HOUSE OF ASSEMBLY

Tuesday, October 21, 1969.

The SPEAKER (Hon. T. C. Stott) took the Chair at 2 p.m. and read prayers.

DOG FENCE 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.

PETITIONS: ABORTION LEGISLATION

The Hon. D. A. DUNSTAN presented a petition signed by 53 persons stating that the signatories were deeply convinced that the human baby began its life no later than the time of implantation of the fertilized ovum in its mother's womb (that is, six to eight days after conception), that any direct intervention to take away its life was a violation of its right to live, and that honourable members, having the responsibility to govern this State, should protect the rights of innocent individuals, particularly the helpless. The petition also stated that the unborn child was the most innocent and most in need of the protection of our laws whenever its life was in danger. The signatories realized that abortions were performed in public hospitals in this State, in circumstances claimed to necessitate it on account of the life of the pregnant woman. The petitioners prayed that the House of Assembly would not amend the law to extend the grounds on which a woman might seek an abortion but that, if honourable members considered that the law should be amended, such amendment should not extend beyond a codification that might permit current practice.

Mr. CORCORAN present a similar petition signed by 534 persons.

Mr. BURDON presented a petition signed by 768 persons stating that the signatories, being 20 years of age or older, were deeply convinced that from the time of its implantation into the woman's womb (that is, six to eight days after conception) the fertilized ovum was a potential human being, and, therefore, worthy of the greatest respect; and that the termination of pregnancy for reasons other than the preservation of the life or physical and/or mental welfare of the pregnant woman was morally unjustifiable; that, where social reasons appeared to exist for termination of pregnancy, then the social condition rather than the practice of abortion should be treated; and that experience in countries where abortions were permitted on social or economic grounds indicated that such practice created many new problems. The signatories also realized that abortions were performed in public hospitals in this State, in circumstances which necessitated it on account of the life or physical and/ or mental health of the pregnant woman. The petitioners prayed that, if the House of Assembly amended the law, such amendment should definitely not extend beyond a codification that might permit the current practice.

Petitions received.

QUESTIONS

NAME SUPPRESSION

The Hon. D. A. DUNSTAN: Last week there was a case in which an order for suppression of name was made. I do not want to deal with that matter in any way, because it is *sub judice*, and it is not proper to comment on it in this House. However, observance of the order has been considerably disregarded by certain media of publicity in this State which have seen fit to give publicity to a question asked in the New South Wales Parliament that does not, it seems to me as a lawyer, attract unqualified privilege. If orders for suppression of name are to be made in present circumstances, can the Attorney-General say what action the Government intends to take to ensure that they are uniformly observed? I point out that, unless action is ensured that orders are uniformly observed, some media comply with the spirit of an order but others do not, and the result, it seems to me, is grave public mischief.

The Hon. ROBIN MILLHOUSE: The Leader will understand that there are two difficulties in a case such as this (and I deliberately do not canvass this particular matter). First, the news media in other States are not in the same position regarding compliance with an order made in South Australia as are the media within South Australia. On the other hand, what is published in another State is generally known here within a matter of minutes, if not in less time. I think that is the main difficulty that arises in a case such as this. Regarding the present case, there was this morning, before the Master in chambers, a hearing of an appeal from the order made by Mr. Justice Travers last Thursday. The Solicitor-General was to appear for Mr. Wilson, C.S.M., upon whom the order was made. As a result of that order, Mr. Wilson had made the order suppressing the name. I do not know the result

of the proceedings, so I think it would be unwise for me to say anything further. However, the Government has no present intention (I think that is the way I put it on Saturday) of taking any action, but it will be influenced by the outcome of the present proceedings.

Mr. CORCORAN: Last week the Attorney-General made a statement that gave me, anyway, the impression that the Labor Party had introduced a measure in this House in 1966 to suppress names in certain cases and, indeed, that that had been the policy of the Labor Party. In fact, the opposite was the case. If I remember correctly, our legislation provided that all names be suppressed until the case had been heard and the guilt or otherwise of the defendant decided, except that, in special circumstances, the court could order the release of the name. Will the Attorney say whether my interpretation of the 1966 legislation is correct?

The Hon. ROBIN MILLHOUSE: I have not checked the Bill that was introduced by the honourable member's Party when it was in office.

Mr. Broomhill: You shouldn't have commented on it, then.

The Hon. ROBIN MILLHOUSE: My recollection is that the gloss that the honourable member has put on the measure is substantially accurate: in other words, the Bill changed, or almost exactly turned around, the present situation that a name may be published unless an order is made for prohibition of publication. As I recollect, the Bill introduced by the Labor Government provided that no name should be released unless there was an order for release before the result was known. That is precisely the opposite of the present position. I remember that the Bill was bitterly opposed by every newspaper and radio and television station in South Australia, and in many other places, as being a very bad thing. This was, as I said in the statement in the paper on Saturday, the view of my Party, and it was my own view, too. I think, in fact (and perhaps I should say this in fairness to the member opposite: I meant to look at it), that the storm of protest about the Labor Government's Bill was such that the measure was not debated, and I did not make my views known publicly in this place. However, they were certainly made known elsewhere, as were the views of our Party. I stick by those views: as a rule, a name should be published, because otherwise all sorts of anomaly arise. Let me give one example, and such an anomaly could have arisen in the present case, although I do not know. I am thinking of a case that occurred a few weeks ago in which an order was made—

The SPEAKER: Order! I do not want the Attorney-General to debate this question, but I think I am correct in saying that Parliament is greatly interested in this matter, because of the amount of publicity that the case has attracted. I have been a little hesitant about allowing these questions, on the ground that the matter may be *sub judice*. However, I have come down on the other side, that it is more administrative. I do not want to stop the Attorney altogether, but I do not want him to get too much into debate.

Mr. Corcoran: He has replied, Mr. Speaker.

The Hon. ROBIN MILLHOUSE: Perhaps I can give details not of the present case but of one that occurred some time ago.

Mr. Lawn: The debate took place three years ago.

Mr. Corcoran: Can I get up and reply to this?

The SPEAKER: Order! Let the Attorney reply.

The Hon. ROBIN MILLHOUSE: An injustice can be done to an innocent person when an order is made. Some time ago a person was charged in a magistrate's court with an offence and an order for suppression was made, but sufficient of the detail of the person was published (and properly published) which was not included as part of the order, so that the description published, without the person's name, fitted several people living in the same area as the person concerned lived. One of the other people to whom the description could well have applied came to me in great distress. He was a business man, who found that his credit was being affected because people identified him with the person whose name had been suppressed. This is just one of the examples of injustices that may occur if there is suppression of names. I give that example, not because it has anything to do with the present case but to show what can occur.

MIGRANT ACCOMMODATION

Mr. RODDA: I was pleased to read in this morning's newspaper a report that the Commonwealth Minister for Immigration had announced a project to build flats in Adelaide for migrants, and I understand these flats

will take the place of the migrant hostels that we have known for so many years. This is a most welcome and progressive step by the Commonwealth Government. Having looked at the figures for State migration for the first six months of this year, I believe that the decision of the Commonwealth coincides with a marked improvement in the number of migrants arriving in South Australia. Can the Premier give the House any further information about these flats for migrants? In addition, I am sure the House would be pleased to learn of any recent figures the Premier might have regarding the current influx of migrants to South Australia.

The Hon. R. S. HALL: I cannot give an opinion concerning the dimensions and type of flat to be provided, or the quality of its construction and its exact location. However, the flats are to conform to the practice established in other States of providing accommodation of a higher quality for migrants who come to Australia. This will be accomplished in Adelaide in the southern metropolitan area by, as the Minister has announced, the purchase or building of 50 flats. I understand that, mainly, these will comprise a ground floor and an upper storey, and they will be of better quality than the accommodation previously available. The Minister's announcement, which I have not yet had time to follow up, comes after some months of representations to the Commonwealth Minister about the needs of South Australia in regard to its growing migration intake, because industries within the State have foreshadowed to me and to my department their needs for an increasing labour force in the next few years. It is most illuminating to know that industries such as Chrysler Australia Limited and General Motors-Holden's have a real and great need for more migrants as the years go by. By this move, the Commonwealth Government will greatly assist the State's development.

The honourable member will know that, shortly after coming to office in 1968, I took what at that time was thought to be, and was publicly expressed to be, a great risk with the economy of the State by saying that more migrants must come to South Australia. That was a deliberate risk, if it was a risk, as I have always believed that the migrant flow is a tremendous force for development in a community because of all the demands it makes on housing, services and the like. I am pleased that this move is now paying off and that South Australia has reached a sound stage of economic viability with full employment, and is looking for more migrants as time goes by. The position has been so much reversed from what it was that the migrant flow into the State has risen by 50 per cent since my Government took office. In the year before it took office, 9,572 migrants arrived in South Australia, whereas in the year just completed 14,386 migrants came here. The situation has drastically changed in relation to the number of people leaving South Australia. In the year before my Government took office, 7,000 people actually left the State, so the net gain through migration was very low. This state of affairs has been reversed, and the Commonwealth Minister's decision is obviously designed to support the economic recovery and growth in South Australia.

Mr. VIRGO: I believe the previous question may have been a Dorothy Dixer. I know we have gone a long way since the last lot of migrant accommodation was provided, but I think everyone would hang his head in shame a little at the low standard provided. I hope we will not have a repetition of that in the new proposal. Accordingly, I should like the Treasurer to find out, if he can, whether the proper plans for these flats will first be submitted to the appropriate local council and be subject to its approval. It seems from this morning's newspaper that they could well be within the Mitcham council area, and this has been substantiated by the Premier's statement this afternoon that they will be built south of Adelaide. Further, will the Government undertake to make further representations to the Commonwealth Government to ensure that, when these flats are built, the Commonwealth Government will accept liability for the payment of council rates, in the same way as a private landlord would be liable?

The Hon. G. G. PEARSON: I will inquire into the two matters that the honourable member has raised. I am sure, from reading the press announcement, that the flats will be of a high standard, and I do not doubt that they would pass any scrutiny by a council. However, I will research both matters and get the honourable member a reply.

CYCLAMATE

Mr. BROOMHILL: Considerable publicity has been given to tests in the United States of America into the use of artificial sweeteners containing cyclamate. No doubt the Premier has been disturbed to read these reports and will have discussed the matter with the Public Health Department to have the situation in South Australia examined to see to what extent

this sweetener is being used. Will the Premier report on the current situation, outlining what action the Government may be taking?

The Hon. R. S. HALL: So far I know no more about the matter than what I have seen in the newspapers. Although I have not yet had time to ask the Minister of Health what is the import of the matter, I understand from public statements he has made that he is attending to it. I remind the honourable member that members on this side are not used to taking sweeteners: they are sweet enough without them. I will make full investigations to make sure that the honourable member will be quite safe in taking sweeteners into his system.

BOLIVAR EFFLUENT

Mr. GILES: Some time ago I asked the Minister of Works a question about the use of effluent from the Bolivar treatment works. The Minister replied that detailed bacteriological and virological investigation was being carried out on the effluent, that the effluent was suitable for certain types of crop, and that experiments regarding its use on certain vegetables had been carried out. Will the Premier make public the report from the Director-General of Health on the suitability for human consumption of vegetables on which water from the Bolivar treatment works has been used?

The Hon. R. S. HALL: Knowing that continuing investigations regarding the use of this effluent are proceeding, I will get the latest information for the honourable member.

CRUELTY TO ANIMALS

Mr. McANANEY: Has the Premier a reply to my question of September 16 regarding cruelty to animals?

The Hon. R. S. HALL: A report headed "Cruelty to cat in northern suburb" states:

This matter was not reported to the police until September 29, when a letter was received from the National Coursing Association of South Australia Inc. Our investigations now reveal that on Sunday, September 14, a farmhand noticed a black and white cat, about 12 months old, sitting under a fence at Wingfield. The following day it was seen in the same position and on investigation it was found that the animal was tied around the middle with a piece of sash cord which was entangled in a boxthorn bush and which prevented the cat from moving more than about a foot. All the claws had been removed, and the feet, although not bleeding, had festered and were swollen.

A local resident stated that he removed the cat to his piggery opposite and placed it in a box with food and water. He then reported the matter to a representative of the Animal Welfare League, who attended and removed the cat. It was later destroyed, and it is believed that the cord that held the cat was given to ABS 2 television station. A person who has the use of a number of paddocks in the area for housing brood mares stated that on occasions in the past he had been worried by greyhound dogs in the paddocks; however he had not seen any in the area this year. We understand that an investigation was carried out by an officer of the Animal Welfare League but that he was not successful in locating the offender. A reward of $200 has been offered by the league for information leading to detection.

CROP INSURANCE

Mr. CASEY: Has the Premier a reply to my question of October 14 about the problems facing farmers as a result of crop insurance?

The Hon. R. S. HALL: The reply is a long one but, as this question has been asked by two members, I will read it in full. I have the following report:

The first question was brought to our notice in the course of informal discussions with the Government's brokers (Stenhouse, Wallace Bruce and Company Limited), and the other when we inquired of the Premier's Secretary following its being alluded to in a broadcast news service. As both questions are on the same subject, we have prepared this one reply and, by agreement with Stenhouse, Wallace Bruce and Company Limited are submitting it directly to you, and sending copies to the Premier's Secretary, as well as to the brokers. It may be as well at the outset to list the choices of cover currently available from members of this association and for that matter from most non-tariff insurers:

(1) Combined fire and hail cover for the season ending February 1, 1970.
(2) Hail only cover for the season ending February 1, 1970.
(3) Fire only cover for any selected period.
(4) Fire only cover for the season commencing not before September 1, 1969, and ending February 1, 1970.

Seasonal covers are usually taken out on the current year's produce, while the crop is growing, whereas fire-only covers for selected periods are generally sought, either in place of seasonal covers or as an extension of them, for produce standing or stored outside the normal seasonal period. It will not, however, be necessary for farmers to seek this cover as an extension of their seasonal policies if, because of generally prevailing conditions, insurers should decide to grant it free and without being asked. Last season, when seasonal covers were to have expired on March 1, 1969, members of this association did this, and it is believed other insurers followed. Without being pressed to do so, members of the association agreed to extend the fire risk on harvested grain until May 1, 1969, without charge, and notices to this effect were published in various newspapers and journals towards the end of January. The agreement on that occasion was made in the developing belief

that the harvest would be a record one and silo and bulk storage facilities would prove inadequate for all wheat to be removed from farmers' properties before March 1.

In respect of the current season, the introduction of the quota system for deliveries by farmers posed complex problems to insurers. After giving these problems very careful consideration it was decided to cover non-quota wheat, as well as quota wheat, for the same value. This of course was to the advantage of farmers. In conjunction with this, however, it was decided to amend the expiry date of seasonal cover for wheat insured at this value to February 1, 1970, by when it was considered that in most districts all quota wheat should be delivered. This was done on the understanding that the position would be reviewed in November or December, by when a better appreciation of all relevant facts would enable insurers to reappraise the situation. If circumstances demand it a special extension of cover for this season, beyond February 1, will be offered, and in determining any charge for this extension the premium already paid for the seasonal cover will be taken into consideration. Values in relation to non-quota wheat may at this stage, however, have to be revised.

On the question of no reduction in premium having been made for the reduction of the period of seasonal covers, it should be stressed that in respect of the majority of risks, that is, those relating to grain crops to be harvested and delivered, the risks actually cease when the grain is delivered, which in most cases will be before February 1 so that that date is a "ceiling" date only and not a date determining the measure of risk run by insurers. On the question of wheat being insured for 80c a bushel, it should be stated that this "value" was fixed, as it has been for many years past, after conferring with all appropriate authorities and taking into account all items which would on the average constitute legitimate deductions from the price that farmers could expect to receive from delivered wheat. In the main, these are expense items which farmers, on losing a standing crop, would never incur: for example, harvesting, cartage, etc. It should be stressed that insurers have neither interest nor desire to set the value too low. We trust that the information supplied will enable you to answer the questions asked.

That information was received from Mr. Griffiths, Secretary of the Fire and Accident Underwriters Association of S.A., the group to which the tariff companies belong.

WHEAT STORAGE TAXATION

Mr. VENNING: Yesterday, at the zone 4 conference of the United Farmers and Graziers of South Australia Incorporated, at Gladstone, great consternation was expressed about the taxation implications of over-quota wheat stored on farms. As you know, Mr. Speaker, the value of wool or any other stocks held on farms is supposed to be included as income in the taxation return. Can the Treasurer say what is the taxation position concerning over-quota wheat held on farms?

The Hon. G. G. PEARSON: I do not have the docket with me at present, because I did not know that a question would be asked on this matter, but some time ago I think this matter was raised in another place by the Hon. G. J. Gilfillan. Subsequently, I wrote to the Deputy Commissioner of Taxation in Adelaide, set out the matters about which there was some doubt, and asked him for information. I do not wish to canvass the matter at any length now but, briefly, it falls into three categories. It is well understood that wheat which is delivered to the silo as quota wheat and which will be paid for is automatically included in the taxation return at the end of that financial year. Concerning non-quota wheat, which may or may not be delivered to the silo depending on whether there is room to accept it, there is doubt that that should be brought to account as taxable income in the year it was produced, or subsequently. On this matter the State Deputy Commissioner ruled that, because the wheat had ceased to be the property of the farmer and that he had not been paid for it, it would not need to be brought to account in that taxation year but would be brought to account when subsequently he was paid for it. So the area of doubt has diminished to the point of considering where wheat is held on the farm for subsequent sale either to the Wheat Board or for use as stock feed. On this point the Deputy Commissioner intimated that it would have to be included in the taxation return on either one of two bases, namely, at market value or at opening stock value, which is an option open to primary producers in regard to other assets. This seemed to be a difficulty, because at the time when it was stored the grower would not know how much of it, if any, he would eventually market or how much he would use as stock feed. Therefore, I suggested to the Deputy Commissioner that this wheat should be brought to account when it was eventually disposed of, and not before. On this matter the Deputy Commissioner was not able to rule and, therefore, I asked the Premier to write to the Prime Minister to have this matter considered by the Commonwealth authorities. The Premier has written to the Prime Minister in these terms, and a reply is awaited.

GERIATRIC PATIENTS

Mr. McKEE: In a letter that I received from the Honorary Secretary of the Port Pirie Branch of the Old Age and Invalid Pensioners Association, my attention has been drawn to a report in the *Advertiser* of October 15, which under the heading, "Geriatric Patients 'Robbed' ", states:

The Queensland Treasurer (Mr. Chalk) today offered an investigation by the Auditor-General's Department into alleged stealing from Townsville General Hospital geriatric patients.

The letter states:

I have no doubt you have seen the enclosed cutting from the *Advertiser*. Would it be possible for you to give me any indication as to what happens to geriatric patients' cheques in Government hospitals in this State, especially when these patients have no known relatives. I am not for one minute suggesting that any malpractice takes place, but I am sure to be asked some questions from my members, and I should be happy to be able to supply them with a definite reply. Thanking you, yours sincerely (signed) Ernest W. Murley.

Will the Premier obtain from the Chief Secretary a report on the procedure regarding geriatric patients in wards throughout the State who are unable to sign their cheques?

The Hon. R. S. HALL: I shall be pleased to obtain that information.

WILD TURNIP

Mr. EDWARDS: Has the Attorney-General obtained from the Minister of Roads and Transport a reply to my recent question about wild turnip growing along railway lines?

The Hon. ROBIN MILLHOUSE: It is the policy of the South Australian Railways to deal with noxious weeds on railway land as and when noted or reported. The department also participates in destroying declared weeds when a joint campaign involving the district council and adjoining landowners is arranged. It is understood that one species of turnip weed is prevalent on railway and adjoining land on Eyre Peninsula. In the event of the plant becoming included in the category of declared weeds, the Railways Department will co-operate with other local interests in spraying or otherwise dealing with it.

TRANSPORTATION COMMITTEE

Mr. VIRGO: I refer the Premier to an advertisement appearing in last Thursday's *Advertiser* headed "Metropolitan Transportation Committee", in which it was stated that any person who wished to submit details of an alternative route for the committee to consider should do so by November 14. As I have been contacted by several people in my district who are seeking information on this matter, can the Premier verify the fact that the date quoted is, in fact, the last date by which submissions should be made or whether it has been altered since the advertisement appeared? More important, will the Premier ascertain for me the committee's specific terms of reference? During the M.A.T.S. debate, the Premier indicated the committee's general terms of reference. He has subsequently stated in this House, first, that the committee would be looking at the 1962 and 1968 routes; and he later added that it would also be looking at the route involving the Sturt River. So that the matter may be clarified beyond a shadow of a doubt, will the Premier obtain this information for me?

The Hon. R. S. HALL: Yes.

ABORIGINAL ART EXHIBITION

Mr. ARNOLD: Last Friday evening I had the pleasure of attending the opening by the Minister of Aboriginal Affairs of an art exhibition held in Berri by the Aboriginal artist, Mrs. Doris Cook. This art exhibition has been an unqualified success, brought about largely, on the one hand, by the talents of Mrs. Cook and, on the other, by the efforts of various organizations in the district, such as the Upper Murray Aborigines Welfare Association, the Adult Education Centre, and the Upper Murray Art Group, and by the work of the Aboriginal Affairs Department welfare officer at Berri and many other people. In the light of this exhibition's success, will the Minister and his department consider promoting further similar projects that will involve people living in other districts in a community effort?

The Hon. ROBIN MILLHOUSE: I heartily agree with everything the honourable member has said in the preamble to his question. It was a wonderful occasion on Friday evening, and I am delighted to know that the pictures are selling well; they certainly deserve the sale. I recommend to any honourable member, if he has the time and the opportunity to visit Berri, that a look at the exhibition by Mrs. Doris Cook will be well worth while. As the honourable member said, it was a remarkable example of community participation and co-operation between a number of organizations and Aborigines and other members of the community, and anything that I can do to foster this sort of project, either

in the Upper Murray on another occasion or anywhere else in the State, I shall do. One of the rewards for my opening the exhibition was that I had first choice of the pictures.

Mr. McKee: For nothing?

The Hon. ROBIN MILLHOUSE: No fear; I was happy to pay for a beauty the price asked in the catalogue. I understand from the member for Chaffey that the picture could have been sold a dozen times over since, and I consider myself lucky to have been able to buy one of Mrs. Cook's paintings. Indeed, I am looking forward to having it hanging in my house in due course after others have had a chance to enjoy it during the period that the exhibition is open. I will certainly do all I can to further this sort of thing. I hope that members of the community generally will find out what went on in organizing this exhibition and will follow suit, because it cannot be emphasized too much that the only way we will achieve our aim of integrating Aborigines is by means of community participation. It cannot be achieved by a Government, nor by any one organization; it must be achieved through a desire on the part of all people in the community that it should come about, and I hope, indeed, that that desire is growing. I believe that it is growing and that last Friday evening was an excellent example of it.

ANZAC HIGHWAY INTERSECTION

Mr. HUDSON: I wish to ask the Attorney-General, representing the Minister of Roads and Transport, a question about a more mundane matter. For some days now, the traffic lights at the intersection of Marion Road and Anzac Highway have been behaving most peculiarly. Often, the traffic lights show red against Anzac Highway traffic for long periods, and drivers become impatient and go through the red signals. I do not know whether the lights are refusing to work properly because a Democratic Labor Party sticker has been placed on one of the posts in the area; that may or may not be the cause. However, whatever the reason may be, I ask the Attorney-General to take up this matter with his colleague to see what is wrong with this set of traffic lights, particularly as at present they represent a danger: although the lights may be showing green one way, motorists become impatient and move across the intersection against the red signal, and there is a danger of a collision occurring.

The Hon. ROBIN MILLHOUSE: I suggest to the honourable member that there is probably an Australian Labor Party sticker close to the D.L.P. sticker, that the two are mutually antipathetic, and that this is perhaps the cause of the trouble.

Mr. Virgo: We haven't defaced community property as the L.C.L. and D.L.P. have done.

The Hon. ROBIN MILLHOUSE: I do not know why the member for Edwardstown drags the L.C.L. into the internecine strife between the Labor Parties. However, in the hope that the split in the Labor Party may be healed, I will ask my colleague to have immediate inquiries made regarding the operation of the lights.

BARLEY STORAGE

Mr. NANKIVELL: I understand that a critical position has been reached in relation to storage space this year for bulk barley. So far no statement has been made about what space will be available. There is also concern about how shipping will affect the position and about the availability of cornsacks as an alternative method by which grain can be delivered. Will the Minister of Lands ask the Minister of Agriculture what space will be available for bulk barley; what shipping prospects are in sight for the immediate consignment of barley; what is the availability of cornsacks; and whether it is expected that farmers will have to store most of their barley this year on their properties?

The Hon. D. N. BROOKMAN: I will refer that matter to my colleague.

BUTTONS

The Hon. C. D. HUTCHENS: A few days ago a Mrs. Cowan alleged in a letter to the Editor that appeared in the *Advertiser* that, while she was selling buttons outside Parliament House, a member of Parliament evaded her, walking out of his way to the back of his car. After the member had parked his bottles, his wife is alleged to have picked up a badge that had blown from the seller's tray and pinned it on her husband's coat. I do not believe any present member or former member of Parliament would stoop to such tactics. In order that members of Parliament and the institution may be protected, if it is in your power, Mr. Speaker, will you write to this lady, pointing out that we believe she has made a mistake and, if she believes she has not, asking her to name the member concerned?

The SPEAKER: When I noticed the letter to the Editor in the *Advertiser,* I immediately got in touch with a person I know who has been selling buttons outside Parliament House

on Fridays for many years. I asked her whether what was in the letter was her experience, and she said "No". I said, "I think it would be a good idea if you expressed your views," which she has done, and they appear in this morning's *Advertiser.* I have written to her, thanking her very much. I also got in touch with the *Advertiser,* pointing out that, in my experience (and my experience is the same as that of the member for Hindmarsh), there would not be one member who would refuse to buy a button. In addition, as the honourable member knows, many of us (and this includes me) make big contributions to other charitable organizations, apart from buying buttons. As the Editor of the *Advertiser* had published the letter condemning members and a day or two had elapsed without the other letter appearing, I told the Editor that, as the *Advertiser* had published what was bad for members, it should also publish what was good, and the second letter appeared in this morning's paper. Now that the honourable member has raised the matter, I will write to the lady who wrote the first letter, explaining the position to her. Apparently she is under a grave misunderstanding: not only members of Parliament are in this place but staff members as well.

RAILWAY ECONOMIES

Mr. FREEBAIRN: Some weeks ago I asked the Premier to bring to the House the Government's plans for economy measures in the South Australian Railways. There are no Party politics involved in this, as the member for Edwardstown is supporting me in my drive for increased efficiency in the Railways Department. As some weeks have gone by, can the Premier say when I can expect a reply to that question?

The Hon. R. S. HALL: I am sorry that I have not yet obtained the information for the honourable member. If I refer him to the Parliamentary Under Secretaries, perhaps they can assist him in his quest for the answer. I will look up his remarks, and see whether I can bring down a reply for him. Of course, I remind him that measures concerning the efficiency of the railways are, I am sure, constantly before the Commissioner. One previous study made became a matter of some controversy in this House when it was seized upon and used out of context, and I do not want that to happen again. I point out to the honourable member that I am sure that matters of efficiency and economy in the railways are, as in the case of any other large organization, constantly before management.

Mr. McANANEY: I have noticed a report to the effect that, in the last decade, the New South Wales Railways has introduced automation, including the use of computers, that has helped it to reduce its manpower requirements by 17.4 per cent while increasing its freight ton-mile product by 55 per cent. Will the Attorney-General ask the Minister of Roads and Transport what use of automation and computers has been undertaken by the South Australian Railways?

The Hon. ROBIN MILLHOUSE: I will ask my colleague.

ADULT EDUCATION CLASSES

Mrs. BYRNE: Has the Minister of Education a reply to the question I asked her last week about adult education classes in the outer-suburban section of my district?

The Hon. JOYCE STEELE: The centre for organizing and administering classes in the areas mentioned by the honourable member is Strathmont Boys Technical High School. At that school there is a full-time senior master who is responsible for establishing classes in his own school and also branch classes in the surrounding areas, if there is a demand for them. There have been no specific requests for classes from Highbury and Hope Valley, but a woodwork class is held at Modbury and dressmaking at Tea Tree Gully. Earlier this year a class in modern mathematics for parents was conducted at Tea Tree Gully and last year a class in conversational Malay. Because of the growth in population north-east of Adelaide, it is expected that there will be an increased demand for Strathmont Boys Technical High School to establish more branch classes in the future.

TRAVEL PERMITS

Mr. CASEY: The Attorney-General has informed me that he has a reply to a question I directed, through him to his colleague, some time ago about travel permits for station hands in the North-East of the State. Will he give that reply?

The Hon. ROBIN MILLHOUSE: I am afraid I do not have it.

Later:

Mr. CASEY: Has the Premier a reply to my recent question about the availability of travel permits for station hands in the northern

area of the State? I apologize to the Attorney-General for having made a mistake, but I know he would have made political capital out of the reply in some way or other if he had given it.

The Hon. R. S. HALL: I apologize, too, for my absence when the honourable member asked his second question for the day. The Secretary of the Transport Control Board reports that the board has granted permits to 12 station managers for persons to travel to Adelaide. The board's officers will give authority to persons returning to these areas. These permits are readily obtainable. However, the board is currently reviewing the position of travel permits between Ucolta and Cockburn and will give a decision shortly.

BURNING-OFF

Mr. VENNING: In past years the policy of the Railways Department has been to burn the entire enclosed area along a railway line. However, it has been rumoured that, with the withdrawal of steam trains and the use of diesel locomotives, that policy will not necessarily be followed, and the department will burn only at railway crossings. I point out that recently two fires have been started by diesel locomotives in the northern part of the State. Will the Attorney-General ask the Minister of Roads and Transport what is the department's policy, bearing in mind the importance of maintaining the status quo?

The Hon. ROBIN MILLHOUSE: Certainly.

SOLOMONTOWN BEACH

Mr. McKEE: Has the Treasurer, in the absence of the Minister of Marine, a reply to the question I asked last week about the provision of flushing gates at the Solomontown retaining wall?

The Hon. G. G. PEARSON: Arrangements have been made with the Port Pirie council for Mr. B. I. Moyses (Engineer for Planning and Development in the Marine and Harbors Department) to discuss the matter with the City Engineer and inspect the site, etc., on Friday, October 24, 1969. A report and estimate of cost will then be made.

OAKBANK SCHOOL

Mr. GILES: Has the Minister of Lands, in the absence of the Minister of Works, a reply to my question about drainage work being carried out at the Oakbank Area School?

The Hon. D. N. BROOKMAN: A private consulting civil engineer has been engaged to provide detailed requirements to overcome the drainage problems at the Oakbank Area School. He has submitted a comprehensive scheme for improvements to the drainage scheme, together with paving requirements and the provision of an access roadway, requested by the school authorities. Funds have been approved for these works and the consultant has been directed to proceed with the preparation of detailed documents to enable tenders to be called and a contract let for the work. It is expected that tenders will be called to enable a contract to be undertaken during the coming summer period for the overall drainage and paving improvements at the Oakbank Area School.

HOPE VALLEY SEWERAGE

Mrs. BYRNE: Has the Minister of Lands, in the absence of the Minister of Works, a reply to my recent question about sewering an area at Hope Valley?

The Hon. D. N. BROOKMAN: When the Hope Valley scheme was approved, the area bordered by Grand Junction, Reservoir and Pompoota Roads and Tolley's vineyard was very sparsely built up and it was, consequently, not included in the approved scheme. In recent years there has been further building activity, and inquiries have been received for extensions to serve various properties. Because of the lack of development, the revenue to accrue from the ordinary sewerage rate is not sufficient to give the return required on the expenditure involved, and it is, therefore, necessary for guarantees of additional payments to be made before extensions can be approved. A scheme for Barmera Avenue, based on a guaranteed rate return on capital outlay, has been placed before residents and they have advised that the conditions are acceptable. Guarantees have been forwarded for signature to the residents and, when all are received by the Engineering and Water Supply Department, arrangements will be made for the work to be done. The extensions necessary to other streets will be treated in a similar manner if requests are made for extensions. Part of Pompoota Road is already sewered, but the western portion has to be drained to the west, past land which is mainly undeveloped. Waikerie Avenue, Yarrow Crescent and Parcoola Avenue and the streets off them are already sewered in part, and applications for extensions will be considered as required, but an overall scheme for the whole area cannot be considered, because of the number of vacant blocks involved.

EYRE PENINSULA SCHOOLS

Mr. EDWARDS: The committees of the Poochera and Minnipa schools, and also the committee of the area school to be built at Butler, are extremely concerned about the expenditure of money on providing further playground equipment and other facilities for schools in an area where an area school will be built. Can the Minister of Education say what progress is being made with the provision of area schools at Butler and Karcultaby?

The Hon. JOYCE STEELE: The honourable member (and probably all other members) knows that considerable time often elapses before an area school is established, because the work involved includes closing down smaller schools and transporting the children to the area school. Sometimes it is years before the parents decide that they want to close down a school to which their children have been going and make use of the vastly improved facilities available at area schools. The kind of course the children want to follow is also important. Sites for the proposed area schools at Butler and Karcultaby have been selected by the Education Department Regional Officer, Western Region, Whyalla, together with the District Inspector of Schools, and recommendations have been received in the Education Department. To enable a decision to be made as to the suitability of the selected sites, the Public Buildings Department has been requested to have them surveyed and a comprehensive report prepared.

WIND-BREAK RESERVES

Mr. NANKIVELL: Has the Minister of Lands a reply to my question of October 15 about the future of wind-break reserves around the hundreds of Chandos, Parilla, Bews and Cotton?

The Hon. D. N. BROOKMAN: As the honourable member indicated, an examination of all wind-break reserves in the four hundreds subject to the provisions of the Pinnaroo Railway Act has been in hand for some time and field work has been completed. The field plans are under examination, with a view to submitting data on which a recommendation may be framed. The project is proving to be one of some complexity, and at this stage it is not possible to state when recommendations will be made. The nature of the vesting of all or part of the existing wind-break reserves will form part of the recommendations made to me. Referring to the latter part of the question, all wind-break reserves are adjacent to roads and it should not be necessary for the reserves themselves to be used by the public, apart from access across the reserve to the road. In the case raised by the honourable member, there is a one-chain road along the eastern side of the wind-break reserve in question. I suggest that, should any landowner or district council experience difficulty because of any wind-break reserve, the matter be submitted to me and I will give it special consideration.

KAPUNDA PRIMARY SCHOOL

Mr. FREEBAIRN: Yesterday, I received a letter from a professional body in my district called the Eudunda-Kapunda Teachers Association. One of the points it raises concerns two deficiencies at the Kapunda Primary School, particularly its lack of a library. The history of the situation at the school is that at the start of this year the convent school at Kapunda closed and its children enrolled at the primary school, with the result that accommodation at the school was taxed to its capacity and the school's library has had to be used for other purposes. In addition, the association states that the primary school is one staff member short. I presume that this, too, is due in part to the increasing number of children that has resulted from the convent school's closing. Bearing in mind the special circumstances caused by the closing of the convent school, will the Minister of Education follow these two matters up in the hope of reaching an early solution?

The Hon. JOYCE STEELE: The honourable member will recall that I recently visited the school in his company and spent a very pleasant day there. I had the opportunity while there of seeing the room that the school committee intends to convert into a library. I appreciate the difficulties that have been caused by children from the convent school adding to the numbers at the primary school. I have discussed with members of the committee the matters now raised, and a report is being prepared for me. It is the usual practice for the school's headmaster to make a request to the Education Department if extra staff is required, and I expect that this has been done. However, I will expedite the report and provide the honourable member with a reply as soon as possible.

ACCOMMODATION SIGNS

Mr. VENNING: Has the Minister of Lands a reply to my question of September 25 about road signs denoting the location of caravan parks?

The Hon. D. N. BROOKMAN: The Minister of Roads and Transport states that the use of international-type signs to indicate services available to motorists is currently being examined by the National Australian Committee on Road Devices. This committee is preparing a manual of uniform traffic-control devices for general use in Australia. This State has prepared designs for these signs, and they have been submitted to the committee for consideration. If the signs are agreed to by the committee, they will be erected adjacent to the facility providing the service. To assist travellers and tourists to find accommodation areas in our State more easily, the Highways Department has been encouraging local authorities to erect information bays on the approaches to towns where motorists can ascertain this information in comparative safety and convenience. Information bays have already been erected at the toll gate, Meningie, Tailem Bend and Salt Creek.

GASOMETERS

Mr. VIRGO: Recently I asked the Minister of Labour and Industry whether those unsightly monstrosities called gasometers would be removed with the advent of natural gas. As I understand that the Attorney-General now has a reply (which I hope is favourable), will he give it to the House?

The Hon. ROBIN MILLHOUSE: I have a reply in my capacity as Minister representing the Minister of Labour and Industry. It is favourable in the long run and states that the General Manager of the South Australian Gas Company has advised that he expects that existing gasholders will continue to play an essential part in the distribution of gas in the metropolitan area for at least the next five years. However, at some time in the future the company hopes that the holders will be placed out of commission and demolished.

STATUTES CONSOLIDATION

Mr. McANANEY: Yesterday, when I asked for a certain Act and amendments to it I received an Act with about 20 amendments. Will the Attorney-General say what progress is being made in the consolidation of Acts, as authorized by Parliament?

The Hon. ROBIN MILLHOUSE: I would like to know what Act it was. There is a policy of reprinting loose Acts and incorporating amendments unless it is likely that they will be—

Mr. McAnaney: It was the Lottery and Gaming Act.

The Hon. ROBIN MILLHOUSE: One never knows what will happen there. I will inquire about that Act and its reprinting, although I think this is a matter principally for the Chief Secretary, under whom the Government Printing Office comes. Progress is being made on the consolidation of the Statutes as a whole but this is a big and slow job, which is being carried out by Mr. Ludovici as Commissioner of Statute Revision, and it will be some years before it is completed.

MEAT

Mr. VENNING: Has the Minister of Lands a reply from the Minister of Agriculture to the question I asked on October 7 about pig meat contracts with Japan?

The Hon. D. N. BROOKMAN: The Minister of Agriculture states that in February, 1969, it was announced that Metro Smallgoods Limited had received an initial order from Japan for 70 tons of pork sides. This was the first time for many years that a South Australian meat company had met the high standards required by an oversea market for sides of pork. In the past month, import licences for up to 25,000 tons of Australian pig meat, free of duty, into Japan have been granted by the Japanese Government. This will be on a trader-to-trader basis between countries.

RUBBISH DUMPING

The Hon. C. D. HUTCHENS: Recently I have been informed that an offender dumping rubbish in a council area was spoken to by an inspector and that he immediately collected the rubbish and took it home, and on the same day wrote to the council expressing his regret. Later, a summons was issued against him, he filled in Form A pleading guilty, and was fined $8 with $14.50 costs. He queried the amount of the costs and was told that $10 was for the solicitor's fees. In the circumstances, surely this could not be correct. Will the Attorney-General find out whether it is correct?

The Hon. ROBIN MILLHOUSE: If the honourable member will give me the name of the person concerned I will inquire, but I point out that the penalty imposed is entirely a matter for the court and I cannot interfere with that. However, I can inquire about the details, which I shall be happy to do.

SPEED LIMITS

Mr. NANKIVELL: Has the Attorney-General a reply from the Minister of Roads and Transport to my question of August 26 about speed limits of vehicles?

The Hon. ROBIN MILLHOUSE: The existing provisions of the South Australian Road Traffic Act are a little more restrictive than the general limit prevailing in other States. However, the legal speeds are compatible with the braking provisions in South Australia as, generally, the South Australian braking requirements are not as high a standard as prevails elsewhere. Although South Australian speed limits and braking performance are currently under review, they have not been submitted to or accepted by Parliament. While the existing speed provisions are still in force, I understand they are being policed in a commonsense manner.

Mr. NANKIVELL: Many of these vehicles are already travelling to other States and are up to the accepted standard of braking required in those States, which require a higher standard than that in South Australia. As I have been approached by these people, who say that the limits are not being policed in a commonsense manner at present, I ask the Attorney-General whether he will again bring this matter to the attention of his colleague so that it can be further considered.

The Hon. ROBIN MILLHOUSE: Yes.

MARANANGA SCHOOL

Mrs. BYRNE: When speaking in the Budget debate on September 24 (as reported on page 1762 of *Hansard*) and again in the Estimates debate (as reported on page 1999 of *Hansard*) I spoke of the Education Department's proposal to transfer the head teacher from Marananga Primary School. On the latter occasion the Minister offered to obtain a report. As I have again been approached by the school committee on this matter, I ask the Minister whether she has the report yet.

The Hon. JOYCE STEELE: This morning I signed a letter addressed to the honourable member on this matter, and she will probably receive it tomorrow morning.

ELECTORAL ROLLS

Mr. VIRGO: Many times I, and other Opposition members, have complimented the State Electoral Department on introducing the computer roll. As the Attorney-General would know, writs for the Commonwealth election closed on September 29.

The Hon. Robin Millhouse: The rolls did.

Mr. VIRGO: They closed with the closing of the writs, as the Attorney-General well knows, and new rolls were then commenced to be printed. I do not know how the Attorney has fared in his district, but many rolls are still not delivered, and I have been led to believe that the reason being advanced for this is the slowness of the computer roll and the lack of printing facilities available in South Australia. As I find this impossible to believe and also distasteful, will the Attorney-General inquire about this matter and make a statement to correct what seems to be an unfair allegation against the Government Printing Office and the State Electoral Department?

The Hon. ROBIN MILLHOUSE: I will follow up the matter with Mr. Guscott (Assistant State Returning Officer) and do whatever is necessary.

LAND AGENTS

Mr. JENNINGS: On behalf of a land agent or land salesman in my district, who had asked me to obtain information for him about the questionnaire being sent to all those in his profession, if it can be called that, several weeks ago I asked a question of the Attorney-General, under the impression that these questionnaires were coming from his office. That may have been an incorrect impression, but the Attorney-General promised that he would obtain a reply. In the meantime I have asked him several times about it but so far I have not heard anything beyond this. Has the Attorney-General a reply?

The Hon. ROBIN MILLHOUSE: No, I have not. So that I could reply to the question, I had to seek information through the Chief Secretary from the Police Department, and that information has not yet come to hand. As soon as it does, I will inform the honourable member.

PISTOL LICENCES

Mr. LAWN (on notice): How many pistol licences have been granted for each of the past 10 years?

The Hon. R. S. HALL: The number of pistol licences issued for the last 10 financial years is as follows:

Twelve months ended June 30	Number
1960	7,150
1961	7,251
1962	7,306
1963	7,551
1964	7,591
1965	7,664
1966	7,502
1967	7,610
1968	7,750
1969	7,836

GOODS (TRADE DESCRIPTIONS) ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

BUILDERS LICENSING ACT AMENDMENT BILL

The Hon. G. G. PEARSON (Minister of Housing) obtained leave and introduced a Bill for an Act to amend the Builders Licensing Act, 1967. Read a first time.

The Hon. G. G. PEARSON: I move:

That this Bill be now read a second time.

It is designed to improve and remove some of the more objectionable features of the Builders Licensing Act so that the Government can take steps to bring it into operation. Clause 2 provides that the Bill is to come into operation on a day to be fixed by proclamation. This will enable the principal Act and the amendments effected by this Bill to be brought into operation simultaneously. Clause 3 makes a formal amendment to section 3 that is consequential on the proposed removal of the provisions relating to the advisory committee. Clause 4 makes several amendments to the interpretation section of the principal Act. Paragraphs (*a*) and (*b*) of that clause remove from the definition of "building" any building consisting only or mainly of assembled prefabricated metal sections of any timber frame building where, in either case, such building is not intended for residential purposes. It is considered that prefabricated buildings not intended for residential purposes should not be brought within the scope of the legislation. Paragraphs (*c*) and (*d*) have the effect of amending the definition of "building work" so as to read as follows:

"building work" means work in the nature of—

(*a*) the erection or construction of any building;

(*aa*) any alteration of or addition to or repair of any building, plans, drawings and specifications in respect of which require approval in writing under section 8 of the Building Act, 1923-1965, by a council as defined in that Act; or

(*b*) the making of any excavation or filling for, or incidental to, the erection, construction, alteration of, addition to, or the repair of any building.

Thus any alteration of, addition to or repair of any building drawings and specifications in respect of such work requires approval under the Building Act. Paragraphs (*e*), (*f*) and (*g*) remove from the section any reference to the advisory committee which, the Government considers, is a body that is unnecessary for the proper or efficient administration of the Act. Clause 5 removes from the headings in Part II any reference to the advisory committee. Clause 6 brings a reference to the repealed Public Service Act up to date by substituting therefor a reference to the Public Service Act, 1967-1968. Clause 7 amends section 7 by repealing subsection (8) thereof, which deals with the advisory committee. Clause 8 brings another reference to the repealed Public Service Act in section 11 of the principal Act up to date. Clause 9 repeals the whole of Division 2 of Part II of the principal Act. This Division provides for the constitution and functions of the advisory committee. Clause 10 adds to section 14 a new subsection (3a), which provides in effect that, if an application for the renewal of a licence, if made in accordance with this Act, is not dealt with before its expiry, the licence is to be deemed to be extended until the application is disposed of by the board.

Clauses 11 and 12 amend sections 15 and 16 of the principal Act. These sections at present provide that a licensed body corporate or partnership will have its licence suspended if there is not, for any period exceeding 21 days, at least one of the directors of the body corporate or at least one of the partners in the partnership who is the holder of an appropriate licence. The amendments made by these clauses provide that the licence will be suspended as provided in those sections unless the board is satisfied that the body corporate or the partnership has made satisfactory arrangements for a person who is the holder of an appropriate licence to supervise the building work that the body corporate or the partnership has undertaken. Clause 13 clarifies the reference in paragraphs (*c*) and (*d*) of section 18 (1) to "other tribunal" by substituting for those words the passage "any duly appointed arbitrator". Clause 14 repeals section 19 (7), which provides that the determination of the local court on an appeal is final and conclusive. Clause 15 clarifies section 20 (1) (*b*) by specifically requiring the notice referred to in that paragraph to be signed by the Chairman or by the Secretary acting under the direction of the board.

Clause 16 amends section 21 of the principal Act by removing from subsection (4) (*b*) the reference to building work that consists solely of painting work, as the definition of "building work" in section 4 has now been amended to exclude work in the nature of painting work, and by increasing the sum of $250 to $500.

The clause also inserts in the section two new subsections (12a) and (12b). New subsection (12a) provides that it shall not be unlawful for a person who is not the holder of a general builder's licence to construct or undertake to construct, for fee or reward, a house or dwelling for another person if, before undertaking the construction, he has received from that other person a notice in writing to the effect that the house or dwelling is intended for that other person's personal use and occupation. New subsection (12b) provides for a penalty of $500 as a sanction against the issue of a false notice under subsection (12a).

The ostensible purpose of this legislation, when the Bill was originally introduced by the previous Government, was to protect, in particular, those people who might be investing their money and often committing themselves to an expenditure over a long period and to protect other people, in general, from the results of faulty workmanship in building and from some practices that it was alleged were current and operating to the detriment of people having houses built. In the discussion on that Bill, other matters were introduced, and the Government does not believe these were necessary to achieve the stated objects of the Bill when it was introduced. Government members agree, and I think have never contested, either when in Government or in Opposition, that it is desirable that protection be afforded and that steps be taken accordingly to prevent malpractices from occurring. The method that was considered and adopted by the Parliament of the day was that builders should be licensed and registered by a board. As that purpose has been completely preserved in the Bill, the protection that it was sought to provide will apply.

Some other ancillary matters have been removed. In all these matters the board and the building industry have been consulted. Indeed, some of the provisions in this Bill have been referred to in documents issued and statements made by the Master Builders Association as being desirable. Therefore, I commend the Bill to the House, for I believe it achieves all that the previous Government desired to achieve in respect of protecting people who need protection. I think it preserves the desires of the Master Builders Association and other bodies of similar responsibility in the building industry to put an imprimatur on the work their members do.

Mr. HUDSON secured the adjournment of the debate.

PREVENTION OF POLLUTION OF WATERS BY OIL ACT AMENDMENT BILL

The Hon. G. G. PEARSON (Treasurer) obtained leave and introduced a Bill for an Act to amend the Prevention of Pollution of Waters by Oil Act, 1961-1964. Read a first time.

The Hon. G. G. PEARSON: I move:

That this Bill be now read a second time.

Normally this Bill would be presented by the Minister of Marine. It makes several amendments to the Prevention of Pollution of Waters by Oil Act. This Act was enacted in substantially uniform terms in 1961, when I was Minister of Marine. Its purpose is to prevent the widespread damage and destruction that can follow upon the discharge of oil into waters adjacent to the coast. Members will be well aware of incidents of this nature that have occurred in recent years near to the coasts of England and America. The purpose of the present Bill is to bring the provisions of the principal Act into conformity with the requirements of the International Convention for the Prevention of Pollution of the Sea by Oil, and to give effect to certain suggestions of the Solicitor-General designed to overcome difficulties that have been experienced in prosecuting for offences against the principal Act.

The provisions of the Bill are as follows: Clause 1 is formal. Clause 2 amends the definition section of the principal Act. The definition of "board" is struck out. This is necessary in consequence of the change in the administration of the Harbors and Marine Acts effected by the amending Acts of 1966. The administration is now vested in the Minister of Marine rather than in the Harbors Board. A more comprehensive definition of "the jurisdiction" is inserted in the principal Act. In the case of *Bonsar* v. *La Macchia,* the terminology adopted by the present definition was given a rather restricted meaning. Consequently, a more extensive definition is adopted. A definition of "the owner" is inserted in this provision to make it clear that the person who is designated as owner in the principal Act can include a charterer of the ship.

Clause 3 makes drafting amendments to the principal Act. Clause 4 amends section 8 of the principal Act. This section deals with the equipment that a ship must have to prevent oil pollution. The regulation-making power is

made slightly more extensive by paragraph (*a*). A new subsection (2*a*) is inserted that permits regulations to be made prohibiting or restricting the carriage of water in a tank that has contained oil by any ship or class of ships. Thus, a ship can be prevented from taking on water ballast that will become contaminated with oil and subsequently discharged causing contamination and destruction of shore areas. Clause 5 amends section 9 of the principal Act. This section deals with the records that must be kept by the owner, agent or master of the ship. Here again the regulation-making power is made slightly more comprehensive.

Clause 6 amends section 10 of the principal Act. This section deals with the reporting and investigation of all discharges. The amendment provides that the owner, agent or master of a ship from which oil has been discharged shall forthwith inform the Minister of the details of the discharge and inform him of the names and addresses of the owner, agent and master of the ship. The amendment to subsection (2) enables an investigating officer, for the purpose of obtaining information about an oil discharge, to inspect any relevant documents kept in the ship, such as the log book. The amendment also empowers such an officer to require any person to answer a question that is pertinent to the investigation. Clauses 7, 8, 9, 10 and 11 make drafting amendments to the principal Act.

Clause 12 amends the evidentiary provisions of the principal Act. Certain new matters are included consequent on the previous amendments to the principal Act. For example, a statement made by the owner, agent or master of a ship pursuant to section 10 is to be taken as *prima facie* evidence. An allegation in a complaint that a named person is or was on the date alleged the owner, agent or master of a ship is to be taken as *prima facie* evidence. Clause 13 amends section 17 of the principal Act. This provision deals with proceedings taken for offences against the principal Act. The amendment provides that proceedings may be taken only by the Director of Marine and Harbors or by some other person approved by the Minister. Some doubt has been expressed whether offences under the Act are to be dealt with summarily or upon information. A new subsection is therefore inserted making it clear that proceedings are to be disposed of summarily. Clause 14 makes a drafting amendment to the principal Act.

The Hon. C. D. HUTCHENS secured the adjournment of the debate.

LICENSING ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1 Page 2, lines 32 to 40 and page 3, lines 1 to 7 (clause 5)—Leave out the clause.

No. 2. Page 3, line 8 (clause 6)—After "amended" insert—

"—(*a*) by striking out from subsection (2) the passage 'one day' and inserting in lieu thereof the passage 'a period not exceeding three days' ";

and

(*b*)."

No. 3. Page 5—After line 11 insert new clause 8a as follows:—

"8a. *Amendment of principal Act,* s. 22 —*Retail storekeeper's licence.*—Section 22 of the principal Act is amended by inserting after subsection (3) the following subsection:—

(4) Upon application by the holder of a retail storekeeper's licence whose licence was declared to be a retail storekeeper's licence under subsection (5) of section 3 of this Act, or whose licence was granted to the holder of a storekeeper's Australian wine licence (whether he was the holder of that licence, or the licence was transferred to him from that person) the court shall, if it is satisfied that the licensed premises of the applicant are adequate and properly equipped for the sale and disposal of Australian brandy, so vary any conditions of the licence that restrict the types or kinds of liquor that may be sold or disposed of in pursuance of the licence as to permit the sale and disposal of Australian brandy in pursuance of the licence."

No. 4. Page 5 (clause 9)—After line 15 insert new paragraph as follows:—

"(*a*1) by striking out paragraph (ii) of the proviso;."

No. 5. Page 5 (clause 9)—After line 20 insert new paragraphs as follows:—

"(*ba*) by striking out from paragraph (i) of the proviso the passage 'or fruit' and inserting in lieu thereof the passage ', fruit or vegetables'.

(*b*1) by striking out the passage 'or perry' wherever it occurs and inserting in lieu thereof, in each case the passage ', perry or fermented liquor derived from fruit or vegetables;' "

No. 6. Page 5 (clause 9)—After line 31 insert new subsections as follows:—

"(3) The holder of a vigneron's licence granted after the commencement of the Licensing Act Amendment Act, 1969, shall not be entitled to sell or dispose of wine in pursuance of the licence unless he satisfies the court that he uses, or will use, in each year, not less than ten tons of grapes in the course of his business as a vigneron.

(4) The holder of a vigneron's licence shall not be entitled to sell or dispose of mead, cider, perry or fermented liquor derived from fruit or vegetables in pursuance of the licence unless the mead, cider, perry or fermented liquor derived

from fruit or vegetables is made by him to the extent of at least seventy per centum of its total quantity, and to the extent to which it is not made by him, is used only for the purposes of blending with mead, cider, perry or fermented liquor derived from fruit or vegetables made by him."

No. 7. Page 7—After clause 13 insert new clause 13a as follows:—

"13a. *Amendment of principal Act,* s. 47 —*Matters to be established.*—Section 47 of the principal Act is amended by striking out from paragraph (*e*) of section 47 the passage 'for any licence in' and inserting in lieu thereof the passage 'in relation to'."

No. 8. Page 7, line 11 (clause 14)—Leave out "and".

No. 9. Page 7 (clause 14)—After line 13 insert new paragraph as follows:—

"and

(*c*) by striking out from paragraph (*h*) of subsection (2) the passage 'for a new licence in' and inserting in lieu thereof the passage 'in relation to'."

No. 10. Page 9, line 32 (clause 23)—After "amended" insert "—(*a*)".

No. 11. Page 10 (clause 23)—After line 19 insert new paragraphs as follows:—

"(*b*) by inserting after subsection (4) the following subsection:—

(4a) The premises in respect of which a permit is granted may be separately situated in more than one place, and a permit may be granted on condition that it may be used, in the alternative, in respect of any one of those places, but shall not be used in respect of more than one place.

(*c*) by inserting after subsection (19) the following subsection:—

(19a) A permit shall not be granted in respect of Good Friday, Christmas Day, or any other prescribed day or part of a day except where a permit under section 66a of this Act is in force in respect of the premises in respect of which a permit under this section is sought.;

and

(*d*) by striking out from subsection (20) the passage 'but does not include any function which is to be held on Good Friday, Christmas Day, or any other prescribed day or part of a day'."

No. 12. Page 10, line 38 (clause 24)—After "force" insert ", or if that is impracticable, or would prevent a reasonable choice of licensee from whom to make purchases, from the holder of a licence nominated by the court".

No. 13. Page 10, line 41 (clause 24)—Leave out "or".

No. 14. Page 11, lines 4 to 20 (clause 25)—Leave out the clause.

No. 15. Page 13—After clause 31 insert new clause 31a as follows:—

"31a. *Amendment of principal Act,* s. 89—*Rules of club.*—Section 89 of the principal Act is amended by striking out from paragraph (*f*) of subsection (1) the passage 'on any one day' and inserting in lieu thereof the passage 'at any one time'."

Amendment No. 1:

The Hon. ROBIN MILLHOUSE (Attorney-General): I move:

That the Legislative Council's amendment No. 1 be disagreed to.

The first amendment strikes out clause 5, which entitles the Workers Educational Association to hold a licence for the supply of liquor to persons in residence at Graham's Castle. It seemed to me that this was a perfectly proper provision to make. Although it creates a special case, the Act already contains several sections that relate to specific organizations.

The Hon. D. A. Dunstan: One of which the Legislative Council saw fit to extend.

The Hon. ROBIN MILLHOUSE: I do not want to create a difference between the two places by reflecting on the Legislative Council. Nevertheless, I thought this provision was proper, and I suggest that the Committee should not accept the amendment.

Amendment disagreed to.

Amendment No. 2:

The Hon. ROBIN MILLHOUSE: I move:

That the Legislative Council's amendment No. 2 be agreed to.

The amendment, to clause 6, would allow the Hahndorf Festival, which is organized by the German Club, to have a licence over a period of three days instead of on one day as at present. I suppose this is the provision to which the Leader has alluded in his interjection. The amendment seems to me to be unobjectionable and I suggest that the committee accept it.

Amendment agreed to.

Amendment No. 3:

The Hon. ROBIN MILLHOUSE: I move:

That the Legislative Council's amendment No. 3 be agreed to.

The other place has inserted a new clause 8a, which requires the court, when it is satisfied that a retail storekeeper has adequate premises, to permit the storekeeper to sell and dispose of Australian brandy. This is, to an extent, a departure from the policy of the Act but, after weighing the pros and cons, I ask the Committee to accept the amendment.

The Hon. D. A. DUNSTAN (Leader of the Opposition): I do not like this amendment very much. I consider that we have made adequate provision previously for increases in

provisions for retail storekeepers where the storekeepers could show the court that there was a demand and that the premises were available, and where the storekeepers could overcome objections in the area. This amendment departs from a principle. We will, with some reluctance, accept the amendment but this is not to be considered to be the thin edge of the wedge to get increases in provisions for retail storekeepers' licences not approved by the court. The proper procedure is for the court to consider what extra facilities should be given in respect of these licences that have been granted.

Amendment agreed to.

Amendment No. 4:

The Hon. ROBIN MILLHOUSE: I move:

That the Legislative Council's amendment No. 4 be agreed to.

The amendment, which is to clause 9, expands the kinds of liquor that may be disposed of pursuant to a vigneron's licence to include fermented liquor derived from fruit or vegetables. There does not seem to be any opposition to the amendment. I understand that one honourable member in another place pointed out in that place that somebody makes very good liqueur from turnips. I suggest that we agree to this amendment.

Amendment agreed to.

Amendment No. 5:

The Hon. ROBIN MILLHOUSE: I move:

That the Legislative Council's amendment No. 5 be agreed to.

This is a consequential amendment to No. 4.

Amendment agreed to.

Amendment No. 6:

The Hon. ROBIN MILLHOUSE: I move:

That the Legislative Council's amendment No. 6 be agreed to.

The amendment substantially restores the position that obtained when the Bill was introduced in this place. It provides that a vigneron shall not be entitled to sell wine in pursuance of the licence unless he uses, in each year, not less than 10 tons of grapes in the course of his business. We struck the provision out because I understood that, as a result of a conference amongst the interests, this was agreed to by the industry, and also because one honourable member of this Chamber had made representations to me about it. The industry has now reconsidered the position and desires that this provision be reinserted. I understand that there is agreement amongst those concerned and I suggest that we should accept the amendment.

Amendment agreed to.

Amendment No. 7:

The Hon. ROBIN MILLHOUSE: I move:

That the Legislative Council's amendment No. 7 be agreed to.

This new clause was inserted in another place as a result of the judgment of the Full court in *Muirhead* v. *Buttery and the Superintendent of Licensed Premises.* It is of a technical nature, concerning objections, and I suggest that we accept it.

Amendment agreed to.

Amendment No. 8:

The Hon. ROBIN MILLHOUSE: I move:

That the Legislative Council's amendment No. 8 be agreed to.

This amendment is consequential.

Amendment agreed to.

Amendment No. 9:

The Hon. ROBIN MILLHOUSE: I move:

That the Legislative Council's amendment No. 9 be agreed to.

This amendment is also consequential.

Amendment agreed to.

Amendment No. 10:

The Hon. ROBIN MILLHOUSE: I suggest that this amendment is both good and bad. It would allow a permit to be granted to a reception house under section 66 for Good Friday or Christmas Day. It was pointed out in another place that persons of the Greek Orthodox faith particularly are in the habit of holding celebrations, weddings, and so on, on Good Friday and on Christmas Day. With very great respect, I find it hard to accept that Good Friday is a proper day for this. There is also the difficulty that the Greek Orthodox Good Friday, because of the different calendar, does not fall on Good Friday as we recognize it. Therefore, I suggest that we should not accept the suggestion about Good Friday but that we could properly accept the amendment as it relates to Christmas Day.

The Hon. D. A. DUNSTAN: I still find this amendment strange, because it seems to apply to reception houses but not to hotels or other licensed premises. In consequence, has a hotel to seek a reception house permit for the days in question? This would seem absurd.

The Hon. Robin Millhouse: If it were possible, I would not object to including hotels.

The Hon. D. A. DUNSTAN: In those circumstances, will the Attorney-General postpone consideration of this amendment and of amendment No. 11 and see what we can work out with the Parliamentary Draftsman?

The Hon. Robin Millhouse: Very well.

Amendment deferred.

Amendment No. 11 deferred.

Amendment No. 12:

The Hon. ROBIN MILLHOUSE: I move:

That the Legislative Council's amendment No. 12 be agreed to.

This amendment enables the court to specify a licensee from whom the holder of a reception house permit may purchase liquor, and its effect is to allow the court to specify that the liquor may be purchased from other than a hotel in the near vicinity. It seems to be an unobjectionable amendment, and I suggest that the Committee accept it.

Amendment agreed to.

Amendment No. 13:

The Hon. ROBIN MILLHOUSE moved:

That the Legislative Council's amendment No. 13 be agreed to.

Amendment agreed to.

Amendment No. 14:

The Hon. ROBIN MILLHOUSE: I move:

That the Legislative Council's amendment No. 14 be agreed to.

Clause 25, which this amendment strikes out, allowed objections to be made to applications for permits pursuant to section 67. These are club permits. Another place has deleted this and, after much consideration because there are obviously arguments both for and against, I suggest that the Committee accept the amendment and not press for the reinstatement of the clause. The argument that has been advanced is that many small clubs, usually, but not always, in the country, may be put to great expense in applying for a permit if the clause is allowed to remain in the Bill. They make an application for their permit and, if objection can be raised, it may well be raised by the Australian Hotels Association or anyone else. This would immediately oblige, to all intents and purposes, the club to seek legal representation. It would be unwise not to seek legal representation on the hearing if it knew that a body such as the A.H.A. intended to object to the issue of the permit, and the suggestion is that this would be an intolerable burden on smaller clubs. Only today I received a letter from the Royal South Australian Bowling Association Incorporated, in which it puts this point. The letter, which is addressed to me, states:

On September 25, the adjourned debate on the Licensing Act Amendment Bill (second reading) was before the Legislative Council. The Hon. R. A. Geddes, M.L.C., was then debating various amendments, including clause 25, appearing on page 1773 in Parliamentary debates (*Hansard*) September 25. Clause 25 refers to "permits" as provided in sections 66 and 67 of the Licensing Act. This clause, if approved, would amend the Act and allow a person the right to object to the granting of a "permit". Previously, this applied only to an application for a "licence".

If sections 66 and 67 are amended as shown in clause 25 it means that a person, or perhaps the local hotelkeeper, or hotelkeeper in the vicinity of a club, has the right to object to the granting of a permit. The hotelkeeper could object on the grounds that the granting of a permit would affect or be detrimental to his trade. Assuming that a hotelkeeper lodged an objection with the Licensing Court, he would be represented by a solicitor retained by the Australian Hotels Association. The club applying for a permit would, in most cases, not be in the position to engage a member of the legal profession to appear on behalf of the club in the court. If the club did attend without the aid of a solicitor and a permit was not granted, the court may order costs against the club.

Bowling clubs in the country and in the metropolitan area, under the jurisdiction of the Royal South Australian Bowling Association Incorporated, have been issued with permits, with the exception of two licensed bowling clubs. Clubs issued with permits (section 67) by the Licensing Court provide for the keeping, sale, supply and consumption of liquor. On occasions, clubs apply for and are granted permits pursuant to section 66 for hours not approved under section 67 or for some special occasion. If clause 25 is appproved in its present form it means that some country clubs could be affected, more so the small club. This could also apply in some cases in the metropolitan area.

I understand that the proposed amendment was not approved in the Legislative Council and an amendment to clause 25 deleting the right to object has passed the third reading in the Legislative Council. The proposed amendment to the Act, clause 25, referred to in *Hansard*, page 1773, has caused great concern among members of the Bowling Association and was discussed by the State executive of the Royal South Australian Bowling Association Incorporated on October 16. I have been directed by the executive to communicate with you. May I respectfully request that consideration be given by you to supporting the amendment, as submitted by the Legislative Council, in removing the clause giving persons the right to object to an application for a permit pursuant to the Licensing Act.

That sets out in specific terms the arguments that have been used against clause 25, which I included in the Bill and which was in the Bill when it left this Chamber. On the other hand, the reason for including the provision in the Bill in the first place is that many clubs are now large and powerful (indeed, some are larger than licensed clubs), and there is no doubt that they can, do, and will continue to cut into the trade of other sellers such as hotels. It was for this reason that it was considered that provision should be included in the Bill but, bearing in mind that this provision has not been in the Bill before, we are not taking anything away by excising it. I consider that, on balance, and after much thought, we should not oppose this amendment.

The Hon. D. A. DUNSTAN: I cannot agree with the Attorney-General's point of view. At the time we provided for restricted club licences the aim was to enable those clubs that would not get full licences to obtain restricted licences and they would not be able to arrange the restriction by meeting the objections of hotelkeepers of other licensed premises in their areas. Section 67 was designed as a transitional provision allowing for the continuation of existing practices and allowing clubs in due course to apply for full or restricted licences without the provision of local option polls. At the time, we did not provide for objections to section 67 permits, because this was regarded as a transitional provision. It would have to be a transitional provision, because the stage is rapidly being reached where clubs are coming into existence although they do not qualify for section 67 permits, and the whole thing will have to be revised. In the meantime, because of the pressure of work on the Licensing Court, many clubs, which it was intended under the original Act should apply for a restricted club licence, are now operating as permit clubs: that is, they have, in effect, as large a licence as they would get as a fully licensed club, but they are operating under a section 67 permit. In these circumstances it seems a manifest injustice not to provide that objections can be heard to the granting of what are large-scale licences, which operate under a permit for a considerable time because of the difficulties the court has in coping with the many applications before it for many varied classes of licence.

The Attorney-General has pointed out that some clubs operating under section 67 permits trench heavily on the trade of local licensees, and this affects the local residents because a large concourse of people attend them. This situation can give rise to objections from local residents, because it can lead to the setting up of premises that can create a nuisance. However, we are asked to say that no member of the public who could be adversely affected by such a licence, and no member of the trade, can appear in court as an objector to a permit of this kind. Originally, we intended to provide that, where a matter of seriousness and permanence with relation to licensing was to come before the court, all interested parties should be able to be heard, because every member of the public affected by a decision of the court in this way should have his rights protected by being able to appear before the court and have his case heard. This is in no way unfair to the clubs. Under the present provision the clubs have been given an enormous extension of privilege in the provision of liquor to their members: this situation is widespread now and subjects them to little hindrance in the provision of liquor to their members.

One important aspect that we considered from the outset we should maintain, compared with the extension of club activities, was the profitability of the hotel trade. The Royal Commissioner recommended strongly that we should not allow to grow up in South Australia the kind of large-scale club trade which in New South Wales has deprived the hotel trade of much of its profitability and which has consequently reduced satisfactory services to the public and left public houses in that State blood houses. Instead of the trade taking advantage in those circumstances of more flexible licensing provisions to provide the kind of improved facilities that will lessen the swill of drinking in public houses that previously existed and the kind of thing that is now taking place in South Australia under the new Licensing Act, we should have a protection to see that the hotel trade remains profitable and that hotelkeepers are encouraged to give adequate service to the public, so that people are enjoying increased facilities along with additional drinking facilities, and that we are getting civilized conditions in public houses. That cannot take place if section 67 is used so widely that clubs are to be allowed to come in, regardless of any objection in the area about the effect on the profitability or the economics of the trade.

It is a complete anomaly to say that these clubs should eventually be applying for a restricted club licence. That is all right at this stage: they are not applying for these licences, because it will take a long time to

hear the application, so they apply for a permit and obtain one. Having got the permit, that is the first leg in. With a section 67 permit the chance of getting a restricted club licence is much enhanced, because that licence will only be giving formal effect to what already exists under section 67. The real point comes at the hearing of the application for a section 67 permit. Are we to say at this stage that no-one who would be adversely affected is to be heard before the court? This seems to be a grave injustice and a complete anomaly.

We have to take into account the effect of the Licensing Act so far and how it has worked out. Clubs are constantly applying for section 67 permits as a first stage in getting their licence. In these circumstances, when the first step is taken, if the public are being adversely affected they should be heard, and we should not deprive them of the right to be heard. I do not know whether members have visited districts where enormous clubs operate under section 67 permits. No-one can say that trade in such an area has not been adversely affected by them. Are the people adversely affected not to be heard? That is what the Legislative Council is saying. With great respect to the Attorney-General, I think that the original clause that was accepted by members in this place was wise and met an existing situation that called for us to pass it.

The Hon. T. C. STOTT: I have been associated with many applications for club permits, with which I have a great sympathy. This Chamber agreed to the original clause for many reasons, and the Leader has now outlined the effect on the operation of the Act of section 67. I believe that the Legislative Council's amendment goes too far and too wide too quickly. I believe that people in country areas who are not members of clubs should be allowed the right to put a case and to be heard. I agree with the principle that people have the right to be heard, although they do not have to be agreed with. New subsection (6c) is an important safeguard, because people will not object indiscriminately if they know that they may have to pay the costs. As many community hotels, particularly those in my district, would like to place a case before the court when an application for a club permit is being heard, members should reject this amendment.

Mr. ARNOLD: Over the last few years I have had much to do with clubs and especially with the Upper Murray community hotels, which are meeting with additional competition all the time, so that their margin is now a fine one. Although I wholeheartedly support the right of any group of people to apply for a club licence, I believe that there should be appropriate provision wherein the hotels in the district may object. Bearing in mind the fact that Upper Murray community hotels are of an extremely high standard and that vast sums have been invested in them, I believe the provision contained in clause 25 is worthwhile, and I cannot support the amendment seeking to delete it.

Mr. WARDLE: I oppose the amendment.

The Committee divided on the motion:

Ayes (11)—Messrs. Allen, Brookman, Edwards, Evans, Freebairn, Hall, McAnaney, Millhouse (teller), Pearson, and Rodda, and Mrs. Steele.

Noes (24)—Messrs. Arnold, Broomhill, and Burdon, Mrs. Byrne, Messrs. Casey, Clark, Corcoran, Dunstan (teller), Ferguson, Giles, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Lawn, McKee, Nankivell, Ryan, Stott, Venning, Virgo, and Wardle.

Majority of 13 for the Noes.

Motion thus negatived.

Amendment No. 15:

The Hon. ROBIN MILLHOUSE: I move:

That the Legislative Council's amendment No. 15 be agreed to.

This amendment inserts a new clause that allows a member to take into his club five guests at any one time. At present, a member can take in only five guests in one day and if a member desires to take guests in for lunch, provided those guests have left the premises there seems to be no reason why the member should not also have other guests in for dinner. I therefore suggest that this is a desirable amendment and that we should accept it.

Amendment agreed to.

Progress reported; Committee to sit again.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (ABORTION)

In Committee.

(Continued from October 9. Page 2130.)

Clause 3—"Medical termination of pregnancy."

The Hon. ROBIN MILLHOUSE (Attorney-General): This is the significant provision relating to the law on abortion. I think few issues, certainly during the life of this Parliament, have raised such intense interest in the community as has this one, and it involves

interest of a particular personal nature. I may say at the outset that, apart from the issue which we are debating in this place and which we are helping decide, I regard this as a most valuable exercise.

I strongly believe that Parliament is the place in which issues of controversy and of significance in the community should be decided, and if Parliament for any reason shirks its responsibility to debate and decide these things it is failing in one of its greatest functions; if it continues to do this, eventually it will be discredited in the eyes of the community. Therefore, I have no regrets whatever about the interest, lobbying, discussion and debate that have taken place in the community on this matter. Indeed, when the Government decided to introduce a Bill during last session, it hoped that this interest would occur. In introducing the Bill, I said that the Government intended to take it to a certain stage during last session and then allow adequate time for members of Parliament and people outside to consider the matter and to make up their minds. True to that undertaking, I revived the Bill a couple of weeks ago, and we now come to the point where we should debate it.

In the last few weeks we have had an unprecedented number of petitions presented to this place. The Clerk has distributed a table showing that 94 petitions have been presented, and also showing the way some people in the community are thinking on the matter. Of the 94 petitions, five, with 826 signatures, prayed that Parliament should not pass the Bill at all; 54 petitions, with 11,984 signatures (and to this figure must be added 1,000-odd signatures to petitions presented today), prayed that the House would not amend the law to extend the ground on which a woman might seek an abortion but that, if any amendment was to be made, it should not extend beyond a codification that might permit current practice; 16 petitions, with 662 signatures, prayed that, if Parliament amended the law relating to abortion, such amendment should definitely not extend beyond a codification that might permit current practice; three petitions, with 449 signatures, prayed that Parliament should suspend action on the Bill pending a detailed study of the British experience following the introduction of its abortion legislation and that, if the law was amended, such amendment should definitely not extend beyond a codification that might permit current practice; two petitions, with 83 signatures, prayed that Parliament should not pass any Bill to alter the existing law relating to abortion in such a way that the grounds were extended beyond those that already applied; and two petitions, with 1,920 signatures, prayed that Parliament would amend the law to enable a legally qualified medical practitioner to terminate a pregnancy. Therefore, it will be seen, for what it is worth (and not for a moment do I reflect on those who signed petitions or who had them presented), that of the signatures we have the overwhelming majority ask that, if we proceed with this matter, we do not extend the position beyond a codification substantially of the present law.

Mr. Burdon: Would this be a record number of petitions?

The Hon. ROBIN MILLHOUSE: It is certainly a record number of petitions since I have been a member, although more signatures may have been collected in respect of other issues. These petitions represent a significant body of opinion. However, I wish to canvass other opinions that have been expressed on the matter, not in petitions but in statements and so on. In this debate, I do not want to go over ground that I covered during my second reading explanation or in the speech that I made in bringing before this place the report of the Select Committee. I hope that honourable members will all have had an opportunity to read those speeches and, more important, to read the report of the Select Committee and the evidence of the many witnesses who appeared before it, because it is on that material as well as on what has been said outside that every member must make up his or her own mind on this important and significant social question. Let me now turn to other aspects of public opinion and other statements made on this question. First, I remind honourable members of the finding of the Australian Gallup poll taken after interviews in February of this year. The report on this states:

> About two out of three Australians would make abortion legal on four grounds. They are when: a woman's mental and physical health is threatened; the child is likely to have serious mental or physical deformities; pregnancy is the result of rape or incest; or the woman is intellectually defective or mentally ill. More than two out of three people would oppose making abortion legal because another child would gravely disturb the economic state of the family.
>
> These are findings of an Australia-wide Gallup poll conducted in February, when 2,000 men and women were interviewed. Each was handed a card listing the five situations numbered and worded exactly as printed above. People were asked to say the numbers of those they thought should be legal. The

percentages for each were: when health threatened, 73 per cent; result of rape, incest, 70 per cent; deformed child likely, 68 per cent; mental illness, 65 per cent; economic problems, 31 per cent. Only 17 per cent said that none should be legal. Men and women, as separate groups, gave similar answers, as did L.C.P. voters and A.L.P. voters. D.L.P. voters, however did not favour any of the proposals. Their highest vote was 48 per cent for abortion after rape or incest.

On all counts people aged from 21 to 29 were slightly less favourable to abortion than older people. Anglicans, Presbyterians, Methodists and Baptists, as separate groups, all hold opinions similar to the Australia-wide totals. Roman Catholics were 49 per cent for abortion when a woman's health was threatened, 47 per cent if the result of rape or incest, 45 per cent if a deformed child was likely, 41 per cent if the woman was mentally ill, and 15 per cent when there were economic problems.

I do not rest my case on the results of a Gallup poll: I rest my position on my own convictions after much discussion and thought. However, in view of the large number of petitions and of all that has been said in the community, I suggest that this is an element that members must take into account when deciding on this problem.

I now come to the position of the various churches or of parts of the church. We all know that the Roman Catholic Church is completely and utterly opposed to abortion on any ground, and we quoted, in the Select Committee report, the letter written by His Grace the Archbishop of Adelaide to the Select Committee. I will not quote that letter again. It makes crystal clear the position of that church. I may say that I have not found any Roman Catholic lay person (certainly, no witness before the Select Committee) who accepts entirely that position, but that is the position of the church. Members will know, because I think the letter was sent to all members, that the Lutheran Church of Australia also adopts a conservative position on this matter. The letter that I have from the Rev. Minge, President of the South Australian District of the Lutheran Church of Australia, which is dated September 2, states:

The ministers of the Lutheran Church of Australia, South Australia District, strongly object to the liberalization of the existing law on abortion on the following grounds:

(1) We consider abortion, for reasons other than mortal danger to the mother, to be contrary to God's will and also a violation of the basic rights of life of the foetus.

(2) While we believe that there may be need for certain revisions of the present law in keeping with the principle of point (1) above, we consider that a liberalization of the abortion law could cause an increase in demand for legal abortions, which would create a further decline in community responsibility especially with regard to the value of human life.

(3) We consider that the adoption of the proposed legislation would be premature in view of the public disquiet in Britain since the liberalization of the abortion law in that country.

(4) We consider that the available medical, legal, social and ethical evidence with regard to the dangers of widening the grounds for abortion should be sufficient reason not to proceed with the proposed amendments.

(5) We consider that abortion is not the solution to a social problem, but rather that ways and means should be found to provide adequate help and guidance for those who experience their pregnancy as an unwanted and insurmountable burden.

With that letter the Pastor sent a covering letter in which he referred particularly to abortions desired by women who had been raped. I do not think I need to mention it: honourable members will probably recall the suggestion the pastor made.

The Hon. D. A. Dunstan: I hope you rejected it.

The Hon. ROBIN MILLHOUSE: I do reject it, but I am sure he made it in good faith. It is as follows:

In the case of abortions desired by women who have been raped, I maintain that persons who have been convicted of rape, or of carnal knowledge without the woman's consent, should be rendered impotent by castration.

I have dealt with the view of two of the churches, and those two churches are opposed, on the whole, to abortion. I say "on the whole" because, as members will see from the pastor's letter—

Mr. Freebairn: You have enunciated their official policy.

The Hon. ROBIN MILLHOUSE: Yes. The Lutherans are not absolutely opposed to abortion in all circumstances. I come now to the opposition of the Church of England in Australia. Here, there is no definite and clear statement of policy. This, perhaps, is characteristic of my church, but I refer to the report of the committee appointed at the request of the Archbishop of Sydney to consider the adequacy of the New South Wales laws relating to abortion, and I hope that honourable members had a chance to look at the report. If they have and if they had the opportunity of reading the English report, to which I referred in my second

reading explanation, they would have found that this report was, to a large measure, opposed to abortion. I intend to quote only a small part of it that I think sums up the position. It is on page 11, and states:

It is the unanimous opinion of the committee that "abortion on demand' on the one hand and the absolute prohibition of all abortion on the other hand are both indefensible positions. The former ignores the rights of the unborn child and may also ignore those of the father. Moreover, these absolute positions disregard the professional obligations and possible conscientious objections of the medical personnel involved. The doctor at all times must maintain his right to carry responsibility for performing or not performing any operation. The absolutist position against abortion strains the situation to absurdity when it can in certain circumstances condemn both the mother and the unborn child to death.

That report was considered by the General Synod of the Church of England held a few weeks ago, and there is a report of the deliberations of the General Synod on this subject in the *Anglican* of September 30. The report, which I consider to be accurate, states:

A report on abortion by a Sydney diocesan committee was debated and commended to the study of the Australian church. The report reported in favour of legalized abortion (i) where a continuing pregnancy would involve risk to the life of a woman or injury to her health greater than if the pregnancy were terminated, and (ii) where there was a substantial risk that if a child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped. During the debate Mr. Justice Norman Jenkyn (Sydney) urged that there should be express legislative provision for terminating a pregnancy in the case of rape. The committee said it had considered such a provision but there were many practical difficulties, relating to the proving or disproving of rape, which seemed to make the drafting of a workable clause outside the range of possibility.

Indeed, that is the conclusion to which members of the Select Committee of this Chamber came. That is the position of the Church of England so far as one can ascertain it.

The Methodist Church, at its annual conference here last week or the week before, also expressed its views, and I think members have had circulated to them, over the signature of the Rev. Keith Smith, the views of the annual conference of the Methodist Church. I merely point out that, in his letter to us of October 15, the Rev. Smith stated:

These resolutions were carried by a strong majority at a well-attended session. Prior to the conference, the report had been presented to district synods and quarterly meetings.

I think we have available to us the report. It substantially supports the provisions of the Bill now before the Chamber, less the social clause.

I have a letter to much the same intent from the Assembly Clerk of the General Assembly of the Presbyterian Church of South Australia, and I also have letters that support, broadly, the Bill from the Churches of Christ Evangelistic Union and the Congregational Union of South Australia. I think I have referred to that on one occasion in reply to a question. So much for the position of the churches. The Australian Medical Association sponsored a meeting (it is not clear whether this was a constitutional meeting of the South Australian Branch) last week.

Mr. Hurst: It's suggested in todays *News* that there were some doubts about it.

Mr. Lawn: Dr. Weston suggests there is quite a doubt.

The Hon. ROBIN MILLHOUSE: I am not concerned about those matters, but I have a letter from Dr. Robert Steele, acting President of the A.M.A., who chaired the meeting. He has sent me a copy of the press release. It shows that about 110 doctors attended the meeting. There are about 1,400 members of the A.M.A. in South Australia and Dr. Steele, to whom I have spoken since receiving this letter, tells me that all of them would have been notified of the meeting, and he was surprised that there was such a small attendance. Nevertheless, that group of 110 voted on the measure and, by 49 votes to 30, voted against any change in the law. I have received, apart from that expression of opinion by the group of medical practitioners concerned, two letters: one from doctors at the Queen Elizabeth Hospital, which has 53 signatures, states:

We, the undersigned, being registered medical practitioners in the State of South Australia, wish to express our full support for the abortion law reform Bill, which is to be debated in Parliament in the near future.

The covering letter states:

I enclose a petition signed by 53 doctors associated with this hospital from a total of 67 doctors asked.

I have a similar letter from the doctors and medical practitioners at the Royal Adelaide Hospital; 77 of 93 doctors approached there have written expressing their support for the Bill. Those two, I suggest, are significant expressions of opinion by members of the medical profession in South Australia.

I do not intend to canvass that side of the matter any further but I want to tell honourable members about some of the inquiries I made and the conclusions I reached during the eight days I spent in the United Kingdom last March. I do not intend to go right through the notes I made after the various interviews, but any member who so desires to do so is welcome to read them.

While I was in England, with the help of the Agent-General I got in touch with the Ministry of Health and Social Security and was able to discuss with its officers the workings of the Act up to that time (about eight months) and the statistical returns which had come in up to the end of February. I will not canvass those returns, because I have later ones to put before the Committee. I saw at the House of Commons Mrs. Jill Knight, who is a Conservative member of Parliament from the city of Birmingham and who is against the present law on abortion in England. I discussed the matter with her, with Dr. Herbert Constable, the Secretary of the Medical Protection Society, and with the Secretary of the Medical Defence Union (Dr. Addison). These are two groups of medical practitioners interested in this topic. I approached the British Medical Association and was advised that I would do better to speak to them rather than to the association.

As a result of my discussions with them, on page 2 of my notes I say the following:

(1) From my discussions with Dr. Addison, particularly, I think we should consider amendments to the Bill on three points: (1) The phrase "in good faith" is too indefinite—it depends on the compunctions and conviction of the medical practitioner. This varies from practitioner to practitioner.

I have not been able to devise any amendment that could conveniently be moved to our Bill and I suggest, after much consideration, that we should leave the phrase as it stands, because I think we must rely on the probity of the medical profession in South Australia to act in good faith. In England, there are about 80,000 medical practitioners, and I was told that, in such a group, one could rightly expect that there were bound to be some who did not act always as they should. I believe that in our smaller community we can rely on the medical profession.

Mr. Corcoran: Do you say no-one would act otherwise?

The Hon. ROBIN MILLHOUSE: I said that surely we could rely on them. My notes continue:

(2) I think that in some way we should provide that the operation should be performed only by a consultant.

Again, I have not provided this in the amendments to the Bill, which I wrote in March, because, after much consideration, I think we can meet the position, as the member for Millicent and I would do, by providing that at least one of the medical practitioners who must be consulted before the operation is performed should be of specialist status. My notes continue:

(3) The ground referred to above (greater risk, etc.), is apparently open to abuse and we should consider trying to tighten this in the light of experience here.

The member for Millicent has amendments on file with regard to that matter. I also spoke on the telephone and exchanged letters with Mr. Alan Bourne, who was the surgeon concerned in the famous Bourne case in 1938. He assures me that he has not changed his views on abortion, even though he is a member of the Society for the Protection of the Unborn Child. In that case, a girl of 14 years of age had been repeatedly raped by a number of guardsmen, and he performed an operation because he considered that it was the only just course of action to take. He said he did not regret it and that he had not changed his views on it. I also called on Mr. Douglas Houghton, M.P., who is Chairman of the Labor Party in Great Britain, in the House of Commons.

Mr. Corcoran: What happened to the people who were guilty in that case?

The Hon. ROBIN MILLHOUSE: I do not know, but I presume they were punished. I have Mr. Bourne's letter here.

Mr. Corcoran: He does not accept the Bill as it is now in England?

The Hon. ROBIN MILLHOUSE: No, he does not. I called on Mr. Houghton, who is a keen protagonist of the present legislation, and discussed the matter with him. Finally, I called on Sir John Peel, President of the Royal College of Obstetricians and Gynaecologists, and discussed the matter with him. The note I have here reads as follows:

There are three courses open: (1) To restrict the medical practitioners who can perform the operation and the places where it may be performed, leaving the grounds stand as in the precent Act. (2) Spelling out the grounds in greater detail in the Act. (3) Adopting the Scandinavian principle of committee inquiry.

He favours the first, because he does not consider that the working of the present Act is satisfactory, and I said that I did, too. I have already canvassed that matter, and the Committee will probably canvass it later. I also spoke to Professor James Scott, in Leeds, by telephone. He is the Deputy Chairman of the Society for the Protection of Unborn Children. He told me that he does abortions and would be happy to work under the British Act if it did not have the social clause.

Mr. Corcoran: No wonder he isn't the Chairman.

The Hon. ROBIN MILLHOUSE: Those were some of my inquiries in Great Britain. Members well know that there has been a tremendous amount of discussion and controversy about the working of the Act in England, but I do not intend to canvass it. I prefer to refer only to one newspaper report: in the *Sunday Times* of July 6. My attention was drawn to it by Professor Cramond, Professor of Mental Health at the University of Adelaide. The article is headed "Abortion" and the summary of it is as follows:

> The tragedy of the current furore is that there is little wrong with the Abortion Act. It works perfectly well in many parts of the country. There are abuses, but the Ministry of Health has the power to deregister badly equipped or unscrupulous clinics and the Ministry and the General Medical Council can take action against either private or National Health Service doctors who break the law. If there are abuses, they can be dealt with; if there are not, then there is no reason to change the law. As one gynaecologist said last week, "If people exceed the speed limit, everyone doesn't suddenly start clamouring to change the road traffic laws". The same principle should be adopted by the people who now want to upset an Act which is one of the most important pieces of social legislation passed in this century.

Members are welcome to look at the whole article if they wish to do so.

Mr. Corcoran: Who wrote it?

The Hon. ROBIN MILLHOUSE: It was written by Mr. T. Clifton and a Harley Street psychiatrist. Only this morning I received figures from London showing that 33,598 abortions were carried out in Great Britain from the commencement of the operation of the Act on April 27, 1968, to the end of the March quarter this year.

The following eight grounds and the relevant percentages were specified in the statistical returns: ground 1, risk of life of the woman, 5 per cent; ground 2, risk of injury to her physical or mental health, 72 per cent; ground 3, risk of harm to her existing child or children (the social clause), 4 per cent; ground 4, substantial risk of abnormality in the child, 3 per cent; ground 5, emergency to save the life of the woman, 16 cases (it cannot be expressed as a percentage); ground 6, emergency to prevent injury to the woman, 42 cases (it cannot be expressed as a percentage); ground 7, a combination of risk of injury to the physical or mental health of the woman plus a substantial risk of abnormality in the child, 2 per cent; ground 8, possible harm to existing children (the social clause) plus other causes, 14 per cent.

Mr. Casey: Does it state how many deaths occurred because of the legalizing of abortions?

The Hon. ROBIN MILLHOUSE: No. I am reading from my notebook; I wrote the figures in it as Mr. Deane read them to me this morning. I have the figures issued by the Abortion Law Reform Association from April to April showing exactly the same percentages. I think that is the significant thing.

Mr. Casey: How many abortions were performed?

The Hon. ROBIN MILLHOUSE: The total was 33,598.

Mr. Broomhill: What percentage of the population would that be?

The Hon. ROBIN MILLHOUSE: There are 55,000,000 people in Great Britain, and I leave it to the honourable member to work out the percentage for himself. It must be remembered that South Australia's population is 1,100,000. The significance of the figures is that the social clause, as such, has been very little used in Great Britain as a ground. Members can argue this point both ways: they can say that it should therefore be allowed to stay in the Bill or that it should therefore be taken out because it does not matter. Certainly, the social clause has not been used as much as those who argued about it in England predicted it would be used.

The Hon. C. D. Hutchens: It has not meant abortion on demand.

The Hon. ROBIN MILLHOUSE: It has not. When I got to America I found that there, too, there was much discussion on this matter.

Mr. Corcoran: How many States have legalized it?

The Hon. ROBIN MILLHOUSE: Eight: Maryland, Mississippi, Arkansas, Georgia, North Carolina, Colorado, New Mexico, and California. When I was in Florida I saw in a newspaper that that State's Lower House had passed a Bill to liberalize the law on abortion.

When I was at the Legislature of the State of Hawaii I learned that a Bill had been introduced there, but I do not know whether it has been passed. I tried to find out how many States had altered their laws and in how many States Bills had been introduced to alter their laws, but I have not yet had an answer.

I now wish to refer to the suggested model penal code on abortion issued by the American Law Institute in 1962. It will help members to know the considered opinion of this institute, which is a highly respected body of 1,500 American legal practitioners. The following is the model law that they suggest should be adopted in all States:

(1) Unjustified Abortion: A person who purposely and unjustifiably terminates the pregnancy of another otherwise than by a live birth commits a felony of the third degree or where the pregnancy has continued beyond the twenty-sixth week, a felony of the second degree.

(2) Justifiable Abortion: A licensed physician is justified in terminating a pregnancy if he believes there is substantial risk that continuance of the pregnancy would gravely impair the physical or mental health of the mother or that the child would be born with grave physical or mental defect, or that the pregnancy resulted from rape, incest, or other felonious intercourse. All illicit intercourse with a girl below the age of 16 shall be deemed felonious for purposes of this subsection. Justifiable abortions shall be performed only in a licensed hospital except in case of emergency when hospital facilities are unavailable.

The third subsection deals with physicians' certificates. These provisions are significantly similar to the Bill that I have introduced here. The members of the American Medical Association with whom I discussed this matter when I was at the association's headquarters in Chicago set out their position. In June, 1967, the American Medical Association issued a statement, of which the following is the significant part:

In view of the above—

the preamble—

and recognizing that there are many physicians who on moral or religious grounds oppose therapeutic abortion under any circumstances, the American Medical Association is opposed to induced abortion except when:

(1) there is documented medical evidence that continuance of the pregnancy may threaten the health or life of the mother; or
(2) there is documented medical evidence that the infant may be born with incapacitating physical deformity or mental deficiency; or
(3) there is documented medical evidence that continuance of a pregnancy, resulting from legally established statutory or forcible rape or incest may constitute a threat to the mental or physical health of the patient;
(4) two other physicians chosen because of their recognized professional competence have examined the patient and have concurred in writing; and
(5) the procedure is performed in a hospital accredited by the Joint Commission on Accreditation of Hospitals.

This again is very similar to the provisions proposed in this Bill. I discussed this matter with members of the Legislature of the State of North Carolina. That State altered its law in this respect in 1967. It is substantially along the lines of the model penal code and the American Medical Association's suggestions, but it contains the following provision with regard to residence:

Only when the mother shall have been a resident of the State of North Carolina for a period of at least four months immediately preceding the operation being performed except in the case of emergency where the life of the mother is in danger.

I think that is a provision we should make here. That is all I need to say on my discussions and examination of the position both in England and in America. On this topic there is a world-wide movement and discussion and, by and large, the provisions, except for the social clause in Great Britain, which are suggested in those English-speaking countries to which I have referred, are similar to the provisions in this clause.

Mr. Corcoran: When you came back from the United Kingdom you said you agreed to the social clause.

The Hon. ROBIN MILLHOUSE: No, I did not say that. I never have agreed to it.

Mr. Corcoran: What did you say on the television programme?

The Hon. ROBIN MILLHOUSE: First, let me make clear that, as Chairman of the Select Committee, I had the task of drafting the report and I recommended in the draft report that the social clause should be knocked out, but the committee voted against that recommendation three to one. The member for Millicent voted in favour of my recommendation and, naturally, when the report was introduced it retained the social clause. I personally have never been in favour of it. What I said when I came back, and what I tried to reiterate today, is that, in the light of British experience, the social clause was much less significant than we believed it was. My objection to it is that we are asking

medical practitioners to make a judgment on non-medical matters, and I do not think that is fair to them, apart from anything else. Since the Select Committee hearings, that has been my view, and it is significant that the social clause does not appear, as far as I know, in any legislation or suggested legislation in the United States. In Great Britain it has not been the ground relied on in many cases.

Mr. Corcoran: You said you had not changed your mind.

The Hon. ROBIN MILLHOUSE: No: if I said that I did not mean to, because I have not changed my mind at any stage.

Mr. Corcoran: It was a slip of the tongue.

The Hon. ROBIN MILLHOUSE: I do not believe I made one: perhaps the honourable member misunderstood me. It is not worth arguing about.

Mr. Casey: I was under the impression that you had changed your mind.

The Hon. ROBIN MILLHOUSE: I am sorry about that, but I have not. I believe that the Bill should be passed and I hope that members will give their attention to the amendments on file. I believe this is a desirable reform of the law, and that it conforms with the views of most citizens of this State; I therefore commend it to the Committee.

The Hon. D. A. DUNSTAN (Leader of the Opposition): Other than speaking briefly to make it clear that Opposition members believed that this measure should go forward to the Select Committee, I have not previously expressed a view on this measure. It is proper that I should do so but, in doing so, I make it clear that what I am saying is for me alone and I am not saying it as the Leader of my Party or in any way binding any of my Party's members. I would not have taken the course that has been followed by the Attorney-General in the way this legislation has been introduced and discussed. However, it is here and every member must give his view on it as he sees the legislation according to his conscience. I am aware that many people in South Australia have been considerably upset by the proposals which would increase the availability of abortion, or which they believe would increase that availability in South Australia, because it is repugnant to their conscience. I respect their views but I do not agree with them. I must express my views clearly.

The basic difficulty that one faces on this issue, and most of the arguments have revolved around this, is the question of the protection of the unborn child. One can appreciate a completely hard and fast line on this matter in which one says that the unborn child must be protected, that the only case when an abortion is justified is when it is to save a life, and that in no other circumstances can abortion be allowed. This is a point of view that is taken at the extreme and is not supported by the public and, with great respect, I cannot agree with it. If one does not take the point of view that a separate life comes into being that needs to be protected at blastocyst (which is the view put forward by certain members of the Catholic and Lutheran churches), there is no clear dividing line when it is said that a separate life requiring to be protected is in being. The most that one can do is draw some kind of arbitrary line, and I know of no adequate guide lines on this. Once we admit (and it is widely admitted) that there are reasons for abortion beyond those of protecting a life, it seems to me that we are admitting an entirely new principle.

If we say that an abortion is proper in cases of rape or in cases of carnal knowledge of a young child, we are saying that what we believe to be, if this is our position, a separate life needing to be protected can, nevertheless, be terminated for social reasons. I respect those who say that that cannot be done. However, I must say that I think they are pretty few in the community, and that most people who have made submissions on this aspect admit that there are social reasons why pregnancy should be terminated. Once that is admitted, it seems to me again that the reasons that have been advanced are little more than reluctant proposals by some people for a form of euthanasia, if they believe there is a separate life at this stage that needs to be protected. I do not believe that. I believe that it is not possible to say that, at the stage at which an abortion can normally be performed safely, there is a separate entity requiring a separate protection, and I do not believe that any of the special reasons that have been given in some of the Statutes referred to by the Attorney-General are anything more than paying a kind of lip service to some kind of social pressure. They do not seem to me to be based upon good reason.

Consequently, my own position is that a woman should have a right to determine whether she proceeds with a pregnancy or not and, if required to vote on this, I would

vote in favour of abortion on demand. I entirely respect the point of view of those who do not agree with me on this but, on examining my conscience, that is my point of view, and I believe I should state it and vote on it.

Mr. CORCORAN: This clause really constitutes the whole of the Bill, and this is the first time that I have spoken on the issue in this place because, with my Leader at the time that the Bill was introduced into the Chamber, I believed that it should be referred to a Select Committee. The Bill was, in fact, referred to a Select Committee, of which I was a member. As this matter is being debated in Government time, I assume that the Government subscribes to the views embodied in the Bill and that the measure does not represent any individual effort on the part of the Attorney-General.

The Hon. Robin Millhouse: You know this is a social matter on which every man is at liberty to make up his mind.

Mr. CORCORAN: The Government is giving the Attorney-General extraordinary facility to proceed with this matter.

The Hon. Robin Millhouse: When could it have been debated otherwise?

Mr. CORCORAN: There was plenty of time.

The Hon. Robin Millhouse: Are you suggesting that it should be debated in your time on a Wednesday afternoon?

Mr. CORCORAN: The Attorney-General knows that a similar measure was discharged in the Western Australian Parliament because of a technicality. Indeed, I suppose that is the reason why he himself introduced this Bill and why it was not left to a private member. Therefore, it is not possible in the circumstances for the matter to be debated in private members' time on a Wednesday afternoon.

Mr. Evans: It was introduced before the Western Australian measure was discharged.

Mr. CORCORAN: It might have been, but I think that the Attorney-General is even smarter than the person who introduced the measure in Western Australia and that he foresaw the danger that might arise in this regard.

The Hon. R. S. Hall: This Bill has been introduced in good faith, It is not a matter of getting out from under.

Mr. CORCORAN: I wanted to make my point and I am making it.

The Hon. Robin Millhouse: What is it?

Mr. CORCORAN: My point is that the Government has offered the Attorney-General great facility not only to introduce the measure originally but also to make time available, particularly at this stage of the legislative programme, in order to debate this issue.

The Hon. Robin Millhouse: Do you disagree to that?

Mr. CORCORAN: I was criticized by the Attorney-General for voting against the motion to restore this Bill to the Notice Paper, the Attorney having said that there was a concerted effort by certain members of the Opposition to prevent this debate. It was not a concerted effort. I think the member for Wallaroo (Mr. Hughes), when he made a personal explanation on this matter, said that he had not been contacted or requested to vote against the motion to restore the Bill to the Notice Paper. The Attorney-General was forced to call a division on that motion; he did so, and it was shown that I did not have much support for my move. I wish to tell members why I made that move. The Attorney-General has quoted today from the details of an Australia-wide Gallup poll, saying that many Australians favoured abortion in some form or other. The Attorney-General referred to the various percentages of people who agreed to abortion for one reason or another.

If the Attorney-General is prepared to quote the details of an Australia-wide Gallup poll, surely he should be considering this measure as being part of uniform legislation on the issue throughout Australia. The Bill was introduced prior, I expect, to any Gallup poll having been taken on the matter. I have no doubt that the measures introduced in Western Australia and this State attracted the attention of the Australian public generally. However, prior to this Bill's being introduced, I frankly admit that this question had never occurred to me personally as being one of great concern to anyone. Although I may not be as well versed, concerning the law reform that has taken place in other parts of Australia and in other parts of the world, as the Attorney-General or other members of his profession may be, I say sincerely and honestly that, prior to the Attorney-General's raising this matter and indicating that he intended to do something about it, it had never occurred to me personally that there was any need to liberalize the law dealing with this matter; nor had I heard anyone else discuss it.

Frankly, I did not know what was the common law approach in South Australia to this matter; I had not the slightest idea. If anyone had asked me what it was, I would have said that it was illegal in South Australia to perform an abortion in any circumstances.

Therefore, prior to the matter's first being raised in this place, I had no active interest in this matter, and I believe that most South Australians at that time also had no such interest in the matter. Interest in this matter has been promoted, no more and no less, by the Attorney's own action. When giving the second reading explanation, the Attorney-General said the Government believed that matters of controversy and public concern should be debated and decided on in this place. He went on to say that he had been prompted to deal with this matter because of a resolution (I think he called it a resolution) passed by a Liberal and Country League conference, and I believe the Attorney had something to do with that resolution. As he is shaking his head, I apologize if he did not have something to do with it. Perhaps the Attorney-General did not have anything to do with actually debating that resolution, and I will accept his word on this.

Following the passing of that resolution, an approach was made to the Attorney-General by the Abortion Law Reform Committee. That may not have been the first approach on the matter; I am not to know that the committee had not approached the Attorney-General previously or that it had not approached his predecessor on this matter. Although I and many other people may not previously have been directly interested in the matter, I imagine the committee may have been interested, and may have been expressing its view to those in authority.

I do not think the time is yet ripe for this matter to be fully debated in the Chamber or, more important, for a decision on it to be made. I could go on and criticize the Government for giving the Attorney-General time to deal with the matter at this stage of the legislative programme. However, at this stage I wish to know what happened in South Australia, prior to this measure's being introduced, that had a direct bearing on abortion and necessitated the introduction of this legislation. Was the reason that there had been a rapid increase in the number of illegal abortions taking place in South Australia? So far as we are concerned, that is not so, because no-one can accurately say to what extent illegal abortions are performed in this State. Inspector Turner of the South Australian Police Force, when asked before the Select Committee whether he thought the number of illegal abortions performed in this State had increased over the past few years, said, "No, I do not". However, whether or not he thought the incidence of illegal abortion had increased, I point out that he would not really know, because he could not confirm the number; he could only take into account certain factors and consider certain matters. Therefore, there was nothing in this area that demanded legislative action. The Attorney-General said, when he explained the Bill, that he wanted it to go to a Select Committee, and that is what occurred. He thought that this was the best form of inquiry that could take place; but I cannot recall (and I have not had time to read his speech) his having said anything about the matter not being finalized in Parliament that session. I made it quite clear to the Attorney-General that I did not believe it right and proper that it should be finalized that session; at least, the matter should be carried over and the members given the opportunity to read the minutes of evidence placed before the Select Committee.

To his credit, the Attorney-General did not disagree to this, although, if he remembers, he did say he would like to get the measure through the lower House and up to the other House. He indicated this to me. At that time undue haste was involved, and I still believe that to be the case. The Attorney-General can say, "How much longer do you really want to look at this thing?" Is it I who really matter? It may be said, "You are a member of this House. I call on you to make a decision", and in that sense it does matter; but I ask members of this Chamber, apart from the Attorney-General and the members of the Select Committee who had the opportunity to sit for many hours to listen to and sift the evidence and to to draw their conclusions from it, whether they have read every submission made and the report page by page. In some cases the answer would be "Yes"; in other cases it could not possibly be "Yes", because the members would not have had the time.

Mr. Broomhill: The answer might be "No" because some members would not read it in 20 years.

Mr. CORCORAN: That may be so. I do not deny that. My point here is that it is necessary not only for members of Parliament but also for the members of the public to be better informed. I have referred to my comparative lack of interest in this matter prior to the Attorney-General's raising it, and I am sure members of the public in the main were not interested, either. But I had the advantage of being on the Select Committee, of receiving all sorts of material from people both for and

against the points at issue, and of reading it and sifting it, an advantage that the people at large have not had; and they are the people that this measure will affect in the long run. Therefore, they should be better informed on it and given the opportunity of having some say in the matter. The Attorney-General has said that 11,000 signatures have been presented to Parliament from people who are opposed to abortion and who will support the Bill only if it is amended to codify the existing law on abortion. Many people who signed these petitions would not know very much about the matter; nor would those who signed petitions in support of the Bill. This is a social measure. It is not a measure that will advance the State in any way. We are not talking about something that Parliament normally looks at—some State control; it is a social measure. It affects intimately the lives of people and families.

The Hon. Robin Millhouse: That is what Parliament should be looking at.

Mr. CORCORAN: It is looking at the Bill: the Bill is before members.

The Hon. Robin Millhouse: That is the reason.

Mr. CORCORAN: But it is slightly different. This is a social measure on which people should be informed. I would not care whether it took five years to inform them on it. There is no need for haste in this matter. I cite the English Act, on which the Attorney-General has spoken at some length, and I give him full marks for the time he spent on this matter when he went to England, looking and prying into it. I still think he could have spent much more time because I am certain I heard the Attorney-General say, on a television programme on which I was interviewed with him, that since his return from the United Kingdom he had changed his mind about the social clause. Whether he meant that it was not as drastic as he thought it was, the impression I got was that from being opposed to it he had changed to being in support of it. I was going to suggest that on that issue alone the Attorney-General had changed his mind four times, because he was the author of the Bill, and at that time he must have agreed with it. He then opposed it in a Select Committee. When he returned from England, he gave me the impression that he then agreed with it, and now, as he has placed an amendment on the file, I take it he is opposing it. Maybe I am wrong, and he has changed his mind only twice.

The Hon. Robin Millhouse: I did not change my mind four times.

Mr. CORCORAN: You were the author of the Bill. Why did you put it in the Bill if you did not agree with it?

The Hon. Robin Millhouse: Because I said at the beginning, certainly outside this Chamber, that the Bill was merely a peg on which to hang a debate.

Mr. CORCORAN: You put it all in there and say, "I do not necessarily agree with it all but you chaps can sort it out."

The Hon. Robin Millhouse: Otherwise the author of the Bill could never move an amendment to his Bill. How absurd!

The Hon. D. A. Dunstan: I seem to remember that the Attorney-General was somewhat terse about my amending one of my Bills when we were in office.

Mr. CORCORAN: Maybe that is so, because things are different when they are not similar. Why did not the Attorney-General just submit a Bill that would give us abortion on request, quite clearly, and leave us to sort it out from there? Maybe he thought that would be going too far. The Attorney-General had some difficulty in making up his mind about various facets of the Bill. He has said clearly (I do not think he will deny this) that he appreciates and realizes it is a measure that tampers with human life.

The Hon. Robin Millhouse: I have said so.

Mr. CORCORAN: Of course. I wanted to establish that clearly before I went further. I think the Government would be well advised at this point of time, particularly when we have so many complaints about the slowness with which the legislative programme is being proceeded with and when we see from the Governor's Speech all the measures yet to be introduced, to defer further consideration of this Bill. There are complaints about long debates delaying the passing of the Budget and holding up the Government's legislative programme, yet this measure is being pushed on with. Other Bills that should not need the intense study that this matter needs have not yet seen the light of day. I think members at this moment are confused about this issue from trying to read and absorb all the material. This morning we had five or six letters, nearly all of them involved with abortion, but this only gives point to the great scope of the matter and all the things involved in it. Certainly, I am man enough to stand up here and say I am confused on certain points in this issue.

I have said before and say again that no haste is required in this matter. I was going to say, "It is not a matter of life or death," but I believe it is. No haste is necessary because the situation has not developed in this State to a greater extent than it has in any other State.

If we are to do it, let us do it properly and inform the people of what is involved in it. We here know something about it but they know virtually nothing about it, and other parts of Australia are in a similar position. I guarantee that in New South Wales, Victoria, Queensland and Tasmania the people's interest in this matter is the same as mine was prior to the Attorney-General's promoting it, although in Victoria there may be a little more interest since one or two recent court cases. There should be a long-term study in depth all over Australia, and we should take longer to examine the effects of the legislation passed in England in 1967. I know the authorities there are not completely satisfied with it, that there are some difficulties, and that they will have to make adjustments. It was said that possibly this could be done administratively. Some of the people the Attorney spoke to said, "Well, the thing is going all right, but I think we should restrict the number of doctors and the number of hospitals where this sort of thing goes on."

All these things point to the fact that the thing is not going as well as those who supported it thought it would go, and that there are some difficulties with it. The Attorney said that it should be up to us to make a decision, but what does he say about the decision made in the House of Commons? Reference was made to the Gallup poll and the fact that a large majority of people (I forget just what percentage) was in favour of abortion, but what percentage of the members of the British Parliament voted on this measure?

The Hon. Robin Millhouse: Do you know that they took a vote in July to continue it?

Mr. CORCORAN: I am speaking about when the legislation was passed there. I think 65 per cent of the members of the House of Commons did not vote on the measure, and that it was passed by a vote of about 165 to 75 or 85. The remaining members did not even bother to vote on it.

The Hon. Robin Millhouse: Over 400 voted on it in July.

Mr. CORCORAN: That means that a couple of hundred members were still missing.

The Hon. Robin Millhouse: That rather weakens your argument.

Mr. CORCORAN: I think this strengthens my argument. Those members did not vote the first time. I suppose the thing had gone on and it was working and because people were accepting it those members thought they had better do something about it.

The Hon. Robin Millhouse: I can lend you a copy of the debate.

Mr. Evans: How many members usually vote in the House of Commons?

Mr. CORCORAN: That does not matter; I suggest that on a very important matter (as I consider this to be) the whole House should vote if possible.

Mr. Evans: But they don't.

Mr. CORCORAN: I suppose the Government thinks that so long as it has the numbers it does not matter how many members vote. Does the honourable member think that this would be done on a social measure as distinct from Party measures? I submit that it would be slightly different if it were a private member's Bill. As I said before, I do not think this matter should be debated at this stage, because in my opinion it needs far more study by experts. Whilst the members of the Select Committee did their best, I think it was really beyond most of us to understand all the evidence and intelligently to draw conclusions from it. I think we need people who are and will be involved in this field to look at every aspect of it over a period as it applies to South Australia (if it has to be South Australia alone) or as it applies to Australia (if it is to be a uniform measure).

Irrespective of whether or not the medical profession agrees with abortion, I think its members agree with the point made by the Australian Medical Association that, if there is to be any liberalization of the abortion laws, such an enactment should be on an Australia-wide basis. I could mention other comments that have been made about one State's adopting this law. The Attorney knows that recently I asked a question which involved Mr. Bowen, his Commonwealth counterpart.

Mr. McAnaney: You didn't see any reason why uniform legislation was necessary in regard to giving 18-year-olds the vote.

Mr. CORCORAN: I still think it desirable that it be uniform. I have no argument against something being uniform provided it is the most beneficial way of doing something in this country. I think members opposite are

more opposed to uniformity than are we on this side. The A.M.A. has indicated that it would be far happier if this were an Australia-wide measure. It pointed out that if this legislation were passed here this State could become the abortion centre of Australia. Perhaps we would become known through the saying "Come to sunny South Australia and have an abortion".

The Hon. R. S. Hall: Oh!

Mr. CORCORAN: Does the Premier believe this would not happen if we did not take steps to prevent it? The Attorney appreciates my point in this respect, because he has tried to move an amendment to an amendment I have had on file in an attempt to prevent this sort of thing. I consider that my amendment would be the more effective one. Although the Attorney is getting Government time on this matter as well as Government support, he is expressing his personal view, and so is the Leader of the Opposition. It was said that, if a person was totally opposed to abortion, there could be no qualification to his opposition; in other words, he could not say, "I oppose abortion, but where a case of rape or something like that is involved it would be all right". I agree entirely with that statement. Anyone who believes that abortion destroys life must oppose it. I suggest to the Attorney that "A Bill for an Act to amend the Criminal Law Consolidation Act" is a bit of a misnomer. It always seems to me that the title of this legislation should be "An Act to provide for the destruction of life and for other purposes", because I believe that the foetus is a living thing at the time of implantation, and I can cite people in prominent positions who have the qualifications to say that that is so. Evidence was given to the Select Committee that from the moment of conception the blood group, the colour of the eyes, the colour of the hair and other things of that nature are decided, and certainly from the time of implantation that is so.

I wish to refer now to the evidence given by Father Duffy. I suppose that as soon as I mention his name many people will think, "He is a Catholic, so he is biased about this sort of thing", because there have been moves to separate or isolate Catholic opinion on this question. This is something that I have never appreciated. I think all the members of the Select Committee appreciated what a fine witness Father Duffy was. Incidentally, he is a Master of Arts in Political Science, and a teacher of Government and Public Administration at the Sydney University, and he is currently the Stevens Research Fellow in Government and Public Administration at that university. Concerning when life commences, he said:

> Doctors of the Ethics Section of the Harvard Divinity School-Kennedy Foundation's International Conference on Abortion, held in Washington and made up of members of all religions and none, stated that from the present available data they could only conclude that human life begins at conception, or no later than "blastocyst" (eight days after conception), and that the foetus, therefore, at least from "blastocyst", deserves respect as human foetal life. If one considers that abortions occur principally between six weeks and 12 to 15 weeks, at that stage, both anatomically and functionally, we are dealing in terms of human life. When we come to the question of certain provisions for removing that life for the sake of another person, I think we are at the heart of a problem for society that can go deep.

This seems to me to be one of the most important points involved in the legislation. If it is established that the foetus is a life at the time of implantation, I think it is wrong to destroy that life to preserve the quality of another life. This seems to be where the division takes place and where people who will not go along with the argument of protecting the unborn right through to the end say, "Fair enough, but it is not really the same as existing life; it is not as important because it is not a person; it has no rights and cannot speak for itself." I think this is why we should examine the matter so closely. Because the unborn child cannot speak for itself, it cannot defend itself. If it has rights, surely Parliament should be looking after those rights and not destroying them.

I believe this is the most important point involved in any argument opposing abortion. If we are concerned with the rights of the unborn child, we cannot allow abortion on demand, and we cannot allow people to have abortions in any circumstances. The function of Parliament becomes involved when we talk about the destruction of human life, if it is human life. I believe that there is a life at the time of implantation, if not at conception, and that abortion is destroying a life—a living thing. If the destruction of human life is involved, we must look at the function of Parliament and what has been its function over the years. On this subject, Father Duffy states:

> I think this comes to the heart of the problem: all human beings are equal, in the sense that they are human beings. This is the matter we are faced with now: to change the law on abortion and to provide legal support or sponsorship for abortion in certain cases means

that we are taking on something that now runs counter to the whole practice of English common law from the time of Bracton, in the thirteenth century, from English statutory law from 1803 and, indeed, from the 1967 United Kingdom Abortion Act itself. It seems that the Act contains a contradiction in law.

When the Attorney-General said, "It is the law," he said:

Yes, but it provides four provisions for legalized abortion, yet at the same time re-affirms the 1929 Infant Life Preservation Act, which acknowledges in this sense that the foetus is somehow human, but to what degree is not stated. The same tradition is found in United States law. In a judgment in 1967 in the *Gleitman* v. *Cosgrove* case, the New Jersey Court of Appeal, which was dealing with the case of two parents who had brought an action against a doctor who did not tell the mother in time that she had German measles and that there would be a hazard that the child might be deformed (the child was deformed), the mother claimed damages from the doctor. The child was born deformed, and the mother was claiming damages from the doctor on the grounds that if he had told her of the likelihood of the damage she would probably have had an abortion. The majority of the court in summing up said:

"The right to life is inalienable in our society . . . We are not faced with the necessity of balancing the mother's life against that of her child. The sanctity of the single human life is the decisive factor in this suit in tort . . . It may have been easier for the mother and less expensive for the father to have terminated the life of their child while he was an embryo, but these alleged detriments cannot stand against the preciousness of the single human life to support a remedy in tort."

I have tried to emphasize that the tradition of English and American law and our own law has been to endorse the understanding, the consensus that the unborn child is a human being and, therefore, if we are to change this law we must necessarily face up frankly to what we are doing. Several of the arguments for change have not, in fact, made any attempt to meet the objection that human life is involved. It may well be that scientific evidence in future may be able to demonstrate that it does not become a human life until considerably later after conception. However, what we are asked to do now is to act on the basis of assumptions and hunches in order to reverse the whole provision of our legal philosophy. I think great care should be taken, even though it may be the general consensus of opinion of society that has developed.

I think that is a point well worth pondering. The function of this Parliament and similar Parliaments has been to preserve human rights and, above all, human life. We do this by the laws we have created and that have been created in other places over hundreds of years. I agree with Father Duffy that somewhere there is a direct contradiction and that, if we recognize that the foetus at the time of implantation six to eight days after conception is a living thing, any action we take to preserve any other life by aborting that child and destroying it is a direct contradiction of the laws we have made in this place.

The Attorney-General said that one of the things he had looked at when in England was the social clause, and he gave some figures he had received this morning from Mr. Deane concerning the number of legal abortions performed in England from the time the Act was passed until March this year. I, too, have received some figures, which give the number of operations from April, 1968, to June, 1969. In that time, the legal abortions performed totalled 41,496. Some of the numbers and reasons for the abortions being performed are as follows: risk of life of the mother, 1,827; the social clause (that is, because of environment or for socio-economic reasons), 1,629; eugenic (that is, where children are likely to be deformed), 1,232; risk of mental and physical health, 29,906; and combination of any two of the previous reasons, 6,800.

I am inclined to agree with the Attorney-General that the grave concern expressed regarding the social clause has not been justified by these figures. I oppose the social clause, but I thought its effect in England would have been far greater than has proved to be the case. However, the thing that now concerns me is the number of abortions being performed because of risk to the mental or physical health of the mother. Obviously, this is the ground being used. Of 41,496 legal abortions performed in 14 months, 29,906 were performed under the medical indication of risk to the physical or mental health of the mother. What factors does a medical man consider when he considers the risk to the physical or mental health of the mother? I consider this to be the part of the Bill with real teeth and the part that will be used most in this State. Whether we include or exclude the social clause really does not matter, because I cannot imagine many doctors being able to disregard the economic or social conditions in which a person lives when assessing, for instance, the likelihood of mental injury.

The Hon. Robin Millhouse: What do you think is happening in South Australia now?

Mr. CORCORAN: I will not be sidetracked by that interjection. I will come back to that matter if the Attorney-General wants me to. However, I suggest to him that whether

we pass the social clause does not matter, because obviously the medical indication worked on most is mental and physical health. What factors are considered? Is it purely a medical matter? Why would the mother be going mental if she was bearing a child? Would she be going mental merely because she was bearing the child?

The Hon. Robin Millhouse: You had better ask a psychiatrist.

Mr. CORCORAN: I want the Attorney to find out whether these things would be considered in assessing the likelihood of injury to the mother's mental condition. Why should I find out from anyone else? The Attorney is the author of the Bill and is responsible for it in the Chamber. I suggest that the real danger in the Bill is not the social clause (as we thought it was) but the aspect of the mental or physical health of the mother.

This Bill, as introduced, provides for nothing less than abortion on demand, as the Attorney knows. Although I totally oppose the Bill, if I cannot get the support I need to defeat it I will move amendments to try to tighten the measure and these will be dealt with in detail in due course. The figures to which I have referred have drawn my attention to the need to do something more to the first part of clause 3 to make it tighter than it would be if my amendments were adopted. The recommendation in the letter that I received this morning from Mary Daunton-Fear and Mr. Kelly are valid. I think it must concern the Attorney and other members that so many legal abortions have been performed under that indication, because members must realize that not only what is, in effect, a social clause is being used under this heading. The answer to my question is impossible to obtain, because any medical officer would say that that would depend on the circumstances.

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

Mr. CORCORAN: I believe that the social clause does not need the attention that has been given to it, because the essence of this measure is that a doctor can abort a woman on the ground that her physical or mental health may be endangered if the pregnancy is continued. I have already said that I do not believe that doctors can divorce a woman's physical and mental health from the conditions under which she lives, the number of children she has, and the affluence or otherwise of the breadwinner. In the United Kingdom, of the 41,000 legal abortions have taken place in the 14 months that have elapsed since the law came in force, 30,000 have been on the ground that the woman's physical or mental health may be harmed.

Mr. Broomhill: Doesn't the present provision take into account the woman's physical or mental health?

Mr. CORCORAN: The present law is based on the ground that the mother may become a physical or mental wreck: this is a much stronger provision than the provision in the Bill. I have already drawn attention to the recommendation made by Mary Daunton-Fear and Mr. St. Leger Kelly in a letter that members would have received this morning. Mary Daunton-Fear has expressed concern similar to that which I expressed. I honestly believe that, if this Bill becomes law with this provision in it, it will not matter very much whether the social clause is in it. To strengthen this, Mary Daunton-Fear has made a recommendation, which I have not examined thoroughly, which goes a little further and possibly strengthens the provision to a geater extent than does the amendment I have foreshadowed. It is as follows:

> Notwithstanding anything contained in sections 81 and 82 of this Act, a person shall not be guilty of a felony or misdemeanour under either of these sections if the abortion is performed by a legally qualified medical practitioner who reasonably believes that the operation is necessary to preserve the life of the mother or to preserve her from grave danger to her physical or mental health.

What concerns me about the United Kingdom figures is that doctors have obviously been using the provision I have referred to instead of the social clause, even though the social clause obtains and even though abortions have been performed under it. One of the questions the Attorney-General should answer is this: how many people in the United Kingdom have been convicted for non-compliance since the abortion law became effective? If the Attorney-General suggests that I should ascertain this information for myself, I suggest to him that it is his responsibility to obtain it for the Committee. It is important to know how many people have been taken to court in this connection. I make it clear that it is the responsibility of the person who introduced this Bill, and of people who favour it, to establish beyond reasonable doubt that the foetus at the time it is likely to be aborted (between six and 12 weeks) is not a human life. The onus of proof should lie with those people who introduced this measure. I say that it is a human life, and I want them to prove otherwise.

Mr. Rodda: You are saying that it is murder.

Mr. CORCORAN: Yes, because a human life is involved. If people do not believe that it is a human life I want them to tell me why, because medical evidence points to the fact that it is, if not at the time of conception then from the moment of implantation, which is eight days after conception. The people who support the Bill should establish clearly that it is not a human life. Having established that, if they can, they have an answer to the human rights problem, but if they cannot do that, they have to ask themselves whether this human life has any rights or not, because as I see the measure we are, by introducing this Bill, denying the rights that I think belong to this human life. The people who champion the rights of others want to think again, if this is the case. They should think whether they should not extend the same rights, and I believe they should, to something that cannot see, hear, or feel at that point of time, just as much as they should extend it to those who can speak, see, and make their presence felt. This is the important basis of the measure.

Another argument advanced by those in favour of abortion is that it will reduce the number of, or virtually eliminate, illegal abortions. This supposition is highly questionable. I could say why people would not seek illegal abortions if the law were liberalized, but I do not intend to. The figures available from the United Kingdom since its Act has been in force demonstrate something. In 1967, before the Act operated, there were 34 maternal deaths because of abortion; in 1968, after the Act was in force, there were 50 of these deaths: nine of them were spontaneous, six were due to therapeutic abortion, and 35 were due to illegal abortion. I have not the breakdown of the 34 that occurred in 1967 but it is reasonable to assume that, if 35 occurred in 1968 because of illegal abortion although there was an Act to provide for legal abortion, there has in that country since this Act has been in force been an increase in the number of illegal abortions. Again, the onus is on the people who support this Bill to prove clearly and beyond doubt that this legislation has in fact led to a decrease in the number of illegal abortions.

These are the questions that face the Committee. I do not believe this measure should be debated by this Committee at the moment, because insufficient inquiry and thought have been given to it. In the situation that has developed in this State, I see no reason for this legislation being introduced now. Nothing has happened in this State to show that this is an urgent or necessary measure. If that is the case (as I am certain it is) why are we pressing the thing at this moment? Surely to goodness on a question of this importance we can afford to have a study in depth and to inform the people of this State exactly what they are involved in and what effect it is likely to have on this State and its future so that they can clearly make up their minds instead of having a question thrown at them at random.

If people think of an easy way out, do not consider the pros and cons, and do not look at the matter in depth, their answer invariably is "Yes". I hope members will oppose this measure and see that human life is involved; that they will recognize that that human life has rights, which should be upheld.

Mr. LAWN: I support the Bill. In saying that, I do not wish it to be understood that I will not support some amendments. I think I can go as far as my Leader went this afternoon when he said, if I understood him correctly, that he would be prepared to support abortion on demand. Members on this side of the Chamber in social legislation, as has been instanced by the two speakers on this side today, are free to vote as they wish, in all good faith and conscience. The Leader has supported the Bill and the Deputy Leader has opposed it, as he has every right to.

My reasons for supporting the Bill are these. I believe in a democratic Parliament, and that Parliament is elected by the people to legislate in their interests and as they desire it to legislate. That is our main reason for being here. I do not believe in dictatorship. Whilst I do not admit that we have a complete democracy in our electoral system, at least the principle in our Parliamentary system of Government is democracy. People elect members of Parliament to vote in Parliament with the object of giving people the legislation they desire. I make it clear that there is no compulsion about this legislation. There is a difference between this type of legislation and other types. However, I see no difference between this legislation and any other social legislation that comes before this place.

Mr. Corcoran: Why don't you hold a referendum on it?

Mr. LAWN: I am not opposed to a referendum on the subject. However, there has been no suggestion of a referendum. Ample time has existed and ample matter has been

placed before members of Parliament to help us make up our minds on this matter, because it has been before us now for almost 12 months and it has been before a Select Committee. I have here some of the correspondence that has been presented to me.

Mr. Corcoran: Have you read the Select Committee's report?

Mr. LAWN: I consider that I am obliged to vote on this question according to the wishes of the people I represent in the District of Adelaide, and I have done so on other occasions on social legislation. During the life of the Labor Government we saw more social legislation introduced into this Chamber than we had had in the previous 30 years, and that legislation is giving satisfaction to the public. I am pleased to say that on each of those occasions I supported the introduction of the legislation or the reform in our social legislation. I have had two petitions to present to this Parliament on this matter. One of those petitions, from a number of people (I think about 70) in the Thebarton subdivision, asked me to oppose the abortion legislation. The second one was said to be a petition by members of a church in the city of Adelaide, which I represent, but all the signatures came from residents of districts outside my own. On the other hand, many individual representations have been made to me to either support the legislation or to support something even beyond what the Bill provides. I am satisfied that, if I vote according to the way the people in my district desire, I will support this legislation or something similar.

If I wanted further evidence, I have the evidence of a survey carried out recently (in September and October this year) by some university people in the Adelaide metropolitan area. In answer to the question "Do you agree with Mr. Millhouse's Bill on abortion?" 82 per cent said, "Yes." Therefore, it seems that not only the people in my district desire this legislation or some reform but also the majority of people in the metropolitan area desire some reform.

Mr. Corcoran: Reform for what—to destroy human life?

Mr. LAWN: I will illustrate the difference in the way the honourable member and I view the destruction of human life. On Fathers' Day, as is my custom, I visited the grave of my father and mother at West Terrace cemetery. I had been unable to obtain any flowers on my way into town. However, I cleaned up the grave a little and came back on the Monday with some flowers. One of the cemetery attendants was nearby and about 150 yards away was a funeral. The attendant told me that the funeral was that of a woman 42 years of age who had recently been aborted, according to the press, and had lost her life as a result of that backyard abortion. The Deputy Leader says that, in supporting the Bill, I support the destruction of human life, but I deny this, for many lives are lost in backyard abortions, and I am trying to prevent that.

I believe that if a woman wants to have a child that is her business; if she does not want that to happen, again it is her business. It is not for me to force children on to women. This law should not be compulsory: it should be up to the woman, who should be free to settle the matter with her own conscience, having regard to her own morals. Conscience and morals should not be a matter for the law. If a woman decides to have an abortion she should not be forced to have a backyard job. She should be permitted to have a proper, legal abortion in a proper hospital performed by a properly qualified medical practitioner; whether he should be a general practitioner or a gynaecologist I will reserve my right to say until we consider the amendments on the file. In principle, I want to save human life. Part of clause 3 states that a woman may have an abortion if "the continuance of the pregnancy would involve greater risk to the life of the pregnant woman or greater risk or injury to the physical or mental health of the pregnant woman or any existing children of her family than if the pregnancy were terminated". Is the unborn child the only child that matters? Do the living not matter? I believe they do.

I have endeavoured to state the way I view this matter. I believe a woman should determine through her own morals and in good conscience whether she wants a child, and then, if she decides to have an abortion, she should be able to have the best medical attention. That is my personal view. I do not think this is a matter for experts, as it involves morals and conscience. I claim to be a Christian and, although I do not want to boast, I try to lead a fairly good Christian life. However, I do not believe I have to do what any particular church tells me to do in this regard to claim to be a Christian: I settle in my conscience what I should do in this matter. I did not look to see what the experts and everybody else advise. However, on that subject, I

agree with the Deputy Leader of the Opposition, who said that the advice given can be confusing. I am not confused but, if we considered all the expert opinion forwarded to us on the matter over the last 12 months, we would not know whether we were coming or going.

I have a volume of matter from responsible people. The Deputy Leader quoted some material opposed to the Bill. Probably I have equally voluminous correspondence from equally well known and renowned people in the community supporting the Bill, some even suggesting that it does not go far enough. Where are we going to get help in this matter? I think we have to do what I say the women must do: we have to settle the question of morals and conscience in our own minds here and now. If we want to quote expert authorities, we have references. I have a letter from one church, and as I do not want to take up the time of the Committee in unnecessarily reading the whole letter, I merely explain that the preamble states that this church is opposed to the Bill. Then it goes on, and I invite the Committee to tell me what I am to do if I am to be guided by this request. The letter states:

If there should arise a conflict between that right—

that is, the Christian right—

and other rights which are firmly established by Christian principles also, then the conflict should be resolved by competent and impartial persons. No person should be given the right to terminate the life of an unborn child for his or her own personal benefit. If that life is to be terminated, the decision should be made by some other person or persons acting upon Christian principles.

Does not the Bill meet the requirements of that request? The letter asks that no person shall just go and have a backyard abortion merely for a person's personal benefit. As the Bill provides that members of the medical profession shall determine the matter, I consider that I meet the wishes of that church if I support the Bill, as I intend to do. Another extract from matter forwarded to me states:

One point we cannot stress too strongly: no law, however restrictive, will prevent abortions taking place.

We know that: that is not questionable. The letter continues:

An illiberal law merely ensures that desperate women will seek out dangerous abortions, with consequent suffering, ill health, and even death. A more liberal law, on the other hand, will mean that proper abortions will replace the dangerous amateur ones, with a consequent improvement in public health and safety to the individual.

Mr. Corcoran: Do you think that would happen?

Mr. LAWN: Yes, of course. Let me answer that interjection again in this way: I am sure that, if this Bill had been law, the 42-year-old woman to whom I have referred would have gone to the medical practitioners and had a proper abortion in a hospital. She was forced into a position and pleaded, apparently, with this particular person to abort her whereas, if she had gone to hospital and had the abortion in a proper way, she would have been alive today. That is only one recent incident.

Mr. Corcoran: Do you know why she had the abortion?

Mr. Jennings: Because she was pregnant.

Mr. LAWN: No, I know of no reason other than what the member for Enfield has suggested. I have correspondence from members of the medical profession. I do not need to read it all, but one came to me, I think today, from a doctor in a district whose member, unfortunately, is not with us at present. The doctor states:

I am a South Australian doctor who is in favour of the Bill to reform our abortion law, and I am writing to ask you to vote for it. One of my reasons is that the member who represents me—

he mentioned the member's name, but I need not quote it now—

is unfortunately ill. I had seen him concerning the matter, and he indicated to me he was in favour of reform, too. The President of the State branch of the Australian Medical Association has stated that the A.M.A. has no official policy on this Bill, and that every doctor should make up his own mind on this matter, according to his conscience. This is a very proper approach.

In general, I have found that more doubt is expressed by the older doctors than by the younger general practitioners and specialists. This is usually the way with reform measures, as you will know.

I agree that older people do not like reform; they like it much less than do younger people. The letter continues:

Two, letters, supporting the proposed Bill in its entirety, have been sent to Mr. Millhouse. One is signed by 53 (out of about 70) doctors approached who are on the staff of the Queen Elizabeth Hospital. The other is signed by 77 (out of about 93) doctors who are on the staff of the Royal Adelaide Hospital.

So, if we want to know what the experts say, a high percentage of the doctors at the Queen Elizabeth Hospital and the Royal Adelaide Hospital favour the Bill. The letter continues:

It is very clear to me that abortion law reform is not opposed by a majority of the public or by a majority of the medical profession. Such contrary opinion as there is, is expressed by a minority whose rights are in no danger, and whom nobody wishes to force into having or performing abortions.

A postscript to the letter states:

I am aged 48. I regard myself as a senior doctor, being a member of three Australian colleges of medical specialists, and vice-president of one of them.

For what it is worth, that is the opinion of doctors at the Royal Adelaide Hospital and the Queen Elizabeth Hospital. However, I do not accept that as conclusive, because I believe that I have to settle this matter to the satisfaction of my own conscience, and I believe that women have to settle it to the satisfaction of their own consciences. Safety will be ensured because abortions will be performed by legally-qualified medical practitioners in suitable hospitals. Another letter I have received from a doctor says that it would make my heart bleed if I could see the cases that came to his notice. He, too, supports the Bill.

The Hon. R. S. HALL (Premier): This is a genuine attempt by the Attorney-General, with Cabinet's approval, to bring this matter before the Committee for discussion. This attempt was initiated before the Gallup poll was conducted and before there was discussion about what public support there might be for the Bill. I am pleased that the Bill was introduced before the results of the Gallup poll were published. I am disappointed with the member for Millicent, who spent so much time saying that this matter should not be debated here: this is a negative attitude. He said that it was a most important matter, but that it should not come before this Chamber.

Mr. Corcoran: At this stage.

The Hon. R. S. HALL: That attitude is directly opposite to his move at the Select Committee hearings. Page 11 of the report of that committee states:

Mr. Corcoran moved after "Bill" to insert the words "because this is an important and controversial matter which should be debated in Parliament. However, the committee does not recommend any alteration in the law on this topic in South Australia".

Mr. Corcoran: I will give you an answer to that later.

The Hon. R. S. HALL: Because this is a matter of conscience for each member, we should not criticize each other for our opinions. However, I am disappointed with the member for Millicent, who made that move before the Select Committee but now accuses the Attorney-General of wasting the time of this Chamber. I support the Bill as it is, and if there are useful amendments to improve it I will consider them on their merits, but I do not intend to support the Attorney-General's amendments.

The Bill does not bring about impositions: it is a matter of freedom of the individual to make a choice in an atmosphere that is more free than is available to him today. The Bill does not stipulate that people must do something: it provides that certain things may be done. It seems that the argument about abortion on demand has taken on an emotional aspect. Although the Leader may have said that, in his opinion (and I respect it), he would support abortion on demand, this Bill does not seek to achieve that situation. Let us get away from talking of abortions on demand and what people may do without regard to the law, and consider what the Bill enables people to do. Clause 3 inserts proposed new section 82a as follows:

(1) Notwithstanding anything contained in section 81 or section 82 of this Act, but subject to this section, a person shall not be guilty of a felony or misdemeanour under either of those sections—

(*a*) If the pregnancy of a woman is terminated by a legally qualified medical practitioner in a case where two legally qualified medical practitioners are of the opinion, formed in good faith—

(i) that the continuance of the pregnancy would involve greater risk to the life of the pregnant woman or greater risk of injury to the physical or mental health of the pregnant woman or any existing children of her family than if the pregnancy were terminated;

That may be an awful choice with which to confront any human being, but it is a choice that confronts them now, and someone must make a decision. This Bill enables the decision to be made in favour of the woman. I am not saying that it is a pleasant decision, but it has to be made. The proposed new section continues:

or

(ii) that there is a substantial risk that, if the pregnancy were not terminated and the child were born to the pregnant woman, the child would suffer from such physical or mental abnormalities as to be seriously handicapped,

Again, that is a terrible and awful decision to make. The new section continues:

(*b*) If the pregnancy of a woman is terminated by a legally qualified medical practitioner in a case where he is of the opinion, formed in good faith, that the termination is immediately necessary to save the life, or to prevent grave injury to the physical or mental health, of the pregnant woman.

This again is a choice that dismays any mortal person, but we cannot deny that such a choice exists. Are we, therefore, to deny these things? In these circumstances, shall we say to the woman, "You shall not have the chance to live"? That is what we may be asked to say. Shall we say, "The child shall be deformed and subhuman"?

Mr. Corcoran: How do you know the child will be deformed?

The Hon. R. S. HALL: Anyone who knows life and has studied it and the community in which he lives knows that these things occur. To deny that is to deny the very import of life and to regard it as a fairy tale. But it is no fairy tale—it is reality. These things must be dealt with. We entrust members of the medical profession with great responsibilities in hundreds of diverse directions, when they hold life in their hands in many cases; we trust them and train them to a high standard of efficiency. But, apparently, we are now to say to them, in respect of just one of many things that we entrust to their care, "You shall not be trusted with this." If they make a wrong assessment, are they more likely to make it in this instance than in other instances? How can we say that they will not make it in good faith? I will not cast a slur on the medical profession; I trust them in this matter as I do in others. I will not deny the woman the rights afforded her by this clause. It is not a Bill for abortion on demand. I would not support that, although I am inclined in that direction. For the sake of some discipline in this matter, we need this Bill as it is. To create a situation in which abortion may be obtained on demand may lead to many irregularities and difficulties in the community and to a situation where life is not valued. With the Bill as it is written, life is valued very much indeed. It is to protect life that this clause is in the Bill.

Mr. Corcoran: Doesn't an abortion involve the destruction of a human life?

The Hon. R. S. HALL: Human life is involved.

Mr. Corcoran: Is it?

The Hon. R. S. HALL: The member for Millicent knows that; he needs to read the Bill again and again if he believes that its import is other than the protection of life.

Mr. Corcoran: By destroying it.

The Hon. R. S. HALL: The honourable member is shutting his eyes to the realities of the situation.

Mr. Corcoran: They are wide open.

The Hon. R. S. HALL: I know that he knows what the community is like in its many ways and in the problems concerning the medical profession and the individual. It enables the woman involved, through the medical profession, to have a choice that, legally, she does not have today. She should have it, and I will vote for it. I believe this matter is properly before this Committee and should be exhaustively debated. I commend the Bill in its main substance to the Committee and hope the Committee will accept it.

The Hon. C. D. HUTCHENS: I have listened to the Premier and am a little disappointed in one remark he made. He said he had made up his mind and that he was not going to support or accept any amendment.

The Hon. R. S. Hall: I did not say that.

The Hon. C. D. HUTCHENS: I hope that is not the case. This matter warrants the utmost consideration, for I believe it is very delicate. Reasonable time has been given for this measure to be considered. In fact, I cannot recall an occasion when greater time was given.

This Committee is a quorum consisting predominantly of male members. However, it is gratifying to note that some members have appreciated the feelings of the womenfolk of our community. The only fault I find with the Bill is that it does not go far enough. Strong statements were made today opposing the legislation. I suppose that if we considered the fact that Australia was a pretty conservative country and that South Australia had been labelled as the most conservative of all the States, we would say that we were not going to do anything about this. The thing that is wrong with conservatism is that it lacks realism, and a person who says that there is no demand for legislation of this nature can only be said to lack realism. Anyone who has served even for a short time in public life and is a member of this august place realizes that he soon becomes a social worker. Members of Parliament are social workers, and if we

play our part as social workers we see the misery suffered by many of our womenfolk who have to go through with a pregnancy and give birth to an unwanted child.

My noble and honourable friend the member for Millicent (Mr. Corcoran) is a man that I admire very much. I have no doubt that he is honest in his attitude on this matter, and a line of argument from a man of that calibre becomes most dangerous because of his very character. The argument for uniformity absolutely astounds me. I have heard this argument put forward time and time again by people opposing measures. Invariably, they say that the time is not ripe simply because they lack an argument against the case being presented. Attention has been drawn to the small number of illegal abortions. If there is one illegal abortion, it is one too many.

I have lived the last 40 years of my life in an industrial area. I went through the great depression, when I lived not far from one who carried out abortions. I have seen many of the women who went there because they were disturbed mentally and feared bringing into the world a child that they could not properly support. These women placed their lives in jeopardy making it possible that their children could have become motherless. Do we want this state of affairs to continue? Of course we do not. We who have studied the social habits and disappointments of life know full well that many of the wives who are deserted are those who have been forced into marriage, have had a number of children, are expecting a child, and are left by their husband. I have had several of these cases to deal with. We know that children in such cases are born into circumstances that make them sour on society, and they are a fertile bed for Communism.

Mr. Corcoran: Do you honestly believe that the solution to all these problems is abortion, or is there some other solution?

The Hon. C. D. HUTCHENS: I believe it is a part solution to the problem. There is no complete solution: there can only be various part solutions that are dealt with in various ways. These people who become Communists will be mown down by bullets from machine guns carried by the very people who oppose this reform. We have been told by those who oppose the Bill that we must prove things, but they say they have no responsibility to prove anything.

Mr. Corcoran: We aren't changing the law, or initiating it.

The Hon. C. D. HUTCHENS: I want these people to establish the things they are saying. For instance, they are claiming that a human life is involved from the time of implantation. I wonder whether these people really believe this and whether they can establish it. Do they argue that a fertile egg is a chicken? That argument would be just as ridiculous.

Since the Attorney-General was good enough to inform honourable members fully on the Bill, I have read all I can. However, I have not yet found anyone able to establish to my satisfaction that a foetus is more than a potential life. It is not life: it is a potential human life, just as a fertile egg is a potential chicken. I consider that, if an abortion that is desirable is carried out within reasonable time, it cannot be said that a life has been taken.

I consider that a woman should have equal rights with a man and that a woman has the perfect right to determine what she shall do in respect of her family and the regulating of it. I admit that today, the day of contraception, reasonable care can be taken but, in an hour of affection, in an hour of some folly, this can be overlooked and pregnancy can occur. In such a case, I consider that the woman should have the right to determine, in her own soul and mind, what is in the best interests of her family. I do not consider that she should have to be embarrassed, but women are embarrassed at present on some occasions by the lack of thought by their partners and by an inconsiderate attitude. Then, should she be forced to seek two or more medical opinions before she can have an abortion? Is not the best person to determine what is required, in the light of the physical and economic conditions of the woman concerned, her local doctor, who has been her family doctor for years?

The figures given by the Attorney-General today (and I thank him for them) have proved conclusively to me that the abortions in the United Kingdom have not been carried out willy nilly, and the small percentage of people who have used the social clause convinces me that no woman will seek an abortion unless she is desperate and it is necessary to preserve her life and the wellbeing of her family, or to advance her family. We have had much talk about getting the opinion of different shades of medical opinion. What about the poor person in a country area of the State? Must she look for specialist treatment? She may go broke because she is

denied an abortion that is necessary for a physical, mental or economic reason. I consider that the woman should have the right to decide.

For far too long we men have made woman an inferior being, asking her to accept our dictates when, in actual fact, the hand that rocks the cradle belongs to the woman who rules the world. A distressed mother bears a distressed family, and is a poor member of society. I consider that this Bill is good in many respects. However, I regret that it does not go further and I intend later to try to take it further.

The Hon. JOYCE STEELE (Minister of Education): I was disappointed when listening to the member for Millicent (Mr. Corcoran), because for several weeks and for hours at a time I sat with him as a member of the Select Committee and heard evidence both for and against this Bill. During the committee's meetings I heard him make valuable contributions to our deliberations. The questions he asked and the viewpoint he expressed showed that he was looking at this Bill in a rational manner. However, he has disappointed the committee members with whom he sat.

I cannot agree with him that this matter should be delayed further: the proper time for debating a matter of such social interest is when we can debate it in a calm, unemotional manner—when a Parliamentary session is not in its dying hours. As this debate is developing it is one of the best debates we have heard for a long time. The honourable member was critical that this measure emanated from a certain conference, but the fact that it did so emanate shows the great interest in this matter in the community—an interest that the honourable member doubted. It would not have mattered whence it came, because the interest revealed in abortion law reform in England meant that it was bound to become a subject in which the community was greatly interested.

It is a good thing that it has come to the notice of this Parliament and this community. This is the proper place in which a matter of this kind should be debated, without any emotion, and I hope the debate will continue to be conducted in this way. Obviously, there is much interest in this matter, because an unprecedented number of petitions have been presented. We were informed today that 80 petitions containing 14,004 signatures had been presented, and two petitions containing 1,920 signatures had been directed to a specific part of the Bill. Every member has received these petitions. I have not received many (only three, I think) and none contained many signatures, but I have received many letters supporting the Bill.

I make it clear that I support the Bill as it was first introduced. At the invitation of the Attorney-General I became a member of the Select Committee, and I cannot understand why the member for Millicent said that we needed more time to consider the matters placed before the committee. I point out that the evidence was given to the committee last February—before the House rose at the end of the first session of this Parliament. So we have had all the considerable time since then to study the evidence given and to discuss this matter with the people and to find out their attitude to the Bill.

Much interest has been created in the community. As committee members, we had the great privilege of hearing evidence from experts both for and against the Bill. I greatly admired the sincerity of the people who gave evidence to the committee and who quite unemotionally presented their attitude to this great social problem. We heard evidence from people from other States and we had the opportunity to study written submissions. Committee members, particularly, were in possession of all the facts necessary to come to a conclusion on this matter.

I went into this matter with an open mind, as I had not considered it except in a general way. It was not until the committee had almost completed its hearings that my feelings about the Bill crystallized, and I knew that I had to support it in its present form. One of the things that has led me to take this stand is the fact that, like many other members, I cannot believe that at the moment of conception and in the weeks following there is, in fact, a human life. One might say it is a potential human life.

Mr. Corcoran: When do you think it becomes human?

The Hon. JOYCE STEELE: I should think that up to the twelfth week, when it is safe to perform an abortion.

Mr. Corcoran: After that or before?

The Hon. JOYCE STEELE: At that stage. I cannot accept that it is a human being at the moment of conception and in the period following that.

Mr. Corcoran: At what point of time do you think it becomes human?

The Hon. JOYCE STEELE: At the point of its viability: about 12 weeks is the time that I accept.

Mr. Corcoran: What makes it human then and not before?

The Hon. JOYCE STEELE: I am stating my opinion; the Deputy Leader has stated his.

Mr. Corcoran: I am asking you seriously.

The Hon. JOYCE STEELE: This is the conclusion to which I have come, and I believe that it is a conclusion that many other members have come to after studying the evidence submitted. I thought that the member for Hindmarsh made an excellent speech, and I agree with him that it is time women were allowed some say in a matter in which they are so vitally concerned. I believe that for too long men have decided this matter, which I believe is a matter for a woman to decide according to her conscience.

Most people would agree that many women are forced into pregnancy, have no say in it, and are thus cast into a pregnancy that they do not want, and a pregnancy that can, in many instances, bring to them and their families another life, which is a problem because they suffer economic hardship as a result of it. I believe that this matter should be left to a woman's conscience to decide whether she has the right to have an abortion performed. In many cases a pregnancy forced on a woman can bring her great physical and mental distress, and I believe that in many cases it affects the health and well-being of her existing family. For that reason I think that the social clause should remain.

Another aspect is the case where a child can be born handicapped or in some other way disabled. Most people know that there is a real risk if the woman suffers from maternal rubella in the first two months of pregnancy. Although many children, who are the victims of their mother's having suffered this disease, are not affected, there are many in this community who have suffered as the result of their monthers' having contracted German measles.

Mr. Casey: Can you give me the percentage of the population?

The Hon. JOYCE STEELE: It is difficult. At the time of the 1940-41 epidemic of German measles, here in South Australia over 120 children were affected, of which number about 20 were born deaf or hard of hearing. Many more children were born suffering from not only one disability but as many as four disabilities: there were children born deaf, blind, mentally retarded and some with defective hearts. There were many of these, but the ones that could be helped were, in the main, those born deaf. They could be provided with education, but there were many others for whom little could be done.

Mr. Casey: What is the position today? Hasn't medical science improved to such an extent that it can help?

The Hon. JOYCE STEELE: No. I believe that in the case where it is found that a woman has suffered from German measles in the first two months of pregnancy, which is the vital period for this disease, she should have an abortion.

Mr. Casey: How does the doctor decide whether there will be a deformity or not?

The Hon. JOYCE STEELE: There is a grave risk of the child being born deformed if the mother has had German measles in that critical period.

Mr. Corcoran: How is it known?

The Hon. JOYCE STEELE: Since 1940 a tremendous amount of research has been done into this. As the Deputy Leader knows, that research originated in Australia. It was a long time before it was accepted overseas that it was true, and that the children of mothers who had suffered German measles ran a grave risk of being born defective.

Mr. Corcoran: Can you give me any figures on that?

The Hon. Robin Millhouse: The honourable member knows that; it is in the evidence.

The Hon. JOYCE STEELE: Of course it is.

Mr. Corcoran: But I want to know what percentage—

The CHAIRMAN: Order!

The Hon. JOYCE STEELE: The Deputy Leader has made his speech and if he wants more information I suggest he study the evidence further. It was available for him to study just as it has been for other people to study. The Deputy Leader asked why there was such alarm here in South Australia at the incidence of abortion. Everyone in the community knows that abortion exists and is practised in a backyard manner, and that it is practised in other States, too. Of course, it happens all over the world, and there is no denying it. We know from the evidence (and the Deputy Leader can see this for himself in the evidence that was presented to us by

people who had done complete and thorough surveys of this matter) that there was a high incidence of abortion in the Eastern States and in Western Australia, and there was no reason to believe that a similar incidence of abortion did not exist here.

Evidence was also given us that it was a two-way traffic. In the Eastern States we were told that there were good doctors and bad doctors amongst those who performed these abortions, that many abortions were performed under perfect clinical conditions, that the woman was given post-operative care, and that there was little danger of her suffering physically as a result. It was hard to establish the number of cases of abortion known here, but evidence was presented to us to establish that abortion did in fact exist. I believe that if it exists here in the same degree as in the other States it is time we did something about what is a very real need in the community, for it affects the mental and physical health and well-being of young women and married women who do not want a pregnancy.

I believe that if this Bill passes (as I hope it will pass) it will have an effect on the young girl who, to put it in the language of today, gets herself in the family way. She is often the one who seeks the backyard abortion because she is ashamed; she does not want to go and see a doctor or to see anyone; she wants to rid herself of the unwanted child as quickly as possible, and, because an abortion is not easily accessible to her, she either finds a backyard abortionist or gets the name of someone in the Eastern States and makes a trip there. She could be given the name of a person who does not do this operation carefully, and in those circumstances her whole health and her whole physical and mental outlook can be ruined.

I believe that if this Bill is passed these young girls will be able to go to their family doctor for medical advice. I am strongly of the belief that, if they can do this without any sense of shame, many of them will be converted to the idea of wanting to keep the previously unwanted child.

Mr. Corcoran: You are using an abortion as a contraceptive.

The Hon. JOYCE STEELE: No, I am not. I believe there is a very real hope for the girls who get themselves into trouble. We know that the number of single girls who find themselves pregnant is increasing, and at present these girls have no recourse but to go to some backyard abortionist or, as I said, to take themselves off to the Eastern States. Here we are making provision for an abortion to have to be recommended and approved by two thoroughly qualified medical practitioners, one of whom has to be an obstetrician or a gynaecologist, and I think there is an amendment on the file to provide that one shall be a psychiatrist.

The Hon. Robin Millhouse: That is correct.

The Hon. JOYCE STEELE: I believe that in many ways this Bill will be a step in the right direction. I believe, too, as the member for Hindmarsh said, that it will make help accessible to the woman who in a remote country area finds herself in the position I have already described.

Mr. Casey: Can you define "remote area"?

The Hon. JOYCE STEELE: Yes, in a remote area of this State where there is no doctor or where it is very difficult for a woman to get help quickly. I believe that the people of South Australia are applauding the Government for having the courage to bring this matter into the open. I believe that the Bill is enlightened, forward-looking legislation, and that it has the support of many thousands of people in this State. I hope it becomes law.

Mr. HUGHES: I have listened attentively to the members who have spoken since the dinner adjournment. I am afraid that I cannot agree with the Minister of Education when she says she considers the Government is being applauded in bringing this Bill out into the open, and later I will give reasons why I do not agree with her on this point. It is only on rare occasions that I am at variance with my colleague the member for Hindmarsh. However, I cannot agree with his comment that anyone who is against this Bill is not being realistic. I believe that each one of us is being realistic in his approach to this matter. I think the honourable member was most unkind to the Deputy Leader when he made that remark. Even the Attorney-General, who is responsible for this legislation, said that this is a matter of conscience. I do not think the member for Hindmarsh did the right thing when he criticized the remarks made against this measure.

Mr. Wardle: Do you deny him the right to interpret his conscience?

Mr. HUGHES: No, but I am also entitled to say what I have to say. I took no exception to the member for Hindmarsh expressing his views, and I am waiting patiently to hear what the member for Murray has to say. He does not seem as eager to speak on this Bill as he has been to speak on other social matters.

I should have preferred him to advance theological arguments on this matter before I spoke, so that I could have an opportunity to reply to them.

In the 12 years I have been a member, this is the first time I can recall the people of South Australia showing complete distaste for legislation. In his remarks this afternoon, the Attorney-General gave figures of petitions opposing the liberalization of the law. Perhaps it would be advantageous for me to look at those figures again to compare the number of people who asked for the Bill to be proceeded with with the number who asked that it be not proceeded with. There were 80 petitions containing 14,004 signatures asking the Government not to liberalize the law, whereas two petitions containing 1,920 signatures prayed that the Parliament amend the law to enable a legally qualified medical practitioner to terminate pregnancy. There is a vast difference in those numbers, with less than 2,000 for the Bill and 14,000 against it. I believe that shows what the people of the State require. The position is not as the Minister of Education would try to have us believe: that the Government is being applauded for introducing this measure.

To my knowledge, no-one has stated authoritatively whether the number of illegal abortions carried out in South Australia has increased. In the years after the Second World War the population growth has been considerable and, if the number of illegal abortions had increased in proportion to the rate of that growth, surely someone would have been able to produce figures that would give the Government credit for introducing this measure. I refer to the report of the Select Committee, which states:

> Evidence shows that it is impossible to know how many abortions are performed annually in South Australia.

That supports my statement. The Attorney-General, who prepared that document, admitted that it was impossible to know how many abortions were performed annually in the State. The report continues:

> Estimates given by witnesses varied widely. The Abortion Law Reform Association submission put the number between 5,150 and 8,900. This was amplified by Mrs. Beatrice Faust who came from Victoria by arrangement with the Association to give evidence.

The next part is extremely interesting. It states:

> On the other hand, Dr. John Rice put the estimate as low as 250 annually. Estimates made by other witnesses were between these two.

The report shows conclusively that no-one was able to give the Committee anything like an accurate figure of the number of illegal abortions carried out in this State. The Government is open to criticism for introducing this measure on what is an extremely debatable matter. I sincerely hope that members will express their feelings on the matter, because it is one of the most serious measures that this Parliament has been called on to deal with, at least during the 12 years I have been a member. The measure has caused me much worry and concern. Despite what the Attorney has said the Bill does tamper with human life, and this has caused much concern to the general public and the churches. The measure should not be before members at present.

Mr. Corcoran: It should not be here at all.

Mr. HUGHES: I am not saying that: I am saying that it should not be debated on a Tuesday. As the Attorney-General said, there will be a free vote on this matter according to members' own consciences. Consequently, it should be debated during private members' time.

Mr. McAnaney: On what day did you introduce the Licensing Act Amendment Bill?

Mr. HUGHES: I am dealing with the question of abortion law reform: I will not allow the honourable member to sidetrack me.

Mr. Wardle: You leave yourself wide open.

Mr. HUGHES: I do not. If the honourable member criticizes me he will find that I am quite capable of defending myself. The Attorney-General had no good grounds for restoring this Bill to the Notice Paper. I was accused in a press statement by the Attorney-General of acting in concert with some other members to prevent the Bill from being debated. I made it clear at the earliest opportunity that I was not acting in concert with anyone and that no-one had approached me in connection with restoring this Bill to the Notice Paper. I adopted my attitude because I believe that the people of South Australia did not require this measure. However, we were overwhelmingly out-voted. Let us consider the remarks of some responsible people in Great Britain following the introduction of this type of legislation there. Because the member for Hindmarsh (Hon. C. D. Hutchens) referred to the law in Great Britain, I wish to quote the following extract from an acticle in the *British Medical Journal* of January 25, 1969:

Hasty legislation combined with lack of agreement both in the medical profession and among the general public during the formulation of the Act has resulted in a more than usually imperfect piece of law-making.

So, perhaps we are not correct in introducing this measure, at least at this time. The people of South Australia have not convinced me and some other members that this measure is required. I think the Premier referred to the Gallup poll, but I will not be convinced by any such poll. Every member knows that Gallup polls are often wrong, and I think they are wrong on this matter. Phillip Rhodes, Professor of Gynaecology, Saint Thomas's Hospital Medical School, in the *Observer* of February 6, 1969, said:

It should be no surprise that the Abortion Act has not resulted in a diminution in the number of "back-street" abortions as far as this can be measured. It seems to have been the experience of other countries where abortion has been legalized that an Act simply generates a new clientele for the operation.

I do not say that that will happen in South Australia, but this has been the result as observed by one prominent man who, because of his position, should be an authority and able to speak in this way and I accept his statement. Doctor David Paul, Coroner at Enfield, Middlesex, in a statement to *The Times* on July 4, 1969, said:

The Abortion Act was described yesterday as rapidly appearing to be a very bad law.

I give the Attorney-General full credit for the investigations he made during his oversea trip: he must have worked hard not only to familiarize himself with the workings of the United Kingdom Act but also to gain as much knowledge as he could. However, he must have known that this Act was being regarded by highly qualified professional men in the United Kingdom as a bad law. We do not want bad laws in this country, particularly in connection with abortion, because this is one of the most vital measures that will be presented to this House in our lifetime, as it concerns human life. Professor J. A. Stallworthy (Oxford), in the *British Medical Journal* of February 15, 1969, said:

The number of abortions could rise above the number of births as it had in Japan and Yugoslavia. If this happened the profession might well decide that such mass destruction was not the practice of medicine with the possible consequence that non-medical abortions might have to be legalized. It was to be hoped that a better remedy could be found for a sick society.

I should hate to think that we are living in a sick society in South Australia, because I do not believe we are. Young people today are some of the finest young people this State has been privileged to have in it, and I strongly disagree with anyone who tries to tell me that we are living in a sick society because of their actions. A few in all walks of life do not measure up to the requirements, and that situation could apply in South Australia, but our young people, particularly the young married couples, are held in high regard by all members. I should hate to think that we were introducing legislation here because we thought we were living in a sick society.

I could quote from many prominent medical men and professors but I do not think I need do so, apart from referring to an article headed "Bitter Lesson for Reformers" by William Deedes, M.P. in the *Sunday Telepgraph,* dated April 20, 1969. It states:

Without facts established by an impartial body, coaxed by an active lobby, with no clear idea of what it wanted to do or how to do it, valiant for reform, careless of detail, impatient of the wider ethical and social issues involved, the Commons banged the Bill through, and so resolved the future of the unborn and unwanted child.

The Deputy Leader of the Opposition mentioned this matter without perhaps even noticing the remarks of William Deedes. I do not say we are banging this legislation through, because that would not be fair comment, but we are dealing with legislation that the people do not want. If they had wanted it, why have we not had 20,000 signatures from people anxious for this legislation instead of the 1,920 we have had? If this legislation had been wanted, the signatures of those wanting it would have far outnumbered the signatures of those not wanting it. People come to my door because they want something, and that it probably the experience of every honourable member.

The Attorney-General condemned himself by taking pride in presenting the figures of the representations made to this Chamber. If it had been I who was trying to get this legislation through, that would have been the last document I would have presented, because we all know the number of petitions presented to this place asking the Government not to proceed with this legislation. Any argument that the Attorney-General advances in favour of this Bill was completely defeated today by the figures he presented. He would do well to make a further announcement in the local press that he would not proceed with the other clauses of the Bill, as he has already done with the social clause.

The Minister of Education said that an unprecedented number of petitions had been presented. She also said that it was time women had a say about what should be done when they face pregnancy. No-one denies that. However, many ladies' organizations are active in this State and represent every avenue of community and home life, yet from the document prepared by the Attorney we find that of all the witnesses who appeared before the Select Committee only two women's organizations made representations.

The Hon. Robin Millhouse: You will say something about the policy of the National Council of Women?

Mr. HUGHES: I have great respect for that council. However, many other women's organizations in South Australia are very much on the ball in matters that affect women. I do not want to take any credit away from the women's organizations that were good enough to appear before and tender evidence to the Select Committee. However, I would have thought that, if this Bill was desired by a majority of the women of this State, the representatives of those women would have made their presence felt when the Select Committee met on this vital subject. Whilst I admit that women should have a say when they face pregnancy, and whilst I do not want to take away any credit from the organizations that made representations, this legislation is not desired by the majority of people in this State, otherwise more women's organizations would have tendered evidence to the Select Committee.

The Attorney-General referred to the correspondence he had received from various church organizations. I, too, have received correspondence, presumably the same correspondence, from these organizations, and I am surprised at the apparent change of heart of some of them. Nevertheless, that is their business. Those representations do not entirely agree with all that the Attorney wanted this Committee to accept. The most recent correspondence I received (only last Wednesday) was from the Methodist Church of Australasia through its Department of Christian Citizenship. This body wrote to me regarding certain resolutions carried at the annual conference of the Methodist Church held during the previous week. It informed me that it had received a unanimous report from its commission on abortion and that it had passed several resolutions regarding abortion and related matters. I will quote from the letter because I do not want the Committee to think that these are my own words. It states:

> From the report and resolutions you will see that the conference has given qualified support to an amendment to the law. It should be noted however that the conference (1) has not supported the social clause in the proposed amendment.

That was the deciding factor behind the Attorney-General's press statement. He knew that at least the Methodist Church would not agree with him regarding the social clause, and I know that was the factor that made him finally decide to make the further press statement that he would not proceed with that provision. I give credit to the Methodist Church, of which I am proud to be a member of long standing, for taking some part in having the Attorney-General back down in this matter.

Mr. Casey: He was pulled into gear.

Mr. HUGHES: Yes, these church organizations cannot be ignored, and it will be a sad day when any Minister of the Crown does ignore them. I have correspondence from the Lutheran Church of Australia (South Australia District). This letter was sent to me by the President (Mr. Minge).

Mr. Rodda: Are you going to read all of that?

Mr. HUGHES: That is my business.

Mr. Rodda: It is mine, too.

Mr. HUGHES: It is not. You, Mr. Chairman, decide what shall be put before the Committee, and not the member for Victoria. I hope the honourable member will treat this matter seriously and not make fun of it as he has made fun of other social issues that concern the people of the State, particularly the ladies.

Mr. Rodda: I agree.

Mr. HUGHES: If the honourable member was a lady, he would know how concerned ladies are about this. Mr. Minge's letter states:

> While sending you the statement on abortion adopted by the conference of pastors last week to which I trust you will give careful consideration, I take the liberty of submitting to you an opinion of my own. I maintain that the Government of our State would be making a far greater contribution to the welfare of the community if, rather than liberalizing the existing law on abortion, they did something to eliminate the need for abortions.

I entirely agree with the President. The Government could be spending its time, even this evening, far better by endeavouring to

eliminate the need for certain abortions. If it were, I am sure it would be held in higher esteem by the ladies of South Australia than it is at present. The letter continues:

In the case of abortions desired by women who have been raped, I maintain that persons who have been convicted of rape, or of carnal knowledge without the woman's consent, should be rendered impotent by castration. If such a law were passed and then also implemented, I maintain that this would practically eliminate raping, afford protection for women and girls, eliminate the need for many abortions, and moreover, come somewhere near what the Great Teacher said, as recorded in Matthew 5:27-30.

Although I do not entirely agree with part of that statement, I maintain that Mr. Minge has carefully, prayerfully considered how this matter of rape can be resolved. I commend the President for having the courage to write to members of Parliament to make that statement. The letter continues:

I maintain that the enactment of such a law is quite within the province of the Government, and should be given serious consideration by all members of Parliament.

Although we do not have to agree entirely with his suggestion, every member should seriously consider any representations made by such a highly-placed personality in the church. Regarding the resolutions or statements made by the conference of pastors, he states:

The ministers of the Lutheran Church of Australia, South Australia District, strongly object to the liberalization of the existing law on abortion on the following grounds: (1) We consider abortion, for reasons other than mortal danger to the mother, to be contrary to God's will and also a violation of the basic rights of life of the foetus. (2) While we believe that there may be need for certain revisions of the present law in keeping with the principle of point (1) above, we consider that a liberalization of the abortion law could cause an increase in demand for legal abortions, which would create a further decline in community responsibility especially with regard to the value of human life. (3) We consider that the adoption of the proposed legislation would be premature in view of the public disquiet in Britain since the liberalization of the abortion law in that country.

The ACTING CHAIRMAN (Mr. Nankivell): Order! There is too much conversation in the Chamber.

Mr. HUGHES: Apparently, the Lutheran Church had seriously considered the public disquiet in Great Britain and had got the document to which I have referred, setting out press statements by responsible people on the matter. The church fears that, if the Bill were to proceed along the lines intended by the Attorney-General in the initial stages of consideration of the measure, grave disquiet would be caused in South Australia. The pastors also state:

(4) We consider that the available medical, legal, social and ethical evidence with regard to the dangers of widening the grounds for abortion should be sufficient reason not to proceed with the proposed amendments.

(5) We consider that abortion is not the solution to a social problem, but rather that ways and means should be found to provide adequate help and guidance for those who experience their pregnancy as an unwanted and insurmountable burden.

I agree with the closing statement. This Government is not giving sufficient time and thought to solving social problems. The Government would do well to consider these matters. That statement of resolutions of the conference of pastors of the Lutheran Church of Australia is dated August 28 last and has been sent to all members. I have also received from the Congregational Union of South Australia a copy of a letter sent by the union to the Premier, advising him of recent assembly resolutions that were passed without dissent. Reasons for adopting the resolutions are given but I shall not read the letter, because all members have a copy.

I have also received a statement from the Archbishop of Adelaide (Right Reverend Doctor Reed) regarding abortion. This statement was sent to me through a certain person from 111 Buxton Street, North Adelaide. She informed me that she had been authorized by the Lord Bishop of Adelaide to release his statement about the Bill. She enclosed a copy of the statement, which had been sent to all Anglican clergy in the Adelaide Diocese. Because it was released to the press on October 18, every member will be familiar with it.

I have received correspondence, too, from the General Assembly of the Presbyterian Church of South Australia, and I believe it was sent to all members. If members have not read it they should do so, because the theological statement contained in it shows that church's great concern about this matter. One passage from that statement is as follows:

This is the basis for the Christian conviction that the right to live, granted at conception, is a gift bestowed on every human being by God.

This bears out what the member for Millicent (Mr. Corcoran) has been arguing today. The statement continues:

Such a conviction obviously results in the absolute duty to protect the life of the unborn child. The same conviction makes the duty to protect the mother's life equally absolute.

Again, every member has a duty to consider this Bill very carefully. Further, the statement says:

This is a situation of imminent tragedy and the question arises: under such circumstances can a total rejection of abortion be upheld in the light of man's responsibility for life and to God?

This Committee should not be dealing with further legislation, because certain legislation covers this very thing. Every member has a responsibility to see that this Bill is not passed. I could put the other side of the argument, but I shall leave that to members who do not agree with me. They have the right to disagree with me, but I speak from my heart and I hope that others will do the same. I will accept the decision of the Committee on this matter.

Mr. EVANS: I support the Bill. Before I was appointed a member of the Select Committee, I believed in abortion on demand. However, my view became more moderate after hearing evidence given to the committee, and I now support the Bill as it is presented. The Deputy Leader of the Opposition suggested that the Attorney-General had introduced the Bill after he realized that it was placing a burden on the State to some degree, and the Deputy Leader suggested that the Attorney-General introduced it because of the rejection by the Western Australian Parliament on a technicality of a similar Bill, rather than have it introduced by a private member. The Attorney-General introduced this Bill on December 3, 1968. By a decision made by the Western Australian Parliament, that House was suspended on Thursday, May 1, at 8.41 p.m. to enable the Speaker to rule on a point raised by the Leader of the Opposition, and at 9.19 p.m. the Speaker ruled that the Bill should be rejected because of a technicality and not because of any opinion that may have been held on abortion.

Mr. Corcoran: I didn't say that.

Mr. EVANS: That was the inference I drew from the honourable member's remarks. The member for Wallaroo said that the Attorney-General should not have quoted figures from the report, because they proved a point against his argument. However, by quoting the figures the Attorney-General showed that he was honest, and he has been honest in all aspects of the debate. I believe that the Government, through the Attorney-General, was correct in introducing the Bill so that each member could vote on it according to his conscience and belief. Also, it was correct to introduce it last December so that people could consider it. Almost 12 months has been allowed for this to be done: a Select Committee was appointed; people had the chance to give evidence before that committee; and they have had the chance to make representations to members of Parliament. Usually, it is only those who object to a measure or to the Government's action who make an approach to members of Parliament, and I was amazed that only about 14,000 people had done this in connection with this Bill.

The Deputy Leader suggested that Inspector Paul Turner had said that there had been no increase in the number of abortions in this State. The Minister of Education, after speaking to a gynaecologist who said that possibly the incidence of abortion in this State had never been as bad as it was then, asked the inspector about this matter. Inspector Turner agreed that this could be the case, but he was not sure. I agree that there is no way to assess how many illegal abortions are performed.

The Hon. C. D. Hutchens: Far too many.

Mr. EVANS: I agree. Inspector Turner said that a newcomer to this State, a Pole, who had been naturalized in this country, had been convicted for performing an abortion. After he had been convicted he admitted that in the 10 years before his conviction he had performed at least 300 abortions. So, for every one reported, at least 300 other abortions may have been carried out illegally. Usually, the only time we hear of an illegal abortion is when complications set in, when the woman possibly loses some of her health and contracts an infection. Sometimes the police get the tip, at other times they do not. Recently, a woman lost her life. I do not necessarily support the member for Adelaide in saying that this will not happen again. Even if we make abortion legal, there will still be some illegal abortions, but no doubt they will be fewer. That, and not the opposite, has been proved in England.

I use the same argument that the member for Wallaroo used: he asked us to prove there had been a decrease, but I ask him to prove that there has been an increase in abortions. That is the same ridiculous argument. It is only common sense that, if a woman can go to her family doctor and obtain an abortion at reasonable expense if he thinks it desirable and necessary, she will go to him, because, when it is illegal, an extra fee is payable for the risk of being caught. The chances of catching an abortionist or a patient who agrees to an abortion are remote because in both cases

they do not wish to be caught. They are both breaking the law, and often the fee paid is much higher than that payable for an abortion carried out at a registered hospital and with proper care and attention.

The member for Wallaroo referred to a pamphlet issued by the Committee of 100 to protect the unborn child. It said:

Dr. David Paul described the Abortion Act as "rapidly appearing to be a very bad law". In fact, Dr. Paul criticized the law for not being liberal enough, for not giving enough consideration and protection to the woman. He also said, "The disturbing thing is that a doctor, without seeing or examining a patient, has the absolute right to decline a termination on the grounds of conscience or medical grounds." He had good reason to be disturbed, since the exercise of this right had contributed to the death of the woman at whose inquest he made these remarks. She was, incidentally, married and had sought an abortion because of the likelihood of giving birth to a deformed child.

Other statements are not 100 per cent factual; in other words, the pieces they use may be factual but are taken out of context to give a wrong impression. The Committee of 100 has not been honest in its representations made to members. There is other proof of this and, if any member wishes to challenge this and refer to the points made by the Committee of 100, I will answer with the proof that everything has not been put in its right context. It is a deliberate action to create a false impression, and we should not condone it.

The Rev. Minge, of the Lutheran Church, has made the type of submission that has changed my mind from agreeing to abortion on demand to agreeing to the Bill as it is. I respect all churches for their views but I do not know how a man can expect me to accept, although I accept his point of view, that a decision by a court should be such that, if a man is found guilty of rape, he should be rendered impotent by castration.

Mr. Clark: That was a personal view.

Mr. EVANS: That is what I said. I do not know how he could expect me to accept that. What if it was found that the court had been given wrong evidence and that the person charged was not guilty? It would be difficult to rectify the situation. I do not know how anyone could make such a decision or a statement as that, and I would not accept that in any circumstances.

The member for Millicent (Mr. Corcoran) said that from April, 1968, until June, 1969, about 41,000 abortions were carried out in England. There is a population of 55,000,000 in England, and if we do a little arithmetic we find that for every 1,325 people there is one abortion every 15 months. I do not think this is anything to be alarmed about. I know that some people argue that the foetus is a human being and that its life should be preserved at all costs. I respect the views of those people. However, I agree with the Leader of the Opposition that, if they take this view, they cannot agree with abortion in any circumstances. If a person is convinced that the foetus is a human being from the time of conception, he can never in his own conscience agree to abortion, not even if in the opinion of medical officers the woman involved will otherwise die, because his belief would be that we should not have the power to decide between the life of the child (if in one's mind it is a child) and the life of the woman.

I do not accept that view. I could go to the full extreme and claim that the sperm of the male is human life and that contraception is stopping or destroying potential life. However, I would not take this extreme view. Not one church nor one law here gives the right of burial to the conceptual product that is aborted up to the twentieth week. One cannot leave a gift to this foetus: a gift can be accepted only when the foetus becomes a viable unit. One cannot buy property in its name, and we do not count this conceptual product, if it is aborted, in the population census. In fact, we do not consider it at any time until the twentieth week. Even where a doctor considers it is necessary to speed up the delivery of a child after the twenty-eighth week and the child happens to be born dead, is an inquest ever held into why the child died? Do we hold an inquest when the conceptual product is aborted before the twentieth week? Do we accept it as a human being? The answer is that we do not. Not in any facet of our life do we accept the foetus as a human being.

I know that some churches were disturbed that the liquor laws of this State were changed and that they were discussed in normal Government time. The member for Wallaroo (Mr. Hughes) suggests that this present matter should be discussed in private members' time because it is an issue on which we are allowed to vote according to our conscience. I ask the honourable member to think back to the discussion that took place regarding the extension of drinking hours.

The Hon. Robin Millhouse: How wild they would be if we used their private members' time on a Government Bill.

Mr. EVANS: Some people with certain religious beliefs were most disturbed about that legislation, being against alcohol at all costs. I respect their view and I hope that, now that we have 10 o'clock closing, they do not participate in something that is against their conscience or moral beliefs. A similar situation applies with regard to abortion. In this case, at no time is a legal decision involved. First, this is a moral decision. In consultation with her husband, if he is available and interested, the woman must make the decision and accept the responsibility. Then, if the couple believe that abortion is what they desire and cannot see their way clear to maintain a child and give it the love and care they should give it (or, in the case of a mother only, if she cannot give it the love and care it deserves), it becomes a medical decision. I do not accept the suggested amendment that the decision must be by a gynaecologist or obstetrician. I do not think that is necessary. I believe this decision is, first, a moral decision and secondly a medical one.

It has been said that with an abortion there is the risk of the woman's suffering some after effects. As appears in the evidence given to the Select Committee, it has been proved that after effects are also involved with full-term pregnancies. Also, the percentage of women who become sterile as a result of full-term pregnancies is practically the same as of those who become sterile as a result of abortions in properly registered hospitals. In America it is eight times more dangerous to have a tonsillectomy than it is to have an abortion.

Evidence was given to the Select Committee that many girls from this State leave Adelaide in the morning, fly to Sydney or Melbourne (although it may be difficult to get an abortion in Melbourne now in view of legal action in that State), have an abortion and are back in Adelaide the same afternoon. In fact, in one case a girl stated in the press that she went back to work the same afternoon. Therefore, this is not a difficult operation.

The Deputy Leader of the Opposition asked up until what stage of the development of the foetus did we believe an abortion should be carried out. I believe that it can be carried out up to the 20th week, but I should prefer most of them to be carried out by the 12th week. It would be hard to set this out in the Bill. If we accept that after the 20th week the foetus is entitled to the last rites at a funeral, then that is an arbitrary boundary we could use.

Mr. Corcoran: It used to be 28 weeks, didn't it?

Mr. EVANS: Yes, and it was reduced to 20 weeks.

Mr. Corcoran: Why did they reduce it?

Mr. EVANS: I do not know; if the Deputy Leader wishes to tell us later, I will listen to him. I believe that motherhood should be a voluntary and deliberate action: both the father and mother should want the child. We all know that many pregnancies occur accidentally. I know contraception in all forms is available, some forms being safe and effective while others are not so effective. One statement on this point that rather interests me is a statement in the *News* of September 30 reporting that at the University of New Hampshire Professor Richard Schreiber recommended sterilizing all women by means of an airborne virus, to control the world's population. Although I may not agree with the whole statement, I agree with the latter part, when the professor conceded that no Government would dare take the action suggested. Married couples worked so as not to have children, but Professor Schreiber said that his system would reverse this, so that people would have to make a human decision to have children.

I consider that this should be the case. We should not have the accidental pregnancies that we do have. No-one can establish the number of accidental pregnancies that occur in a community. I consider that every child is entitled to have love and care from the mother and be wanted, and that we must accept this Bill as a move to give women the right to decide whether they will continue an unwanted pregnancy or whether, in consultation with their husbands, they wish to terminate the pregnancy.

I support the Bill in its entirety and, even though the majority may be against me, I will not support the deletion of the social clause. The subject of abortion has been discussed in most developed countries, and this State need not be ashamed of being the first, if it is the first, to legalize abortion in Australia. I consider that we will be making a move in the right direction.

Progress reported; Committee to sit again.

ADJOURNMENT

At 9.58 p.m. the House adjourned until Wednesday, October 22, at 2 p.m.