HOUSE OF ASSEMBLY

Tuesday, August 3, 1965.

The SPEAKER (Hon. L. G. Riches) took the Chair at 2 p.m. and read prayers.

QUESTIONS

MATRICULATION CLASSES.

The Hon. Sir THOMAS PLAYFORD: Has the Minister of Education a reply to my question of July 27 concerning matriculation classes to be established at high schools in 1966?

The Hon. R. R. LOVEDAY: Unfortunately, I have not yet received that report, but as soon as it comes to hand I shall inform the Leader.

Mr. NANKIVELL: In the *Sunday Mail* of August 1 the Minister of Education is quoted as stating the following concerning zoning plans for matriculation classes for 1966:

> Zoning would operate in the metropolitan area for fifth-year and matriculation classes being introduced next year. Some alterations would also be made to existing zoning arrangements. This will be necessary to accommodate the expected number of matriculation students and to make the best use of the specialist teachers at the school.

Further on, the Minister is quoted as saying that it might be necessary to allot quotas for matriculation classes in some metropolitan high schools. As very few country schools will have the facility of matriculation classes next year, can the Minister say when it will be possible for students attending country schools to know which zones will be available to them so that they can determine whether they can get suitable accommodation in a particular zone? Can the Minister also say whether it might not be possible in the circumstances (and preferable in view of these circumstances) to defer the new matriculation scheme for another 12 months until teachers are available?

The Hon. R. R. LOVEDAY: I will consider the two points raised by the honourable member and bring down a considered reply.

RENTS.

Mr. CLARK: Recently I have received complaints concerning a proposal to increase the rentals of Housing Trust flats in my district. Will the Premier ascertain from the trust the reasons for this increase?

The Hon. FRANK WALSH: I understand the trust has decided to make certain increases, and I will obtain a report and ascertain, if possible, the reasons for this decision.

LOAN OF PLANT.

The Hon. G. G. PEARSON: Over many years it has been the practice of Government departments, where they can materially assist an outside organization or private person, to exercise their judgment and accede to a request for a loan or exchange of plant or stores when it is considered that such a request is reasonable. This practice appears to have worked well in the main, but I understand that an instruction has now been issued to certain Government departments that under no circumstances is it to be continued. Can the Premier say, as a matter of Government policy, whether the appropriate Government departments have been instructed that under no circumstances is an officer of a department to lend plant or stores of any kind to a person or organization? If that instruction has been issued, will the Premier furnish me with a copy of it?

The Hon. FRANK WALSH: I believe certain instructions have been issued regarding certain types of equipment. I think it applies mostly to a department controlled by the Minister of Works. There appears to have been a tendency to abuse certain privileges. I am not quite sure of the exact wording, but I shall obtain a report and let the honourable member have it as soon as possible.

LOCAL GOVERNMENT ACT.

Mr. COUMBE: Can the Minister of Education, representing the Minister of Local Government, comment on my suggestion of July 29 that the Adelaide City Council should have a representative on the committee that has been set up by the Government to review and rewrite the Local Government Act?

The Hon. R. R. LOVEDAY: My colleague, the Minister of Local Government, states that the Government has announced its intention of appointing an expert committee to revise the Local Government Act. The Municipal Association, the Local Government Association and the Local Government Officers Association have each been asked to nominate a panel of names from which a selection may be made. When these names have been received consideration will be given to the request of the Adelaide City Council for the appointment of a representative.

SCHOOL SUBSIDIES.

The Hon. B. H. TEUSNER: Has the Minister of Education a reply to my question of July 29 about the Education Department's

policy regarding the maintenance of swimming pools and ancillary equipment on school grounds?

The Hon. R. R. LOVEDAY: The Education Department's policy concerning swimming pool maintainance for some years has been, first, that the Government pays the full cost of painting swimming pools (to Public Buildings Department specifications), and secondly, that the school must bear the full cost of repairs to the filtration plant and motor. The previous Government resisted attempts by various organizations to make the Education Department responsible for repairs to mechanical equipment. I have given this matter careful consideration and believe that the policy as set out above is reasonable in all the circumstances. I therefore do not intend to vary it.

DOCTOR'S DISMISSAL.

Mr. LAWN: Together with other honourable members I have recently received some correspondence from Dr. Gillis who, until a few weeks ago, was employed at the Morris Hospital. I have also had a personal interview with Dr. Gillis and his wife. As it appears that he was dismissed, can the Premier say why he was dismissed?

The Hon. FRANK WALSH: Doctor Gillis's services have been terminated. His appointment was an engagement in the service of the Crown; his employment was held at the pleasure of the Crown; and the employment was subject to the Crown's right to terminate it at pleasure, which right it has now exercised. The Government does not intend to enlarge on this matter, for to do so would not be in the public interest; even less would it be in Doctor Gillis's interest.

PORT ELLIOT ROAD.

Mr. McANANEY: Has the Premier a reply to a question I addressed to the Minister of Works last week regarding work being done by the District Council of Port Elliot on the road to the barrages?

The Hon. FRANK WALSH: As I am given to understand that this matter is bound up with an approach made by the honourable member on behalf of the District Council of Port Elliot to my colleague, the Minister of Lands, I have consulted with him. My colleague states that the proposals put forward by the District Council of Port Elliot, which affect Crown lands, are at present being investigated, and he hopes to be able to give a decision shortly.

MOUNT TORRENS SCHOOL.

Mrs. BYRNE: Has the Minister of Education a reply to a question I asked last week regarding facilities at the Mount Torrens Primary School?

The Hon. R. R. LOVEDAY: The Public Buildings Department states that the funds have been approved for the fencing of the school property and the grading of the oval area. Working drawings are to be prepared, and tenders for the work are expected to be called in six weeks. It is not possible to say at this juncture when the work will commence. This will depend on whether a satisfactory tender is received and the relative urgency of the Mount Torrens work as it compares with other approved works.

PENOLA AND KALANGADOO SEWERAGE.

Mr. RODDA: Has the Minister of Works a reply to a question I asked on June 23 concerning sewerage schemes for Penola and Kalangadoo?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief has reported that the town of Penola is in Group 1 of the priority list for sewerage, that is, the towns in the South-East. As yet, no surveys or investigations have been made for a sewerage scheme for that town, but this could be proceeded with on completion of Bordertown and Millicent, probably three years hence. Kalangadoo is rather small for an economical sewerage scheme, and no inspections or surveys of the town have been made for this purpose; neither has the advisory committee on country sewerage considered the necessity of serving this town. Obviously, the sewerage of a small township like Kalangadoo must wait until sewerage is provided for larger towns wherein the need for sewerage facilities is more urgent. However, a sewerage scheme for Kalangadoo could be investigated in four to five years' time when schemes for the other larger South-Eastern towns are nearing completion.

DENTAL STANDARDS.

Mr. BROOMHILL: In view of the poor dental standards of South Australian schoolchildren, I read with some interest the comments of Professor Horsnell (Dean of the Faculty of Dental Science at the University of Adelaide). Professor Horsnell draws attention to a scheme that operates in New Zealand whereby dental nurses are specially trained to perform routine extractions and fill schoolchildren's teeth. Will the Minister of Education ascertain from the Minister of Health the possibilities of introducing a similar scheme in this State?

The Hon. R. R. LOVEDAY: I shall be pleased to get a reply from my colleague.

COMPULSORY UNIONISM.

Mr. MILLHOUSE: Yesterday, I was speaking to a member of the Public Service who told me that a report was circulating in the Public Service that the Government intended to introduce what I suppose we can sum up in the phrase "compulsory unionism" in the Public Service, by giving preference in promotion to members of the Public Service Association. Can the Premier say whether there is any truth in this rumour and, if there is, what provisions the Government has in mind?

The Hon. FRANK WALSH: I consider that the honourable member is better informed than I am, as I have no knowledge of this matter.

PORT RIVER SAMPLES.

Mr. HURST: I understand that the Local Board of Health of the Corporation of the City of Port Adelaide has requested the Central Board of Health to carry out sampling of the conditions which exist in the Port River, both north and south of the causeway at Bower Road. I further understand that the 1962 samples indicated pollution of such sampling. It is considered by the council that the situation has been greatly aggravated by the construction of the Bower Road causeway, because of which the flow of water in the upper reaches has been restricted. The council considers that the Central Board of Health should co-operate by sampling in both the summer and winter months, as the odours emanating from the filthy conditions existing in the river are most apparent during the summer months. Will the Minister of Education ask the Minister of Health whether the Central Board of Health can co-operate in taking these samples?

The Hon. R. R. LOVEDAY: I shall be pleased to get a reply from my colleague.

APPRENTICESHIP.

Mr. MILLHOUSE: During the weekend I was approached by the father of a girl who is now 14, having been born on October 24, 1950. This girl has been offered an apprenticeship with a hairdresser but, as she is under the age of 15 years, she is unable to accept it without the permission of, I understand, the Minister, the Director of the department, or some other person. She is now at Muirden College, having previously been at Unley High School doing a general course there. She and her parents are most anxious that she should be apprenticed to the hairdressing trade. The person who offered her the apprenticeship can hold the offer open only for a few days, and even now the offer has been held open longer than the person desired so that I could inquire of the Minister. If I give the Minister of Education the full name and address of the girl, will he look into the matter and decide this week whether this girl can be permitted to enter into an apprenticeship?

The Hon. R. R. LOVEDAY: I shall be pleased to do that if the honourable member gives me the details. Similar cases have come to my notice and, as regard is had to the merits of each case, decisions have been made to suit the student as far as possible.

POLYSTYRENE CEMENT.

Mr. LANGLEY: Has the Minister of Education a reply from the Minister of Health to my recent question about the sale of "Airfix" polystyrene cement and whether it is a dangerous product?

The Hon. R. R. LOVEDAY: The product is sold in small containers of about 1oz. The only toxic component is the solvent trichloroethylene. Dangerous amounts could not be inhaled or swallowed from this product as it is sold. Direct contact with the eye could produce temporary inflammation, but permanent damage is extremely unlikely. Labelling appears to be adequate to warn of the small hazards. "Airfix" polystyrene cement is not considered a dangerous substance if used as intended, and it is safe for sale to children.

JUSTICES OF THE PEACE.

The Hon. Sir THOMAS PLAYFORD: Last week I raised with the Premier the difficulty being experienced in appointing sufficient justices of the peace to cope with the work of country courts. Police in my district are in a desperate situation because of the shortage of justices. Has the Premier reached a decision on this matter?

The Hon. FRANK WALSH: A current survey of all justices of the peace is at present being undertaken to see whether they are able to do the work normally assigned to justices. I have ascertained that in answer to a question asked by the honourable member for Mitcham on June 22 last, my colleague the Attorney-General stated:

If any honourable member finds that there is a position that requires urgent attention in

his district, because people are not getting service I should be grateful if the member would make representations to me on that matter. It may be necessary to make some appointments of justices before the final result of the survey is to hand . . . I repeat that if any member knows that people are not getting a service in an area, and he refers it to me I will take it to Cabinet and obtain a decision.

I assure the Leader that if he takes up the circumstances of any particular case with the Minister, it will receive prompt consideration.

HOUSE CONSTRUCTION.

Mr. NANKIVELL: In last weekend's *Sunday Mail* the following statement appeared:

A five-roomed house was built in four hours with the labour of two white men and six Africans.

The method was by constructing the wall sections on the ground and erecting them *in situ*. I understand that this system is commonly used in Germany not only for housing but also for major building programmes. Can the Premier, in his capacity as Minister of Housing, say whether this method has been investigated by the Housing Trust? Further, will he ascertain whether it offers opportunities for the quick erection of houses in certain localities?

The Hon. FRANK WALSH: I did not see the article. Various prefabricated methods have been used in the past, such as Proleta which was used extensively for the interior walls of houses situated in certain eastern suburbs. Although that type of construction has been discontinued, certain suggestions as to its use were submitted by a gentleman on Eyre Peninsula some time ago. I am not aware of the use of this method at present. Many emergency timber houses were built by the previous Government in the Hillcrest and Darlington areas. In fact, a certain German contractor has built many of these houses in the latter area. I will obtain a report on this matter for the honourable member, but I hasten to say that many complaints are being received from brickmakers who have a surplus of bricks on their hands as a result of the construction of brick veneer houses rather than of solid construction houses. A complaint has also been received from the Operative Bricklayers, Tilers and Tuckpointers Society to the effect that its members are losing work as a result of fewer red bricks being used in the building industry. The honourable member will realize that, whichever way we approach this matter, it has its complications, and although it may take a few days I will get from the trust the fullest report possible on the matter.

OUTBACK EDUCATION.

Mr. CASEY: The Minister of Education may recall that some time ago he was instrumental in having a bus service extended in the Leigh Creek area to the Leigh Creek station to cater for children who were eligible to attend school in Leigh Creek. Indeed, the local people are pleased with the quick response on this matter. As this bus service also caters for certain other children in the area, will the Minister take up with his officers the possibility of extending the service to a point midway between Leigh Creek station and the next station (Depot Springs)? I say "midway" because the father of the five children concerned who desire this service is willing to meet the bus halfway between the property on which he is living (Depot Springs) and the present bus terminal. I think this illustrates the desire by station people in the area to co-operate as much as they can with the Education Department. Further, will the Minister take up with his Cabinet colleagues the whole matter of school allowances, particularly in outback areas, where in this case children who live only 21 or 22 miles away attend the Leigh Creek school and board at Leigh Creek but are not eligible for a boarding allowance?

The Hon. R. R. LOVEDAY: I shall be pleased to examine both those questions, and I would appreciate further details concerning the matter.

PLEURO-PNEUMONIA.

The Hon. G. G. PEARSON: My question would normally be directed to the Minister of Agriculture but, in his absence, the Premier has kindly consented to take the question on his behalf. I believe that it is correct that in recent years virtually no instances of pleuro-pneumonia have been seen in South Australia and certainly not in the Alice Springs area, which has been declared a "pleuro-free" area. Will the Premier obtain a report from the Agriculture Department about the incidence of the disease, and whether any instances have been discovered amongst cattle coming into South Australia from the Birdsville Track for slaughter? Also, can he say whether any instances have been discovered in the routine examination of cattle by stock inspectors who visit the area? When possible, will the Minister of Agriculture prepare a report on the problems that would arise in Central Australia and the northern parts of South Australia if and when the drought breaks? It appears that

the only available source for re-stocking of cattle in large numbers would be from the tablelands of the Northern Territory, where pleuro-pneumonia exists, and more particularly from the North-East of Western Australia or that area known as the North-West (the Kimberley area), where pleuro-pneumonia still exists to some degree. Further, can the Premier say whether the Minister of Agriculture has considered the problem that may arise if these cattle are required for re-stocking in South Australia?

The Hon. FRANK WALSH: I will obtain a report for the honourable member. I assure him that, if it is available prior to the return of the Minister, I will let him know. If it is not, I shall ask the Minister to give the honourable member the reply as soon as it is available.

MARINO TRAIN.

Mr. HUDSON: Generally, peak-hour trains on the Adelaide-Marino service are overcrowded. One train is particularly affected, and passengers are now forced to intrude into the driver's compartment, where they obstruct his view to the right. That is train number 196, leaving Marino at 7.35 a.m. and arriving in Adelaide at 8.10 a.m. Consisting of seven cars and stopping at all stations, it is already overcrowded by the time it leaves Warradale station. Will the Premier request the Minister of Transport to consider the replacement of the current seven-car train with one five-car train departing from Marino at 7.34 a.m., stopping at all stations to Hove, and then continuing non-stop to Adelaide; and with a second train from Marino at 7.35 a.m., or a little later, stopping at all stations to Adelaide, and consisting of at least four cars?

The Hon. FRANK WALSH: I shall take up the matter with my colleague and give the honourable member a reply as soon as it is available.

VICTOR HARBOUR HIGH SCHOOL.

Mr. McANANEY: Last October, Cabinet gave approval for negotiations to be entered into for the purchase of a new site for a high school building at Victor Harbour. Will the Minister of Education ascertain how far these negotiations have proceeded?

The Hon. R. R. LOVEDAY: Yes.

DECENTRALIZATION.

Mr. McKEE: Has the Minister of Works a reply to my recent question on the proposed decentralization of certain functions of the Public Buildings Department?

The Hon. C. D. HUTCHENS: The planned decentralization of the department's maintenance function does include the establishment of new country depots and the appointment of resident officers in various country centres which have previously been serviced by inspectors operating from Adelaide. At Port Pirie, however, the department already has a resident district inspector who is responsible for part only of the maintenance of public buildings in Port Pirie, the surrounding districts and the Port Pirie Hospital. Officers operating from Adelaide are responsible for certain of the maintenance. The re-organization will involve redefinition of duties and responsibilities. A resident district building officer will be responsible for the maintenance of all buildings in Port Pirie and the surrounding districts, other than the Port Pirie Hospital. It is proposed to appoint a resident maintenance superintendent who will be responsible for the maintenance of the Port Pirie Hospital and other Government hospitals. These officers will be responsible for all phases of normal maintenance in their respective districts. The re-organization will enable the department to provide an improved maintenance service in Port Pirie and the surrounding district and to meet foreseeable increasing demands for such service in the future. At this stage it is anticipated that the re-organization will not involve the employment of additional workmen as the workmen already employed by the department in Port Pirie are sufficient to cope with existing demands. The department will continue to use local contractors where such are available.

TIMBER FOR CASES.

Mr. HALL: Last week I obtained an answer from the Minister of Agriculture concerning the supply of timber for tomato cases. I know that this question is not technically within the province of the Premier but I believe that it is urgent because of the time factor, and I should be pleased if, in the absence of the Minister of Agriculture, the Premier would consider it and present it to the proper channels. The report given by the Minister of Agriculture stated, in effect, that the Woods and Forests Department, if it obtained sufficient notice, could supply suitable timber of a higher grade for tomato cases. A box producer in my district, who saw this reply in *Hansard* last week, immediately got in touch with the department and said that he would place a firm order for, I think, 20,000 shooks. The department which apparently did not know about this matter

having been raised in the House, appeared to be reluctant to accept the order. Officers of the department said that, in any case, they did not think that they could do anything about the matter until at least October. By that time the matter will have become of great concern to tomato growers in my district and in other areas of the State. Will the Premier again raise this matter with the Woods and Forests Department, through the Minister of Agriculture, and see whether a firm promise can be made that shooks will be supplied (of a higher quality, if necessary) to tomato box makers prior to the crisis period in box supply this year?

The Hon. FRANK WALSH: In the absence of the Minister of Agriculture, I am prepared to take up the matter with departmental officers to see whether it can be expedited. I might say that had the honourable member given this information to the department instead of to a constituent something might have been done earlier. I assure the honourable member that I will do the best I can to obtain the information he seeks and to see whether these tomato growers cannot be supplied with cases.

TEA TREE GULLY SEWERAGE.

Mrs. BYRNE: When I introduced a deputation to the Minister of Works from the District Council of Tea Tree Gully on April 21, and again when I spoke in the Address in Reply debate on May 18, I advocated that the Engineering and Water Supply Department consider supplying sewer trunk mains to which all existing common effluent drainage schemes could be connected. On June 30, representatives of the council conferred with the Engineer for Sewerage on this matter. Can the Minister inform me of the result of that interview?

The Hon. C. D. HUTCHENS: I was greatly impressed by the work done by the District Council of Tea Tree Gully in its endeavours to discharge effluent away from the residents. I understand that, following the discussion between the department and the council, satisfactory arrangements had been made, and I gathered the impression that the trunk main was to be continued sufficiently far to pick up the effluent from the ponding basins and to take it away. However, in order to be definite about the matter, I will obtain a report and inform the honourable member of the details.

ARTERIOSCLEROSIS.

Mr. LAWN: Earlier this year I received from the British Medical Association in England a photostat copy of an article in *The Lancet* (the B.M.A. journal), written by two doctors from the Toronto Hospital in Canada. This article set out those doctors' views and stated that they had been treating arteriosclerosis patients with the oxygen therapy treatment. One of the doctors had visited the clinic at Kassel (West Germany) before commencing this treatment in Canada. I circulated a few of these copies, and I sent one to Professor Jepson at the Queen Elizabeth Hospital. I subsequently received a letter from the Professor, and also one from the ex-Premier, stating that Professor Jepson was leaving Adelaide for a tour overseas in March this year and that he would include in his itinerary a visit to North America which, presumably, would include Toronto. Can the Minister of Education obtain a statement from his colleague, the Minister of Health, on whether Professor Jepson has reported upon his study of this method of treatment in Canada? If no report has been received, will he ask Professor Jepson for one?

The Hon. R. R. LOVEDAY: I shall be pleased to ask my colleague for a report.

PORT PIRIE TO PORT BROUGHTON ROAD.

Mr. HALL: This morning I received a telephone call from a councillor of the District Council of Port Broughton expressing concern that work on the proposed bitumen road from Port Pirie to Port Broughton was to be discontinued and that planning was proceeding for an eventual dual highway from Port Broughton through Crystal Brook, not as an alternative to, but as a substitute for, the present planned Port Pirie to Port Broughton road. Will the Minister of Education, through the Minister of Roads, ascertain for me the latest planning on the construction of the Port Pirie to Port Broughton road?

The Hon. R. R. LOVEDAY: Yes.

HENLEY BEACH DEPOT.

Mr. BROOMHILL: I recently asked the Minister of Works whether his department would consider tidying up the Henley Beach pumping station site, which was being used as a storage depot. Has the Minister a reply?

The Hon. C. D. HUTCHENS: Following the request by the honourable member, the Director and Engineer-in-Chief states that this pumping station site has now been closed as a depot and all stores and equipment have been transferred elsewhere. The site will be used purely as a pumping station until the Grange

East, Henley East and Fulham Gardens Sewerage Scheme is well advanced in about three years' time, when it will be abandoned. In the meantime, and as the site is in a residential locality, it is proposed that it be tidied up. The area has therefore been levelled and will be sown with grass at the appropriate time.

BALAKLAVA HIGH SCHOOL.

Mr. HALL: My question concerns the Balaklava High School, which is adjacent to the primary school that the Minister of Education has kindly consented to visit in September. The enrolment at this high school has been built up over several years by an increasing attendance. The extra accommodation consists of wooden buildings, and although they are satisfactory at present the school has now more or less stabilized (or will stabilize in the next year or so) its attendance, as the bus services have extended as far as they are likely to go. Can the Minister of Education say whether any plans are contemplated, or will be formulated, for the replacement of the wooden temporary structures at the Balaklava High School, the same as is being done in the metropolitan area?

The Hon. R. R. LOVEDAY: I will examine this question, but there seems little prospect for some time of replacing wooden buildings which, in so many cases, have been added to permanent buildings at a high school. The finance for new buildings will, in the main, cover only sufficient buildings in the future to meet the needs of the increased enrolments in areas where the number of children requiring accommodation is increasing so fast. Consequently, where a school is functioning reasonably well with wooden buildings, this school will have to wait until that problem has been dealt with.

BLASTING.

Mrs. BYRNE: The blasting of rock by Quarry Industries on the fringe of Tea Tree Gully has caused considerable annoyance to residents and deterioration of houses (although this will be denied) over a long period. When complaints have been made to the Mines Department in the past, tests have been made, but the instruments used have shown no reaction: apparently certain concussions shake houses but others do not. However, after complaints the quarry moderates the degree of blasting. Will the Premier ask the Minister of Mines, first, whether the degree of blasting can be modified at all times? Secondly, is it a fact that at most quarries blasting takes place to a depth of 65ft., but that this quarry has been restricted to 25ft.? Thirdly, have any cases that have been investigated been proven against the quarry owners?

The Hon. FRANK WALSH: I will obtain a report for the honourable member.

BARMERA PRIMARY SCHOOL.

Mr. CURREN: It has been brought to my notice that the oil-heating units approved for the new dual-purpose classrooms at Barmera Primary School have not been fitted. Can the Minister of Education say when the heating units will be installed and when the shortage of seating at the school will be overcome?

The Hon. R. R. LOVEDAY: I have been informed that, although recommendations were made for the provision of suitable heating in the timber dual unit, it was not possible to have the heating installed by the time classrooms were ready for use. Information has been received from the Public Buildings Department that oil heating will probably be installed towards the end of this month. In the meantime, arrangements have been made for an additional heater to be forwarded to this school. The Stores Branch of the Education Department states that, although the furniture is in order, the items involved (principally infants' tables and chairs) were temporarily out of stock when the last river delivery was made. This furniture is expected to be delivered within a fortnight.

CRIMINAL PUNISHMENT.

The Hon. Sir THOMAS PLAYFORD (on notice):

1. How many persons in South Australia have been convicted of murder in the Supreme Court (including Circuit Court) since 1945?

2. Of this number, how many were hanged and what were their names?

3. How many had sentence of death commuted to life imprisonment?

4. Of those whose sentences were thus commuted, how many have been released either on parole or unconditionally, after serving a part of the sentence of life imprisonment?

5. Of those who have been so released, how many have committed an offence since release?

6. What were the offences, if any, committed by persons so released?

7. How many persons in South Australia, other than juveniles, have been convicted since 1945 in the Supreme Court, of offences for which they could have been ordered corporal punishment?

8. In how many of these instances was corporal punishment ordered?

9. Of those offenders who received corporal punishment since 1945, how many have subsequently—

(a) again committed the offence for which they underwent corporal punishment?

(b) committed an offence substantially similar to the offence for which they underwent corporal punishment?

(c) committed any offence? If there were any, what were those offences?

10. For how many juvenile offenders has the birch or other lawful corporal punishment been ordered in this State since 1945?

11. Of those juvenile offenders who received corporal punishment, how many have subsequently—

(a) again committed the offence for which they underwent corporal punishment?

(b) committed an offence substantially similar to the offence for which they underwent corporal punishment?

(c) committed any offence? If there were any, what were those offences?

The Hon. R. R. Loveday, for the Hon. D. A. DUNSTAN: This is a long answer, and I ask permission to have it incorporated in *Hansard* without my reading it.

Leave granted.

CRIMINAL RECORD.

1. Twenty-seven—including five juveniles.

2. Six: Charles Patrick O'Leary, Alfred Coates Griffin, John Balaban, William Henry Feast, Raymond John Bailey, Glen Sabre Valance.

3. Sixteen. In the case of juveniles, the sentence is normally "To be detained during the Governor's pleasure".

4. Four, one unconditionally, and three on licence.

5. None.

6. *Vide* No. 5.

7. Records available indicate a total of 1,279 adult male persons.

8. Twenty-six. However, in three cases the order was quashed on appeal.

9. (a) Nil.

(b) Four.

(c) Seven, excluding those shown in (b); offences were:

Case 1 (Rape):
Illegal use of motor vehicle.

Case 2 (Indecent assault):
Offensive behaviour.

Case 3 (Robbery with violence):
Wilful damage.

Case 4 (Robbery with violence):
Stealing.

Case 5 (Indecent assault):
False entry in secondhand dealer's book.
Unlawful possession.
Drink on Sunday.
False name.
Receiving.
Escape custody.
Break, enter and steal.
Unlawfully assume control of motor vehicle (2).
Assault.
Resist arrest.
Assault police.
Wilful destruction of property (2).

Case 6 (Robbery with violence):
Escape from custody.
False pretences.

Case 7 (Indecent assault on male):
Unlawfully on premises.
Larceny.

10. Nine.

11. (a) None.

(b) None.

(c) Five as follows:

Case 1:
Offences for which whipped:
(a) Maliciously set fire to a school.
(b) Maliciously commit damage to property.
Subsequent convictions:
Illegal use of motor car and drive without licence.

Case 2:
Offences for which whipped:
(a) Maliciously set fire to a school.
(b) Maliciously commit damage to property.
Subsequent convictions:
Housebreaking and larceny (3 counts); illegal use of motor car; larceny (2 counts); drive under suspension.

Case 3:
Offence for which whipped:
Robbery.
Subsequent convictions:
Shopbreaking and larceny (2 counts); illegal use of motor car; drunkenness; indecent language; resist arrest; assault police.

Case 4:
Offence for which whipped:
Robbery.
Subsequent convictions:
Aborigine drink liquor; illegal use of vehicle; wilful damage; on mission without permission.

Case 5:
Offence for which whipped:
Assault with intent to rob.
Subsequent convictions:
Housebreaking and larceny; illegal use of motor vehicle; escape from legal custody; no licence; illegal use of motor vehicle (2 counts); false pretences (2 counts); stealing; obscene language; resist arrest.

TEACHERS COLLEGES.

Mr. MILLHOUSE (on notice):

1. In what publications are vacancies on the staffs of teachers colleges in this State advertised?

2. Is any other method of advertisement ever used? If so, what is it?

3. Are any vacancies filled without being advertised?

4. If so, what proportion of the total vacancies are thus filled?

5. What appointments have been made in this manner in the last 12 months?

The Hon. R. R. LOVEDAY: The replies are as follows:

1. All vacancies for full-time staff of South Australian teachers colleges are advertised in *The Education Gazette* which is available to the public.

2. With the permission of the Directors of Education of the other States, some positions are advertised in the daily press in the capital city of each State and in Canberra. The journal of the Australian Libraries Association is sometimes used.

3. No full-time positions are filled without being advertised. Part-time positions are filled without being advertised. Occasionally, teachers are seconded to teachers college appointments during the year when an emergency occurs because of resignation or sickness.

4. There is no fixed proportion. Part-time lecturers are employed to meet needs as they become apparent, *e.g.*, to meet the needs of external studies by teachers, or a new short elective course, say, in music. On the 1965 staff there are 15 part-time staff and 131 full-time staff in a total of 146.

5. In the last 12 months from July 1, 1964, 11 part-time and four secondments have been made without advertisement.

WATER RATES.

Mr. NANKIVELL (on notice):

1. What was the total revenue received from water and sewerage rates, respectively, for the financial year, 1964-65?

2. What is the anticipated revenue from each of these sources for the present financial year?

3. Of the additional expected revenue, how much is it anticipated will be collected from—
(*a*) the metropolitan water district?
(*b*) the metropolitan sewerage district?
(*c*) country towns?
(*d*) country water districts using the assessed annual value system of rating?
(*e*) country water districts using the unimproved value rating system?

4. Does the anticipated increase in revenue take into account the effect of the new quinquennial land tax assessment?

The Hon. C. D. HUTCHENS: The replies are as follows:

1. Total revenue received for 1964-65 for water rates was £4,461,973, and for sewer rates, £2,819,343.

2. Anticipated revenue for 1965-66, received from water rates is £5,062,000, and for sewer rates, £3,216,000.

3. The additional revenue will comprise:

	£
(*a*) Metropolitan—water	415,000
(*b*) Metropolitan—sewers	370,000
(*c*) Country townships—water (rates are levied on assessed annual value) ..	95,000
(*d*) See footnote.*	
(*e*) Country lands—water (rates levied on unimproved land value)	90,000
(*f*) Country townships sewer .	27,000

* Country township water districts are already rated on assessed annual value so that questions (*c*) and (*d*) are synonymous.

N.B.—The additional revenue shown above includes revenue from new schemes, natural increase and reassessment.

4. The quinquennial assessment made by the Commissioner of Land Tax has not been used for the 1965-66 accounts and will be effective only from July 1, 1966.

PUBLIC WORKS COMMITTEE REPORTS.

The SPEAKER laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Campbelltown Boys Technical High School,
Forbes Primary School Additions (interim),
Ingle Farm Primary School (interim),
Kingscote and Central Kangaroo Island Water Supply (Modified Scheme) (interim),
Mount Gambier Infant School (interim),
Para Vista and Para Hills West Primary Schools,
Reynella South Primary School,
Whyalla Divisional Headquarters and Police Station.

Ordered that reports be printed.

ASSOCIATIONS INCORPORATION ACT AMENDMENT BILL.

Received from Legislative Council and read a first time.

PUBLIC ACCOUNTS COMMITTEE BILL.

The Hon. FRANK WALSH (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 following resolution: That it is desirable to introduce a Bill for an Act to provide for a Parliamentary Committee of Public Accounts.

Motion carried.

Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

The Hon. FRANK WALSH: I move:

That this Bill be now read a second time.

Its object is to provide for the establishment of a Public Accounts Committee. Clause 3 provides for the committee which is to consist of five members of the House of Assembly appointed by that House. Two of the members of the committee are to be members of the Opposition group. Ministers of the Crown cannot be members of the committee. Subclause (4) provides for the appointment of the committee by the House forthwith after the commencement of the Bill and thereafter forthwith after the commencement of the first session of each House of Assembly elected from time to time. Clause 4 provides for the continuance in office of members of the committee until it is next appointed. Clause 5 provides for casual vacancies.

Clause 6 of the Bill provides for the appointment of a chairman and temporary chairman and clause 7 for a quorum of three and for a casting vote by the chairman in the event of an equality of votes. Clause 8 provides for a salary for the chairman at the rate of £300 per annum and each member £200 per annum, being the same amounts as those payable to the chairman and members of the Subordinate Legislation Committee. Clause 9 is a machinery provision. Clause 10 provides that the office of the chairman or member of the committee shall not be an office of profit under the Crown for the purposes or within the meaning of any provision of any Act. Clause 11 provides for the appointment from the staff of the House of Assembly of a secretary and other necessary officers of the committee.

Clause 12 sets out the duties of the committee which are generally based upon those of the Public Accounts Committee of the Commonwealth. In detail they provide for the committee to examine the accounts of revenue and expenditure of the State, or any report by the Auditor-General or any accounts laid before Parliament, to inquire into any expenditure by a Minister made without Parliamentary sanction or appropriation; to report on any alterations in the form of the public accounts; to inquire into any question in connection with the public accounts either on the committee's own initiative or upon reference by the House of Assembly, the Governor or a Minister of the Crown; to carry out any other functions assigned to the committee by any Standing Order of the House and to inquire into any matter relating to the public accounts referred to the committee by the Auditor-General.

Clause 13 empowers the committee to summon and compel the attendance of witnesses and production of documents while clause 14 empowers the committee to sit during sessions of the House with its leave. Clause 15 contains a general power to make regulations and clause 16 is the usual financial provision. It has long been the policy of the present Government that there should be a Public Accounts Committee. Such committees exist in the Commonwealth and several other States. It is considered that such a committee could perform a useful function in this State and I accordingly commend this Bill to all honourable members.

The Hon. Sir THOMAS PLAYFORD secured the adjournment of the debate.

EDUCATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from July 1. Page 658.)

The Hon. G. G. PEARSON (Flinders): It is not intended to offer any substantial opposition to the passage of this Bill. It comes before the House, as the Minister of Education has told us, as a result of the establishment of the joint enterprise at Bedford Park of the university and teachers college. As he has said, it appears desirable that close links should exist between the two bodies, both from the point of view of their public relations, and from the point of view of co-ordinating the activities of these two most important institutions in the closest possible way. I suppose that nothing has greater import for the future than the education of those who are to be educators—the training of the future teachers who will enter our schools. It has often been said with great justice and sincerity that the teachers of our departmental schools, and of what are termed our public schools, are people who exercise the widest possible influence not only on the mental outlook of their pupils but also on outlooks of life. One could not emphasize too strongly the importance of our training institutions when we bear this in mind. Frequently children from every sort of home form a close attachment with, and have great admiration for, their teachers. It must be remembered that average children spend almost a quarter of their waking hours in the atmosphere and under the supervision of their schoolteachers. Therefore, it is most important that teachers should not only be educated but should also be an example of the kind of person their students hope to be.

I pay a tribute to the teachers of departmental schools. Those of us who come from country areas realize just what a contribution these teachers make and have made, particularly over the last 25 years, to the life and culture of the country towns in which they have been based. As I have said before, the extra activities in which teachers engage in a voluntary capacity (in the cultural, sporting and religious life of the towns in which they work) are a fine tribute to their training, idealism and willingness to serve the community. I have noticed, particularly in my own district, the admirable contribution that teachers in schools, small and great, have made to the life of the community. Perhaps this is more than we could ask of them but nevertheless it is something that they render effectively and happily during their stay in country districts. I refer to these matters because I wish to emphasize the training given to teachers, particularly in the educational field.

The Bill provides for a dual role to be filled by one person. Apparently it has been considered desirable, if not entirely necessary, that the Professor of Education at Bedford Park should also be the Principal of the Bedford Park Teachers College. Of course, this requires that both positions be held by the same person. Indeed, the Bill goes so far as to provide that if, at any time, the Principal of the Bedford Park Teachers College ceases for some reason to be Professor of Education at the Adelaide university, then he shall thereupon cease to be principal. Of necessity, this imposes a heavy work load on one person. This has not been a dual appointment in the past. Therefore, it will involve this person (whoever he or she may be) in doing two full-time jobs. I doubt whether a person with this abnormal capacity for work and administration can be found. Obviously both the authorities consider that such a person can be found and, if he can be, there can be no objection to the dual appointment.

One must assume that under his immediate control, as his immediate assistants, will be people with high qualifications who can assume much of the work load involved. That will be essential, and a careful choice will obviously have to be made of assistants and subordinates in order that the person carrying the dual appointment shall not be unduly submerged in administrative work. I presume that this dual role will be chiefly exercised on matters of high policy. I should like the Minister to indicate what steps, if any, have been considered, and what steps will be taken to ensure that the person appointed to this office is ably and actively supported by those immediately beneath him so that he can give due attention (and I emphasize that) to the two tasks that he is required to perform under this legislation.

The Minister referred to experimentation in teacher training, and this is a matter that arouses some interest. I presume that it is necessary, or a least desirable, to experiment in the training of teachers the same as it is necessary to experiment in any of the other psychologies or arts. The Bill does not provide specifically (nor would it be expected to provide) who exactly will make the appointment. It provides that the Minister may enter into an arrangement with the university for such an appointment. This raises the question of how wide will be the field from which applications will be called for the position, and

whether those senior and most experienced officers of the South Australian Education Department will be considered for appointment. I point out that our Education Department has people who would qualify, from the teaching point of view, for appointment as heads of teachers colleges. I do not think there is any doubt about that. South Australia has some of the foremost educationists in Australia, people who have rendered considerable service and whose opinions are highly respected in the education field. If this appointment were a single appointment for the principal of the new teachers college then one of this State's officers might be appointed. I understand that in discussion it has been agreed that the applications will be called on the widest possible basis throughout the world, and in these circumstances it would seem to me a somewhat remote possibility that a present member of the Education Department would receive the appointment. However, I have no doubt that the applicants will be considered on their merits, and that the best applicant will be appointed to this position.

On a more mundane matter, we are not told, either, just who will pay the salaries. Here again, I am not raising this matter as any sort of problem. I presume that an equitable arrangement will be made between the university and the Education Department or the Minister on this matter. It is a question, of course, that has to be resolved, and if it is on a share basis (as I presume it will be) then the Minister will of necessity be consulted as to what the total salary will be so that he will know what his obligations in respect of his part of the bargain involve.

Speaking generally, as I have said, I presume that it is desirable and necessary that there should be some experimentation in teacher training. I do not know whether this would refer to mass experimentation, or whether the particular attributes and aptitudes of the individual are taken into account in determining a course of training. As I see it (and, I must confess, with not a very great deal of knowledge on this matter), the variations in temperament and variations in aptitudes and in attitudes do have some effect and must have some effect on the ultimate result of the training of any person for any particular job, and perhaps that applies even more particularly in the field of mental training and education generally, and particularly in the resultant proficiency of a teacher trained to teach other people. There seems to me to be such a vast bulk of total knowledge now available to any student in every field of education—in the scientific and technical and particularly the mathematical field, in the field of sociology and medicine and psychology and associated ologies (if I may use that term), and even in the political sciences. There are tremendous fields of research, and tremendous volumes for study compiled.

Although it must of necessity take much less time to learn than it does to discover, the student in any field today has vast and ever-widening fields of knowledge to tramp before the horizon is reached and new discovery begins, and one wonders sometimes if the capacity of even the brilliant mind is great enough to cope with anything beyond a narrow or specialist field. It seems difficult to dissociate one from the other, because the various fields of knowledge are so interwoven and interdependent that even super-excellence in the specialist field does not answer the whole requirement. There must be at the topmost level an ability to comprehend at least a large field of the whole area in order to extract from all researches the best result for mankind. One ponders sometimes whether great brilliance in a particular field is not seriously dimmed by a most limited or even completely inept appreciation of the relationship of the particular to the whole field in context.

Having made that general comment, which I feel is pertinent in the field of education generally, I come back to the point that here is an appointment proposed under this legislation which requires at the one time a person of wide training, wide knowledge, wide and deep reading, a great understanding of psychology and a wide understanding of training and educational methods. It will be interesting to see who receives the appointment to this high and important office. I would be one who would wish him well, because it is a task of great magnitude and will require great devotion and great gifts to succeed. I do not wish to delay this matter any longer. This Bill comes to us as a result of substantial negotiations between the parties, involving the present Minister and the previous Minister, who was in office when these negotiations commenced. Therefore, I have much pleasure in supporting the second reading.

Mr. JENNINGS secured the adjournment of the debate.

LOTTERY AND GAMING ACT AMENDMENT BILL.

Second reading.

The Hon. FRANK WALSH (Premier and Treasurer): I move:

That this Bill be now read a second time.

It is in the same form as the amending Bill which was introduced in 1963 but which lapsed on prorogation, and has a very simple purpose. It will enable the Chief Secretary to increase the number of totalizator licences in respect of any racecourse in the metropolitan area on condition that a corresponding decrease is made in the number of licences available to another racecourse in the metropolitan area. Section 19 of the principal Act sets the limit of totalizator licences for Morphettville at 17 and for other metropolitan racecourses at 16 days a year. Leaving aside the next two paragraphs of the section which deal with the South-East and an area within 50 miles of Barmera, I refer to paragraph (*b*).

This paragraph limits the number of licences on racecourses other than those in the metropolitan area, the South-East and the Barmera area, to eight days a year. However, it contains a proviso to the effect that on the application of the clubs concerned and with the recommendation of the Commissioner of Police, the Chief Secretary may increase the number of licences for any racecourse if a corresponding reduction is made in the number for any other racecourse to which paragraph (*b*) applies. This proviso does not relate to the metropolitan area. This Bill will by clause 3 add a similar proviso to paragraph (*a*). Its effect will be to authorize the Chief Secretary to increase the number of licences for, say, Morphettville by, say, one, if the number of licences for some other metropolitan course is reduced by one; the 16 days on a metropolitan racecourse other than Morphettville could likewise be increased with a corresponding decrease for Morphettville or some other metropolitan course; again the number of 16 for a metropolitan course other than Morphettville could be increased if another metropolitan course (other than Morphettville) were correspondingly decreased.

I believe that honourable members will appreciate that occasions arise when for one reason or another—for example, bad weather—it becomes impossible for a race meeting to be held on a particular course. In such a case the club concerned could apply for the right to use another course in the metropolitan area for the purpose of its meeting, in which event with the other club concerned, it could make an application for the necessary additional licence for that other course. The Chief Secretary would be empowered to grant it but only on the condition that the number of licences for the course, which could not be used, were reduced. In other words, the effect will be to give the Chief Secretary the discretion he already has in country areas other than the South-East and Barmera district. The overall number of licences would not be increased in any one year.

Occasionally it has been too wet to hold a meeting at Morphettville but the meeting could have been held at Victoria Park. This Bill allows the Chief Secretary, on the recommendation of the Police Commissioner, to permit the meeting to be transferred because the conditions at Morphettville are not safe for racing.

The Hon. Sir THOMAS PLAYFORD secured the adjournment of the debate.

PHYSIOTHERAPISTS ACT AMENDMENT BILL.

Second reading.

The Hon. FRANK WALSH (Premier and Treasurer): I move:

That this Bill be now read a second time.

The object of this Bill which has only one clause of substance, is twofold. Clause 3 (*a*) will raise the maximum annual subscription of practising physiotherapists which can be fixed by regulation from £3 3s. to £6 6s. It is understood that it would be the intention of the board to increase the annual fee only if it found it necessary to do so.

Clause 3 (*b*) provides that non-practising physiotherapists will pay an annual fee of £1 11s. 6d. to remain on the register of physiotherapists. At present there is no charge. The reason for this proposed increase of fees is that the administration costs of the Physiotherapists Board have risen substantially since 1946 when the fees were last raised. These administration costs include legal fees, stationery, postages and the annual remuneration of the registrar. Non-practising physiotherapists share with practising physiotherapists the protection of the board and other benefits, and it is considered fair and equitable that those who wish to remain on the register should bear the financial burden equally. Clause 3 (*a*) makes a consequential amendment. I commend the Bill to the House.

Mr. HALL secured the adjournment of the debate.

PRIVATE PARKING AREAS BILL.

The Hon. FRANK WALSH (Premier and Treasurer) obtained leave and introduced a Bill for an Act to provide for the control of land used by the public with the consent of the owners thereof as private access roads, parking areas, or pedestrian walkways to shops and other premises, and for incidental purposes. Read a first time.

The Hon. FRANK WALSH: I move:

That this Bill be now read a second time.

As the short title to the Bill shows, the purpose of this legislation is "to provide for the control of land used by the public with the consent of the owners thereof as private access roads, parking areas or pedestrian walkways to shops and other premises." This legislation has become necessary since corporate bodies, such as the Housing Trust, are providing on land owned by these bodies at Elizabeth and elsewhere facilities such as access roads to shops, and parking areas for the use and convenience of customers. In many cases the shops are built facing walkways from which vehicles must obviously be excluded. On occasions these facilities are abused mainly by young hooligans. For example, motor cars have been driven down the walkways, the parking areas have been used as speedways, cars have been parked contrary to directions and young children ride their bicycles along the walkways.

There is no law under which these acts can be controlled except to sue for trespass which is clearly not a suitable remedy under the circumstances. Another legal difficulty is that by giving the public access to these places, the public, after a period of years, has a right of access and in a particular case land may become a public highway. This is undesirable from the point of view of the owner as it could impede future development of a shopping site. This creation of public rights by usage could be prevented by blocking access periodically but this presents practical difficulties. It is considered by the Government that the time has now come to legislate so as to control the use by the public of such access roads and parking areas while at the same time preserving the rights of the owners of the land. The proposed Bill is an attempt to achieve the foregoing objectives and is commended to honourable members for their consideration.

Clause 3 enables owners of shops or other premises to create access roads, parking areas and pedestrian walkways by displaying notices on the land indicating that the land is a private access road, parking area or pedestrian walkway as the case may be. The public in this way would have notice of the character of the land. The owner may on such notice lay down conditions under which the access road, parking area or pedestrian walkway may be used. On breach of the conditions the owner, his employee or agent or a member of the Police Force may require the person in breach to comply with the conditions. Failure to comply with the request is an offence punishable with a maximum penalty of £10. By clause 4 driving a vehicle on a private pedestrian walkway without the consent of the owner is an offence, carrying a maximum penalty of £10 (subclause (1)) and leaving a bicycle on a pedestrian walkway at a place other than a place set aside for the purpose is an offence punishable with a maximum penalty of 10s. (subclause (2)). By clause 5 the use of a parking area without the consent of the owner for a purpose other than parking a vehicle is an offence punishable with a penalty of £10. By clause 6 any person who leaves any vehicle on any private access road, parking area or pedestrian walkway and failing to remove it on being requested by the owner or his employee or agent or by a member of the Police Force is guilty of an offence punishable with a maximum fine of £5. By clause 7 roller skating on a private access road, parking area or pedestrian walkway without the consent of the owner, his employee or agent is an offence punishable by a maximum fine of £10. Clause 8 provides an exemption for ambulances, fire brigade and police vehicles, from the provisions of this Act. By clause 9 it is laid down that the use of an access road, parking area or pedestrian walkway by the public does not create public rights over such road, parking area or walkway, or create a highway, street or road under this or under any other law. Clause 10 provides for evidential provisions as to proof of private access roads, parking areas or pedestrian walkways. As the result of a discussion with the Chairman and the General Manager of the Housing Trust, I believe that damage has been caused and that, particularly at Elizabeth, walkways and private property have been generally abused. It is highly desirable in the interests of the general public that this situation be remedied. The community should take pride in this because, after all, much money is being spent at Elizabeth on amenities. The current abuse makes it difficult for the people there to maintain high standards.

The Hon. D. N. BROOKMAN secured the adjournment of the debate.

ELECTRICITY (COUNTRY AREAS) SUBSIDY ACT AMENDMENT BILL.

The Hon. FRANK WALSH (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 following resolution: That it is desirable to introduce a Bill for an Act to amend the Electricity (Country Areas) Subsidy Act, 1962.

Motion carried.

Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

The Hon. FRANK WALSH: I move:

That this Bill be now read a second time.

The Electricity (Country Areas) Subsidy Act, 1962, provides that during the five years ending June 30, 1967, there shall be paid to the Electricity Trust a total of £600,000. Of the first £500,000 so payable, the trust is at present required to credit £300,000 to its own revenues plus any additional sum as directed by the Treasurer in respect of country undertakings taken over by the trust. The balance remains available for payment to private country electricity suppliers in such amounts as the Treasurer determines. A further £100,000 is provided for payment to the trust for the purposes of the Act.

Following the passing of that Act the trust reduced its own tariffs to its country consumers from July 1, 1962, so that they would not be more than 10 per cent above the trust's metropolitan tariffs. This reduction affected 45,000 consumers and the cost to the trust's revenue was estimated at £160,000 per annum. In the first year, 1962-63, the Government met £100,000 of this cost and the balance was absorbed by the trust. In the succeeding years it was agreed that the Government subsidy would be reduced by £20,000 each year so that after the fifth year (*i.e.*, in 1967-68 and thereafter) the full cost of the tariff reductions would be borne by the trust. Over this period of five years the total subsidy paid by the Government would have amounted to £300,000, the amount mentioned specifically in the 1962 Act.

At the same time an analysis was made of the amount required to reduce tariffs of private country electricity authorities to within 10 per cent of the trust's metropolitan tariffs. This analysis disclosed that the annual cost of such reductions would be of the order of £134,000 per annum, or a total cost over the five-year period of £670,000. The amount available under the Act for this period was limited to £300,000 and a scheme was adopted whereby this available amount was allocated among the various undertakings over the five-year period. The reductions in charges so applied varied from 10 per cent to 25 per cent as between undertakings and had the effect of reducing electricity accounts rendered by the private country undertakings on average by about one-sixth.

Late in 1964 the trust stated that as a result of increased economies in its operation it was in a position not only to assume full responsibility for the reduction of its tariffs effected in 1962 but also to provide single meter tariffs at metropolitan rates for all its consumers in country areas. The newly reduced rates applied from January 1, 1965, and affected some 80,000 consumers who were then connected to the trust's country electricity system. At the end of 1964 the sum undrawn of the £300,000 specifically provided in the Act for payment to the trust's revenues was £90,000, and it is now proposed that this sum be used to supplement sums otherwise available under the Act to make further reductions to consumers supplied by private country electricity authorities. Moreover, the subsidies made for the benefit of such consumers were doubled as from January 1, 1965, and amounted on the average to about one-third reduction in charges.

The necessity for this amending Bill is twofold. First, the Crown Solicitor has advised that section 3 of the 1962 Act is mandatory in requiring £300,000 to be paid to the revenues of the trust. The fact that this sum is not required by the trust does not alter the direction of Parliament contained in the said section 3 that it shall be so paid. Clause 3 accordingly gives authority so that any part of the £300,000 which has not been credited by the trust to its revenues may be used by the trust for payment to country electricity suppliers in such sums and on such conditions as the Treasurer shall determine.

Secondly, the 1962 Act provides only for the five-year period to June 30, 1967. It does not provide for appropriation or for continuance of the scheme for any period beyond that date. Clause 4 accordingly provides that, out of the moneys paid to it and any further moneys which may be provided by Parliament for the purpose, the trust shall in any period subsequent to the five years covered by the 1962 Act pay to country electricity undertakings such sums and on such conditions as the Treasurer may direct. The Government proposes that any additional sums required during the period up to June, 1967, and in subsequent years, will be submitted to Parliament in the Estimates and Appropriation Acts. The situation now is that some 80,000 country consumers connected to the Electricity Trust system have available a single meter tariff equivalent to metropolitan rates. Consumers drawing their electricity supply from private undertakings numbering some 6,500 pay tariffs which since January 1, 1965, are one-third less on average than the tariffs operating before the scheme was introduced.

Whilst the situation with the trust's consumers is now highly satisfactory, the Government is not fully satisfied with the situation of country consumers supplied by private undertakings. It is true that their electricity bills have been greatly reduced by the operation of this Act but it is also true that they pay, in many instances, considerably more for their electricity than do the trust's own country consumers. The Government does not consider that this state of affairs should continue indefinitely and its objective is to budget adequate finance next financial year for subsidies to enable all consumers to pay for their electricity on the basis of tariffs not more than 10 per cent above the trust's metropolitan tariffs. The aggregate annual cost to the Government on such a basis is likely to be about £170,000 a year, as compared with the present cost, with double the original subsidies of about £130,000. Of course, as consumers' charges are reduced they tend to use more so that these subsidy costs will probably increase. I have with me a list of the places in which country electricity undertakings apart from the trust are at present receiving subsidies, and I ask leave for this list to be inserted in *Hansard* without my reading it.

Leave granted.

List of places in which country electricity undertakings receive subsidy.

Arno Bay.
Beachport.
Ceduna.
Cleve.
Commonwealth Railways:
- Cook.
- Marree.
- Oodnadatta.
- Tarcoola.

Cowell.
Elliston.
Frances.
Hawker.
Kimba.
Kingscote.
Kingston.
Lock.
Lucindale.
Naracoorte.
Penola.
Peterborough.
Robe.
Streaky Bay.
Wudinna.
Yunta:
- Ding.
- Breeding.

The Hon. FRANK WALSH: I desire to thank honourable members for their courtesy, and to assure them that the Bill is designed to give further consideration to those users of electricity who are not connected to the Electricity Trust system. I should think that the explanation I have given would be agreed with by all honourable members.

Mr. NANKIVELL secured the adjournment of the debate.

JURIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from July 1. Page 661.)

The Hon. B. H. TEUSNER (Angas): One of the greatest bulwarks and safeguards throughout the British Commonwealth of Nations in the administration of justice has been, and still is, the jury system. I submit that, if it is intended to amend any legislation in which these safeguards are enshrined, such legislation should be closely scrutinized. The jury originated under the Norman Kings as a body of men who were used as an inquest or inquiry. The King originally used it for obtaining information that he wanted for administrative purposes—for example, in the 11th century in the compilation of the famous Domesday Book. An inquest was not originally associated in any way with the administration of justice as we know it now; it was not until the 12th century, in the reign of King Henry II, that the jury was directly responsible as an instrument for the doing of justice. In South Australia, to the present day, the position is that any man under the age of 65 years whose name appears on the Legislative Council roll, who lives within a jury district as defined in the Juries Act, and who is not a person exempted from serving as a juror under the Third Schedule of the 1927 Juries Act, is liable to serve as a juror.

Last year the Playford Government introduced a Bill to amend the 1927 Juries Act with a view to giving women the right to serve on juries. As the Attorney-General said in introducing the present Bill, that Bill lapsed when the House rose at the end of October. I point out that this Bill is on similar lines to the Bill introduced last year, inasmuch as of the 33 clauses contained in it all, with the exception of clauses 8, 14 (*b*), 14 (*c*) and 30, were contained in the previous Bill.

The Bill before the House has two principal objects. The first is to bring women who are not over the age of 65 years within the scope of jury service, and this will be done by inserting the word "person" in place of the word "man" in the principal Act. The second object is to substitute enrolment on the House

of Assembly roll for enrolment on the Legislative Council roll as a qualification and liability for service as a juror, whether the person is male or female.

Clause 8 of the Bill makes women, as well as men, not over 65 years of age liable for service as jurors. Clause 8 gives women the jury franchise and it is a little surprising that South Australia, which has led the States of the Commonwealth in many reforms, is rather late in introducing legislation of this nature. We must remember that it was in 1894 that women's suffrage was introduced in South Australia and the legislation that came on to the Statute Book then also gave women the right to sit in the Legislature. We must remember, too, that women have played an important and distinguished part in many fields of human endeavour, such as medicine, law, the Legislatures of the various States of the Commonwealth and, indeed, in the Commonwealth Legislature. They have also distinguished themselves in many other fields of human endeavour. Although woman has been striving for many decades to become emancipated and has now succeeded very well, there was a time when she was not meeting with much success in her endeavour. I call to mind a speech made by the famous Lord Buckmaster, a former Lord Chancellor in the House of Lords in 1917, when he was advocating greater freedom for women. He stated that the true sphere of a woman's work ought to be measured by the world's need for her service and by her capacity to perform the work and not by any entirely artificial boundary that is fixed on a prior assumption that she is unfit to discharge the duties, an assumption she can never negative because she is never allowed to try. That has been the case too frequently. At one time, women were never given the opportunity to try to prove their worth in many spheres of service, but we have found over past years that she is capable of performing a service to the community extremely efficiently and well in so many cases, as I have mentioned earlier. However, although woman is conquering more and more fields of service, I trust she will never lose those traits that we who are males admire, and I hope the words of the poet may always remain fundamental, when he said:

Woman, fairest flower on earth,
Since first our race began;
O be our love, our angel still,
Don't try to be a man.

In deciding whether I considered that women should be eligible for jury service in this State, I was influenced to a large extent by what had been done elsewhere. In the United States of America, in 1963, there were only three States where women were not permitted to serve on juries. They were Alabama, Missouri and South Carolina. In the present State of Wyoming, she was allowed to serve on juries in 1870. The 1869 Act in that particular district, as it was known then, gave women the right to vote, but woman suffrage and jury service were construed as being synonymous. In 1890, when Wyoming was admitted to the Union of the United States of America, women lost their right to serve on juries, but they recovered it in 1949, when compulsory jury service law for women was enacted. Of the States of the United States of America, 28 provide that women shall be subject to jury service on the same terms and conditions as men, and seven of these 28 States permit women to be excused if they have family responsibilities that make jury service an undue hardship on them.

In a further 16 States of the United States of America, women are permitted to claim exemption from jury service on the ground of sex and three other States require a woman to indicate her desire to serve before she is eligible for service. In other words, in those three States, she has to be a volunteer for service before she can be required to serve. In England, women between the ages of 21 and 65 years have been eligible for service on juries since 1919, because of the Sex Disqualification Removal Act enacted in that year.

In New Zealand, women were eligible for service on juries in 1942, because of the passing of the Women Jurors Act, but, as in the three States of the United States of America to which I referred earlier, women had to notify the Sheriff in writing of their desire to serve on a jury before they were eligible and qualified for service. In 1963, however, a Parliamentary committee was appointed in New Zealand and, as a result of an investigation and inquiry by that committee, legislation was introduced in 1963 making women liable for jury service on the same basis as we propose to make them liable in South Australia and on the same basis as that operating at present in Western Australia and Victoria.

I come now to the position in the Australian States. For over 60 years women's organizations have felt very strongly about jury service, and on February 24, 1904, a deputation was led by Kate Dwyer and Annie Golding to the Attorney-General of New South Wales, requesting that women be eligible for

jury service. This deputation was unsuccessful. Further persistent pressure was exerted, but without success. In New South Wales it was not until 1947 that the Jury Amendment Bill was introduced and passed. However, this legislation did not operate until the early 1950's. The reason given for that was that no suitable accommodation could be provided at the Supreme Court. Under the New South Wales legislation that came into effect in the early 1950's women were obliged to notify the Chief Constable of the police district in which they resided of their desire to serve on juries. If they did that they were qualified and eligible to serve.

In Tasmania, legislation was passed in 1957 under which any woman between the ages of 25 and 65 years who possessed the qualifications to serve as a juror required of a man and who notified the Sheriff in writing that she desired to serve as a juror was eligible and qualified to serve. In Queensland, in 1929 the Jurors Act was passed, enabling any female between 21 and 60 years of age who notified the electoral officer in writing to be enrolled. Upon such notification she was qualified and became liable to serve as a juror.

In Western Australia, legislation was passed in 1957 and came into force in 1960. There, too, women between the ages of 21 and 65 were liable to serve if their names were on the Legislative Assembly roll, but they had the right to have their names removed from the jury roll, as in this Bill. Legislation was introduced in Victoria in 1956 under which women were given the right to volunteer for service, but that Bill was withdrawn because it appeared that it did not meet the requirements of members of the Assembly in Victoria. Last year fresh legislation was introduced in Victoria under which women were liable to serve in the same manner as they are liable to serve under this Bill. They have the right to have their names removed from the roll if they so desire on the ground of their sex.

Clause 10, which inserts new section 14a, is an important provision that enables a woman to cancel or reinstate her liability to serve. Having been summoned to serve as a juror, she may also before the expiration of three days after service of the summons on her by notice in writing to the Sheriff cancel her liability to serve. I wish to comment on the three days she is allowed after service to notify the Sheriff that she wishes to cancel her liability. What will happen if a woman whom it is proposed to serve with a summons is away on holidays or even just for a weekend? The Act provides that the police officer serving the summons can in such a case leave it with some person at the home address of the person to be served. If the summons is left at the home address and the woman is away, she may not know that it has been left there until the last day of the three days within which she must notify the Sheriff if she wishes to cancel her liability to serve. I ask whether three days is sufficient time. I think the Government should further consider whether a longer period than three days should be allowed in cases where the woman is not served personally.

Having cancelled her liability to serve, under new section 14a (3), she may after two years have her name reinstated on the jury roll. In other words, a woman whose name is on the Assembly roll is liable to serve as a juror unless she cancels her liability to serve. Assuming that she has cancelled her liability to serve by giving notice in writing to the Sheriff, she may nevertheless at any time after two years after such cancellation give notice in writing to the Sheriff that she desires to have her name reinstated on the jury roll. I raise no objection to this provision.

Clause 11 amends section 16 of the principal Act. Under that section power is given to a judge prior to the commencement of a trial to discharge a person from jury service on account of ill health, and clause 11 adds the words "conscience". Objections are sometimes raised, and perhaps rightly so, by a person who has been summoned and who on the grounds of conscience considers he should not be required to serve. Under this new provision the judge will have power, if he is satisfied that the objection is valid, to discharge a person on the ground of conscience as well as on the ground of ill health. The next provision on which I wish to comment is clause 17, which inserts the following new subsection (2) to section 33 of the principal Act:

> Notwithstanding subsection (1) of this section, the names of a husband and wife shall not be included in the same panel.

I think this is a good provision. Clause 18 deals with the summoning of jurors. A summons requiring a person to serve must be served on that person by a police officer at least four days before the trial of a particular cause or matter. Under the amendment contained in clause 18, the summons must have endorsed on it the full text of sections 14a and 60b. Now proposed new section 14a, as I mentioned earlier, sets out that a woman who is qualified and liable to serve as a juror may at any time cancel her liability to serve

as a juror by giving notice in writing to the Sheriff. Subsection (2) thereof provides that she may, before the expiration of three days after the service of the summons on her, give notice in writing to the Sheriff that she desires her liability to serve to be cancelled. Further, the new section sets out that after two years from the time that she has intimated her desire not to serve she can have her name reinstated. The summons to serve as a juror must also have set out at the end of it the provision of proposed new section 60b, which is referred to in clause 22. That new section reads:

A woman summoned or empanelled as a juror may, before the trial of any issue, apply to the court to be excused from serving as a juror at that trial by reason of the nature of the evidence to be given or the issue to be tried, and the court may excuse her from serving accordingly.

I think that is a good provision. I consider that a female proposed to be summoned to attend as a juror should know that she can be exempted from service as a juror if the nature of the evidence in the particular case is such that it is desirable for her to be excused from attending at the hearing of that case.

Practically all the other clauses in the Bill are consequential amendments, and I raise no objections thereto. However, I point out that section 46 of the principal Act should also be amended, and no such amendment is provided in the Bill. I note that my colleague, the member for Burnside (Mrs. Steele), has an amendment on the file dealing with that matter. Last week I also drew the attention of the Parliamentary Draftsman to section 3 of the Juries Act, 1927, and I pointed out that I considered that two definitions in that section should be amended consequentially upon the amendments proposed in this Bill, namely, the definitions of "Legislative Council Subdistrict" and "subdistrict roll". I consider that amendments are necessary thereto in view of the fact that it is proposed to extend the jury franchise to all persons who are on the House of Assembly roll and not the Legislative Council roll. Clause 8, to which I referred earlier, contains two very important amendments. First, it gives women the right to serve as jurors, and, secondly, it extends the jury franchise to those persons who are enrolled on the House of Assembly roll. Hitherto, the jury franchise has extended only to those persons who are on the Legislative Council roll.

Now what is the present position elsewhere regarding the jury franchise? I must confess, Sir, that I had a little doubt at one stage whether I should support the extension of the jury franchise to those enrolled on the House of Assembly roll, because I realized that in England, where the Jury Act of 1825 is still operative, the jury franchise is limited to persons who have certain property qualifications, and not available to all and sundry. The position in England is that at common law the qualification for a juror was that he should be a free man, not a villein or an alien. From the earliest times Statutes have imposed property qualifications as well, and those property qualifications are still enshrined in the Juries Act of 1825, which is in force in England. Under that Act the following persons are entitled to serve as jurors in England:

The owner of freehold property of at least £10 annual value or the lessee of leasehold property of at least £20 annual value and for a term not less than 21 years; or householders residing in property of £30 annual value in London and Middlesex and £20 annual value elsewhere; or persons residing in houses containing not less than 15 windows.

I point out that there is some property qualification there before a person can become liable for jury service. I am also mindful, Sir, that a very notable judge, the Honourable Sir Patrick Devlin, who is one of Her Majesty's judges in the High Court of Justice in England, has referred to the desirability of having some property qualification. In his book *Trial by Jury* he states:

It may seem surprising that in a country which has had universal suffrage for longer than a generation the jury should still rest upon a comparatively narrow base. Looked at from that angle, the argument for a change seems very strong. But it might be dangerous so long as the unanimity rule is retained—

and I emphasize those words—

to equate the jury franchise with the right to vote. No-one expects the country to be unanimous in favour of the Conservative Party, but the jury must be unanimously for a plaintiff or a defendant. The approach to unanimity must be helped to some extent by the fact that the jury is drawn from the central *bloc* of the population and it is difficult to estimate what the effect might be of the inclusion of more diversified elements. If unanimity is insisted upon and the narrow franchise is preferred, it is no doubt right that juries should be taken out of the middle of the community where safe judgment is most likely to repose.

Those are my comments regarding the position in England and the argument that may be advanced that we should retain a restricted franchise regarding jury service. I emphasize the words "so long as the unanimity rule is

retained.'' As far as I can ascertain, this rule still prevails in England, and for an acquittal there must be a unanimous verdict. In South Australia the position is different. A unanimous verdict is required, but if after four hours' deliberation the jury is not agreed it can bring in a majority verdict provided that at least 10 jurymen are in favour. A majority verdict is possible except for a capital offence: if the accused is charged with murder the unanimity rule prevails, and the jury must be unanimous before the defendant can be found guilty. The extension of the jury franchise to persons enrolled on the House of Assembly roll may well be considered favourably by members of this House. I am further fortified in my belief, that we would not be doing anything amiss by accepting the House of Assembly roll as the roll from which jurors could be chosen, by the fact that in all other Commonwealth States juries are chosen from the Legislative Assembly roll. That being so, we might come into line with the other States and adopt the House of Assembly roll as the one from which jurors, whether male or female, should be chosen.

I support the Bill, but realize there may be a few difficulties in the early stages of the operation of the legislation. For example, it will be necessary to provide additional accommodation in the Supreme Court for women jurors, and that may take some time. However, I trust that the Government will expedite the provision of this accommodation. Clause 3 provides that the Act will operate from a date to be proclaimed. In other States when some legislation was passed it did not operate for several years, the excuse being that accommodation had not been provided at the Supreme Court. I trust that when this legislation comes into operation, the facilities will be provided speedily at the Supreme Court so that women jurors can prove their worth on a jury panel. I identify myself with the following statement in a leader in the *Advertiser* last year, when a similar Bill was before the House:

> It would be astonishing if the plan worked perfectly in all respects. But against many weaknesses, which may be disclosed, must be set the contribution women are capable of making towards the understanding of events and the determination of innocence or guilt.

I support the Bill.

Mrs. STEELE (Burnside): In the absence of a speaker from the other side of the House, I follow with pleasure the honourable member for Angas. I intend to speak briefly, but consider it incumbent upon me, as the only woman member on this side of the House, to make a few remarks. Members will recall that a similar Bill (similar in every aspect except one) was introduced by the previous Government in the last session of the last Parliament. Prior to its introduction I, with my colleage from the Upper House, the Hon. Jessie Cooper, had the privilege of introducing a deputation of women's organizations to the then Premier. The case that the deputation had to make was presented by no less a person than Miss Roma Mitchell, Q.C., who is the Vice-President of the Law Society. As a result of the case presented so well by her, the Government of the day decided to introduce legislation to make it possible for women to serve on juries in South Australia. I listened with much interest to the remarks of the honourable member for Angas. who gave some history of what had transpired prior to the introduction of similar legislation in overseas countries and in other Commonwealth States. When I spoke at some length on the Bill last year, I prefaced my remarks with a similar sort of round-up of what was taking place. The main difference between this Bill and that introduced by the previous Government is that under this Bill the House of Assembly roll shall be the basis on which people will be empanelled. I agree with this because when one makes research into this subject one finds that in every other Commonwealth State, where women are serving on juries, this is the basis on which they are empanelled. This may be a unique premise from which to make this point, but I consider that with the number of exeptions listed in the schedule to this Bill, and with the names being taken from the House of Assembly roll, there will be many more people from which to draw, because of the franchise of the Upper House. With the advantages of the education which is provided these days which is open to all people, any woman should be capable of taking her place on a jury and of giving proper consideration to the case which she is hearing, and of coming to a conclusion so that justice might be done. I am sure that all women recognize that legislation making them responsible to serve as jurors will establish for them certain rights, if and when it becomes law. Several matters should receive further consideration. A woman can be served with a notice to attend as a juror three days before a trial, but I believe the Bill should provide a longer period. The notice could be served over a weekend or when the person was away from her home.

Mr. Millhouse: It has to be served personally.

Mrs. STEELE: I am corrected. In any case, a notice could be served during a weekend, and this could limit the time in which she could notify the authorities of her reluctance to serve on a jury. The Bill provides two ways in which a woman can decline to serve as a juror. She can do so when the Act comes into operation by stating that she does not want to be placed on the roll for jury service. If her name is on the roll she has three days, after being officially informed, in which to give notice that she does not wish to serve. After the expiration of two years she can apply to have her name again placed on the roll.

I am glad to see that it is possible for a person, because of her conscience or religious convictions, to be struck off the roll. This is right and proper because many people have a strong disinclination to pass judgment on a fellow citizen. I support the Bill, but in Committee I intend to move an amendment.

Mr. SHANNON (Onkaparinga): I approach this Bill with about the same amount of enthusiasm as did the previous speaker. It gives women an opportunity to serve on juries, but there is no obligation, as the previous speaker suggested. Women can count themselves out immediately. If women want the same responsibility as men, let them accept it the same as men have to accept it, and let us not have them sending in a scrap of paper containing the words "I don't want to be a juror." Do women want to be ranked in the same category as men? It is obvious they do not. The supporters of women's rights in this matter make this abundantly clear: they want to give the women a let-out, and if that is the approach the Bill seems to lose much of its virtue.

I repeat what I said on a former occasion: the type of woman who will want to serve on a jury may well be the least likely type of woman we desire. All of us are aware that many members of both sexes like to pry into the affairs of other people; they enjoy the seamy side of life, and they possess a kink in their make-up that thrives on other people's troubles. Are they the people who are likely to administer even-handed justice to a person who may be quite innocent of the offence with which he is charged? Is that the proper approach of a juror? I say it is entirely the wrong approach. I listened with some interest to the member for Angas (Hon. B. H. Teusner), who gave us much historical information about the jury system and its origin in the British way of life, but he did not go on to explain, as he should have, how some of the Commonwealth countries have changed their laws with regard to jurors' franchise.

He did not go on to explain why those changes had been made, and he gave no reason why England, the founder of the jury system, had not changed its laws relating to this matter since 1825. Many changes of Government and political views have taken place in England in those 140 years, but the law has not been changed on this vital matter concerning the freedom and justice meted out to fellow men and women in our society. It appears that real justification may exist for qualifications in regard to jury service. I do not suggest that I am a stick-in-the-mud who does not want to advance with the times, but I think the House should be given a valid reason for changing the law under which jurors are called up for service. Merely to change the law from a sentimental point of view (which, after all, is really what this means) does not cut much ice with me.

This Parliament makes laws but does not put them into operation. Other people are entrusted to do that and are responsible for administering those laws. Fundamentally, justice sits at the top of the apex, and the British people have prided themselves on that fact for centuries. Justice shall be done, and not only shall it be done but it shall be seen to be done. I approach this Bill with misgivings, as I approached the previous Bill. Obviously, it has been introduced by the majority in this House, but two of my colleagues have supported it, so, in the words of the small boy, I am kicking against the wind. This, however, does not prevent me from making statements, which, with the effluxion of time, may prove to contain some merit. I refer to the matter of whether women can play a useful part in our jury system.

I shall not argue that matter; perhaps they can. There are certain types of offence where a woman's opinion may be of value. However, I see no valid reason why a woman who has been subpoenaed for jury service should be able to get out of the obligation in such a simple way, or why she should be able to refuse to be subpoenaed by having her name struck off the roll. There is no justification for it. A man has not that right. He can avoid jury service, but only on certain grounds. The judge decides whether or not he shall avoid it on the grounds he submits for being exempted from jury service. If the sexes are to be equal in this regard, let them be equal

in all ways and come in on all fours. If women do not come in on that basis, we shall not suffer much without them. If they want to help, let them come in wholeheartedly on an equal basis with men.

I do not think there is any call for a change in our present system, which has worked admirably. I have heard nobody in this Chamber say, nor do I expect them to, that the jury system has been a failure. It has been said in various quarters that the unanimity of the jury's decision is one of the fundamentals of justice, that we cannot ask for a greater safeguard for an accused person getting, shall we say, a proper hearing of his case if 12 people have to agree on a decision. That is a proper safeguard against the possible punishment of an innocent person. I agree that it should remain. I do not like the idea that we have adopted here of having a majority verdict in the event of a jury being sent to consider its verdict by a court and remaining in the jury room for four hours without coming to a unanimous decision, the court then accepting a majority verdict. For jurors to sit together for four hours trying to come to a unanimous decision means that there must be doubt in somebody's mind about the guilt or otherwise of the person concerned.

It is the usual practice in British law that if there is a doubt the benefit of it is given to the accused. A man is always presumed innocent until proved guilty. Those are sound fundamentals in our system of justice. I like sticking to things that have worked well and there has not been much wrong with our jury system so far.

Mr. HEASLIP (Rocky River): I do not know that it is necessary to say that I have not changed my opinions since a similar Bill to this was before the House during the last Parliament. I then opposed it, and I oppose the present Bill. I do so for several reasons. The member for Burnside (Mrs. Steele) said that she was in that deputation headed by Miss Roma Mitchell at that time. That was how this Bill came to be introduced in the last Parliament. I believe in all people being represented. I do not think that that deputation represented all the women of South Australia; I am sure it did not. It represented only a particular section that was interested. Miss Roma Mitchell is a career woman, and a brilliant career she has had; but she is not a housewife or a mother—and we depend on our mothers if South Australia or any part of Australia is to progress. We have to think of those people who in this case were not represented.

Mr. Jennings: I think there were people on the deputation who were mothers.

Mr. HEASLIP: I represent a country electorate.

Mr. Jennings: But you are not a mother!

Mr. HEASLIP: That would be a little beyond me. Women should not ape men. We cannot do without our mothers; they are all-important and it is about them in particular that I have a word to say. Clause 8 of the Bill does two things in particular: it deletes "man" and inserts "person"; and it deletes "Legislative Council" and inserts "House of Assembly". That is the whole Bill.

Mr. Clark: The honourable member objects to deleting the Legislative Council!

Mr. HEASLIP: In view of what follows in the Bill, I am against both these deletions. I do not oppose women being on a jury if they want to be. After all, juries should be most responsible people. They have to decide the fate of an accused person. The punishment may be a term of imprisonment for 10 or 20 years. Highly responsible people are needed if they are to decide these matters properly. I do not say that women have no ability. Some are brilliant and in some cases better than men but, because they have not the opportunities that a man gets in his business and outside life as they are females, and mothers at the all-important time of life, they are more sentimental. They are not as hard in their judgment as a man is. I do not object to them serving on juries but they should not be compelled to. That is what this Bill sets out to do.

The Hon. R. R. Loveday: Hell hath no fury like a woman scorned.

Mr. HEASLIP: This Bill provides that all persons whose names are on the House of Assembly roll shall be called upon to serve, which means that every woman in South Australia will be called upon unless she writes in and gets an exemption. That is not right. I know that some women want to serve as jurors. If they want to, let them apply; make it voluntary and not compulsory. As the honourable member for Angas (Hon. B. H. Teusner) pointed out, in New South Wales, Queensland and certain States of the United States, women are volunteers. I do not object to that but we should not compel them to serve on juries.

Mr. Clark: But we don't, you know.

Mr. HEASLIP: By the provisions of this Bill a woman is compelled to serve unless she writes in to the Sheriff and gets an exemption.

Mr. Clark: Nobody is compelled: there is an "unless" about it.

Mr. HEASLIP: Unless she takes certain action she is compelled. She can get out of it only by taking certain action. Unless she herself acts, she has to serve. After a woman has received a summons to serve she is given three days in which she can get an exemption. I do not think that period is long enough, and I believe that previous speakers who have supported the Bill agree with that.

The Hon. R. R. Loveday: Does the honourable member think that a woman's place is in the home?

Mr. HEASLIP: I did not say that at all, and I do not know why an interjection like that should come from a responsible Minister.

The Hon. R. R. Loveday: I thought that that was the honourable member's point.

Mr. HEASLIP: I think that a Minister should be responsible and that jurors should be responsible people, too. I have said that I think women have equal ability with men, and I do not know why the Minister made his interjection. I believe that women are as well equipped mentally as men. For the benefit of the Minister I repeat that I believe that because of a woman's environment and the fact that she may be the mother of children she is likely to be more sentimental; and I hope women remain that way. I do not want to see the women of this country become as hard and as businesslike as men; that would be a pity. Because of their sentimentality and their general makeup I think that, as jurors, women would probably be unable to make decisions as well as men.

As I was saying before I was rudely interrupted by the Minister, I do not think that three days is long enough for women to apply for an exemption. In the country, families are often away for a week. There is some disagreement among honourable members about the serving of this notice, and I do not know how it is going to work. The honourable member for Angas said that it could be served on any person left in charge of a house and not necessarily on the person concerned. However, I understand that section 37 of the Act states that it must be served personally, and also provides that four days' notice be given for exemption. However, the amendment provides for three days' notice for women. I cannot understand the reason for this differentiation. I believe the question whether the summons must be handed personally or may be left in the care of somebody in the house must be cleared up. Clause 22 provides for new section 60b. to read:

> A woman summoned or empanelled as a juror, may, before the trial of any issue, apply to the Court to be excused from serving as a juror at that trial by reason of the nature of the evidence to be given or the issue to be tried, and the Court may excuse her from serving accordingly.

If we are to have women on juries, if they are to receive the same pay as men when serving, and if they are to do the same job as men while jurors, then why do we let them out of it? They should be either right in or not in at all, and they must face up to the full duty of jurors. As the new section reads, we are faced with the possibility of a woman's whim: she may decide that she does not want to serve in a particular case. She does not have to give a reason. However, the same provision does not apply to men.

Mr. Clark: That is not intended.

Mr. HEASLIP: No, but women will be able to get exemptions under clause 22. It is only a matter of their applying and they will get them.

Mr. Clark: I thought the honourable member said that most women were not suitable anyhow.

Mr. HEASLIP: I did not say most of them; I said some women would not be suitable because of their makeup, and because they would probably not be in a position to exercise as sound a judgment as men. I also said that I had no objection if they volunteered to serve. If they do this then I say they should be allowed to serve. However, I do not think all women should be made to serve unless they get an exemption. Under new section 60b. any woman who does not feel like serving, who does not like the case because it is not spicy enough, or who has any reason at all, can get an exemption and be excused. If men and women are to be equal in this respect why should this provision apply to women only? If women are to be equal to men and be jurors and have the same responsibilities they should not be able to get out of their duty by this means. A woman may have a social engagement—a tea or bridge party—and because she wishes to attend it she could say that she did not want to serve on the jury. However, a man cannot do this. If there is going to be equality then let there be real equality.

The Hon. C. D. Hutchens: Doesn't the clause say that a woman "may" be excused; not "shall" be?

Mr. HEASLIP: The word in the new section is "may", of course. The Government would not put in the word "shall". We have had too much legislation before to show

us not to use "shall". However, if a woman put up a pretty good story (and I know women can put good stories) she would be excused.

I wish to refer to clause 8, which provides for the exclusion of the words "Legislative Council" and the inclusion of the words "House of Assembly". I have said a little about the responsibility of jurors. They need to be responsible people. I do not care what anybody says: if all people in the State are liable to be used as jurors, then juries will not be made up of such responsible people as they would be if they were selected from those with property rights.

Mr. Ryan: Does the honourable member think that if people have property they are better citizens?

Mr. HEASLIP: I think the member for Port Adelaide will agree that people with property and a stake in the country are more responsible than a boy or girl of 21 with nothing at stake—no property and nothing to lose.

Mr. Ryan: Has the honourable member ever served on a jury?

Mr. HEASLIP: No, but on a court.

Mr. Ryan: How does the honourable member know what are the responsibilities of a juror?

Mr. HEASLIP: I think that I can understand the responsibilities of jurymen without serving as one. Juries can take a man's or a woman's life; they can condemn or release, imprison, fine or set free; they have a great responsibility and should be responsible people. I say that people with a stake in the country (such as the head of the household) are much more responsible. Honourable members have to admit that we have many irresponsible young people. I do not know why that is, but I know that we have them. This Bill provides that they can serve on juries.

Mr. Hudson: Are people with property less sentimental?

Mr. HEASLIP: I was not relating sentimentality to property. I do not know why honourable members opposite try to tangle words. First, we have the Minister on the front bench trying to put a wrong interpretation on my remarks, and now we have a new member of this House who has not been here for six months putting a wrong interpretation on them and throwing in things that I never said.

Mr. Hudson: You mentioned something about sentimentality.

Mr. HEASLIP: To mention something is not to link it up with something else. I said that a woman is more sentimental than a man, and I hope she always will be. That is all I said in regard to sentimentality and it has nothing to do with property whatsoever. The honourable member for Glenelg will have to listen a lot more than he does and he will have to learn a lot more.

If we are going to give the responsibility to jurors in this way of condemning or not condemning, or fining or not fining, or imprisoning or not imprisoning, I do not think we are doing the right thing by South Australia. However, if it is done, it will relieve me a lot, because I live near Port Augusta, where there is a courthouse, and for which town juries have to be obtained. The biggest complaint from people in my electorate is that it is necessary to go out of Port Augusta, where there are about 10,000 people, to get people to serve on juries. Of course, to throw selection open to every name on the House of Assembly roll means that I will not be worried by this problem in the future and my constituents will not be worried, but what I am concerned about is this: are we going to get the justice we got in the past? For that reason, I cannot support the Bill.

Mr. MILLHOUSE secured the adjournment of the debate.

WILLS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from July 1. Page 656.)

Mr. MILLHOUSE (Mitcham): One of the traditional toasts of lawyers at lawyers' dinners is to the home-made willmaker, because he nearly always messes it up.

Mr. Jennings: Even though he is a property owner, perhaps?

Mr. MILLHOUSE: Yes, I concede that point. Instead of spending a few guineas in his lifetime in having his will properly drawn up, he prefers to do it himself and, after he dies, his executors (if any) are appointed or those who have the responsibility in one way or another of winding up his estate find that the legal profession receives more in fees for the unravelling of the mess—

Mr. Clark: You could hardly object to that.

Mr. MILLHOUSE: As I say, one of the traditional toasts is to the home-made willmaker, because he is one of the few good sources of income to the legal profession that remain, and the legal profession is the most overworked and worst paid in our community. However, those remarks simply emphasize that

the law relating to testamentary dispositions is still one of the more technical branches of our law and, in this day and age, there is little reason why that should be so. This Bill is an attempt to avoid some of the technicalities at present contained in the Wills Act and the surrounding decisions made by the courts in the last century and, as such, it deserves the support of honourable members of this House. However, I think the legal profession can be comforted even by this measure. As so often happens with legislation, Parliament tries to unravel the law and make it simple and clear but it does not altogether succeed, and I point out that some of the clauses in this Bill are likely to give rise to very fruitful litigation because of their difficulty. One provision I have in mind is new section 25a (2) (*b*), which provides for ascertaining the rules of the system of law pursuant to which the testator has made his will. This provision doubtless will give rise to litigation in future and, as a member of the legal profession but not, I hasten to add, as a solicitor any longer, I cannot look at that altogether with disfavour.

As the Attorney-General explained, the measure is to provide for a degree of uniformity in relation to the law in South Australia and, we hope, subsequently the law in the other States and in the United Kingdom. That is a good thing. Our system of law in this State has grown out of that in the United Kingdom. Indeed, this colony, as it then was, took over the law of England (not, of course, the law of Scotland or Ireland) as it was on December 28, 1836, and the closer our system of law remains to that of the United Kingdom and of other States, the more advantage we can take of judicial decisions in England and those other States. Indeed, the Wills Act that is being amended by this Bill is a good example of uniformity. Our Wills Act of 1936, the principal Act, is almost a copy of the English Wills Act of 1837. It is good that we should, as a conscious policy, try to retain uniformity, unless there is some reason to the contrary, between our law and that of the United Kingdom. There is one matter in particular on which I shall be speaking later, but I shall not mention it at the second reading stage. I content myself with those remarks and indicate my support for the second reading.

Mr. JENNINGS secured the adjournment of the debate.

ADJOURNMENT.

At 5.30 p.m. the House adjourned until Wednesday, August 4, at 2 p.m.