HOUSE OF ASSEMBLY—

Thursday, October 7, 1965.

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

FOOT AND MOUTH DISEASE ERADICATION FUND ACT AMENDMENT BILL.

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

QUESTIONS

HOUSING FINANCE.

The Hon. Sir THOMAS PLAYFORD: On page 13 of the annual report of the Savings Bank of South Australia appears an item headed "Mortgage Loans as at June 30, 1965" which shows 2,732 country loans, totalling £9,800,000 (average £3,500); 20,500 metropolitan loans, totalling £45,500,000 (average £2,221). Thus there are about 23,000 loans, totalling just over £55,000,000. The city to country ratio in respect of the number of loans is ten to one, and, in respect of the total advance, five to one. I know that this problem of housing finance has existed for some time, and that it is not peculiar to this Government. However, only 2,700 loans in the country compared with 20,000 in the city obviously is completely out of proportion and not beneficial to decentralization or development of the State generally. Will the Government consider this matter to ensure that loans from the Savings Bank shall be more freely available to country areas, both for primary-producing purposes and for housing?

The Hon. FRANK WALSH: Whenever this Government has referred to its policy regarding housing finance and banking generally it has been criticized. I point out that the Manager of the Savings Bank must carry out the policy of the board of trustees; consequently, members should realize that there are certain requirements involved. For instance, houses built in such country places as Whyalla may not need the same amount of Savings Bank finance as those built in other places, and this in turn may affect the demand of country people generally in this respect. Other factors must be considered in connection with any report I may ask the Savings Bank board to furnish.

KINDERGARTENS.

Mr. McKEE: I have been approached by the director of a kindergarten at Port Pirie regarding obtaining free milk for the children there. I understand that it is a Commonwealth matter to provide milk for such kindergartens, and that milk is supplied only to kindergartens registered with the Kindergarten Union. However, some kindergartens are unable to affiliate to the union because they have insufficient funds to provide buildings to the specifications desired by the union, and this prevents them from receiving this free milk. Will the Minister of Education take the matter up with the Commonwealth authorities concerned to see whether this privilege could not be extended to the kindergartens I have mentioned which give a valuable service to the community?

The Hon. R. R. LOVEDAY: I shall be pleased to examine this matter to see whether I can comply with the honourable member's suggestions, and I shall advise him accordingly.

POTATOES.

Mr. MILLHOUSE: I direct my question to the Premier, in the absence of the Minister of Agriculture. It concerns the present price of potatoes in South Australia. I notice in this morning's *Advertiser* that for No. 1 grade potatoes the board's price to the grower is £102 a ton. I was informed yesterday that this had been the price for some days. I refer particularly to last Tuesday when it was £102 a ton, in marked contrast to the prices ruling in Sydney where Queensland potatoes brought £83 a ton, New Zealand potatoes £45 a ton, and Western Australian potatoes £70 a ton. I am informed that, even if £10 a ton is added to these figures for freight between here and Sydney, the prices ruling are substantially lower than the price of £102 a ton in this State. I am further informed that at present there is an abundant supply of potatoes, and this leads me to ask the Premier whether he will investigate this matter (I understand that the Potato Board fixes the prices) to see why the price in South Australia is so high, compared with prices I quoted, and compared with the price in Victoria which was £80 a ton last Tuesday. It seems that, unless there is a good reason for it, the price at present being paid to growers (and this is reflected in the price that must be paid by the consumer) is far too high. Will the Premier inquire of the relevant authority concerning this matter?

The Hon. FRANK WALSH: I shall be prepared to do that in consultation with my colleague, and he will probably give a considered reply after the inquiry. There have been variations in prices, but I do not wish to reflect in any way on growers who may desire to forward potatoes to certain places. For instance, South-Eastern growers sometimes send their potatoes to Victoria, even though they are members of the association. According to the controlling authority, there is a shortage of potatoes in this State, and this will continue for a short period. Proposals were made to enable a further inducement to be given so that the shortage could be overcome, but apparently it was not attractive enough, as can be seen by the figures referred to by the honourable member. Another aspect that may affect the future of the Potato Board is a change of administration, which may help overcome the administrative bottleneck. Further information will be obtained by the Minister of Agriculture on his return.

UNLEY PRIMARY SCHOOL.

Mr. LANGLEY: Has the Minister of Education a reply to my recent question about the establishment of better playing fields for Unley Primary School after certain buildings have been removed?

The Hon. R. R. LOVEDAY: A prefabricated single unit and double unit have already been removed and the Public Buildings Department has the removal of the other surplus rooms in hand. These will be shifted as quickly as possible.

PORT VICTORIA JETTY.

Mr. FERGUSON: Has the Minister of Marine a further reply to my recent inquiry about the removal of the flashing light at the Port Victoria jetty?

The Hon. C. D. HUTCHENS: Further to my reply given to the honourable member on September 15, the General Manager of the Harbors Board has now supplied the following additional details:

Following representations regarding the removal of the navigation light at Port Victoria, the matter has been further investigated and it is now intended to restore the light to its original position on the jetty, but it will be converted to low voltage operation. The lamp will be controlled by a light valve and will be powered by a nickel-iron 12 volt battery which will be boosted each night during the operation of the jetty lighting.

INDUSTRIES PROMOTION OFFICER.

Mr. BURDON: Earlier this year Mr. Lloyd Hourigan was appointed to the position of Industries Promotion and Research Officer in the Premier's Department. The creation of this office was most desirable, and in line with the Government's policy to attract industry to certain country areas and to South Australia generally. On August 20, this officer, in company with Mr. Dean, a consulting engineer in the Department of Labour and Industry, visited Mount Gambier and met the city council's industries committee and representatives of local industry and commerce. This was the first visit to a country centre since Mr. Hourigan was appointed. I hope that, as a result of that meeting, a regional committee will be formed, in which matter I know the Premier is interested. Indeed, consultations between interested parties that have taken place in my district have stimulated great interest. This type of action should be continually fostered not only in my own district but in others as well. As Mr. Hourigan has been appointed to succeed Mr. A. N. Deane as Secretary of the Public Works Committee, can the Premier say what steps are being taken to have Mr. Hourigan's former position filled, so that this important work may be continued?

The Hon. FRANK WALSH: The matter of filling the vacancy created by Mr. Hourigan's appointment as Secretary of the Public Works Committee is receiving attention, although no finality has yet been reached.

HANSBOROUGH WATER SUPPLY.

Mr. FREEBAIRN: Has the Minister of Works any information relating to an extended water scheme to serve a small group of farms in the Hansborough district, including Anlaby Station?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief has informed me that work on the extension of the water main to serve a small group of farmers in the Hansborough district will be commenced during November this year.

OBSCURED PLATES.

Mr. NANKIVELL: This morning a constituent of mine visited me and claimed that, as a result of a statutory declaration he had made and presented to the Police Commissioner, he had been victimized. To support his claim, this person showed me a copy of the summons he had received for driving his vehicle whilst it bore obscured number plates. Will the Premier ask his colleague

the Chief Secretary to investigate this matter? The constituent's name is Mr. Harvey A. Burns.

The Hon. FRANK WALSH: I am prepared to ask the Chief Secretary to examine the position if a complaint has been made.

EDUCATION COMMITTEE.

Mr. COUMBE: I should like information concerning the Commonwealth advisory committee on advanced education that has been set up under the chairmanship of Dr. Wark (it is now known as the Wark Committee), and has as a member a distinguished South Australian, Mr. Stan Huddleston of the Electricity Trust. The Minister of Education, with others, recently visited Canberra and discussions were held with Senator Gorton on education matters generally. Can he say whether the committee on advanced education and its purpose were discussed then? I understand that the States will be asked to make submissions to the Commonwealth in respect of the next triennium. Is the Minister (as I hope he will be) anxious to convene meetings and obtain all the relevant information from the various institutions and colleges so that we can participate in any financial arrangement that is made by the Commonwealth Government under recommendations of this committee?

The Hon. R. R. LOVEDAY: I do not have with me the relevant document relating to all the details discussed with Senator Gorton, but I will examine the matter and bring down a considered reply for the honourable member as soon as possible.

Mr. COUMBE: The following statement was made by Senator Gorton in the Senate on September 23:

We have also had discussions with the States concerned about their proposals for attracting the special interim capital grants which the Government indicated in its policy statement it would provide over the period to December 31, 1966.

Is the Minister conversant with that statement, which is rather misleading, and will he provide information regarding it?

The Hon. R. R. LOVEDAY: Yes, I shall be happy to include that in my inquiry.

TROTTING.

The Hon. T. C. STOTT: Yesterday the Premier gave a reply in the House concerning the setting up of a committee of inquiry to examine trotting in South Australia. Can the Premier say whether Cabinet has as yet appointed the members of this committee? Will they represent any special interests and, if so, what interests will they represent? Although the Premier has given the terms of reference of the committee can he say whether any representations were made to him or to Cabinet on this matter by the Wayville club or by the South Australian Trotting League? If he had conferences with those bodies, will he tell the House of the result of the conferences that led to the appointing of this committee?

The Hon. FRANK WALSH: The fullest information concerning this matter was given to the House yesterday. I recommend to the honourable member that, if he was unable to be present yesterday, he look at *Hansard*.

The Hon. T. C. Stott: The Premier did not give the names of members of the committee yesterday.

The Hon. FRANK WALSH: Although that question is out of order, I again refer the honourable member to *Hansard*.

PENOLA WATER SUPPLY.

Mr. RODDA: Has the Minister of Works a reply to my recent question concerning the Penola water supply?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief has supplied me with the following report from the Engineer for Water Supply:

The original scheme approved for Penola included a 250,000gall. elevated reinforced concrete tank and allowed for the supply to be obtained from three bores each of 140gall. per minute capacity and each driven by a 10 h.p. motor. When the foundations for the elevated tank were investigated it was found that the ground was unsuitable for the high loads that would be imposed by a concrete tank of this size and it was decided to construct instead two elevated steel tanks each of 30,000gall. capacity. When the bores were drilled and tested it was found that they had a safe capacity of approximately 330gall. per minute each. With the reduction in storage capacity the additional bore capacity is to be utilized to meet the demands and this additional capacity more than compensates for the reduction in storage. The three bores are to be equipped with 30, 35 and 40 h.p. motors and pumps respectively and the permanent No. 2 bore has been installed and No. 1 bore is operating with a temporary 10 h.p. motor. The railways overhead tank was used as a temporary measure to enable a supply to be given to the town as early as possible, but the departmental tanks have been completed and have been in use for about two months. The pressures in the mains are controlled by the level of the overhead tank and this is the same whether the tank is of concrete as originally proposed or steel as constructed, and although the pressures were low when the railways tank was being used

they are now satisfactory. The honourable member for Victoria can be assured that the system will be quite efficient and satisfactory.

KANGAROO ISLAND DEPUTATION.

The Hon. D. N. BROOKMAN: This morning I introduced to the Premier a joint deputation from the councils and primary producers' organizations of Kangaroo Island, which sought relief from the heavy freight charges, by way of rebate to individuals on Kangaroo Island. As the Premier was good enough to say that he would consider the representations, can he comment on what may be expected as a result of the deputation?

The Hon. FRANK WALSH: I believe the honourable member will appreciate that this matter will take some time to consider fully. I understand that certain records are available concerning previous consideration of these matters. From the figures given me concerning freight charges on superphosphate and other commodities, those charges appear fairly expensive. Although I cannot say that relief will be made available this financial year, the position could well be reviewed next financial year by which time the inquiry will certainly have been completed. I believe that the settlers on Kangaroo Island are at a great disadvantage compared with those on the mainland. I hope that the State will enjoy general prosperity so that relief can be given in this case.

PORT PIRIE OCCUPATION CENTRE.

Mr. McKEE: Has the Minister of Education a reply to my recent question regarding amenities which would be suitable for the Port Pirie Occupation Centre and which are subject to Government subsidy?

The Hon. R. R. LOVEDAY: Amenities subject to Government subsidy which would be suitable for the Port Pirie Occupation Centre when opened would be a piano, manipulative, educational play apparatus, percussion band instruments, sports equipment, playground apparatus, strip film projector, tape recorder and record player. Unless special approval is given, subsidies are not paid to committees other than the school committees elected at the annual parents meeting. All furniture required for the centre would be supplied by the Education Department.

TRAFFIC LIGHTS.

Mr. LANGLEY: During the Budget debate I referred to pedestrians and motor vehicles in King William Street. As the traffic lights are a safety precaution, as there is now a tendency for pedestrians to move amongst the traffic on the roadway (sometimes with disastrous results), and as it takes pedestrians only a moment or so to use the traffic lights and thus avoid serious accidents, will the Minister of Education, through his colleague, the Minister of Roads, take up with the appropriate authorities the question of whether something cannot be done to stop this dangerous habit in the heart of the city?

The Hon. R. R. LOVEDAY: I shall be pleased to do that.

MARGINAL ADJUSTMENTS.

Mr. NANKIVELL: Can the Treasurer answer a question I raised on the Estimates concerning a discrepancy between the stated figure of £685,000 and the actual total of £800,000-odd appearing on the lines concerning the 1½ per cent provisional adjustment for salaries and wages?

The Hon. FRANK WALSH: The net provision out of the Budget has been estimated at £685,000. In arriving at this there are two major factors and several minor ones to be taken into account. The first major factor is that the adjustments will not apply to allowances to teachers college students and allowances to Aborigines, which together aggregate nearly £1,500,000, nor will they apply to service pay additions of about £925,000. These items are all included under the general heading of "salaries and wages" in the Budget. The second major factor is that there is included in the Budget about £7,600,000 of salaries and wages which are ultimately re-charged outside the Budget to various Loan and deposit accounts. This figure includes about £175,000 of service pay additions, but is exclusive of 1½ per cent marginal adjustments.

These two major factors mean that rather less than £10,000,000 of the amounts listed under salaries and wages in the Budget either will not bear the 1½ per cent marginal adjustments, or will be re-charged outside the Budget, thus removing therefrom the 1½ per cent adjustments which apply to the re-charges. Since the aggregate of salaries and wages listed, apart from the 1½ per cent adjustments, is about £54,750,000, this leaves almost £45,000,000 to bear the 1½ per cent. This, on a direct calculation, would mean £675,000 net cost to the Budget, but there are several minor factors also which affect the situation. There is, for instance, provision in the awards under Commonwealth jurisdiction that the

1½ per cent shall have regard to the six capital cities basic wage and not the separate State basic wage, which is lower. Also there are minor charges in certain contingencies lines in the Budget which derive from wage payments and are therefore affected by the 1½ per cent additions. In all, therefore, a net estimated cost to the Budget of £685,000 has been regarded as a fair estimate. From department to department the individual figures in the special lines are necessarily approximations and have been ordinarily taken as a flat 1½ per cent of salaries and wages and then rounded off. The aggregate of the special lines is almost exactly £800,000, but this reduces to about £685,000 net after allowing for the re-charges outside the Budget, and other minor factors.

RURAL ADVANCES GUARANTEE ACT.

Mr. NANKIVELL: Can the Treasurer now answer a question I asked last Tuesday concerning certain aspects of the Rural Advances Guarantee Act and its administration?

The Hon. FRANK WALSH: The number of guarantees discharged and advances repaid under the Rural Advances Guarantee Act since its inception has been two. Both advances were made by the State Bank and the reasons for sale are not known. However, the sales did not arise out of default or financial failure, and it is believed that both sales were made at a profit. Since the State Bank applied an upper limit for rural loans generally in April, 1965, there have been received 31 applications for guarantees, of which 23 were through the State Bank and eight through the Savings Bank of South Australia. Of these 31, 11 have been recommended and approved, 19 not approved, and one is still under consideration. The total number of guarantees approved since the passing of the Act has been 71, involving in all £860,299. Of these, 46 have been through the State Bank, involving £573,569; 23 through the Savings Bank of South Australia, involving £273,430, and two through a trading bank, involving £13,300.

MOUNT GAMBIER INFANTS SCHOOL.

The SPEAKER laid on the table the final report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Mount Gambier Infants School.

Ordered that report be printed.

OIL REFINERY (HUNDRED OF NOARLUNGA) INDENTURE ACT AMENDMENT BILL.

The Hon. C. D. HUTCHENS (Minister of Marine) obtained leave and introduced a Bill for an Act to amend the Oil Refinery (Hundred of Noarlunga) Indenture Act, 1958. Read a first time.

The Hon. C. D. HUTCHENS: I move:

That this Bill be now read a second time.

Its object is to amend the Oil Refinery (Hundred of Noarlunga) Indenture Act, 1958, to provide that any petroleum product refined at the Adelaide refinery and transferred by main to Port Adelaide and therefrom shipped and subsequently unloaded at any wharf in South Australia under the control of the board, will not be chargeable with outward wharfage at Port Adelaide, but will be chargeable with full inward wharfage at the rate fixed in clause 11 (2) of the Schedule to the principal Act. Clause 11 of the Indenture Act in the Schedule to the principal Act provides:

(1) Petroleum products produced at the refinery and transported by sea to Port Adelaide will not be chargeable with inward wharfage at that port unless harbour works and facilities additional to those in existence at the time of the execution of this Indenture are provided at that port by the South Australian Harbors Board and are used for unshipping or landing such products. If such facilities are so used, wharfage charges appropriate to the amount expended by the said Harbors Board on the provision of such additional facilities will be payable.

(2) Petroleum products produced at the refinery and transported by sea to Port Pirie, Port Lincoln, or any other South Australian port (except Port Adelaide), shall be chargeable with inward wharfage at that port at the rate for the time being in force (7s. 6d. a ton at each port at the time of the execution of this Indenture).

Mobil Oil Australia Limited has drawn the attention of the Harbors Board to the situation caused by the proven unsuitability of the shipping facilities at Port Stanvac for the purpose of exporting refined products from that port. The company in an attempt to solve its difficulties in this regard has arranged to construct a main between the refinery and Port Adelaide whence the requirements of Port Lincoln, Port Pirie and other ports will be met. Since these products will not be transported to Port Adelaide by sea, the board's regulations would apply thereto and the following charges would be made: full outward wharfage at Port Adelaide; full inward at Port Pirie; and free inward at Port Lincoln. In addition, the company occasionally supplies the Electricity Trust of South Australia power

house at Osborne with furnace oil (in competition with B.P. Australia Ltd. which is a direct main connection), and rather than incur the expense of a land main from its Birkenhead depot to Osborne, the company has chosen to transfer it by tanker within the port, thus becoming liable to pay double wharfage on the products. The company has raised the question of the equity of the double wharfage charges being levied for such movements.

The Harbors Board agrees that this is not equitable. It accepts the principle that only one full wharfage charge should be payable when the products pass across two of its wharves. This principle is in keeping with the provisions of the principal Act which stipulates that wharfage is to be free outward Port Stanvac, free inward Port Adelaide, and full inward at Port Lincoln and Port Pirie. The board considers that a distinction should, however, be drawn between shipments of products from Port Adelaide to wharves in South Australia under the control of the board, and to wharves, such as Whyalla, not under the board's control. The reason for this distinction being drawn, and being reflected in the proposed amendment is that products shipped from Port Stanvac or Port Adelaide to Whyalla would not be subject to any wharfage charges. It is considered that this would not be fair since the board would be providing export facilities at Port Adelaide free of charge. Products shipped, therefore, from Port Adelaide to Whyalla will incur full outward wharfage at 7s. 6d. a ton. The Government accepts the recommendation of the Harbors Board as being reasonable and agrees that an amendment to the principal Act is desirable and necessary. Clause 3 accordingly amends the principal Act by inserting a new section 9 which gives effect to these proposals. This Bill being of a hybrid nature will require reference to a Select Committee in accordance with Joint Standing Orders.

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

JURIES ACT AMENDMENT BILL.

Returned from the Legislative Council with amendments.

REFERENDUM (STATE LOTTERIES) BILL.

Consideration in Committee of the Legislative Council's insistence on its amendment.

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

That disagreement to the Legislative Council's amendment be insisted on.

I do not desire to take up the Committee's time other than to indicate that the amendment of the Legislative Council is vital to the principles of this Bill.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the Assembly would be represented by the Hon. D. A. Dunstan, Mr. Lawn and the Hons. G. G. Pearson, Sir Thomas Playford and Frank Walsh.

Later, a message was received from the Legislative Council agreeing to a conference to be held in the Legislative Council conference room at 3.30 p.m. on Tuesday, October 12.

MAINTENANCE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from July 27. Page 699.)

The Hon. D. N. BROOKMAN (Alexandra): One of the longest Bills that has been introduced into the House, this Bill deals with many subjects all connected with social welfare. This matter concerns every honourable member, and, of course, every person in the community is affected by and should have some interest in this question. I believe that over the years a growing public interest has arisen to ensure that persons suffering from certain hardships (whether they be young, old or middle-aged) should be assisted by the community. Possibly the community is most sympathetic towards children who, illegitimate or otherwise, are born to families suffering misfortune and requiring assistance from the general public. The Bill contains much merit, and seeks to achieve uniformity in respect of certain social legislation, as a result of conferences that have been held with other States.

However, the main purpose of the Bill does not find favour with me. I have listed seven or eight points covered by the Bill, with some of which I agree and with others of which I do not. Probably the most important change to be effected by the Bill is that of the abolition of the Children's Welfare and Public Relief Board, and its replacement by a Department of Social Welfare, headed by a Director responsible to the Minister of Social Welfare. The Bill contains the provisions seeking uniformity, particularly in respect of maintenance payments, with other States. It alters the ages at which children can be placed

under the surveillance of the department. I think that, in most cases, the age of the children concerned has been raised from either seven or eight to 12 years, and I believe that is a sound move. In addition the powers of the Minister are set out. A Social Welfare Advisory Council is to be established which, although it will not replace the Children's Welfare and Public Relief Board, includes some outside thought in relation to its work and to that of the Minister. It is intended to introduce a Bill at some stage concerning the Juvenile Courts, and the Bill now before the House has been drafted on the assumption that the Juvenile Courts Act Amendment Bill will be passed.

The Hon. D. A. Dunstan: That Bill will be introduced next week.

The Hon. D. N. BROOKMAN: I notice that a distinction is drawn between institutions and homes, which is not evident in the old Act. Finally, the provisions in the Bill relating to the Children's Institutions Subsidies Act seek to repeal that Act and to incorporate it almost word for word in this measure. The Minister frankly and properly explained that he was seeking to abolish the Children's Welfare and Public Relief Board, and to replace it with the department I have mentioned, whose Director would be under the authority of the Minister. I was sympathetic to that statement, because I was then waiting to hear the justification for this action. However, that justification was not forthcoming, and it is strange that the Minister, in his explanation, advanced no argument whatever for abolishing the board. The board was established in 1926 by a Labor Government. I do not suggest that because it was established by a Labor Government another Labor Government should be expected to retain it for that reason alone. There is always room for advance in thought and action, and no reason on earth exists why this Government should be tied to the fact that a previous Labor Government established a board.

Since its establishment in 1926, the board has operated without interruption until now when, presumably, it is intended to abolish it by this Bill. It operates over a wide field and has many institutions under its control—about 20, if cottage homes are included. Under its legal control it has over 3,000 children. Including children who are subject to visitation, it has some responsibility for 6,000 children. It has made many staff increases, particularly in psychology matters. In its report the board states that about 80 per cent of its children are disturbed emotionally in some way. That is not surprising and explains the need for psychology appointments. The board has district officers in various parts of the State and a field branch staff that makes regular visits to other country areas. The report states the changes and improvements being made to such institutions as the new Vaughan House building, the remand home at Glandore, the Junior Boys Reformatory at Campbelltown, and so on. I shall not list all these places. At the moment the board administers 11 Acts of Parliament, which cover the fields of probation, child welfare, foster mothers, legal work in both matrimonial and maintenance cases, juvenile courts divisions, disputes by necessitous persons, relief for the unemployed and for deserted wives, and a home for destitute or necessitous adults.

From that brief outline of the board's activities can be seen the extent to which it has grown in its sphere of influence over the years. It is no good arguing whether it is a good or bad board. Although I have heard comments about this again and again I have not had a single case where I could criticize the board for its actions. In my experience it has always been able to justify, with good reason, the actions it has taken. As far as the Minister has gone in this matter, he has given no reason for abolishing the board. The board has a chairman, and its eight members are drawn from private life and apply themselves conscientiously to their work. They are people selected because of their interest in social work and some of them have been associated with certain aspects of social work for most of their lives. I understand that the board's activities generally involve about a full day's work a week for each member. The board meets, as a rule, during the morning, and during the afternoon it visits an institution under its control; that happens each week. In addition there would be much work for each member to do at home and this could fairly be said to add up to a full day's work each week for members of the board. Will welfare work be improved by the abolition of the board and its replacement by a department without any recourse to outside control at all? That matter has not been debated but I think it should be considered in the House before we decide on the complete abolition of the board.

It could be said that the reason for the board's abolition is the belief of the present Government that boards are further removed from the people than is a democratically elected

Government and that, therefore, they are not subject to influence in the same way as is a Government, because there is no department and no Minister to control such boards. If there is a Minister he can be shot at (so to speak) in Parliament if things go wrong. I believe that would be the defence for the Government's action in abolishing the board. It is generally the type of argument used, although no argument has been advanced as yet in favour of abolishing the board. If it is correct that the Government wishes to abolish the board because it believes there should be a Minister who is answerable to Parliament, directly in charge of these activities, then I dispute that this will bring about any improvement. I believe that Ministers have always had as much influence as they could desire in the administration, through the present board, of these social matters. I do not think this position will improve at all. If the present board liked to be pedantic it could tell the Minister that he had limited statutory authority to order it around. However, in practice (as is the practice with all boards of which I have had experience) the Minister has great influence with the board. I do not know of any case where a Minister has come into collision with a board or where a board has refused, following discussion, to take a Minister's advice.

Several members on this side have had experience in Government of dealing with boards. These boards are for the most part made up of private citizens, and often they do not have a complete statutory responsibility to do what they are told by a Minister. We never found that that was a handicap in any way. There will always be times when a Minister will disagree with the decisions or actions of his board, whether it be concerned with child welfare or anything else under the sun; but in those circumstances the obvious thing is for the Minister to express his disagreement and to discuss the matter with the board. If this procedure is followed and the board still insists upon its attitude, then it is a hint to the Minister that he should question his own judgment and have another look at the matter. I believe every former Minister would acknowledge the correctness of that attitude. When people can firmly say to a Minister, "We think you are wrong if you insist on this attitude", obviously they are pretty serious in their thoughts; they have made that decision and they are prepared to stick to it. In those circumstances it is wise for a Minister not to just sweep the board aside. In almost every question, if the same facts are put to conscientious people they will all more or less come to the same decision. When there is disagreement between two parties it is generally because they do not have the same set of facts or they see them in a slightly different perspective, and generally after further discussion they will come to agreement.

I believe any Minister should be able to work in with any board that is made up of conscientious people, as is this board. That is why it seems to me that it would be fair for the Minister to give his reasons for wanting to override the board and not to expect us to try to interpret the reasons that have actuated him. My own attitude towards this important matter when I first saw the Bill was to follow the Minister's lead, but when the second reading explanation came and there was no help on this particular question I had second thoughts about it. I believe it requires some very good reason to replace the Children's Welfare and Public Relief Board. I am not sure of the entire facts, but I believe that in one instance at least the Minister has disagreed with the board since he took office and has gone ahead (whether with the board's consent I do not know) in respect of the licensing of a foster mother. I am not sure the board disagreed with the Minister.

The Hon. D. A. Dunstan: No, that was not so.

The Hon. D. N. BROOKMAN: Then my criticism is not valid, and I will not pursue the matter. If a Minister disagrees with a board he should further discuss the matter with the board, and if the board still disagrees the Minister should, as I said, question his own judgment and have another look at the matter. It is quite likely that the board, with all its experience, would be correct. I do not doubt that if the Minister told the board that he thought its judgment had been too severe or too generous, in either case he could discuss it with the board and I have no doubt the will of the Minister would prevail. I believe it is not necessary to abolish a board of experts such as this one.

I have no quarrel with the question of uniformity with other States. To be quite frank, there are many pages in the Bill dealing with the pursuit of maintenance across the border that I cannot follow very clearly, and I am happy to accept the Minister's explanation as to what those provisions do. I believe also that it is a fair thing to raise the age in the case of inspection of children in certain instances, particularly illegitimate children, to

12 years. Things can go wrong. One does not doubt that the activities of the authorities, whoever they may be, are directed towards the best interests of the child concerned, and I think that if the supervision is carried out imaginatively it should be possible to prolong that supervision where it is considered necessary.

I have been approached by a group of people who have also approached the Minister. I refer to the Australian Association of Social Welfare, which body has given me its ideas on the Bill. Some of those ideas may be in the Bill already, and others I consider are quite sound. There is one point on this question of supervision that that organization mentions. I believe it is already covered, and I would ask the Minister to comment on it later. The A.A.S.W. contends that it would be wrong for the department (or whoever the social authorities are) to be forced to visit all children under their supervision at specified intervals. Whilst it may be a sound precaution to see that generally they do that, there should be provision for waiving those inspections when it is considered necessary. I see the Minister nodding, so I take it that there is latitude in the Bill that provides for waiving this need for inspection. At certain times inspections could upset a child rather than help it, particularly if there were some secrecy about the child's past history and the child could be embarrassed.

I am not happy about the powers of the Minister, and unless I receive a clear explanation, I shall move in Committee to reduce them. The Minister has abolished the Children's Welfare and Public Relief Board and has set up a Director, who, with the Minister, has the same powers and some additional powers that were held by the board. An independent board, such as we have had, can be given wider powers in certain respects than can the Minister himself. If Parliament is to control the Minister, the Minister should be restricted, in some respects, in his actions. I believe these powers are too wide at present. The Minister's powers are set out in detail, but apparently he is assuming a new power which was not included in those of the board, that is, the power to utilize any service of the department or of any officer or employee of the department for the promotion of social welfare within the community. If this is simply to explain some facet of social welfare then it is reasonable, but I am concerned that, with the enormous powers being assumed by the Minister, this can become a fairly hot political subject. The word "promotion" takes on a dangerous aspect, and my fear is that there is too wide a scope for what we may call political propaganda.

At present the Minister has a public relations officer for the departments under his control. This Bill specifically gives the Minister powers to use the services of any officer or employee of the department for the promotion of social welfare in the community. Can we draw a line between the promotion of social welfare in the community and the promotion of political ends? I should like an explanation of this power. With the abolition of the old board, the Minister is setting up a Social Welfare Advisory Council, the scope of which is to be widened by amendments on the Minister's file. The Bill provides that the Chairman of the council shall convene meetings of the council as often as shall be required for the proper discharge of its functions, and shall preside at each meeting. I believe the Minister's amendment will provide that not only the Chairman but any two members of the council will have the right to convene a meeting, and I support that. The Bill also provides that the council shall consider and advise the Minister on any questions relating to social welfare referred to it by the Minister. I understand this is to be amended so that the council can initiate subjects for discussion, and, as any worthwhile council should be able to initiate its own discussion, I shall support this.

I believe this will be a puppet council. It is a small one with its Chairman the Director of Social Welfare, and he has a duty to carry out the directions of the Minister. The Minister has the power to give directions to the Director and other officers and employees of the department, so that the Director, who can be directed by the Minister, is to be Chairman of this council. What is the good of an advisory council when its chairman is under instructions from the Minister? Other advisory councils in the Public Service are not usually chaired by the Director of the department.

The Hon. D. A. Dunstan: The existing Children's Welfare and Public Relief Board is chaired by the head of the department.

The Hon. D. N. BROOKMAN: Yes, but conditions are different and I do not think they can be compared. This provision may muzzle other members of the board, and that would not be a good thing. The board referred to by the Minister is an executive board, whereas this is an advisory council with no executive powers. In those circumstances, there should

be a larger council with a wider freedom in the choice of chairman. When appointing an executive committee it is a sound rule to appoint only a few members. An advisory committee (or council, which is the more common term) should be made as large as it reasonably can be, and it should certainly comprise more than a chairman and five members. According to the Bill, the members would have no power, but would be simply there to advise the Minister. If the amendment were carried they could initiate matters to be referred to the Minister. In Committee I shall seek to increase the number of members of the council to not fewer than seven and not more than 10.

Under the Bill the Minister has the right to establish the council and to make all the appointments and dismissals in relation to the council. He has complete power, whereas no-one else will have any power. That is not a good principle in any Act. The Governor should make these appointments by proclamation, and that is another amendment I intend to move. I believe that too much reference is made to the Minister in the Bill and too little reference to the Governor. The Bill provides that the Minister shall be in full command in relation to establishing or abolishing homes. Only in the establishment of institutions does the Governor possess any power, and that is only on the recommendation of the Minister. I see no reason why the Governor should not have the power by proclamation to establish homes and institutions, or why he should be governed by the recommendation of the Minister.

The Hon. D. A. Dunstan: He would have to be, anyway.

The Hon. D. N. BROOKMAN: Every action the Governor takes is on the recommendation of Executive Council, and it is implied that, through Executive Council the Minister is making recommendations as well as are other members of Cabinet. Why, in addition to the normal practice of Executive Council's making recommendations, should we have the Minister making recommendations? That is not necessary. It would be better to follow most of the South Australian Statutes, and to provide for power to make regulations by proclamation. I agree with the Minister in that this is largely a Committee Bill and, in Committee, I shall have a number of queries to raise, rather than amendments to move. When in Committee I should also like to question the Minister on the purpose for which certain clauses have been drafted. Summarizing, I believe the Bill contains many provisions which are good and of which I approve.

I have an open mind on the question of abolishing the Children's Welfare and Public Relief Board, but I think it only fair that members should expect to hear reasons for this change in policy, rather than have to try to interpret it for themselves. As I have said, I believe that certain powers of the Minister are too great, and that the Governor's powers are too few. I believe, too, that the advisory council is too small, and that it will simply be a puppet body that will not function usefully unless it is enlarged to include a wider range of membership. I favour the provisions relating to maintenance, but I draw the attention of honourable members to the provision relating to the payment of public relief which, to my mind, is one of the most vital provisions in the Bill.

Unless some qualification is made in the Bill, the Minister will have an almost unfettered power to spend whatever money is voted by Parliament, without his having to refer to anybody else. In Committee I shall move to amend clause 8 to insert the words "in accordance with the regulations" in lieu of the words "subject to any directions given by the Minister". This would necessitate consequential amendments in respect of regulations, but I think it would give Parliament the opportunity to view the department's activities adequately. After all, that is what both Parties stand for. We are elected to hear the voices of the people through Parliament, and we desire to facilitate the supervision of the conduct in the various Government departments. With the Minister's power restricted by regulations, at least Parliament will know the guiding principles for the issue of public relief. This would not in any way imply that a regulation should exist for every situation that arose and that special cases should be provided for, similarly to the way they are provided for in the present Act. If this amendment is not carried, I think the Minister would be in an invidious position, and that he would find himself with too much power, rather than with too little, and this could be a positive disadvantage. If the Minister is to be given these powers then I should like to know why the work could not be carried out just as well if not better with the present type of administration. With these qualifications I support the Bill generally, but I point out that some discussion will take place in Committee and, unless the Minister

changes his mind in some respects, I shall certainly oppose some of the clauses.

Mrs. STEELE (Burnside): I support the Bill, which contains many provisions with which I agree. However, I am not so happy with other provisions, and I hope the Minister will give me information on the points I shall raise. I have not had great contact with this department. However, on the few occasions that I have been to the department's office, there appeared to be much room for improvement in the way in which people applying for relief were treated. I do not think people ever apply for relief until they are desperate, and when they go to the department they should be left with some degree of human dignity. However, I have noticed that this has not usually been accorded to them. I hope that these matters will be remedied.

The Bill provides for many changes. It provides for a different name for the Act, which will become the Social Welfare Act, the old Maintenance Act being referred to as the principal Act. The Bill provides for a different name for the department; it establishes a Social Welfare Department and has the effect of providing for the appointment of a Director and Deputy Director of Social Welfare. It makes the Minister responsible. This is a good provision in some respects because we will be able to raise matters with the Minister that should be debated in the House. The Bill abolishes the board, which has been in existence for many years, and provides for the establishment of a body to be known as the advisory council. Parts of the Bill bring this State's laws into line with other States and Commonwealth legislation of a like nature. Finally, the Bill envisages the extension of the department's activities into avenues of social welfare that had not previously been under the Minister's responsibility. Those appear to be the main provisions in the Bill.

There appears to be a sweeping transfer of powers to the Minister, and this can be seen particularly in Part II, Division I. Clause 9 enumerates many powers that the Minister will have, and clause 13 makes him the legal guardian of every State child. This is different from what applied before in regard to the Chairman and members of the board. It could well be one of the bigger changes envisaged. Clause 14, as much as clause 9, sets out the responsibilities of the council and of the Minister. The council is to be composed of not more than five people, which I think is too few. In this respect, I shall support the amendment of the member for Alexandra. I should like some indication of the composition of the council to be appointed by the Minister. I do not believe this is a good provision: I believe the council should be appointed by the Governor, as the Land Board is appointed. Also, it would be preferable if the Director were not a member of the council. No indication has been given as to the walks of life from which the members of the council will come. The relevant clause states that they will be drawn from people interested in social welfare. Of course, all types of people are interested in social welfare, such as marriage guidance counsellors, youth leaders, and representatives of welfare organizations like the Mothers and Babies Health Association. Many others associated with voluntary organizations and members of this House are interested in social welfare. Whence will come the people to be appointed to this council?

It appears that the members of the council will have limited powers, as the Bill provides that they will be permitted only to advise on matters referred to them by the Minister. In its widest definition I should think that "advisory" should mean that people would be able to offer advice to the Minister. If the council is to be formed of people actively engaged in practical social work, they might be aware of matters which could be profitably brought to the Minister's attention and which he might otherwise have overlooked. With great respect to the Minister, I would not consider him an expert in social welfare any more than I would consider myself an expert. Although, like the Minister, I am interested in social welfare, I believe the responsibility of the council would be broadened if its members were to be able voluntarily to offer advice to the Minister. Maybe I am looking at the clause too narrowly, but as I read it I believe my interpretation is correct. There should be a place on the council for professionals in social welfare who, with their training and practical experience, could make a real contribution.

I have read with interest clause 14 (1) (*c*) and (*d*). These paragraphs refer to the expanding into wider fields of social welfare than those concerned only with child welfare and public relief. As the Minister knows (and as I have sometimes said in this House before) every hospital and every institution that employs social workers and trained personnel knows in what very short supply are these professional people. We are having great difficulty as it is in finding sufficient people not only to enter the profession of social work

but to staff the various organizations needing them. All sorts of public agencies these days seem to employ social workers. One has only to instance the Heart Foundation and the Anti-Cancer Foundation. Yet it would seem to me that, if expansion into this field is contemplated, attention must be given to the training and to the payment of these people. I favour the department's expanding its activities in this direction, but many more important things have to be dealt with before we get around to this. Further, we have to make available the facilities for training people.

I remember some six years ago, when I first came into this House, speaking on a topic allied to the subject under discussion today and saying that in other States in-service training was used to train people to be employed in the department. I think the Minister agreed with me on another occasion that this was something he had in mind and that this would have to be done, because in the normal range of activities in which the department engages there must be a great call for skilled people and people who can be used in assisting those who come to the department for help. As I said earlier, the Bill brings some provisions into line with those in other States and in the Commonwealth. It would seem to me that some of the suggested provisions are not, in fact, in the best interests of people who seek relief in South Australia and that some of them are more applicable to the conditions in other States than to those applying in South Australia. I am thinking in particular of provisions in respect of deserted wives.

The Hon. D. A. Dunstan: I have an amendment on the file in relation to this.

Mrs. STEELE: Some of the clauses that have been taken from similar legislation in other States may not be of advantage in South Australia. Reverting to social welfare, I do not think there is any definition of "social welfare" when it applies to the branching out of the department into this field, when the Bill first states that a Department of Social Welfare is to be set up, and more especially when it refers to the future activities of the department. What becomes of the organizations actually engaged now in this field, such as youth organizations and so forth? Are they to be co-ordinated along the lines of the Victorian Department of Social Welfare? When Victoria amended its legislation in 1958 it set up much the same sort of organization. Is it considered that the Minister's control of this department will co-ordinate the activities of all these various organizations?

The Hon. D. A. Dunstan: We will endeavour to facilitate the co-ordination without any pressure.

Mrs. STEELE: This will be based on the kind of survey and pilot scheme that has recently been initiated in the Minister's own district?

The Hon. D. A. Dunstan: Yes.

Mrs. STEELE: As the clauses can be dealt with in Committee, and as I have specific matters that I shall then raise, I support the second reading.

Mr. QUIRKE (Burra): This is a measure to which I have looked forward for a long time. I do not agree with everything in it, but I can be convinced, and the overall picture is that it will provide remedies for grave derelictions of duty by parents, particularly the male, as this Bill makes him undertake his obligations. Often the male parent deliberately deserts his wife and family and they are destitute before the State can succour them and retrieve the position that was his duty to maintain.

Mr. Clark: They are hard to catch up with.

Mr. QUIRKE: Yes, but it will be easier under this legislation. Once, when a man crossed the border he could thumb his nose at the authorities, but that no longer obtains. Some things in the Bill need explaining because we are not experts in these matters, although we are capable of understanding. I understand that a blood test taken to prove consanguinity is not an infallible guide: it can disprove, but it cannot prove anything. Will this blood test be compulsory? If not, will a person's refusal be taken as evidence against him to support the contention that he is the father? The person can use the blood test as a proof that he is not the "number one", a term I use advisedly. Clause 76f deals with the evidence of a mother as to the paternity of an illegitimate child not being accepted without corroboration except in certain cases. What type of corroboration?

The Hon. D. A. Dunstan: It is independent evidence leading the court to consider it more likely that the defendant is guilty.

Mr. QUIRKE: The same conditions could apply to several cases. This important matter has an impact on certain freedoms of the individual which have to be closely safeguarded because of the irreparable harm that can be done in the case of a man wrongly accused, and even under an admission that he had intercourse with a particular woman. I know the conditions where she can be declared a common prostitute, but these people are shrewd and

will nail only one man. Is there any provision to protect a man who may not be the father, although he could be among the guilty clan?

The Hon. D. A. Dunstan: There is no way of providing that protection. The man has to take the risk.

Mr. QUIRKE: If he admits it he has to accept the responsibility unless he can produce evidence that he is not the likely one or produce evidence of who is.

The Hon. D. A. Dunstan: Or that there were a number of others to share the responsibility.

Mr. QUIRKE: Or evidence to prove that on her admission there were others in the case. Would that constitute common prostitution?

The Hon. D. A. Dunstan: No, unless it was shown there were other people in the case and that it was, in fact, prostitution. Otherwise, implicating others would involve their being required to contribute.

Mr. QUIRKE: It is possible to have multiple contributions to maintenance?

The Hon. D. A. Dunstan: Yes.

Mr. QUIRKE: What would be the position about the enforcement of orders in another State? It is useless to ask a multitude of questions, consequent upon the number of the clauses and the multiplicity of the matters covered. I hope that orders will be enforced successfully in other States and should like to know the extent of the co-operation we are to receive from those other States if this legislation is passed. Is this something in the nature of common law in regard to the States?

The Hon. D. A. Dunstan: A uniform Bill has been prepared and most of these interstate enforcement provisions will be enacted in other States. Some States have already enacted their legislation.

Mr. QUIRKE: I wish to deal with the provisions that speak of arresting and prosecuting neglected children. Arrest is consequent on some fault in an individual or on his breaking of the law and the terms "arrest" and "prosecute", when used about neglected children, do not fit in with my ideas. Perhaps the fertile brain of the Attorney-General can produce some other way of dealing with the position. There is power to enter a house to arrest neglected children and in this day and generation I do not think that is a good way to bring under State control children who, through no fault of their own, have been neglected by their parents.

The State, being responsible for the individual, arrests those children and prosecutes them. Other honourable members may think I am niggling on the question, and that there is no reason for a change, but I consider we can do better than this. When all is said and done, if a policeman arrests a child of 10 to 12 years, an indelible mark is placed on the child and that is something we should avoid in every possible way. I suggest that the Attorney-General look at this matter.

If this Bill cures the ills of, and brings justice to, many people who have been cast aside unjustifiably by those responsible for their well being, then it will achieve something that is badly needed. As other members have said, the Bill is one for close examination in Committee and I shall not be backward in asking questions. I have definite ideas regarding the liberty of the individual and also on what should happen to people who deliberately neglect their responsibilities and, as a result, place the lives of innocent children in jeopardy and cause them to be placed under the control of the State. Good as that control is, it cannot compensate a child for not being a member of a happy home. I support the measure.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): The honourable member for Alexandra, on behalf of the Opposition, has made a rather detailed examination of the Bill and its ramifications, and I shall not debate the clauses. However, I should like to deal with two or three matters affecting the principles involved. I suppose the major alteration is the abolition of the Public Relief Board and the placing of the responsibilities under the direct control of the Minister.

The Minister did not previously have the duty of going into individual cases where relief was sought; that was done by the board. If I may say so, one of the weaknesses in the Bill is the abolition of the board. I have probably had as much experience of the work of that body as has any other honourable member, not in a direct way as far as my electoral district is concerned, but because over the years many members have brought to me cases in respect of which they considered the decision of the board had not been based on proper grounds. Although I examined those cases and the grounds on which the board worked, I never found one case where, in my opinion, the board had not given full consideration to the issues involved and not made a good decision.

In fact, only once over a period of years did Cabinet take up with the board a question, and that was in connection with the granting of relief to people who had television sets. The matter was raised in the House and Cabinet took the matter up with the board.

which, without hesitation, accepted the suggestions made. The board comprised public-spirited people who gave a tremendous amount of time to their work. They were people of extremely good repute in the community and had been selected because they were charitably disposed. Some had good adminstrative backgrounds and others were chosen because of the conspicuous part they had played in social activities. I pay a tribute to the board for the valuable work it did.

That work will not be surpassed by any new authority set up. Regardless of how it is constituted, it will face the same difficulties in justifying decisions as the previous board has faced. Frequently information in the hands of the board could not be released publicly and the reasons for its decisions could not be given. Nevertheless, they were valid and substantial reasons. I believe the Minister will have the same difficulty in many instances in explaining why action has been taken in certain cases. Incidentally, if the question is raised publicly in this House, he will have an advantage of being able to claim Parliamentary privilege for any statement he makes in the House; but the board did not have Parliamentary privilege, so it could not disclose information that came before it in relation to granting or withholding relief. In those circumstances, the board was frequently criticized not on proper grounds but on grounds that were mistaken.

The second problem that I see in regard to this Bill (and the member for Alexandra has prepared amendments on this) concerns the granting of relief. To put it in its mildest terms, I think it would be extremely undesirable for any Minister (I want the Attorney-General to understand me on this) to be put in the position of having to grant or not grant relief.

The Hon. D. A. Dunstan: But this only maintains the present position.

The Hon. Sir THOMAS PLAYFORD: No, at present relief is granted on the recommendation of the board.

The Hon. D. A. Dunstan: Subject to any directions given by the Minister.

The Hon. Sir THOMAS PLAYFORD: Yes, but the recommendations came from the board, and under previous Ministers approval was always granted on the recommendation of the board. I will come later to the question of the ultimate amount of relief; I am now talking about whether Bill Jones does or does not get relief. That has always been the recommendation of the board; it was not a decision of the Minister.

The Hon. D. A. Dunstan: It was a decision largely of the Chairman of the board.

Mr. Jennings: I have taken up urgent cases with the Chairman, and relief has been granted immediately.

The Hon. D. A. Dunstan: It always has.

The Hon. Sir THOMAS PLAYFORD: I will deal with that later, as I should like to develop what I have been saying. The Attorney-General need not look concerned; this is not intended as a criticism of him. It would be highly undesirable for any Minister, either Labor or Liberal, to be placed in a position of determining individual cases of relief. I make no excuse for saying that, as it could lead to patronage or other undesirable features. In the Commonwealth sphere social services administration is under a Minister and the standard and conditions of relief become a matter of regulations, not a matter of decision by the Minister. The regulation has to go before Parliament for ratification before becoming law. In reply to the interjection of the member for Enfield (Mr. Jennings), it is necessary that the Minister, the head of the department, or whoever may be given the duty in the department, be able to give immediate relief in cases of distress or urgency. That cannot in any way be impaired, because frequently someone, perhaps a neighbour, writes to the department saying that a family living nearby appears to be in urgent distress. The moment the letter is received the department must send out a welfare officer to see whether there is any problem. If there is, the position must be met immediately, even before inquiries can be commenced. I am speaking, however, more about people getting regular relief.

The Hon. D. A. Dunstan: Have you compared the new provision with the existing section?

The Hon. Sir THOMAS PLAYFORD: I have compared it to this extent: that I cannot find anywhere that there will be an authority directly responsible for the chief recommendation to the Minister or for the disposition of relief. If there is in the Bill an authority for a recommendation on which the Minister can act—

The Hon. D. A. Dunstan: There does not have to be now.

The Hon. Sir THOMAS PLAYFORD: But there is now a properly constituted relief board, which will be abolished and, as far as I can see, there is nothing in the Bill to take its place. I know that a council will discuss such matters

as the Minister refers to it but, if he does not refer anything to it, it will have nothing to discuss.

The Hon. D. A. Dunstan: Then you have not read the amendment.

The Hon. Sir THOMAS PLAYFORD: I am not very happy about how the council is constituted, but that is another matter. In Committee I shall ask the Attorney-General to show me where I am wrong in this matter, but I will completely oppose in any set-up the suggestion that a Minister should be the determining authority without having any recommendations on what the relief should be. I think that is basically wrong, and in other departments we have provided against it.

The Hon. D. A. Dunstan: What about the Aborigines Department?

The Hon. Sir THOMAS PLAYFORD: I will come to that when the appropriate Bill is before us. I am now trying to discuss this Bill.

The Hon. D. A. Dunstan: But it is a similar situation.

The Hon. Sir THOMAS PLAYFORD: Let me, if I may, establish what I believe to be the proper functions where there is a distribution of public moneys, public favours, or public relief. Having a recommendation to the Minister has been a feature of the Crown Lands Act since the inception of the State. To my knowledge, in my long association with Parliament there has been no serious complaint about the administration of the Crown Lands Act. Why is that? Because it is laid down specifically in the Act that the Minister can do certain things subject to the recommendation of the Land Board. I see no safeguard of that sort in this Bill. If there is one, it has escaped my notice. If later in the debate the Minister can show me one, I shall be happy.

Mr. Jennings: Is not the Minister answerable to Parliament?

The Hon. Sir THOMAS PLAYFORD: The passing of this Bill does not, in itself, mean that more ample relief will be provided in South Australia. Whether there will be or not depends ultimately on the subventions that the Treasurer can make available to this department. That means that, the wider we spread the functions of the department, the thinner we spread the relief to individuals. In practice, the Minister will find (and if he does not he will be much luckier than previous Ministers have been) that the money available to him for relief work will not be sufficient to enable him to look after cases beyond the cases of hardship previously dealt with or to pursue matters that he proposes to under this Bill. I doubt whether it is in the public interest that he should do so. I do not think it is a good thing for him to start interfering with activities that have previously been successfully undertaken by various charitable institutions in this State, which have done magnificent work. Anything that impairs or interferes with their work is obviously undesirable—and, quite apart from that, outside the funds that will be available to the Minister in any case.

The member for Alexandra (Hon. D. N. Brookman) has already said that many times the word "Minister" appears in this Bill when another word should obviously appear—"Governor". Appointments should be made not by the Minister but by the Governor. A proclamation should be made not by putting something into the *Government Gazette* but by the Governor. Most things should be provided by regulation, not by an act of the Minister. So there are many amendments to be made in that respect. It means that, where "the Governor" is meant rather than "the Minister", a formal set of circumstances have to be gone through: a matter has to go to Cabinet and frequently a certificate must be issued in connection with it; and, instead of its being an administrative act by one person, it becomes an administrative act by Cabinet, which is a much more formal and regular way of doing things, because, if Ministerial action is taken, contradictions will arise between cases. If matters are dealt with formally, it is much more satisfactory.

I do not intend to oppose the second reading. I heartily agree with many things in it, which I am sure will benefit the State. I do not want my criticism to be regarded as a general criticism of the Bill. I am dealing purely and simply with some administrative problems that will arise if the system is really to bring the control of the department under the administration of one person, who will not be responsible for any set of rules or formal procedure.

Mr. Jennings: But he is responsible to Parliament.

The Hon. Sir THOMAS PLAYFORD: Yes, but let me put this to the honourable member as a matter of interest: how often can Parliament get the facts of a specific case if the Minister does not choose to make them available?

Mr. Jennings: I never had any trouble, even with you!

The Hon. Sir THOMAS PLAYFORD: We recently had a case of a person being dismissed. We were first told that it was against the public interest to give us any information at all, and it took six weeks before we got even the elements of the problem. Even then, the final report was not entirely satisfactory. It contained such phrases as "It is understood".

The Hon. D. A. Dunstan: Oh, that's nonsense!

The Hon. Sir THOMAS PLAYFORD: I know it is nonsense

The Hon. D. A. Dunstan: You were given a report by a public officer, which you did not bother to read, about something of which you had already been given full information and about which you knew, anyway.

The Hon. Sir THOMAS PLAYFORD: I read the report with much interest. Having read it, I still say (and the Attorney-General may have his opinion about it) that it was unsatisfactory in two or three important respects—but I will not go into it now as that is another matter. I only mention this to show how difficult it is to get information if the Minister concerned does not particularly want to give it. Such a problem can arise here. The fact that the Minister is responsible to Parliament is, in itself, a safeguard but not a complete safeguard. The safeguards established over many years of experience should be included in this Bill. At present they are not properly so included. Although the Bill has many good features that I support, I sincerely hope that the Minister will look at one or two things and be prepared to make concessions to the views expressed by the Opposition. I entirely agree with the remarks made by the member for Burra with regard to the formalities that have existed for many years in respect of neglected children.

The Hon. D. A. Dunstan: You will find that matter will be cleared up in the Juvenile Courts Bill.

The Hon. Sir THOMAS PLAYFORD: This matter has concerned me for many years. In fact, I have taken it up myself to ascertain whether the position could be overcome, because the present formalities, although their purpose is entirely good, leave much room for improvement. I do not think any grave injustice would be brought about in the ultimate result. I believe that distress has been created by certain methods used in the past, and I am pleased the Attorney-General has seen fit to find some way of dealing with the matter, because the present procedure is completely out of keeping with the modern attitude in this regard. I do not believe the present procedure is entirely beneficial in respect of the outlook of a particular child. I support the second reading of the Bill, and I hope that one or two modifications will be made to it in Committee to meet the objections that have been raised by the Opposition. If that can be achieved, the Bill can be made to be an instrument of benefit to the people of South Australia.

The Hon. G. G. PEARSON (Flinders): In considering legislation of this sort, we commence with the general desire to meet the needs and changing circumstances that arise in social welfare matters as time progresses, and as our outlook towards social legislation becomes rather more generous. Parliament desires to do the right thing in this matter. With the passing of time, the outlook of the community generally on matters of this sort has become more generous than perhaps it was wont to be 20 or 30 years ago. Those people in the community who are, through no fault of their own, living under circumstances of poverty and distress, or in circumstances comparable in other respects, deserve not only the sympathy but also the assistance of the more fortunate section of the community. However, it is necessary to ensure that we do not let sentiment run away with our judgment. I approve of many provisions in the Bill, but I disapprove of certain others, which could be changed or removed from the Bill without harming the general principle of care for unfortunate people in the community.

The Minister, in his second reading explanation, referred to this measure as part of a scheme of legislation that embraced three parts. He mentioned the Capital and Corporal Punishment Abolition Bill as being part I, this Bill part II, and the measure to which he has just referred by way of interjection (the Juvenile Courts Act Amendment Bill) part III. I think that a good reason probably exists for coupling this Bill with the Bill to amend the Juvenile Courts Act, but I cannot see any solid connection between this legislation and the first part of the scheme, namely, the Bill to abolish capital and corporal punishment. A vague connection may exist, but I believe the Minister has said this, for want of a better term, for the purpose of window dressing. That is not necessarily a criticism of this legislation.

The Hon. D. A. Dunstan: Provisions in the Children's Protection Act are dealt with in this scheme, which are as barbaric as you

can find in the provision of corporal punishment. If you read the Children's Protection Act, you will see it is certainly not "protection".

The Hon. G. G. PEARSON: I do not think the term "barbaric" comes into this matter; nor is it associated with the Capital and Corporal Punishment Abolition Bill. The first point made by the Minister refers to the abolition of the Children's Welfare and Public Relief Board, and to the vesting of general powers in the body corporate of the Minister. I have mixed feelings about that matter. I am not suggesting that the set-up, as we have known it in the past years, has worked perfectly. Indeed, I think we all agree that it has had deficiencies. However, I do not think it is necessary to go as far as the Minister intends to go in order to remedy these deficiencies in administration. I think they could have been remedied by taking much less drastic action than the Minister intends to take. It is not necessarily good policy to use a sledge hammer to crack a nut. I heard the Minister refer just now, by way of interjection, to the Aboriginal Affairs Act, and to the fact that when that Act was remodelled a few years ago, the Aboriginal Affairs Board's functions were changed from an executive basis to an advisory one. I do not think that situation is quite analogous; I think the Aboriginal Affairs Act has worked reasonably well. However, I believe that even in that case it was necessary to abolish the executive functions of the board. The Minister will remember that it was he who amended the Bill before the House.

The Hon. D. A. Dunstan: I never did a better thing.

The Hon. G. G. PEARSON: He happened to have the numbers on that occasion, and I had to bow to him. As Minister I had to assume the responsibility imposed on me by virtue not of my action but of his. Knowing his persistence in this regard, I believe we will discover, as the session progresses, that whenever the question of a board comes before the House the Government's tendency will be to abolish it and make a Minister responsible. I do not think this is necessarily a wise thing to do. At first it is probably attractive to a Minister to feel that he has, within his own powers, responsibilities for exercising discretion and making decisions. He feels that he can do what he likes and what he feels proper without being trammelled by the views of other people. However, I believe that experience in Ministerial administration has convinced all Ministers that this course has many more disadvantages than advantages.

In my short experience as a Minister I learned that discretions were a very real headache. I believe the Leader would agree with me when I say that, whenever the previous Cabinet was faced with a decision of this sort, few of us were anxious to assume the responsibility for a difficult decision. This was not because the decision was difficult but because discretions are extremely difficult to administer (particularly where human relationships are involved and where considerable research into the real facts is invaluable), and it is almost impossible for one person to do the necessary study into every case, to come to a decision which is, in fact, a judicial decision on the facts, and to administer accordingly. There is a line to be drawn between absolute Ministerial responsibility and the kind of responsibility which, after all, devolves on any Minister even though he may have a board that works under him. Despite that, he is still, in the last analysis, largely responsible. I believe this system has worked fairly well in the past. It always enabled a Minister, when a particular case was brought to his notice, to apply himself to it, to come to a conclusion, and to say to the board that he did not agree with it and that he considered some factor had not been taken into full account or some error of judgment had been made. He could then suggest to the board that it have another look at the matter. I never found it difficult to persuade a board to have another look at a matter and to either confirm or reverse its previous decision. All of this takes time but I think it is time well spent.

For two reasons I think the Minister is unwise in framing this legislation to give himself absolute power and, therefore, absolute responsibility. First, he will be inviting upon himself the odium of all complaints that are made, and there will be plenty. He will be unable to defend himself publicly against charges that he has been unfair or unsympathetic because, in most difficult cases, there are elements of fact in the case that he cannot publicly disclose. He may find, in a confidential report made to him by his officers, that the circumstances of a mother of children are such that she has largely brought the situation upon herself, or that she has been indiscreet or has in some way destroyed that kind of deserving attention which on the face of it might appear to be justified. If the Minister were asked a question

in the House on such a matter he would not be able to get up and say that the woman concerned was a person of ill repute. Perhaps he could say that in Parliament but he would not dare to say it outside because he would be inviting charges of defamation. For the reasons I have given, he will find that he will be defending himself against charges of acting unfairly. This happened many times in my experience. It has happened when I have been pressing to get a rental home from the Housing Trust for a family. For some reason I would find myself unable to succeed, and eventually I would be asked by the General Manager of the Housing Trust to consult with him and he would give me the facts. I could not disclose them or give the reasons for the way in which I had acted. However, I would realize that, on the facts, the General Manager had made the correct decision. I would then have the problem of facing my constituent, even though I had the facts. These situations arise much more often than one would think.

The second reason why I believe this course is unwise is that in the administration of public funds the Minister will have to be extremely cautious not to lay himself open to a charge of undue preference or undue lack of sympathy in a particular case. It might well be that the charge could be made that he has looked kindly on one case and not another because of political reasons. I do not suggest that he would do this but he will be charged with it. This is not a proper position for a Parliamentarian to be placed in. Therefore, I suggest that it is most unwise that the Minister should put himself in this position; and he is doing it by this legislation. This is particularly apparent in other parts of the Bill where the Minister indicates how he intends to enlarge and widen the functions of the department. Here again, as he alone will be responsible, he will undoubtedly be charged with utilizing the functions, offices, officers, and funds of the department for sectional purposes. He cannot escape such a charge. However honourable his intentions may be, these charges will be levelled against him.

For example, he intends to have general powers and functions, including the power to establish homes and community centres and to use departmental officers and facilities for the promotion of social welfare within the community. He says that although this is a small clause it is an important one, and I agree. It is a dangerous clause in the circumstances that I have stated. When the Minister has the opportunity I should like him to indicate to the House what he has in mind under this clause, as he will need to be particularly careful under it. I hope he will place on the record the scope and the intention of the legislation.

The Hon. Sir Thomas Playford: It should not only be on the record: it should be in the Bill.

The Hon. G. G. PEARSON: Yes, and it would be to the Minister's advantage to have it in the Bill, for it would indicate to all and sundry what he could and what he could not do. I think the Leader has put his finger on an important point there. The Minister will be assailed from all sides to do this, that, and the other thing, and as the Bill stands he cannot say that his powers are limited.

The Hon. Sir Thomas Playford: And, of course, we may have another Minister in five years' time.

The Hon. G. G. PEARSON: Exactly. In any case, it is a good principle to include in any legislation precisely what is meant. It is not beyond the capacity of the Minister of Social Welfare to express himself in a Bill, and if he had wanted to define his functions under this provision he could very well have done so; I am sure that would not have presented any difficulty to him. In view of the hour, I ask leave to continue my remarks.

Leave granted; debate adjourned.

AGED AND INFIRM PERSONS' PROPERTY ACT AMENDMENT BILL.

Second reading.

The Hon. D. A. DUNSTAN (Minister of Social Welfare): I move:

That this Bill be now read a second time.

It amends the Aged and Infirm Persons' Property Act, so as to enable the Supreme Court when hearing an application under the principal Act in respect of an aged or infirm person to obtain a report by the Director of Social Welfare on the affairs of such person. The powers conferred by the Bill are complementary to certain powers of the Director contained in the Maintenance Act Amendment Bill which is now before Parliament whereby he may or, if so required by the Minister of Social Welfare or a court, shall investigate the needs and affairs of certain persons. The court may, when making a protection order in respect of such person, take the report into consideration. Clause 3 provides for the Bill to come into operation by proclamation. It

is proposed that this Bill and the Maintenance Act Amendment Bill will be proclaimed at the same time.

Clause 4 inserts new section 9a in the principal Act. Under subsection (1) of the new section the court may order an investigation by the Director into the affairs of a person in respect of whom an application for a protection order under the principal Act has been made. Subsection (2) enables the Director to conduct such an investigation and provides for his report thereon to be furnished to the Minister of Social Welfare and the court. Subsection (3) provides that the court may consider the report when hearing the application. Subsection (4) enables the Director or any officer of the Department of Social Welfare to enter any building or other premises for the purposes of the investigation, and subsection (5) requires the owner of the building or premises, the person in charge thereof and any other person under whose control the person concerned may be placed to afford all reasonable assistance and to permit access to papers and books. A maximum penalty of £50 is prescribed for contravention of this subsection. The Bill is consistent with the relevant provisions in the Maintenance Act Amendment Bill.

Mr. SHANNON secured the adjournment of the debate.

COMPULSORY ACQUISITION OF LAND ACT AMENDMENT BILL.

Second reading.

The Hon. D. A. DUNSTAN (Attorney-General): I move:

That this Bill be now read a second time.

Its main purpose is to provide a means whereby land needed for public works can be compulsorily acquired by proclamation, and the ownership of land so acquired becomes vested in the promoters without depriving owners and other persons having any interests in the land of their rights to compensation. Many of the provisions of the principal Act relating to the compulsory acquisition of land are cumbersome and in some circumstances, unworkable. For instance, if the owner of land being compulsorily acquired does not agree to transfer it, there is no way for the promoters to get title to it until compensation has been assessed and paid. This normally takes at least a year or, if there are appeals, possibly a further year or two. Even though, in some cases, a promoter can enter upon the land and commence the work for which the land is being acquired, there are several problems to be overcome involving questions of title, etc., which delay completion and use of the work because the land is not vested in the promoters until compensation is assessed and paid.

In order to enter and commence work on the land, it is necessary, if a claim has been made, for the promoter to pay the amount of the claim into the Supreme Court by way of security. Claims are usually exaggerated, and large sums of money have to be paid into court and lie idle until compensation is assessed. In a recent case the claim was for £163,000 and this had to be paid into court to enable entry to be made on the land, but the claimant was eventually awarded only £35,000. Another problem, which the Government is presently faced with, is the extreme difficulty it has experienced in acquiring a small area of land in Springfield for the urgent erection of a water tank to serve the residents of the area. Under the present law, compulsory acquisition of this land could lead to prolonged litigation and serious difficulties of conveyance, because the land is encumbered by restrictive covenants which seriously hamper the power of the registered proprietor to convey an unencumbered fee simple to the Minister of Works.

The main substance of the Bill is contained in clause 5, which enacts a new section 23a, subsection (1) of which provides that where any land is required by a Minister or a prescribed authority for a purpose for which that Minister or authority has power to acquire land compulsorily, the Governor may by proclamation declare that the land is acquired for that purpose. The subsection also provides that, before the proclamation is made, not less than 28 days must elapse—

(*a*) after the Minister or prescribed authority has given to persons having an interest in the land notice to treat; or

(*b*) where such persons cannot be found, after the Minister or prescribed authority has published in the *Government Gazette* a notice to treat addressed to such persons as may have an interest in the land.

Subsection (2) provides that the proclamation may be made whether or not compensation proceedings have commenced or whether or not the notice to treat is given before the Bill becomes law. The section, however, preserves the rights to compensation enjoyed by persons interested in the land. Subsection (3) provides that, upon publication of the proclamation in the *Government Gazette*, the land becomes vested in the promoters freed and discharged

from all trusts, mortgages, encumbrances, etc., and the estate and interest of every other person in the land becomes converted into a right to compensation under the Act. Subsection (4) requires the promoters, forthwith after publication of the proclamation, to cause a copy of it and a full description of the land to be served on the owners or occupiers or such of them as can with reasonable diligence be ascertained. Subsection (5) defines "prescribed authority" for the purposes of the section, and subsection (6) confers power on the Governor by proclamation to declare any statutory body corporate having power to acquire land compulsorily to be a prescribed authority. The effect of subsection (7) is that the procedure for acquiring land under this section is alternative to the existing procedures for acquisition.

Subsection (8) extends the meaning of "promoters" to include any Minister or prescribed authority in whom land is vested by proclamation under this section. This virtually preserves the existing procedures for the assessment and determination of compensation. Subsections (9) to (12) are necessary machinery provisions designed to ensure the correct registration of the vesting of land acquired under the section. Subsection (13) gives the promoters the right to enter upon, use and occupy any land so vested in them for the purpose for which the land has been acquired, but provides that no proceedings shall be taken to evict any *bona fide* occupier of the land unless the promoters have given to the occupier reasonable notice requiring him to give up possession of the land.

Clause 3 makes a formal amendment to section 3 of the Act. Clause 4 (*a*) makes section 23 (1) of the principal Act consistent with new section 23a, and the effect of clause 4 (*b*) is to require notice to treat for any person having an interest in the land who cannot be found after diligent inquiry to be served on the occupier of the land or, if there is no occupier, to be affixed to some conspicuous part of the land.

Clause 6 amends section 33 (1) of the principal Act. This section at present provides that, if a person who has been served with a notice to treat does not make a claim for compensation within six months of the service of the notice, the promoters may apply to a court to determine the amount of compensation payable. The Government has been advised, and agrees, that the period of six months is unnecessarily long and, by reducing it to two months, no party would be prejudiced, because the compensation will in any event be determined by a court. Moreover, occasions have arisen where the owners of land acquired have preferred to leave it to the promoters to make the application to court, but this could not be done until a period of six months had elapsed after service of the notice to treat. Clause 6 accordingly amends section 33 (1) by reducing the period of six months to two months. Clauses 7 to 22 make various amendments which are in essence consequential on the enactment of section 23a by clause 5.

This Bill will bring the South Australian law into line with principles governing the laws of the Commonwealth and some of the other States, where similar legislation has been working most fairly and effectively for many years. Several problems have arisen administratively about the compulsory acquisition of land in connection with several Government projects, both for the provision of necessary Government facilities and for urgently needed road purposes. The present provisions of the principal Act are entirely inappropriate to the acquisition of parcels of land of this kind, and continued complaints by the Lands Department (which will be known to the former Minister) and by senior officers in the Crown Law Office that our present procedures are entirely outmoded have led the Government to introduce this measure, which I commend to the House.

The Hon. G. G. PEARSON secured the adjournment of the debate.

ADJOURNMENT.

At 5.15 p.m. the House adjourned until Tuesday, October 12, at 2 p.m.