill is machinery in nature, because it increases many of the benefits available for members by substantial amounts, but in the majority of cases it only extends a possible cover to bring it into line with present-day money values. This is covered in clauses 3, 4 and 7 and I completely agree that members of friendly societies should be able to obtain additional cover if they so desire. The development of friendly societies in Australia dates back to around the 1830's when tradesmen and skilled workers combined together to provide medical attention for members and their families and for payment when members were unable to work through illness. In South Australia, the Friendly Societies Medical Association was formed in 1911. With the development of the movement, the F.S.M.A. increased its membership and branches until there were 26 pharmacies, including one at Port Pirie.

If a family is unfortunate enough to be faced with sickness, there are normally three heavy expenses involved—hospital, medical and medicines. Through the friendly societies, single persons and families can insure themselves against these expenses, and the particular item covered by clause 6 relates to the expenditure on medicines. A family, by the payment of 6d. a week, becomes eligible for medicines at friendly society chemists at concession rates. Any member of the public who insures himself against future expenditure by membership of an organization such as the F.S.M.A. is to be commended, and the society should not be restricted to investment in particular classes of trustee investments as at present, but should be able to invest in organizations which are in the field associated with its work. In this way, there would be potential additional benefits for members and therefore I support the Bill.

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

## REGISTRATION OF BUSINESS NAMES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 26. Page 1573.)

Mr. FRANK WALSH (Leader of the Opposition): I support the second reading of this Bill because it is a step in the right direction, even though it does not go as far as I would have liked. As pointed out by the Minister in his second reading explanation, it will put some obstacles in the way of dishonest firms that have been obtaining loans from innocent persons but have not had the financial backing or business potential to pay the returns promised. Firms have been established with high-sounding names with the inference of substantial financial backing but in fact such has not been the case and many small investors have lost their life savings as a result of the activities of some snide operators. This Bill will have the desired effect of curtailing these activities, but public companies properly constituted under the Companies Act will still be able to raise funds as in the past.

A matter closely allied with loan raising by firms is the service contracts on television. Payments are made in advance for the promise of some return or service in the future. It has been brought to my notice in the last few days that some interstate firms and companies are not financially stable but are establishing in South Australia in exactly the same business. Many South Australians face the prospect of losing money if they do business with firms that are not financially stable. While this Bill is before us it is an opportune time to consider whether some further amendment can be made to the principal Act to cover people who enter into service contracts. In my view, two approaches could be made to this end. They are an amendment to the principal Act to make it incumbent on a person or firm advertising to accept money in advance against a contingent happening to lodge a fidelity bond with the State Government equal to one-fifth of the gross annual income up to a maximum of £80,000; or an amendment to make it obligatory for the firm to take out an insurance company bond of 20 per cent of its contracts. I intended to move an amendment to this Bill along these lines, but I should like to have the response of Government members before moving in this direction.

From the experience of other States, many interstate firms that advertise their goods in South Australia obviously cannot meet their obligations. I have seen advertisements in a periodical which sets out television programmes and which indicates that a firm will fully cover television repairs for £13 a year. However, from information given by others who maintain television sets, this obviously cannot be done. Although I am not an expert on television sets, I believe a picture tube costs over

£30. Owners of sets over three years old would like to have a maintenance cover for £13, yet it would need only one out of every three people who insure to need a replacement tube for all premiums paid in one year to be used. I have suggested a fidelity bond because I do not think these companies can do what they claim they will do. I have suggested one-fifth of gross annual income up to a maximum of £80,000; the maximum is comparable with Commonwealth legislation relating to fidelity bonds. This provision would safeguard people who take out these policies.

The penalty of £500 in the Bill is a deterrent to undesirable firms and persons who operate in our community, but these people so lack moral principles that I believe a gaol term should also be provided as a deterrent; otherwise, these operators may still consider it a good gamble to risk £500 in anticipation of fleecing the public of more than this sum before a prosecution is lodged. Subject to the foregoing, I support the Bill.

Mr. DUNSTAN (Norwood): I support this Bill, which I think is a wise measure for the Government to introduce. Unfortunately, we have recently seen many individuals come to this State, use high-sounding titles for firms that have no financial backing, induce people to place money in their hands (allegedly for investment), make away with the moneys for their own purposes, appear in the bankruptcy court, and, unfortunately, there is little that one can do to them. They have used these high-sounding titles to borrow money from gullible people and have simply contracted, in effect, a civil debt. Unfortunately, they cannot be dealt with in a way that they justly merit and certain individuals have escaped a punishment that is morally justifiable in the circumstances under which they have fleeced so many citizens to such an alarming extent, as we have seen in recent months. Many have been the complaints in this House about the activities of some of these people; the member for Frome and others have raised them. This Bill will go some way at any rate towards plugging a gap in our legislation. As the Leader has said, it will not plug all the gaps by a long way, but it will at least plug one of them and the more gap-plugging we do to get rid of the undesirable activities of these individuals the better.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Use of business name in invitations to the public to make deposits or loans prohibited."

Mr. FRANK WALSH (Leader of the Opposition): Has the Government considered a fidelity bond? I mentioned television because I think we will have much advertising by this medium. I believe that 12 months ago reputable people recognized that the insurance charge on television receivers was £15 to £17 for the first 12 months, £2 or £3 more in the next 12 months, and over £20 in the following 12 months, and that after those three years further insurance was not likely to be considered. I do not know whether the position is still the same, but I know that advertisements appearing in various television magazines claim that insurance will be provided, irrespective of the age of the set, for £13 a year. That is a promise of a service, but will such a promise ever be honoured?

The Hon. B. PATTINSON (Minister of Education): The Government has considered some of the aspects mentioned by the Leader. I think there is considerable merit in his suggestion, but I consider that the provisions of this short Bill will have a much greater deterrent effect than an insistence on fidelity bonds. The Government is very anxious—as I am sure all members opposite are—to get this Bill through. I do not want to mention any names unnecessarily, but the member for Norwood has referred to some of these people and the member for Frome (Mr. Casey) has given glaring examples of three or four notorious gentlemen whose names have appeared in the newspaper as a result of sequestration orders made against them. Some of these people have registered high-sounding names under the Registration of Business Names Act, and these names have been used in newspaper advertisements and brochures inviting the public to lodge money with them on deposit at high rates of interest. The word "company" and the abbreviation "co." are used universally and extensively in business names by individuals and firms and the use thereof should not give the impression that the borrower is a limited company, as in the case of a limited company the word "limited" must be the last word in its name. However, the distinction is not generally appreciated by the public, and, if I may say so, with the greatest respect to the people concerned, the newspapers and the people who publish magazines and other journals add to the confusion and make confusion worse confounded by their practice of

referring to a firm as a company and to a company as a firm, irrespective of whether it is a large trading organization or a small one. The average member of the public is absolutely befogged and does not know the difference between a firm and a company. Some of the largest and wealthiest companies in Australia are glibly referred to in public by the newspapers and other publications as firms, and *vice versa*, and I am sure this loose use of the wrong term is adding to the confusion of a gullible public, the members of which do not know the difference when they hear these high-sounding names and read these extravagant brochures.

It was realized that these men were issuing glorified deposit receipts called indentures on which was impressed a rubber stamp bearing the business name giving the appearance of a seal, but the police were powerless to prevent their activities because as such they were not committing an offence. They did not hold themselves out as limited companies, although their advertisements and documents might have conveyed that impression. That is the immediate evil we are attempting to cure by this short but drastic Bill, and although I appreciate the Leader's remarks I urgently request that we confine this Bill to the simple provision contained in it and let it become law this week.

Clause passed.

Title passed.

Bill read a third time and passed.

## REAL PROPERTY ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 26. Page 1574.)

Mr. JENNINGS (Enfield): This is a simple though worthwhile Bill. The Minister in introducing it could find no need to say very much. He made only a short second reading explanation. There is nothing we could add to that explanation that would benefit the House, so I can see no conceivable reason why we should object to the Bill. Therefore, I see no reasonable need or excuse to detain the House any longer. I merely say that I support the Bill.

Mr. DUNSTAN (Norwood): I must disappoint the member for Enfield because I want to express my appreciation to the Government for this Bill, as I had to cope at some stage with the difficulties that the Bill seeks to avoid. Some individuals in South Australia, in fact, had easements of the kind mentioned in the Minister's second reading explanation registered on their properties, and had desired to obtain financial assistance from the Savings Bank of South Australia by way of mortgage but found that the bank was unwilling to advance the moneys because the easements were registered there even though the public authority that had the easement had disclaimed it and had no intention of doing anything about it. It was completely useless for all future purposes. Nevertheless, because of advice tendered to the bank, the bank unfortunately could not see its way clear to advance moneys on mortgage, and some reputable citizens found themselves in difficulties in getting the necessary finance for building upon their properties. This is a most desirable Bill; I am glad it has come forward because it will ease the way for a number of people seeking financial assistance from public institutions.

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

## MARRIAGE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 26. Page 1574.)

Mr. FRANK WALSH (Leader of the Opposition): This Bill meets with my approval. I assume that a Marriage Act will be passed by the Commonwealth Government next year.

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

## AUCTIONEERS ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

## ALCOHOL AND DRUG ADDICTS (TREATMENT) BILL.

Adjourned debate on second reading.

(Continued from October 26. Page 1584.)

Mr. FRANK WALSH (Leader of the Opposition): I support the second reading. The committee set up to examine the problem of accommodation for alcoholics and drug addicts spent some time determining what could best be done to try to arrest the incidence of disease caused by alcoholism and drug addiction. This Bill has no doubt been introduced as a result of that committee's investigations. Favourable mention has been made of the overseas visit by the Sheriff (Mr. Allen) to investigate this matter. I know that Mr. Allen has always believed that it is not right to gaol a man or to send him to a mental home when he needs special treatment.

We have been told that the object of this Bill is to make provision for the treatment, care, control and rehabilitation of persons who are addicted to alcohol or certain drugs. My reaction to the Bill is that it is an attempt to grapple with this grave social problem and is a step in the right direction, but in my view there are some shortcomings in the Bill which require modification. The problem of alcoholism appears to be closely allied with two other social problems—mental instability and unhappiness in the home. These three problems appear to react upon each other in a cumulative way. The phase of mental instability, in my view, can be catered for by other Statutes, but the problem of unhappiness in the home could be aggravated by this Bill —for example, I can see no provision in the Bill which caters for the family needs in the event of a parent voluntarily entering a treatment centre. Clause 33 is the only one which could refer to this, but it only provides that a patient shall receive a gratuity of 4s. a day. This is apparently to meet some of the private needs of the patient but there is no provision for his dependants.

I know that the Children's Welfare and Public Relief Department caters for families in necessitous circumstances, but a fairly severe means test is imposed by the Government in these cases and also the amounts paid only cater for mere existence. It is not clear to me whether families in the position mentioned above would qualify for any Commonwealth pension as is the case where breadwinners are gaoled. If an approach has not already been made to the Commonwealth Government, then I suggest that this Government should do so in order to facilitate the carrying into practice of the intentions of the Bill. It is my sincere view that if an alcoholic knows that his family will be left destitute if he enters a centre for treatment, then there will be many genuine cases requiring treatment that will not voluntarily come forward and therefore the good intentions of the Bill will not be achieved.

I realize that those seeking relief from the Children's Welfare Department have many difficulties, and this Bill does not provide adequately for the family unit that may be destitute if a breadwinner is away receiving treatment. When I entered Parliament in 1941 the Bedford Park sanatorium was used for treating tuberculosis sufferers. Patients who entered that institution received 21s. a week invalid pension from the Commonwealth Government, but this State Government charged them 15s. 6d. for their treatment. No provision was made for their wives and children, who had to plead hardship to the Welfare Department. However, that position was improved.

Members frequently refer to constituents who are denied relief by the Children's Welfare and Public Relief Department merely because they have television sets on hire-purchase. Before they can obtain relief they have to prove, by presenting a written notice, that their hire-purchase repayments have been suspended. A family may obtain a television set hoping that it may draw the family unit together and provide entertainment to induce the man to stay at home, thereby possibly averting the need for his receiving treatment. Knowing the Children's Welfare Department, which is directed by the Government of the day, I believe that some men who voluntarily undergo treatment will be forced to leave their families destitute.

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

Mr. FRANK WALSH: In view of the state of the House, do you think it right that I should continue, Mr. Speaker?

*A quorum having been formed*:

Mr. FRANK WALSH: Before the adjournment I was speaking about persons who either voluntarily or by compulsion would enter a treatment centre. I also mentioned hardship. The other matter I wish to raise is in relation to what I shall call criminal alcoholics as opposed to voluntary alcoholics. I know that this Bill has been considered by an advisory committee, but I still consider that there should be segregation of alcoholics who come to the centre as a result of a court order from those who come in a private capacity on a completely voluntary basis. The system of voluntary patients has not worked in the past because at any time a voluntary patient was able to leave an institution where he was being treated. By this Bill, once a patient has volunteered, he is obliged to complete the treatment prescribed by the respective medical officer. This is an improvement, but I am sure that a voluntary patient will not come forward so readily if there is the risk of his receiving treatment on exactly the same basis as a criminal patient.

While dealing with a criminal patient, I refer in particular to clause 14, which gives discretion to the court to order that a person shall present himself as a patient for treatment at an alcoholics centre in lieu of a prison sentence. It is my firm conviction that a person who commits a criminal offence should be

obliged to pay the penalty prescribed by law and that there should not be the option of submitting to curative treatment in lieu of a prison sentence; rather, the order to take curative treatment should be in addition to any sentence imposed by the court in accordance with the present law. The point I am emphasizing is that, for a voluntary patient, it should be completely voluntary whether he presents himself for treatment or not, but that a person who is convicted before a court on charges which are correlated with drunkenness should have a condition placed upon him at the discretion of the court to take curative treatment in addition to answering to the law for the criminal act he has done.

If a motorist is convicted for a third offence of drunken driving and is sent to this institution, should he be associated with patients who are there voluntarily? If a person commits another type of crime, such as interfering with small children, and uses drunkenness as an excuse, can it be said that he would not have committed the crime had he not been drunk? I cannot see why the court should be able to exercise this discretion. It is a matter of the degree of the crime committed. A person who commits a crime when drunk must, before he became drunk, have intended to commit it. Alcoholism is a disease and in this legislation we are trying to do something to help those chronically affected by it. I believe that the Law Society of South Australia is vitally interested in this matter. I am not a member of that society; unfortunately I have not qualified to be a member. I understand there will be a legal debate on this matter tonight. I support the Bill.

Mr. MILLHOUSE (Mitcham): I do not know whether the Leader was deliberately trying to provoke me to take part in this debate or not; however, I intend to speak briefly on this measure. I, of course, heartily support the second reading. Alcoholism, as it is shortly called, is a terrible thing, and the time is long overdue in this State and elsewhere for some positive steps to be taken for its treatment; therefore, this Bill is to be welcomed. I only regret that it has been introduced so late in the session, as it is far-reaching. So far as I know, there is no precedent for it in the other States of the Commonwealth. Therefore, it behoves us to look at it more closely.

I am worried about clause 13, which provides that a person may be admitted to an alcoholics centre upon the application of the person himself, a relative of the person, an adult probation officer, or a member of the Police Force, provided—and this is in subclause (2)—the application is supported by the certificate of a medical practitioner. In fact, under this clause a person could be received into and detained in an alcoholics centre upon the application of a relative, supported by one medical practitioner only. That is what it could come to. I do not think that that would often be abused, but it seems that where that detention can take place on the application merely of a relative and one medical practitioner it could be open to abuse, and if it is humanly possible to do so I think we ought to cut down the risk of abuse in such legislation as this. I am reminded that, under the Mental Health Act, for a person to be committed to a mental institution there must be a certificate of two medical practitioners and not only one. Clause 13 (2) provides for two people, but only one need be a medical practitioner.

Mr. McKee: The other could be a mother-in-law.

Mr. MILLHOUSE: I do not think a mother-in-law could come into it, but it could be any of a number of close relatives. There could be abuse here, and I should be far happier if we safeguarded the position by providing that the certificate of two medical practitioners shall be required. If we provided that, apart from the people referred to in the other placita, two medical practitioners had to certify after examination, that would at once double the difficulty of abuse or halve the danger of it, whichever way we like to put it, because two medical practitioners and not one would have to be persuaded before the application was supported. That, Sir, I think is something the House could look at later. I point to these things only because they are possible causes of abuse which it may or may not be wise for us to deal with in this clause.

Mr. Loveday: Would the practitioner not have to know the person quite well?

Mr. MILLHOUSE: That is my next point. Clause 13 (2) merely says that the certificate must be given when the practitioner has examined the person: it does not say how often he must have examined that person, and as it stands it conceivably could be only once, although I think that would be unlikely. I cannot believe that any conscientious and upright practitioner would, except in the most unusual circumstances, be willing to give a certificate on one examination only, and

undoubtedly that is not contemplated by the legislation. Whether or not we should provide that there must be more than one examination or that there should be examinations over a period I am not sure, but I think that on balance—and here I am open to argument from other members—I should be willing to leave it as it is.

Mr. Loveday: It is really a medical matter.

Mr. MILLHOUSE: Yes, and probably it could best be left to medical opinion. It may be that medical opinion either now or in the future will be able to determine addiction on mere examination; I do not know.

Mr. Heaslip: Subclause (3) provides for further examination.

Mr. MILLHOUSE: Yes, there must be further examination without delay by the medical officer of the centre and that is a safeguard, but what I do not like is the thought that a person may find himself in one of these centres without there being adequate safeguards. It is all very well to say that persons can be released, and no doubt they would be, but I think that unless we can avoid it they should never get there unless it is proper that they should be there. I am merely pointing to this question of the examination. I am willing to leave it as it is, but it may be that the House feels that some further safeguard should be there. However, I consider that the verifying certificate of one medical practitioner as provided in clause 13 (2) is not sufficient, and that we can reduce the danger of abuse greatly by providing for two.

Although certain objection has been raised to clause 14, I think it is probably all right. We have not had much time to go right through it, and it may be that on reflection and further argument in the House some other dangers may occur to us. Clause 14 (1) merely gives the court a larger field of discretion than it now has in that it can order the release of a person upon his entering into a recognizance to undergo treatment. In other words, it is an additional avenue of approach to a court in imposing a penalty for an offence, and something additional to what it has now, and, if the person says that he does not wish to enter into a recognizance, then this falls to the ground. Therefore, I cannot see anything wrong with clause 14 (1).

Clause 14 (2) deals with the cases in which there have been two or more offences within a period of 12 months. In that event the court has an alternative either to commit the person to an alcoholics centre or to release him, again upon his entering into a recognizance. That again, it seems to me, is merely enlarging the field of discretion in the court when inflicting a penalty, and I cannot see anything wrong with it. However, certain objections have been raised to clause 14, and I may have missed the point of the clause; but at the moment I cannot see anything wrong with it. As honourable members will have seen in reading through the Bill, clauses 13 and 14 contain the gist of it: I think the other clauses merely amplify the powers which would be given under those clauses.

Mr. Quirke: Have you had a good look at clause 25?

Mr. Lawn: What about clause 14 (2)?

Mr. MILLHOUSE: I have dealt with that clause; it merely enlarges the discretion in the tribunal imposing a penalty. I have looked at clause 25, which qualifies clause 13. The remarks that I have made regarding clause 13 stand, even despite clause 25, of which I was aware before I made those remarks. If it can be avoided I do not think any person should find himself in an institution like this, even if he can be subsequently released. I do not think his liberty should be taken away, even for a matter of hours, or that he should be put to the inconvenience of it if that can be avoided before he gets there. Clause 25 deals only with the question of how any possible damage that has been done can be undone. With those few remarks, I support the second reading.

Mr. DUNSTAN (Norwood): I welcome this legislation. This question of treatment for alcoholics in South Australia has been one that I have raised annually in this House since I was first elected. For a long time I hoped that the Government, at any rate as a first measure, would declare some institution under the existing Inebriates Act. It did not do so. It appointed a committee that has drawn up new legislation, some of which reproduces some provisions of the existing Inebriates Act and some of which is new. I hope that the legislation will prove a considerable improvement on the present unfortunate situation that faces many people in South Australia. The pitiful procession of alcoholics before our police courts day by day, the commission of them to gaol for periods that achieve nothing but their compulsory drying out for short periods, and their rapid return to the courts thereafter need to be coped with, and I appreciate the fact that at long last something has been done.

However, like the member for Mitcham, I have qualms about clauses 13 and 14, as well as about some other clauses. In the first place, it seems to me that clause 13 could be open to abuse. Abuses can now occur under the provisions of the Mental Health Act, which has greater safeguards than these provisions. Such a case happened recently, involving an aged lady in my district. She was living in premises by herself in St. Morris. She had a great love for cats, of which there were many on the premises. She managed to get along in the premises, although they were not very clean and tidy, but friends paid periodic visits to the premises and saw to it that she was managing to get along. The *Meals on Wheels* organization provided her with her midday meal and she could cope within her own home. However, someone or other complained to the women police, who went to her premises, inspected them and promptly took her in a patrol car into the city, where she was sent for one examination by the requisite number of medical practitioners, who certified her as a person not able to look after herself, and by reason of some mental defect owing to senility she was committed to Parkside. It was some time before she could be got out of there. They were responsible medical practitioners, but there was considerable disagreement by her regular medical practitioner who simply was not called into consultation at all. Her local doctor in St. Morris said she was a person capable of looking after herself in her own home but two responsible medical practitioners, including a prominent doctor, certified her, and she was sent to Parkside.

The House should be most careful that people's civil liberties are not easily interfered with and that there is the requisite protection under this legislation to see that that sort of thing cannot occur in relation to alcoholics. I feel it could occur under the present provisions of clause 13. In this case, a relative or a member of the Police Force could take a person to the centre after he had got the certificate of a medical practitioner; it could be a short examination by a medical practitioner given certain information and it might be that the person at the time of the examination would be under the influence of alcohol. Then he is taken to the admission centre where he may be received and retained for some time because, although he must be examined as soon as possible by the officer in charge of the centre, it may be some time before the officer in charge can make up his mind that this person is in fact a person who ought to be detained under the Act. While the officer is making up his mind, the person in question will be detained there.

We ought to take more care than we do about this. There should be the certificate of at least two medical practitioners, and I would go further than the member for Mitcham. I believe that they must certify not merely that the person is an addict but that, as a result of being an addict, that person is a danger to himself or other people or is unable to conduct his business in a proper fashion. There are people who would feel that within the term "addict" (that is, the definition before us in this Bill) he would not be an alcoholic; that is, he would not be compulsively addicted to the excessive consumption of alcohol. In fact, I can think of a very eminent legal practitioner in South Australia, now dead but well known to all members of the profession, who would certainly have come within the definition of "addict" here. That man (*de mortuis nil nisi bonum;* I do not want to mention his name, but many members of the House will know the name to which I am referring) could have been committed had clause 13 operated at the time. Any relative could have made an application.

Mr. Riches: Might he not have benefited from treatment?

Mr. DUNSTAN: That is hard to say, and it does not seem that we should be legislating to provide that anybody who drinks to excess should be submitted to compulsory treatment for alcoholism.

Mr. Stott: Who is to judge what is "excessive"?

Mr. DUNSTAN: There again it is the relative or the medical practitioner at the time—and medical practitioners disagree about this to a certain extent. I think that we should require that the practitioner do more than form an opinion that the person is an addict; the opinion should be that he is an addict and, as a result, is of danger to himself or to other people, or is unable to manage his affairs.

Mr. Millhouse: Don't you think that is implicit in the idea?

Mr. DUNSTAN: No, I do not think so. The word "addict" is defined in the Bill, which simply says:

"Addict" means a person addicted to the consumption or use of alcoholic or intoxicating liquors or specified drugs to excess.

If a man gets drunk once a fortnight, he may not be a compulsive alcoholic, but he would be an addict within that definition.

Mr. Stott: To excess once a fortnight?

Mr. DUNSTAN: Yes.

Mr. Stott: That's stretching it a bit, isn't it?

Mr. DUNSTAN: The definition is very wide.

Mr. Shannon: It could be once a month and he could still come within the definition?

Mr. DUNSTAN: Yes.

Mr. Stott: That even implies drinking to excess only once.

Mr. DUNSTAN: No; the Bill refers to addiction, so it is obviously more than once. However, a lengthy excessive use of alcohol over a period, even when it is not certain that the man is an alcoholic or a compulsive drinker, could come within the terms of the definition as I see it. I think this is a danger and we should go further in clause 13 (2). On this point I have had some hurried representations (as also have the member for Mitcham and the Attorney-General) from some members of the Legislation Committee of the Law Society. Three members of that committee have been in touch with me and have voiced these objections to the Bill. They have serious worries about the possible interference with the liberties of the subject which might occur if this clause were carried in its present form. Clause 14 (1) states:

Where a person is convicted by a court of any offence—

(*a*) of which drunkenness or the state or condition of being under the influence of any alcoholic or intoxicating liquor or a drug is a necessary part or condition; or

(*b*) which, in the opinion of the court, was committed by the person while in a state or condition of drunkenness or under the influence of any alcoholic or intoxicating liquor or drug,

the court may, by order in lieu of or in addition to any sentence it may impose on such conviction, release the person upon his entering into a recognizance, with or without sureties, to ensure . . .

that he goes for treatment to an alcoholics centre. That could happen if a man commits an offence not directly related to drunkenness, but if he does it under the influence of liquor. According to definitions given by medical witnesses in courts time and again relating to offences under the Road Traffic Act for driving under the influence of liquor or a drug, a man is affected by liquor even if he takes a small quantity of it. I think it is going too far to give this power to the court. The member for Mitcham says that the court is simply given an additional power to say, "We require a man to enter into a recognizance or to take sentence." This is giving an alternative means of dealing with an offender. I think the honourable member overlooks this situation—and it is a situation that has occurred in other circumstances—that the court says, "We think that you ought to go for treatment to an alcoholics centre. We cannot order you to go there under these circumstances, but if you don't go there you are going to cop a pretty heavy sentence. You have your choice: make up your mind."

Members may say that courts would not do this, but, unfortunately, in other circumstances they do do this sort of thing. For instance, I know of a case where a boy was brought up for a first offence for going past a stop sign and the magistrate said that either his father and the boy agreed that the boy be caned or he would receive a heavy fine. When the father refused to cane the boy a heavy fine was imposed—much more than is normally imposed for passing a stop sign in any circumstances. That sort of pressure on a man could be exercised by the court, and it could be a real pressure to make him agree to enter into a recognizance to go to an alcoholics centre for treatment. Further, it could be for one conviction where the person on the bench thought that the offence was committed at a time when the man was showing some signs of influence of alcohol. This is placing too much power in the hands of a court. I think it should be proved, before the provisions of clause 14 (1) could be effected, that the man is an addict. At present he does not have to be an addict at all.

Mr. Quirke: This is tantamount to a sentence, but to another place?

Mr. DUNSTAN: Yes, but it is a sentence which may be extended within the administrative provisions of this Bill, and a man could be subjected to severe treatment for the cure. It may be remote that this could occur, but nevertheless we should ensure that nothing undesirable occurs under this clause.

Mr. Hall: It would not be extended unless he were an addict.

Mr. DUNSTAN: Unless the superintendent were satisfied he was an addict it would not be extended. As to subclause (2) I do not think that it is satisfactory to give the court power to commit a man for a specified period where there have been only two offences within 12 months. That is not sufficient, in my view, to make it certain that the person concerned is an addict. I am aware that that provision is in the old Inebriates Act but, of course, that Act

has not been effectively enforced for a long time because there has been no institution under the Inebriates Act to which the court could commit anyone. I believe that that was an unsatisfactory provision in the Inebriates Act. The court should be satisfied that a person is an addict before it commits him for a specified period to an alcoholics institution. I cannot see why it is that the relative of a patient should be required to agree to his release under clause 25 (3).

Mr. Quirke: What happens if a relative does not agree?

Mr. DUNSTAN: It does not look as though the man would be released unless the superintendent decided he was all right.

Mr. Lawn: The clause provides that the treatment can be extended for a further six months on the application of a relative.

Mr. DUNSTAN: That is right. I do not think a relative should come into it. The Bill should contain a provision whereby a person who might have been unjustly dealt with could appear before a court—could have some right of appeal. True, if some friend knew that he had been wrongly committed, the friend could issue a writ of *habeas corpus* to bring him before the Supreme Court.

Mr. Shannon: He might not find out for a month.

Mr. DUNSTAN: True, and a man might be without close associates who could make an application on his behalf. Probably the best way to make the necessary provision is to provide that where a person has been admitted to the centre he may make an application to the court. If he does so and the application is refused it should be provided that he cannot make another application for a specified period, so that an alcoholic subject to treatment will not be going to the court all the time.

The Bill contemplates, of course, that a man can be improperly dealt with. Clause 25 (1) (*b*) (i) provides that the superintendent may come to the conclusion that the man has been admitted by mistake or as a result of false representation. However, that should not be left for someone administratively involved in the place.

I think there should be some appeal to an independent authority, not to the controller of the institution, on this score, and that there should be some provision to give that protection to anyone committed. If that protection were given, and if the safeguards I think should be there were written in, I think this would be a good Bill. However, without those safeguards I fear that injustices could occur, and I think it would be undesirable that they should occur. I do not think the amendments I suggest would take away from the due administration of this legislation; I think these safeguards could be provided without interfering with what the committee has conceived to be the proper method of administration. I do not think the amendments would make substantial alteration to the administration, but they would give protection to anyone who might be subjected to a false representation or unjust or hasty treatment.

Certain other representations have been made to me by members of the Law Society. I think some of these representations on some of the minor administrative provisions of the Bill are not solidly based, but one matter they did not raise that worries me is in Part V relating to offences. I am worried about this part, as I am not sure of the effect of clause 37 (5), which provides:

> For the purpose of conducting an inquiry under subsection (2) of this section, sections 23 to 28 (inclusive) of the Justices Act, 1921-1960, shall apply as if the inquiry were the hearing of a complaint and as if the Director were a justice.

In the time I have had to examine this matter I have not been able to satisfy myself whether this clause gives the same right of appeal as occurs in a hearing under the Justices Act. The clause does not say it is under the Justices Act, and I am not certain of its effect. If there is not a right of appeal from a decision as to an offence under this part of the Bill, some right should be given. I have found it most unsatisfactory to have the present provisions in the Gaols and Prisons Department by which visiting justices to gaols may punish prisoners for offences against prison regulations, and there is no appeal.

Visiting justices can make, and have made, mistakes in elementary procedure. They have made offences out of things that they have no right to make offences and have given many unsatisfactory decisions, but there has been no right of appeal. When there is any provision for punishment by summary procedure there should be a right of appeal. I should like to have the view of the Minister, and perhaps of the Parliamentary Draftsman, on the effect of clause 37 (5).

I would not have the House think that in raising these objections I do not welcome these provisions. I welcome the Bill wholeheartedly; I simply want to see that when it passes it is as near perfect as we can make it. I hope

that we can provide all the safeguards necessary to make certain that people who need treatment and care will get it but that no-one will be dealt with unjustly. If Parliament can do that, I think it will have passed what is some of the most important legislation to come before it this session.

Mr. COUMBE (Torrens): I shall make some general comments on the Bill and leave legal aspects to the Committee stages. The wording of the title of the Bill is important: it is a Bill for an Act to make provision for the treatment, care, control and rehabilitation of persons who are addicted to the consumption or use of alcohol or intoxicating liquor or certain drugs. We must keep that wording in mind when dealing with the whole Bill.

I (and, I am sure, all members) welcome this Bill. I hope it will work as well as I think it will, as it is a major piece of social legislation. I know many people in the community have been waiting for a long time for such a Bill to be introduced. Too long have people, not only in South Australia but in other parts of the world, suffered under the old type of treatment for alcoholics. Until now, the only treatment on a broad and general scale has been imprisonment. Surely that smacks of the dark ages where there was primitive and barbaric treatment of people being thrown into gaol. Some of our present treatment is archaic, outmoded, primitive and barbaric. One of the troubles with our methods of treatment of alcoholics has been that it has been retributive and not rehabilitative; in other words, penal and not remedial. I have seen, as have most members, people in the cells going through agonies all the time—spiritual, mental and physical. It is most unfortunate that many of these people are classed as social outcasts and pariahs whereas with many of them it is a mental disease. I repeat that up to now, with very few exceptions, we have had no effective treatment for this type of disease, and certainly imprisonment gets these people nowhere and gets the community nowhere; it only offers some protection against some types of offences. Surely we want to aim higher than just placing a person in prison: we want to make him a responsible member of society.

We all recognize that imprisonment is not the answer to this disease. World opinion is changing rapidly, and there is a more humane and enlightened approach to the treatment of these poor unfortunate persons. I warmly welcome the fact that our Sheriff (Mr. Allen) is now proceeding overseas with one of his officers to study the latest trends and methods being adopted in other countries in the treatment of alcoholics and drug addicts. On his return he can furnish a report which can be implemented under the authority of this Bill. I welcome the Bill because it shows that at last we have an enlightened outlook on this matter. Under the scope of this Bill there is real hope for these unfortunate persons who only too often are their own worst enemies. The Bill sets up the framework for remedial treatment, and the important thing is that the treatment is to be entirely divorced from the prisons and mental hospitals where so many of these people have been treated in the past. I pay a sincere tribute to the voluntary work performed in many sections of our community for many years, and particularly by such organizations as the Salvation Army, Archway Port, the Helping Hand Centre at North Adelaide, and many other such places.

Mr. Fred Walsh: They do not treat these persons.

Mr. COUMBE: No, but they assist. At least they have given these people some refuge and got them off the streets. This Bill goes further. These organizations have kept people out of the hands of the police by giving them shelter for the night. We will now be able to treat these pepole and make them worthy citizens. If a person goes to gaol, more often than not he comes out and gets drunk the same day. Probably all members have been asked to help these people, and only too often we have seen that a person will go straight back and commit the same offence again and finish up in gaol.

The member for Norwood (Mr. Dunstan) mentioned the prevalence of drunkenness cases in the courts. I think all members have read of persons with 50, 60 or 70 convictions for drunkenness. What is the future in gaol sentences for these persons? They are taken into gaol and dried out, and they suffer tortures while being dried out; they come out of gaol, and most of them are back in gaol again within a week. I sincerely hope that under the provisions of this Bill humane and enlightened methods will be instituted, and that these people will be given the latest first-class remedial treatment. This is one of the most enlightened pieces of social legislation introduced into this House for many years. I commend the Government for bringing it in and hope that it has a speedy passage through the House.

Mr. LAWN (Adelaide): I, like other members, am grateful to the Sheriff for his interest in this matter, but, like other members, I offer some criticism of the Bill because I think it falls far short of what we might have expected. However, it is a step in the right direction. There is no provision in the Bill for any financial assistance to a family while the breadwinner is receiving treatment. The Bill contains a provision for a person to voluntarily enter a home, but I think there could be a greater chance of getting a person to do that if he could be sure in his own mind that his family would be looked after while he was undergoing treatment.

Prior to the introduction of our Commonwealth Social Services Department, one of the greatest drawbacks to the cure of sickness—and doctors agreed with me in this—was the inability of the breadwinner to stay at home and receive medical treatment to effect a cure only because his family would be in financial difficulties. I carried on at work in those days until I just could not go any further, whereas if I had been able to afford medical attention at the time it was first needed, I probably would have been back at work within a day or two. A person delayed obtaining medical attention as long as he possibly could because he knew his family would be in financial distress. I urge the Government to consider this matter, and I remind it that what the Commonwealth Government did for tuberculosis patients was a material factor in the eradication of that disease. It provided for financial help to the wife and children of a patient and this enabled him to receive proper medical attention without having to worry about whether his family would be looked after.

Clause 11 provides for the appointment of two official visitors, one of whom must be a special magistrate and the other a legally qualified medical practitioner. I agree with the appointment of official visitors, but I do not agree with the provision contained in the Bill. I shall refer later to clause 37, which refers to the duties of a special magistrate. I consider that he would be merely a visiting magistrate the same as is the visiting magistrate at the Adelaide Gaol or at our other prisons. He would not be what I would term an official visitor.

In New South Wales official visitors are appointed to these institutions; they are appointed by the Government; they do valuable work in looking after the interests of the patients, and they make reports to the Government in the same way as is visualized in clause 11 (3). That provision is contained in similar legislation in New South Wales where, although one visitor may be a legally qualified medical practitioner, the other visitors are laymen. I cannot see why we should prescribe a special magistrate and another who is a legally qualified medical practitioner. I take it that the officer in charge of this home would be a legally qualified medical practitioner, and I cannot visualize what another visiting medical practitioner might recommend in his report to the Government.

Clause 37 refers to the duty of the official visitor who is a special magistrate, but there are other welfare work and recommendations that official visitors could make in their report to the Minister in the interests of the home and patients, not concerned with penalties for breaches of discipline. What a registered medical practitioner could recommend I do not know, although I am not so much perturbed about a medical practitioner or a special magistrate being an official visitor as long as there are other visitors appointed who are laymen. The magistrate is one of the persons who will deal with offences.

Mr. Quirke: But the same magistrate could be the official visitor?

Mr. LAWN: I take it that he will be the same person, therefore I criticize clauses 37 and 11. I agree with the principle of official visitors. I know that they are people who go in and look at the place to see that it is up to the mark, that the patients are well cared for, and that we do not get these charges about a mental home that we sometimes hear of. Things of that kind could well be looked after by official visitors. I am not objecting to one being a legally qualified person. I believe that a special magistrate might well be one of the official visitors. I do not object to the qualified medical practitioner provided two or three lay persons are appointed as well.

I conclude by referring to clause 37, which reads:

(1) A patient in an alcoholics centre who—
(*a*) disobeys a direction of the superintendent, medical officer or other officer of the centre;
(*b*) fails or refuses to comply with or observe any rule of discipline or regulation applicable to patients in the centre;
(*c*) behaves in an indecent or a disorderly or offensive manner;
(*d*) uses offensive, indecent or profane language;

(*e*) enters or attempts to enter any part of the centre in contravention of any rule or any direction given by or with the authority of the superintendent;
(*f*) without lawful excuse has in his possession any property that does not belong to him;
(*g*) commits any assault; or
(*h*) wilfully damages or destroys any property of the Crown or belonging to any other person,

commits an offence.

He is tried either by the officer in charge of the institution or by the visiting magistrate. We call him a visitor; he is a special magistrate. At the gaols and prisons we say he is the visiting justice who deals with all the offences committed by prisoners. I do not see why the superintendent of the institution should try a patient. I think the visiting magistrate would be a better person to do so. Let him come in, hear the charges laid by the superintendent and, if the patient can put up a defence, let him hear the patient and then it is for the outside visiting magistrate to deal with the offences under this clause and not have them dealt with by the superintendent.

Also, I do not think it should be the official visitor appointed under clause 11. He and the magistrate should not be one and the same person. The official visitor should be the person looking after the interests and well-being of the patients and the home, to see that everything is conducted properly and whether he can recommend some improvement to the Minister. The person who under clause 37 deals with the offences should be a totally different person. In the definition of "addict" I bracket together clauses 13 and 14 (2). "Addict" is defined as "a person addicted to the consumption or use of alcoholic or intoxicating liquors or specified drugs to excess". The member for Torrens referred to some people with 50, 60 or 70 convictions. A person in that category would come within the definition of "addict". A person with 50 to 70 convictions could well be described as an addict but a person who may be committed to this home will not be a person in the category referred to by the member for Torrens. Clause 13 reads:

Any person may be received into and detained in an alcoholics centre upon the application in writing in the prescribed form of—
(*a*) the person himself; or
(*b*) any relative of the person;

etc. Clause 14 (2) states:

(*b*) the court is satisfied that the person, within a period of 12 months immediately preceding that conviction, had been convicted of two or more offences of such a kind.

On the one hand, we have the case of an addict, a person who is continually being intoxicated and under the influence of liquors or drugs and who is deemed to be an addict; yet clause 14 (2) provides that any person who has had two convictions in 12 months can be declared an addict and that any such person can be sent to a home upon an application being made by a relative. Then that is what clause 13 provides. I visualize a person celebrating New Year's Eve or New Year's Day. He may take his wife out on New Year's Eve or New Year's Day and have a party where he could have a few too many drinks. He may celebrate Easter, his wife's birthday or his own birthday. Most people celebrate their wedding anniversaries.

Mr. Fred Walsh: All worthy causes!

Mr. LAWN: All worthy causes, as the honourable member states. Then there is Christmas time, and an occasion that thousands of people in South Australia could celebrate—the abolition of the gerrymander! Then there are 21st birthday parties and engagement parties. One could also celebrate when the mother-in-law went for a holiday! Yet any two of those celebrations would entitle a person to be committed under clause 13 or clause 14 (2). I agree that a person with 50 to 70 convictions is an addict. I do not go even as far as 50, but I do not suggest that a person with two convictions in 12 months is an addict.

There are occasions when a person can and does celebrate. If on three of those occasions he was convicted, he could be declared an addict under clause 14 (2) and sent to a home. The member for Mitcham was referring to both clause 13 and clause 14 (2) when he said they were open to abuse. Clause 13 is open to abuse where an application is made by any relative of the person. Clause 13 (1) (*b*) provides that an application can be made by any relative of the person to get the person admitted to the home upon the certification of one doctor. Clause 25 (3) states:

Where it appears to the superintendent that the treatment of a patient admitted to an alcoholics centre pursuant to section 13 of this Act should be continued beyond the period for which he had been so admitted the superintendent may, with the patient's consent or, if the patient had been so admitted pursuant to an application made by a relative of that patient or some other person with the written consent of that relative or person or with the patient's consent, extend that period for a further period not exceeding six months.

If any relative (and "relative" means father, mother, stepfather, stepmother, spouse, grandparent, brother, sister, stepbrother, stepsister

or legal guardian if the person is under 21 years) gets a person committed to a home, that relative can later apply for that person to be kept there for a further six months.

Mr. Quirke: Do you hold that suspect?

Mr. LAWN: Yes. I agree with the principle of the Bill: that we should try to cure people. We cannot cure them by sending them to gaol, releasing them, and returning them to gaol. We should provide proper institutions, but the patients should be properly committed. The member for Mitcham suggested committal upon the certificate of at least two medical practitioners (rather than one) and a relative. That would improve the provision somewhat. With those remarks, I support the second reading.

Mr. QUIRKE (Burra): I congratulate the Government on introducing this Bill. It is a good first approach to the problem. However, like other members I am not satisfied with some features of the legislation, particularly those relating to the security of a possible patient. There is a current idea about compulsion: that it is beneficient. We are compelled to have chest x-rays, and if an x-ray reveals a spot on the lung we are put away until that spot is removed. That is good. Other people want to prevent our teeth from falling out by dosing our reservoirs with chemicals. This Bill suggests that a relative, with a doctor's certificate, can get a person into an alcoholics centre for treatment. We should be careful in securing the rights of an individual and should ensure that injustice does not occur. I regard clause 13 as suspect. A person can apply for his own admission to an alcoholics centre. He may decide that that is the best means of obtaining the strength to overcome a disability, but he resigns his own liberty. However, the clause provides that any relative, who has a supporting medical certificate, can get a man removed to an alcoholics centre. That relative could be a stepfather, stepmother, brother, sister, stepbrother, stepsister, or guardian, who could hate him anyway. If a relative can convince a medical practitioner that the person is an addict, the relative can have the person put into a centre. The person has to be arrested and put there. One cannot imagine his going there of his own free will when his stepsister is responsible for his arrest. I cannot imagine any full-blooded man—or any man whose blood has been replaced by alcohol—taking that kindly. It may be that the man is being put away for his own good, but there are dangers in this provision.

I have listened with much interest to the members for Mitcham, Norwood and Adelaide. They like the legislation and welcome it, but they want to provide safeguards. I am happy to be associated with their views. The members for Norwood and Mitcham are likely to have more knowledge of this subject matter because of their intimate association with the practices of law, and when they warn us we should take notice. Provision is made for the establishment of alcoholics centres, but we do not know where they will be or what they will be like. If this legislation became law, say next month, where would the patients be placed? We would obviously require many centres. If 20 people required treatment, 20 different cures might be needed. A man becomes an addict for one of a dozen reasons. Frequently he is addicted to alcohol not so much because he likes it, but he takes it because of some other factors in his life. We know that that can lead to an addiction. We have to watch that and, if there is going to be a curative effort, we cannot lump these people into one place.

If this measure is available for action in three months, where will we put these people? We have no places that I know of, unless we portion off half of the Adelaide gaol or Northfield. What sort of a sentence will it be? I think we should know something about it and be given a lead in this matter. If we are to establish a building for the express purpose of giving treatment, we should know the ideas of the Government relating to it.

I recognize that there are some dangers in the Bill, particularly for the individual. I am no great lover of overall compulsion, particularly when it is sponsored by someone who does not carry it out in the interests of brotherly love and charity. We must be careful of it. Provided that we can get this care in expressed terms in the Bill, I think when it is on the Statute Book beneficial treatment for many unfortunate people can be arranged.

Mr. FRED WALSH (West Torrens): I believe this Bill is presented with the highest motives, but it is significant that every member who has spoken has in some way or another opposed certain parts of it. It appears to me to be in three parts: the first describes the patient; the second concerns the control or administration of the alcoholics centre; and the third deals with the control of the patient.

Neither the Bill nor those who have supported it indicate what form the treatment shall take. I believe that is vital. I well remember some 30 years ago attending a polyclinic in Europe where alcoholics were treated by hypnotism under the most modern and hygienic conditions. At first I was sceptical of the possible success of this type of treatment but, when I went back the next day and saw the patients I had seen the previous day, I was convinced that there was a lot in it. I have since read that that is the way alcoholics are treated in many institutions. However, I do not know what will take place in the suggested establishment, and I am sure other members do not know.

In the institution about which I spoke patients had to attend for not less than six weeks; it was considered that a period of six weeks was necessary to make a man of the patient and put him on the right path cured of alcoholism. This Bill suggests a period between six months and three years, with a possible continuation of the treatment according to the whims of a person named in clause 25. In his second reading explanation, the Minister said:

Forty-three per cent of the total number of admissions to the Adelaide gaol for the year ending June 30, 1960, were for drunkenness. That proportion includes a number of short-term readmissions for drunkenness (some occurring as frequently as 20 times in the 12 months) but does not include persons convicted of offences committed while under the influence of alcohol or drugs.

It is intended that the latter group shall be brought under the provisions of this Bill, and that is what has been concerning some other members who think as I do. I can recall that not long ago chronic drunks were taken to the Adelaide gaol and, after their discharge, if a job of bricklaying or gardening needed to be done at the gaol, if they were skilled in either, they were arrested again. As a result, men who normally would have been allowed to go free in the community were picked up because a job needed doing at the gaol. That sort of thing should not be allowed. I cannot say that is done today; I think the administration is completely different from what it was. However, it happened not long ago and, with a change of administration, who can say that it would not happen again?

Mr. Quirke: It used to be a common practice for the local policeman to have his gardening done by alcoholics.

Mr. FRED WALSH: The honourable member bears out what I have been speaking of. An "addict" is defined by the Bill as "a person addicted to the consumption or use of alcoholic or intoxicating liquors or specified drugs to excess". My concern is what constitutes these specified drugs. I know a medical practitioner who, not many years ago, because of drug addiction, gave workmen certificates whether or not there was anything wrong with them so long as he got his 5s. fee. As a result, it was not long before his certificates were not recognized. He was like a human colander: he was full of holes through having used a hypodermic needle to take the drugs necessary for him to carry on. It was certainly not to the benefit of his health, although he is still alive.

The same can be said of another person I know who holds a high position in a certain establishment. In order to do his work, he has to use a needle to take drugs: I do not suggest that he does it on the advice of a medical practitioner, either. I could refer to other people who because of their physical condition rather than their mental condition find it necessary to use drugs to enable them to carry on their everyday duties. I do not condone the practice, but merely point out that these people are able to do their jobs and that they do not interfere with anybody else.

Mr. Quirke: There are some who have to take drugs for health reasons.

Mr. FRED WALSH: Yes, the drugs I am speaking of are those taken for the purpose of pepping people up to enable them to carry on their everyday duties. Although those people could be called drug addicts they do nobody any harm; in fact, they could not do their work unless they took those drugs. I am concerned with the clauses that have been referred to, and I believe that the Bill should be redrafted to meet some suggestions that have been made, particularly by the members for Mitcham and Norwood who are experienced in the legal aspects and who no doubt have had considerable experience in the courts with these unfortunate people. Clause 25, which deals with the continuance of treatment, needs particular attention. Subclause (3) states:

Where it appears to the superintendent that the treatment of a patient admitted to an alcoholics centre pursuant to section 13 of this Act should be continued beyond the period for which he had been so admitted the superintendent may, with the patient's consent or, if the patient had been so admitted pursuant to an application made by a relative of that patient or some other person, with the written consent of that relative or person or with the patient's consent, extend that period for a further period not exceeding six months.

Mr. Quirke: He can be kept there even though he does not consent.

Mr. FRED WALSH: Yes. If the words "and with the patient's consent" were added I could accept it, but at present he can be kept there without his consent. What relatives come into it I do not know, but most of them would drive people to drink, and if it is good enough for them to make an application to have a person declared then it should be good enough for the son-in-law or daughter-in-law to have the mother-in-law declared, or for stepbrothers or stepsisters to be declared in some instances. I think the Bill should be considered by the Government with a view to its being withdrawn. If the Government has amendments prepared, so much the better, but unless those amendments meet with the views I have expressed I will not support the Bill.

Mr. RICHES (Stuart): I support the Bill and I commend the Government for bringing the legislation before the House. I do not think this legislation is a sudden inspiration on the Government's part, and I consider that it could have been brought before the House earlier. We have been told that it has been formulated after full and thorough investigation by competent committees. It is new legislation and represents a big departure in the law, a departure that members have been asking for and, I think, a representative body of the community has been seeking for many years, and I consider it is such that we should be able to take full time in debating it. Be that as it may, it is in front of us now. I recognize that it is a new step, and I welcome it because I am prepared to give it a try.

When the Bill reaches Committee I will consider amendments designed to make sure that there is no undue intrusion on the liberty of the subject. I shall examine them in the light of the purposes of the Bill, and it seems to me that the Bill sets out to provide a centre in which men or women who are suffering from a disease may receive treatment. The hope is expressed that in many instances that treatment will be accepted voluntarily. I suggest there are two or three essentials if that is to become operative. One is that the centre must be attractive and completely divorced from gaols and prisons. It seems to me that the speakers who have addressed themselves to the debate have taken it as a natural corollary that this centre is to be a kind of a gaol, and we have been repeatedly referred to the provisions of the Prisons Act and to provisions regarding visitors to the Adelaide Gaol.

If it is to be that kind of an institution, however, I think it is doomed to failure from the start. If it is to be such a place that an aspersion would be cast on everybody who went into it, and one that society would look down on, people will not go there of their own volition under any circumstances: they will go only under duress, and the ultimate result will be little different from what obtains at present, where men are detained and then released and detained again. If it is to be only a place of detention it will not achieve any of the purposes set out in the preamble. If it is to achieve those purposes, it will have to be a place of comfort and attraction, and one where patients will feel that someone really cares for them. It has to be removed as far as is humanly possible from the atmosphere of a gaol or prison.

I think such a centre should not be housed anywhere near a gaol or a prison. I visualize that, if the legislation is to work at all, new buildings will have to be erected in new localities, and unless the Government is prepared to do that I cannot see the legislation working effectively. I take it that the Government, having introduced the measure, intends to provide the finance to set up a completely new institution altogether, and I think that with the introduction of this legislation Parliament is entitled to expect that. The legislation entrusts practically the whole administration to the hands of the Director, the Deputy Director, and others appointed to control the institution, and the entire success or otherwise of the legislation will depend upon the kind of administration set up to control the centre once it is established. If it is to be only a gaol with another name, nobody will be rehabilitated and nobody will voluntarily go there for treatment. Emphasis should be on the word "treatment" rather than on the word "detention". There is a little too much emphasis in the Bill on the provisions relating to detention, so I intend to listen carefully to amendments that have been foreshadowed to try to get away from that atmosphere as far as possible in setting up this centre. Unless the centre catches the imagination of the people and gets the people needing this treatment into the centre, it will not achieve the results we expect of it. With those general remarks, I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Interpretation."

Mr. DUNSTAN: I move:

After "excess" to add "and who is thereby at times dangerous to himself or others or incapable of managing himself or his affairs".

I previously expressed my dissatisfaction with the present interpretation of the word "addict". It seems that the interpretation as it appears in this clause is much too wide, that it could include people who are not compulsive alcoholics. We should incorporate some such wording as occurs in section 66 of the Maintenance Act, which says that a woman may make an application to the court of summary jurisdiction for protection where her husband is a person who is, by reason of habitual intemperate drinking of intoxicating liquor, at times dangerous to himself or others, or incapable of managing himself or his affairs.

It seems to me that people who are by reason of the habitual use of intoxicating liquor at times dangerous to themselves or others or incapable of managing themselves or their affairs are people at whom this legislation should be aimed. If a man chooses to drink to excess in the privacy of his home and is incapable of managing himself or others or is incapable of managing his own affairs, it is not the province of this Government to interfere. If it interferes in those circumstances, it goes too far. It is on this ground that disquiet has been expressed by several members of the Law Society's Legislation Committee.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): This definition, if accepted, would probably mean that the Act would be ineffective. Many people who come up before the court every Monday morning as regularly as possible could not be regarded as being dangerous to themselves or to other people. I am not sure about "managing their own affairs" when they are or are not under the influence of liquor. They might be quite capable of making a will when under the influence of liquor but, from the point of view of their being useful members of society (if we are to take this as a basis), the purpose of this Bill is to regard alcoholism as a disease. In that case I think the honourable member's amendment is too restrictive. However, I will look into it. The honourable member's amendment goes much further in excluding from the Bill than does the Inebriates Act which we are seeking by this legislation to improve.

I have another word that would perhaps meet the honourable member's point of view. I agree with him that this legislation is not needed for a person who may on a rare or infrequent occasion become a little the worse for liquor. That is not the purpose of this Bill, nor do I believe that the Director or those who framed this legislation have looked at it from that point of view. Under the Inebriates Act an "inebriate" is defined as "a person who habitually uses alcoholic liquors or intoxicating or narcotic drugs to excess". The word "habitually" is included. It does not go as far as the honourable member's suggested amendment which, in my opinion, would exclude many people who would derive much benefit from the hospital we are seeking to set up. We are seeking to set up not a prison but a hospital. That is the whole difference between the approach of this legislation and that of previous legislation in this State. I would accept the word "habitually". The word "habitual" has stood the test of time in the courts and it signifies a disease rather than an occasional act of drinking to excess.

Mr. DUNSTAN: I do not think the inclusion of the word "habitual" would take us much further. The clause refers to a person addicted to the consumption or use of alcoholic or intoxicating liquors or specified drugs to excess, which is similar to the habitual use of alcoholic or intoxicating liquors or specified drugs to excess. Even if a man on fairly frequent occasions uses alcohol to excess he is not necessarily an alcoholic: he is not always a compulsive drinker. Unless he is doing some harm to society or cannot carry on life as a member of the community in a reasonable manner, I do not think we should have the right to interfere with him. I know of people who frequently drink alcohol to excess and who are not alcoholics, but who would come within the Premier's definition. The Premier's objection to my use of the section from the Maintenance Act is that he says that if a man were capable of managing himself when not under the influence of liquor he would not come within the provision as I wish to amend it. That is clearly not so from the cases that have been taken under the Maintenance Act. The definition, if amended as I suggest, would read:

"addict" means a person addicted to the consumption or use of alcoholic or intoxicating liquors or specified drugs to excess and who is thereby at times dangerous to himself or others or incapable of managing himself or his affairs.

If he is frequently under the influence of alcohol and is thereby incapable of managing himself or his affairs at times, then he would come within that definition. Women frequently take action against their husbands in court. The husband can come to the court and conduct his defence satisfactorily. He need not be drunk at that stage of the proceedings, but that does not let him out if there are times when, because of his intemperate drinking or addiction to liquor to excess, he has been unable to manage himself or his affairs as he should. Without an amendment, such as I have moved, we will permit an interference with people that goes too far. Obviously if we treat people voluntarily we will not have much difficulty in bringing them within the definition of "addict", but if someone else is to make a complaint against them we must have a better safeguard than merely saying a person is habitually drinking to excess. "Habitual" could be once a month. It need not be a frequent habit, so long as it is a habit. The question of whether an act is habitual has been resolved by the courts under the original Matrimonial Causes Act in respect of a husband beating his wife once a month. If every three months a man got drunk five or six times he would not necessarily be an alcoholic, but he would come within the Premier's proposed definition.

The Hon. Sir THOMAS PLAYFORD: The honourable member has not stated the case accurately. The definition in the Maintenance Act is totally different from what the definition in this clause would be if amended as suggested. The Maintenance Act uses the words:

. . . whose husband is a person who is, by reason of habitual intemperate drinking of intoxicating liquor, at times dangerous to himself or others, or incapable of managing himself or his affairs.

The word "habitual" is used. If we accept the honourable member's definition of "addict" a person would only have to be drunk once to come within the definition, because when a man is intoxicated he cannot manage his affairs.

Mr. Dunstan: But the man must be addicted to alcohol. An addiction does not occur on only one occasion.

The Hon. Sir THOMAS PLAYFORD: The present definition refers to a person addicted to the consumption or use of alcoholic or intoxicating liquors or specified drugs to excess. The honourable member seeks to add words that will have one or two effects. The first will undoubtedly limit the definition so much that it would not cover those persons we seek to help. A devoted committee gave much attention to this Bill. It was a competent committee.

Mr. Fred Walsh: Does that mean that we are not competent to deal with this measure?

The Hon. Sir THOMAS PLAYFORD: No, but the member for Norwood becomes completely intolerant of any opinion but his own.

Mr. Dunstan: Nonsense!

The Hon. Sir THOMAS PLAYFORD: One has only to look at him at the present moment to see how intolerant he is. The fact remains that this Bill seeks to improve our present laws and if we make it too restrictive the people we seek to help will be excluded from its provisions. Under those circumstances the Government would feel that there was no good purpose in continuing with the legislation. The person we want to help is the man who comes up before the court as regularly as clockwork every Monday morning and who, under no circumstances, could be described as dangerous to other people.

Mr. Shannon: You could say he was an habitual drinker.

The Hon. Sir THOMAS PLAYFORD: I was prepared to accept the word "habitual" in the definition, which would not limit it to an isolated use of alcohol. It would mean we were dealing with a person who was an alcoholic to the extent of having a disease. I should not be prepared to accept the honourable member's definition, which I think would make the Bill inoperative.

Mr. DUNSTAN: The Premier says that the interpretation I seek to amend is totally different from the definition in section 66 of the Maintenance Act, but I do not agree. Section 66 of the Maintenance Act refers to a person who is, by reason of habitual intemperate drinking of intoxicating liquor, at times dangerous to himself or others, whereas this clause refers to a person addicted to the consumption or use of alcoholic or intoxicating liquors or specified drugs to excess. That is only a different way of saying the same thing; "addiction" and "habitual use" amount to the same thing. There cannot be an addiction without habitual use. The alteration to "habitual" will not make any significant difference to the definition. That the clause refers to "addiction" and the Maintenance Act refers to "habitual intemperate drinking" will not make what I seek to do different in any essential feature from the provisions of the Maintenance Act. I have simply tried to move an

amendment as simple as possible so as not to alter unnecessarily what the Bill contains. I have repeatedly mentioned in this House the necessity for action for these people, as I am just as anxious about the matter as is the Premier. I do not think the definition I seek restricts the legislation in the way the Premier conceives. If a man is, by reason of habitual intemperate drinking, incapable of managing his affairs, he has reached the stage where he needs treatment. I hope the Committee accepts the amendment.

The Hon. Sir THOMAS PLAYFORD: I am advised that the two definitions are for entirely different purposes. The definition in the Maintenance Act is designed entirely for the protection of women against husbands who have become so intoxicated that they are dangerous and unable to control themselves. However, in this Bill we are trying to protect a man from himself and to cure him of an addiction. This legislation is being removed from the Inebriates Act because the term "inebriate" is no longer used. The protection needed by a woman against her husband is not comparable with what is necessary in a Bill designed to deal with a person addicted to alcohol to an extent where he requires treatment. Although I do not think the definition needs alteration, if members think it is too wide I am prepared to accept the word "habitual". That would signify that it would not apply to a man who has a drink and becomes affected by alcohol on rare occasions. I hope the Committee will not accept the amendment.

Mr. RICHES: It seems to me that we must read the definition of "addict" into all clauses, particularly clause 13. I said during the second reading debate that I hoped the emphasis in this legislation would be on treatment rather than penal action and that I hoped there would be great stress on voluntary admissions. Will the member for Norwood say whether, if his amendment is carried, it will be necessary to alter clause 13 completely? If the definition is altered, a man applying for admission to an institution will have to get a doctor to certify that he is in a state where he is dangerous to his neighbours and incapable of managing his affairs. I know country people and country doctors, and I think it would be difficult to get a doctor to give such certificate unless the applicant were in an advanced state of alcoholism. I am referring now to the man who applies to enter the institution. According to clause 13, a medical officer must certify he is an addict, dangerous to other people, and incapable of managing his own affairs.

Mr. Dunstan: No, the medical practitioner does not have to certify that.

Mr. RICHES: That is how it occurs to me; it has to be certified that he is an addict. I am not setting myself up as a legal luminary, but am merely asking for clarification. It seems to me that under clause 13 the local doctor would have to give that certificate and the doctor in charge of the institution would have to give a similar certificate, so unless clause 13 was altered there would be no voluntary entry into the hospital at all. Can the member for Norwood tell me whether my assumption is correct?

Mr. MILLHOUSE: I am rather sorry that this difference of opinion has occurred. When the member for Norwood first suggested his amendment to me I rather thought that it was a good one. I am far from saying now that it is not a good one, but I am always careful not to dismiss too lightly any contrary assertion made by the Premier. The Premier has indicated that classes of persons would be cut out by the member for Norwood's amendment if it were agreed to. I cannot work out for myself the class of persons who would be cut out if this amendment were carried. As the member for Norwood has phrased the amendment there is the alternative: it is either "danger to himself or others" or "incapable of managing himself or his affairs"; not both, but, alternatively, one or the other. I assume the question of "danger" is not a vital one, and I would not mind if that went out.

The Hon. Sir Thomas Playford: When has the "incapacity" to be judged?

Mr. Dunstan: The amendment says "at times".

Mr. MILLHOUSE: It would be incapacity caused by addiction to drinking over a period of time.

The Hon. Sir Thomas Playford: When he is sober or when he is drunk?

Mr. MILLHOUSE: In my experience it gets to the stage where the incapacity is continuing because of the frequency of the drunkenness.

Mr. Dunstan: But it does not have to be continuous at all: it says clearly "at times".

Mr. MILLHOUSE: I should be happy if the words "danger to himself or others" were cut out; in any event, they are only alternative, and I consider it is the "incapacity" that is the point. Surely we

have all heard of people or had the experience of people known to us who because of their habitual drinking became incapable of managing their affairs, but that did not mean that they were continuously inebriated. It meant that frequently they could not control themselves or manage their affairs, and I think that is the thing we want to catch. Some members have expressed a little perturbation about the width of some of the clauses, and I think that by confining this definition somewhat we will go a long way towards meeting the fears that have been expressed without harming or interfering with the purposes of the Bill itself.

The Premier has suggested the use of the word "habitual", but I think that is tautologous because the definition of "addict" reads: "devote, apply habitually, (to a practice), as his tastes addict him, he addicts himself or his mind, he is addicted, to;" in other words, the "habitual" part of it is already in the definition of "addict", so to add it does not add anything to the sense of the definition. I wonder whether this point perhaps needs a little more reflection than we can give it here and now, and whether it is not the sort of point we should sleep on. I think the definition needs a little restriction, and I should be pleased if the Premier could say what class of people would be left outside the legislation if this definition were amended as the member for Norwood suggests.

The Hon. Sir THOMAS PLAYFORD: Frankly, I could not answer that point. My legal advisers tell me that if the words "managing himself or his affairs" were used, no-one could presume whether or not it would mean that he was under the influence of alcohol. Many people manage their affairs although they habitually consume alcohol and are habitually before the courts for consuming alcohol. They still manage their own affairs quite well at times, although at other times they do not.

Mr. Dunstan: The definition says "at times".

The Hon. Sir THOMAS PLAYFORD: I am in a very amiable frame of mind tonight and I am happy to postpone discussion of the point. I think it is only a problem of expression. I do not think honourable members want a person who may be rarely under the influence of alcohol to be included in this legislation under any circumstances, but they do want people included who are habitually under the influence of alcohol and who may be considered to be so frequently under the influence that they are in a diseased condition and should go to the institution to receive the appropriate treatment.

Mr. Heaslip: Rather than to a prison.

The Hon. Sir THOMAS PLAYFORD: Yes. Every Monday morning these people are given seven days or whatever the appropriate sentence is. That keeps them out of trouble for a while, but when they come out they get into more trouble and go straight back again. I think members agree that this is a blot on our community. I suggest we defer consideration of this definition with a view to getting a definition closer to the desire of members and expressing more precisely what the definition is designed to express. I move that consideration of clause 4 be postponed until after consideration of the other clauses.

Consideration of clause 4 deferred.

Clause 5—"Power of Governor to establish and constitute alcoholics centres and to declare specified drugs."

Mr. DUNSTAN: I appreciate the Premier's helpful state of mind upon this problem. Unfortunately, I have not, since receiving representations last night and this morning, had time to get all my amendments typed and available for the Premier. In fact, I have subsequent amendments to the Bill which depend entirely on an amendment to clause 4. I hope that in the circumstances the Committee can report progress at this stage to see whether we cannot come to some amiable, helpful and amicable agreement overnight. I therefore move that progress be reported.

Progress reported; Committee to sit again.

## CONSTITUTION ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

## MOTOR VEHICLES ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

## SUPERANNUATION ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

## LOCAL GOVERNMENT ACT AMENDMENT BILL.

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

HOSPITALS ACT AMENDMENT BILL.

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

TRAVELLING STOCK RESERVE: HUNDREDS OF BOOLCUNDA, PALMER AND WILLOCHRA.

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

TRAVELLING STOCK ROUTE: HUNDREDS OF SEYMOUR, MALCOLM, BONNEY, GLYDE, SANTO AND NEVILLE.

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

MENTAL HEALTH ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 26. Page 1585.)

Mr. FRANK WALSH (Leader of the Opposition): I do not intend to delay the passage of this Bill. If a child is committed to the care and custody of the Children's Welfare and Public Relief Department, in most cases a probation officer is appointed. This Bill will give him the right to visit the child from time to time, even though the child may be in a mental hospital. I support the second reading.

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

CITY OF WHYALLA COMMISSION ACT AMENDMENT BILL.

Second reading.

The Hon. G. G. PEARSON (Minister of Works): I move:

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

Its object is to insert in section 27 of the principal Act a new subsection which will expressly empower the City of Whyalla Commission to borrow money, with the Minister's approval, for the purpose of granting financial assistance to any hospital within the area of the city or an adjoining area if that hospital is duly incorporated and provides for the needs of the local inhabitants. The reason for the Bill is that the Crown Solicitor has advised that the commission has not this power which is considered desirable.

Mr. LOVEDAY secured the adjournment of the debate.

ADJOURNMENT.

At 9.59 p.m. the House adjourned until Wednesday, November 1, at 2 p.m.