HOUSE OF ASSEMBLY

Wednesday, October 22, 1969.

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

PETITIONS: ABORTION LEGISLATION

The Hon. B. H. TEUSNER, at the request of the member for Ridley (Hon. T. C. Stott), presented a petition signed by 102 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 presented a similar petition signed by 465 persons.

Mr. FREEBAIRN presented a similar petition signed by 14 members of the Robertstown Lutheran Church.

Petitions received.

QUESTIONS

NEWSAGENTS

The Hon. D. A. DUNSTAN: My question relates to certain trade practices in the newspaper field in South Australia. Some time ago an agreement was negotiated between the Authorized Newsagents Association of South Australia Limited and the two daily newspapers in South Australia in relation to publications for which the newspapers were responsible. A clause in this agreement provided that instructions to authorized newsagents could be amended by the newspapers. During the discussions on this matter, it was agreed that these instructions would not go beyond the major subject matter dealt with in the existing instructions unless some entirely new circumstances arose that could not be foreseen at the time. Newsagents who have shops have now been required to keep them open beyond normal hours of trading under the Early Closing Act by a unilateral direction from the newspapers concerned directing them that this is now a new part of their instructions. What is more, implied in the instruction is the requirement for newsagents to have shops where they do not now have them, and this will impose a severe increase in costs upon existing newsagents, even where they already have shops. I ask the Treasurer to have this matter investigated by the Prices Commissioner because, on the face of it, this is an intrastate unfair trade practice, and I believe action is urgently necessary to protect members of this large body of people, who already have difficult hours of work in providing a service to people by supplying newspapers.

The Hon. G. G. PEARSON: I think that, on the case the Leader has put, this is a matter for investigation. I take it that there is a written agreement that can be called for by the Commissioner under his powers of examination so that he can make his own judgment.

The Hon. D. A. Dunstan: Yes.

The Hon. G. G. PEARSON: In that case, I will refer the matter to the Commissioner.

VICTOR HARBOUR RAILWAY

Mr. McANANEY: Has the Attorney-General obtained from the Minister of Roads and Transport a reply to my question about the closing of the Victor Harbour railway line?

The Hon. ROBIN MILLHOUSE: Investigations have been completed into the possible closure of the Mount Barker Junction to Victor Harbour and Milang line. The findings of the Transport Control Board are expected to be available for consideration by the Public Works Committee within a few weeks.

BUILDING SOCIETY

Mr. RYAN: I wish to read the following letter from a building society in Port Adelaide:

The board of management has directed me to bring the following matter to your attention, as member for the district. A meeting, in accordance with the Building Societies Act, took place at 98 Commercial Road, Port Adelaide, and the rules of the proposed Black Diamond Building Society were adopted and our solicitors were requested to apply for registration. About 14 days after receipt of

the documents, a letter was received from the office of the Public Actuary stating that the matter would have to be deferred until the return of the Actuary from holidays, as he was the only one who could register a society. About September 23, the solicitors received a further letter stating that the matter had been passed on to the Crown Solicitor for his opinion. It should be of interest to you to note that—

and here the name of a certain lodge is given—issued a newsletter dated September/October, 1969, advising that it had been formed.

The organization in my district is greatly concerned that it appears to be getting nowhere in its application for registration. Will the Premier raise the matter with the Public Actuary or the Solicitor-General, whichever officer is handling it, so that information on the present position can be conveyed to the organization concerned?

The Hon. R. S. HALL: I shall be pleased to take up the matter for the honourable member.

BERRI PRIMARY SCHOOL

Mr. ARNOLD: I have received from Miss Lesley McMutrie, on behalf of the grade 6 class at the Berri Primary School, a letter that indicates the interest that some of our senior primary school classes take in the well-being of the State. The letter states:

Our class has been discussing native flora conservation. The following are suggestions for further Parliamentary action on the subject: (1) amend the Native Plants Protection Act, 1939, and include all native flora, then issue a list of unprotected species; (2) set aside flora reserves in various parts of the State; and (3) under the National Parks Act, 1966, set aside areas containing all the native plants known. Could you please take these suggestions to Parliament so that legislation might be passed on them?

Will the Minister of Lands seriously consider the matters raised in that letter, with a view to acting on them?

The Hon. D. N. BROOKMAN: I will consider the question carefully. The Native Plants Protection Act is at present under scrutiny to determine just how far Parliament should go in further protecting native plants. This scrutiny refers to specific localities, but a few days ago the matter again came under my notice. Regarding flora reserves, I think I can say confidently that in three weeks in every four in the last few months we have added to the State's national parks. Certainly, we have had well over 250,000 acres in the last year and, in addition, I am at present negotiating for the establishment of other national parks in various parts of the State, apart from any land that the Government sets aside and does not have to buy from private persons. The last part of the letter inquired whether areas of national parks could be set aside to contain specimens of all native plants. The objective of the National Parks Commission is to hold areas where every type of native plant can be grown, but all these types could not be contained in one area. The Botanic Garden gets specimens of plants from throughout the State and elsewhere. However, to grow the plants in their native habitat requires areas of what may be called flora associations in all parts of the State and in varying climatic and soil conditions. The objective has been and will continue to be pursued.

SCHOOL VISITS

Mr. HUGHES: As the Minister of Education knows, during a Parliamentary session many schoolchildren visit Parliament House to get a knowledge of the workings of Parliament, and many of these children come from country areas. I think it is good that as many children as possible visit the House to try to learn more about the functioning of Parliament because, as the Minister knows, provision is made in the school curriculum for children to study the workings of Parliament. I am pleased to tell the Minister that children from the Bute school, in my district, are visiting Parliament House today, and as former Ministers of Education during the 12 years that I have been in Parliament (Hon. Sir Baden Pattinson and Hon. R. R. Loveday) saw fit to visit my area and the various schools there, will the present Minister consider visiting some, if not all, of the schools in the Wallaroo District perhaps later this year or early next year? In particular, will she consider visiting the Kulpara school, which is now being built? We would be pleased to arrange for her to have lunch at Bute, visit the school there and perhaps proceed to Alford and other places where she could visit schools.

The SPEAKER: Will the Minister accept the invitation?

The Hon. JOYCE STEELE: This is a "beaut" question. As the honourable member and other members know, I have made a practice since I have been Minister of Education of visiting as many schools as possible: I think the tally is now about 100 schools. However, when the House is sitting I have only Mondays and Fridays free,

although for about the past six weeks I have not had one Friday in my office, as those Fridays have been taken up visiting schools. I do not have a Friday free between now and the start of the Christmas vacation, but I intend to continue to visit as many schools as possible. Hitherto, the emphasis has been on visiting country schools, although I have been approached by several metropolitan members to visit schools in their districts, and can arrange such visits on mornings other than Monday and Friday. I should be happy to accept the honourable member's invitation to visit schools in his district but, because of my time table, it will be impossible for me to accept one for this year. However, once the school year begins in February, I shall be pleased to arrange to visit the schools to which he has referred.

PINE PLANTINGS

Mr. RODDA: My question deals with the plantings of new forests, particularly in the South-East. Can the Minister of Lands, representing the Minister of Forests, say what areas have been planted to forest this year and what private plantings have been undertaken, bearing in mind that radiata pine has been made available to private landowners for planting on their properties under supervision of officers of the Woods and Forests Department?

The Hon. D. N. BROOKMAN: I will obtain a report from my colleague.

STUDY LEAVE

Mr. CORCORAN: Has the Premier a reply to my question of September 25 about the training of pharmacists at the Queen Elizabeth Hospital?

The Hon. R. S. HALL: In his question of September 25, the honourable member referred to study leave in respect of an assistant pharmacist employed in the laboratory at the Queen Elizabeth Hospital. He did not name the person, but it is believed that the person referred to is in fact a laboratory assistant who is studying for the Diploma in Medical Technology at the Institute of Technology. The adminstrative instruction governing study leave in the Public Service limits such leave with pay to five hours a week. However, as the holding of a Diploma in Medical Technology is an essential qualification for the position of medical technologist at the hospital, and as the study for this diploma can be undertaken only during the normal working day, the Hospitals Department has made strong representations to the Public Service Board and has obtained approval for the study leave with pay for these officers to be increased to seven hours a week.

The time occupied by the officers concerned in attending lectures for this course varies between nine hours and 10 hours a week, and by some re-arrangement of the hours of duty, and with the extension of the approval referred to above, it has been found possible to allow the students the necessary time off without any loss of pay. Despite some earlier uncertainty until arrangements had been finalized, the persons concerned have not been penalized in any way, and the statement by the honourable member for Millicent that there has been loss of salary while attending the course is therefore incorrect.

ADULT EDUCATION COURSES

Mr. GILES: Has the Minister of Education a reply to my recent question about the prospectus for adult education courses being distributed before Christmas?

The Hon. JOYCE STEELE: The *Students Guide*, which is essentially for use in the metropolitan area, was available to prospective students this year early in February. Material for the 1970 issue is being prepared at present, and it is hoped that copies will be available for distribution by the end of January. The *Students Guide* is not intended to be the chief avenue of publicity for adult education courses, as only a limited number can be printed because of the expense involved. The chief avenues for publicity are a consolidated advertisement, which always appears in the *Advertiser* towards the end of January, advertisements which appear at the same time in the suburban newspapers, and prospectuses which are issued by the technical colleges, adult education centres and technical high schools, which conduct adult classes. The press advertisements always appear well before the enrolment period, and I consider that they give prospective students ample information concerning the courses that will be available.

GUN LICENCE

Mr. LAWN: Has the Premier a reply to the question I asked recently concerning Mr. A. T. Jones and his pistol?

The Hon. R. S. HALL: I have a reply concerning the inquiry by the member for Adelaide in the State Parliament about the member for Adelaide in the Commonwealth

Parliament, and I am able to inform the honourable member about the said Mr. A. T. Jones. The alleged "bomb" incident is being investigated by members of the Prospect Criminal Investigation Branch, who attended at the home of Mr. Jones, M.P., on Wednesday, October 8, in connection with the matter. Police found evidence of an explosion, and took possession of the remaining explosive material for examination by the ballistics section of the forensic science laboratory of the Police Department. They have no doubt that the explosion would have been a very loud one, and that if the explosion had taken place in the bedroom, a fire could have occurred. Police patrols have been instructed to check out the area whenever in the vicinity. Mr. Jones is the holder of a current pistol licence No. 14778, first issued to him as a Commonwealth M.P. applicant on November 27, 1967. Nothing is disclosed in the investigation to warrant considering the cancellation of the pistol licence in question.

FARM MACHINERY

Mr. EDWARDS: Has the Attorney-General, representing the Minister of Labour and Industry, a reply to my recent question about the assembly of new tractors and farm machinery?

The Hon. ROBIN MILLHOUSE: The standard of assembly of new tractors and farm machinery has been referred to the Tractor, Farm Machinery and Construction Equipment Association of Australia, which is based in Melbourne. The subject was discussed by the Federal Council of the association and, from the reply received from the Federal Secretary, I quote as follows:

At its latest meeting, the Federal Council of this association viewed with concern your letter of August 29, and it was agreed that the contents should be publicized at the next general meeting to be held in Adelaide in November, with a view to members transmitting the complaints to their dealers.

I was directed to inform you in the meantime that the association does not attempt to interfere in the management affairs of any member company; also, that it is considered that the deficiencies mentioned would be "the exception rather than the rule".

In order to exist in an extremely competitive market, member companies are acutely conscious of customer service and satisfaction, and I am certain the company or companies, whose products are involved, would be most grateful to receive specific facts so that the situation could be remedied with the dealers concerned.

MOUNT PAINTER MINE

Mr. CASEY: Has the Premier a reply to my recent question about the Mount Painter mine?

The Hon. R. S. HALL: The Minister of Mines reports that the Mines Department spent about $263,000 on uranium investigations in the Mount Painter area up to December, 1950. In recent years there has been a great upsurge in private exploration for uranium in this area, and about $1,000,000 has been spent. Some significant discoveries have been made with every indication that they could lead to profitable mining operations.

RAILWAY ECONOMIES

Mr. FREEBAIRN: In response to the attempts by the member for Edwardstown and me to have economies effected in the South Australian Railways, the Premier has told me that he now has a reply to a question I asked some weeks ago on this matter. I should be pleased (and I have no doubt that the member for Edwardstown would also be pleased) to receive it.

The Hon. R. S. HALL: The only name I have on the heading of this question is that of the member for Light. The report states:

Economies are being made by the rationalization of rail services which is presently being carried out. It is estimated that this scheme will save about $1,000,000 a year.

In implementing this scheme the following has taken place:

Country passenger services terminated:
- Adelaide-Moonta.
- Adelaide-Eudunda-Robertstown.
- Adelaide-Angaston-Truro.
- Moonta-Brinkworth.
- Port Pirie-Peterborough.
- Peterborough-Quorn.
- Port Lincoln Division.

Country services converted to road bus:
- Gladstone-Wilmington-Quorn.
- Salisbury-Long Plains.

Closing of lines:
- Hallett Cove-Willunga.

In addition, the Transport Control Board has issued an order to close the Eudunda-Morgan line to take effect from November 3, 1969. Investigations have been completed into the possible closure of the Mount Barker Junction-Victor Harbour-Milang line. It is expected that this report will be available for the consideration of the Public Works Committee within a few weeks.

PORT PIRIE OVER-PASS

Mr. McKEE: Has the Attorney-General a reply from the Minister of Roads and Transport to my recent question about land adjacent to the Port Pirie over-pass?

The Hon. ROBIN MILLHOUSE: The proposals for roadworks near the Port Pirie overpass include the widening of the main carriageway to provide for four lanes of traffic between Warnertown Road (National Route No. 1) and Esmond Road. Service roads will be constructed to give access to property on both

sides of the road, and these will be connected under the structure on both sides of the railway line. The service roads will be two-way except for a short length under the structure, north of the line. No current proposals are being considered for works south of Esmond Road.

METROPOLITAN ABATTOIRS

Mr. VENNING: Has the Minister of Lands representing the Minister of Agriculture, a reply to my recent question about the killing floor at the Metropolitan and Export Abattoirs and whether it is being prepared for the killing of pigmeats?

The Hon. D. N. BROOKMAN: The General Manager of the Metropolitan and Export Abattoirs Board states that plans for the reconstruction of the slaughter floor have been approved by the Commonwealth Department of Primary Industry, and tenders for the work will be called within two weeks.

WARNING DEVICES

Mr. BURDON: Has the Attorney-General, representing the Minister of Roads and Transport, a reply to my recent question on warning devices at railway crossings?

The Hon. ROBIN MILLHOUSE: Several problems are associated with the suggestion of carrying out the installation of warning devices at railway crossings by contract. Because of an indivisible interconnection between level crossings and railway signalling, each level crossing installation must be the subject of individual design. There are no consultants in Australia engaged on the design of such installations. Control equipment used in level crossing protective equipment is obtainable from only two suppliers, and these same firms also supply railway signalling equipment. However, of the two, only one firm actually manufactures the equipment in Australia.

Contracts have been let by other Australian railway systems for the carrying out of level crossing installations but some delay has been experienced in having the work completed. The possibility of a division of such work between contractors and departmental forces is at present being examined by the Railways Commissioner, following a recent direction by Cabinet. The Government, which is most anxious that the work of level crossing protection be accelerated, is prepared to make additional funds available if suitable contractors can be found to do the work.

HONEY

Mr. EVANS: Has the Minister of Lands obtained from the Minister of Agriculture a reply to the question I recently asked about honey exports to Japan?

The Hon. D. N. BROOKMAN: The Manager and Secretary of the Australian Honey Board reports that Australia supplied 19 per cent of Japanese honey imports in 1964 but Mainland China has since price-cut its way into the market and is now the largest supplier with about 60 per cent of imports. Chinese prices are 20 per cent or more below the equivalent of our price level in the United Kingdom. As in the case of Germany, Australian exporters are not prepared to sell honey to Japan when more attractive prices are obtainable from the U.K. importers. The board is, however, interested in fostering trade with Japan, and exports are increasing. For example, in 1966-67 exporters shipped 213,000 lb., and in 1968-69, 636,000 lb., compared with average exports in the pre-board period, 1960-1963, of 135,000 lb. Early in 1969 the board negotiated an understanding with a large Japanese honey importing firm to import 300 tons of good quality honey at full market values in the next 12 months and to pack and label this honey as "pure Australian honey". This is the first time that honey has been sold in this way. Sales will also be made in supermarkets from bulk containers of the same good quality floral source Australian honey.

A leading Japanese confectionery manufacturer selected pure Australian honey for manufacture of a new product called "honey rock" during 1968-69 following negotiations with the board, which directed its inquiry to the private sector of the trade. Japanese honey consumption has increased at the highest rate anywhere in the world in the past five to six years, and today Japan is one of the three largest honey-importing countries in the world. The price factor and, to some extent, flavour preferences militate against Australia at present but the board is taking positive steps to increase sales when supplies are available. The Minister of Agriculture has been told that no export surpluses of extra light amber or light amber honey have remained unsold in the past two years.

GRANGE TRANSPORT

Mr. HURST: Has the Attorney-General obtained from the Minister of Roads and Transport a reply to my recent question about the extension of a bus service from Grange in order to take people to Estcourt House?

The Hon. ROBIN MILLHOUSE: Estcourt House is served to some extent by the Port Adelaide, Henley Beach and Grange licensed bus service. Patronage on this service has been declining continually for many years and is now so poor that an improved standard of service cannot be justified.

ENFIELD PRIMARY SCHOOL

Mr. JENNINGS: For about 12 months now I have been conducting a campaign, by asking questions in this House and by other means, regarding the Enfield Primary School. I asked the Minister of Education the first question about this school and, since I have found that it is mostly a structural matter concerning the Minister of Works, I have been asking him questions and getting assurances that something will be done immediately or "next month", or that bad weather has stopped work, or things of this nature. A conference having been held at the school with officers of the Public Buildings Department, the Education Department, the parents and friends association and the welfare club, and so on, we seemed to come to some agreement but still nothing was done. The Minister of Works recently told me that he had authorized something that he thought would solve the whole problem.

Mr. Lawn: Have you read today's *Bulletin*?

Mr. JENNINGS: Yes, but I have been talking to intelligent people (my electors), whom I do not regard as mugs.

The SPEAKER: Order! The honourable member cannot debate his question.

Mr. Lawn: Who called them mugs?

Mr. JENNINGS: We are not going into that. I think I would be using a five-letter word if we did. Not wishing to be diverted from my question any further, I point out that the Minister of Works previously told me faithfully that he had something that would be satisfactory. Shortly after this, a senior officer of the Education Department volunteered to me the information (I assure the House it was volunteered) that he had something even further in this regard. I checked on this with the Minister of Works, but he said that this was the first he had heard of it. I then asked him a further question, requesting that he confer with the Minister of Education. However, as the Minister of Works is regrettably ill, we cannot take up the matter with him. Having discussed this matter with the Minister of Education (I do not think she will deny that), and as the people concerned in this matter are just about sick and tired of the procrastination that has been going on, I am departing from the normal practice of waiting until I am told that the Minister has a reply available. I want the reply immediately or as soon as possible.

The Hon. JOYCE STEELE: I am just as anxious as the honourable member to see this matter resolved. Following his last question to me, I called for an urgent report, and this was conveyed to me verbally this morning. Because of the great pressures to which officers of the Education Department are subjected at present and because several officers have been suffering from ill health, the report obviously could not be prepared in time to be put in my Parliamentary bag today. I assure the honourable member that he will have a reply tomorrow, and I believe that reply will go a long way towards giving him satisfaction.

BUSH FIRES

Mr. LANGLEY: Last year I asked the Minister of Lands what type of campaign the Government intended to undertake to ensure that people were aware of the danger of outbreaks of bush and grass fires. Stickers were given to members of Parliament and distributed in Government departments and, together with press reports on the matter, seemed to have the effect of making people more careful. As this has been another year of prolific growth and as we must not overlook the possibility of fires breaking out, can the Minister say what steps will be taken this year to keep people aware of the fire danger, so that havoc and loss may be minimized?

The Hon. D. N. BROOKMAN: As the honourable member will be aware, the Budget, which this House has just passed, includes several provisions dealing with publicity aimed at averting bush fires. The largest allocation in the Budget is for the Bush Fire Research Committee which organizes a campaign each year to make people aware of the danger of fires, to impress on them when the danger is greatest, and to ask them to be careful. I will ask the Minister of Agriculture, who administers this activity, to find out what special steps the Bush Fire Research Committee is taking and to give any other relevant information, which I will provide to the honourable member.

MARINO QUARRY

Mr. HUDSON: Has the Premier obtained from the Minister of Mines a reply to my recent question about the problem of dust and noise from the Marino quarry?

The Hon. R. S. HALL: Following alterations to the crushing plant at the Linwood Quarry, Marino, and the installation of a dust-collecting system about 18 months ago, airborne dust from the crushing and screening plants has been kept to a satisfactory level. An inspection on September 30, 1969, showed that the dust control equipment was working well, and that a water cart was being used on the roads. However, it was ascertained that, owing to staff shortages, the water cart was not used for one or two days, which probably accounts for the complaint. This break was of a very temporary nature. Since then arrangements have been made to have the roads swept as well. No complaints have been made to the Mines Department concerning noise from blasting for about two years. The department is continuing its close control over the operations of the quarry to ensure safety and to prevent nuisances.

FISHING VESSELS

Mr. CORCORAN: Has the Treasurer, representing the Minister of Marine, a reply to my recent question about the survey regulations and the difficulties some owners of small boats may have with those regulations?

The Hon. G. G. PEARSON: The honourable member will recall that the report of the Select Committee tabled in the House of Assembly on September 14, 1967, indicated that all registered fishing vessels would be required to be surveyed after July 1, 1969. The appropriate survey and equipment regulations were gazetted on August 7, 1969, almost to the date recommended so that small boat owners have had a long period of notification to bring their craft up to the expected standards of survey required of larger craft. There is no evidence to show that presently there are moves to force out of the industry the owners of small registered fishing boats. The present survey and equipment of fishing vessel regulations implement the two-year old recommendation of the Select Committee on the Fishing Industry.

Mr. CORCORAN: My question was whether any consideration would be given to owners of small vessels to enable them to convert to a larger vessel in order to comply with the regulations (because the small vessels may not be able to carry the equipment required under the survey regulations), as it may be necessary for people to establish in this industry by using a larger vessel, and it could be some time before they could build a vessel or obtain finance to do so. The Minister said that the report of the Select Committee tabled on September 14, 1967, indicated that all registered fishing vessels would be required to be surveyed after July 1, 1969. I was aware of that, but not many of the fishermen would be aware of it. Certainly those engaged in the industry in smaller vessels, which at the time had not been involved in a survey, would not have been aware of it.

An advisory committee, representing the industry, was appointed to consider the regulations and make recommendations to the Minister. Although some people engaged in the industry knew that this committee was inquiring, they were not certain of the outcome of that inquiry and what the recommendations to the Minister would be. For this reason, they have done nothing to prepare for the survey that will now affect them, especially as, previously, vessels 25ft. long and longer were not subject to a survey. Will the Treasurer, in the absence of the Minister of Marine, reconsider whether some consideration cannot be given on the lines I have suggested. If people cannot, by virtue of the size of the vessel, meet the requirements of the survey, could not time be given to allow them to convert to a larger vessel but, in the meantime, to operate the vessel they have been operating in the past few years?

The Hon. G. G. PEARSON: I cannot concede that the survey requirements would be so laid down as to be unsuitable or impossible for the particular size of craft to comply with them. The main point of the question seems to be that there may be some people with vessels under 25ft. long (and I agree that these hitherto were not required to be surveyed)—

Mr. Corcoran: Some are only 14ft. long.

The Hon. G. G. PEARSON: That may be, but I cannot imagine the Marine and Harbors Department laying down specifications for equipment that the vessel could not carry. This would be ridiculous, and I think the honourable member agrees with me. His point that the vessel cannot comply with the survey requirements does not carry much weight.

Mr. Corcoran: Yes, it does.

The Hon. G. G. PEARSON: I know that in the last year or so new types of fishery have been developed and new boats that are much smaller, more mobile, and lighter have been developed for special work, such as abalone diving, for which the vessel need not be more than 20ft. long in most cases. I do not agree

that the survey requirements would be such that the vessel to be surveyed would be required to carry gear that it could not carry. Therefore, I do not think there is any strong case for doing what the honourable member asks me to do but, nevertheless, I will do it.

Mr. Corcoran: I think you should look at it.

The Hon. G. G. PEARSON: I will do that, because the honourable member may have made some point that I do not fully appreciate. I will consider this matter and inform him of the result.

Mr. CORCORAN: Has the Treasurer a reply to the question I asked on October 9 about certificates of competency and a visit to the South-East by officers qualified to conduct the examination required in connection with the fishing industry?

The Hon. G. G. PEARSON: Arrangements will be made to examine any fishermen who wish to be examined for certificates of competency or service, and this work will be done as promptly as possible by the Marine and Harbors Department. At the moment, there are no outstanding applications. If a large batch of applications is received from one particular district, consideration will be given to holding the examinations locally on a particular day, but up to the present individual fishermen have to come to Adelaide to be examined.

METALWORK CLASSES

Mr. VENNING: Has the Minister of Education a reply to a question I asked last week about metalwork classes at country high schools?

The Hon. JOYCE STEELE: The Education Department's policy is to broaden boys' craft syllabuses in high schools to include experience in metalwork as well as woodwork. This policy which more closely co-ordinates boys' craft teaching in high schools, area schools and technical high schools will be implemented according to the availability of funds. Unless there are special circumstances warranting an early introduction of metalwork at a particular high school, metalwork facilities will first be provided in large high schools where the equipment will receive maximum use and considerable numbers of students can benefit. Metalwork facilities have already been established in 11 high schools. It is hoped to provide them at 17 more high schools in 1970. All new high school plans will provide for both metalwork and woodwork to be taught in boys' craft.

Mr. VENNING: When is this equipment expected to be supplied to the Booleroo Centre High School?

The Hon. JOYCE STEELE: There will most certainly be a priority list for the establishment of such metalwork centres and I think priority will depend on whether there is a local industry in which boys could find employment and in respect of which metalwork training could be of help to them. Alternatively, such training could help country boys who later worked on farms. I believe that those will be the two criteria on which such priorities will be based. The honourable member having named a specific school, I will obtain the further information he requires.

BORES

Mr. CASEY: Has the Premier obtained from the Minister of Mines a reply to the question I asked recently about bores?

The Hon. R. S. HALL: The Mines Department has carried out repairs on many bores in the Great Artesian Basin, and has programmed to continued this work.

Mr. CASEY: I am aware that the Mines Department has carried out repairs on many bores in the Great Artesian Basin. However, the question that I asked during the debate on the Estimates on October 8 was, "Can the Premier tell me just how many bores have been treated . . . in the past 12 months; and, if none has been treated, can he say whether any applications have been made for this work to be carried out?" He then said that he would get me a reply, but I should be pleased if he would again examine the question and bring down another report.

The Hon. R. S. HALL: Yes, I will have another go.

MARGARINE

Mr. McANANEY: Has the Minister of Lands obtained from the Minister of Agriculture a reply to my recent question regarding butter sales and the consumption of margarine?

The Hon. D. N. BROOKMAN: The Chief Dairy Officer of the Agriculture Department reports that precise figures for sales of all categories of margarine in South Australia are not readily available. The South Australian table margarine quota is 528 tons a year divided into sales of 132 tons a quarter. Regular inspections and audits indicate the quota production is not being exceeded. In addition to this, small quantities of interstate table margarine made under quota in other

States are sold in South Australia. From figures released by the Commonwealth Primary Industry Department it is evident that sales of superior types of cooking margarine are increasing in South Australia as well as on an overall Australian basis.

MIL LEL SCHOOL

Mr. BURDON: Has the Minister of Education a reply to the question I asked last week about the Mil Lel Primary School?

The Hon. JOYCE STEELE: The Public Buildings Department states that it plans to begin the erection of a new room at the Mil Lel Primary School during the week.

KYANCUTTA SIDING

Mr. EDWARDS: Has the Attorney-General obtained from the Minister of Roads and Transport a reply to the question I asked last week about the Kyancutta siding?

The Hon. ROBIN MILLHOUSE: Earthworks for the extension of the siding at Kyancutta have been commenced and material for trackwork is on hand. The siding is expected to be completed before the end of November, 1969.

HOUSE FOUNDATIONS

Mrs. BYRNE: The Minister of Housing will be aware that on numerous occasions (in fact, too numerous to mention) in this House I have referred to the cracking of Housing Trust houses at Holden Hill, and the Minister also knows that on one occasion he, with the member for Enfield and me, inspected these houses. However, the *North-East Leader* of October 15 contains a report about the cracking of houses, portion of the report being a comment by a spokesman for the Tea Tree Gully council that states:

Although most of this area is considered very poor soil to build on, owing to its extreme movement in summer and winter, private builders have a very small percentage of trouble compared with the trust. I suggest this distortion is due to the builders' providing adequate foundations for both internal and external walls in excess of the Building Act and where necessary installing a waterproof barrier around the outer perimeter of the foundation, following a soil test on each allotment by a soil consultant.

The report also states:

Many builders employed by the trust ignore the requirement that council is to be notified 24 hours before any foundation being poured, making it impossible for council's building inspectors to check the reinforcing rods. On the recommendation of the building department council asked the trust to submit a soil report and foundation recommendation with building applications to construct adequate foundations and instruct builders to give council notice of foundation pouring.

The Premier, replying to that request, stated that foundations were being poured in accordance with the Act. As I understand that these provisions were inserted in the Building Act in 1923, can the Minister say whether the Government intends to re-write the Act?

The Hon. G. G. PEARSON: There is much background to the matter raised in the honourable member's question, as she and I know. If I understood her correctly, she said that private builders seemed to be having much better results than the Housing Trust in preventing cracking. However, this does not accord with my information. In fact, in this House last week or the week before, when serious cracking in what I think were local government buildings was referred to, I said that the problem seemed not to be confined to buildings erected by the trust. However, I do not intend to argue that point at present. The honourable member has asked whether the Governments intends to revise the Building Act. The Building Act Advisory Committee is a permanent committee whose job it is to make recommendations on this and other matters relating to buildings. If private builders are having fewer problems with the cracking of foundations because they are putting in heavier foundations, then, as I have said often here, the costs of the houses must be greater. One can build a house on almost any ground if one spends sufficient money on one of the various types of foundation. The use of sheeting to protect the surrounds of the house foundations from moisture has been experimented with by the trust and by other people for, I think, about three years, and the trust is completely up to date on soil movements and on foundation protection and in its programme has used any methods that are economically feasible. I will take up the matter of the amendment of the Building Act, find out what recommendations (if any) the Building Act Advisory Committee has made, and let the honourable member know. From my various discussions and the questions that have been asked in the House, I consider that there may be a good case for a review of the Act but, as I have said, the relevant recommendations are largely

the prerogative of the committee. I will find out what action it has taken or has recommended.

Mrs. BYRNE: The report further states:

More than 60 home buyers in Holden Hill have sold their houses back to the South Australian Housing Trust because of severe cracking . . . The homes returned to the trust are in Lyons Road, Mercedes Drive, Humber Street, Bentley Drive, Gordini Crescent, Chrysler Road, Cortina Avenue and Brabham Avenue.

Mr. Broomhill: Have they been sold to other people?

Mrs. BYRNE: No. They are mainly rented now. The article gives the name of a housewife who expressed disappointment in her house and who said that the lack of action by the trust in rectifying the faults in the house were causing her and her husband to think about returning the house to the trust. She also said that the trust had sent workmen to the house on several occasions to rectify faults, but that the faults had not been rectified. She said that the last time work was done was before Christmas last year, and she had been told that all the work in the lounge would be carried out and the room repainted, but this had not been done. The article also states that other women have become sick and tired of asking the trust to come out and rectify faults, because the workmen never come. If I give the Minister the article, which I think is worth reading and which contains the name of the housewife who allowed her name to be published but whose name I do not wish to mention now because I have not seen her personally, will he look into this matter to see that repairs are carried out promptly, according to the trust's undertaking?

The Hon. G. G. PEARSON: I will gladly do that. The undertakings given by the trust and me (in statements I made following discussions with the trust after the inspections had been made) were given in good faith and I expect them to be honoured to the limit to which it is physically possible to honour them. The Holden Hill area is acknowledged to be a difficult area in which to build, and I believe it is fair to say that those people who purchased houses from the trust and subsequently sold them back to the trust are in a particularly privileged position, as they obviously obtained a better deal from the trust than they would have obtained from anyone else. I think most of them appreciate the fact that, if they do not want to continue the payments to buy the houses, they can sell them back and remain as tenants. This does not bear on the matter that the honourable member has raised but I think I should mention it in all fairness to the trust. If the honourable member will give me a copy of the article I will have the inquiry passed to the trust for action.

MARTIN BEND

Mr. ARNOLD: Has the Minister of Lands a reply to my question about salinity at Martin Bend?

The Hon. D. N. BROOKMAN: The salinity problem at Martin Bend has been investigated and I have been informed that there is no easy solution, as the disposal of saline water in the billabongs in this area can only be to the river unless an elaborate pumping scheme is installed for remote disposal. The disposal to the river is incompatible with the general salinity problem of the river water for irrigation purposes. The main problem of trees dying is occurring near one of the billabongs, the salinity of which was 115,000 parts a million on September 1, 1969. The level of this pool, which is not directly connected to the river, is at about normal pool level, hence at the groundwater level within Martin Bend. The high salinity in the pool, therefore, is due to evaporation concentrating the normal salinity of the groundwater. As the surface of the land to the north-west, adjacent to the irrigated blocks at Berri, is generally slightly lower than the river flats within the bend, it is thought that the groundwater seepage from the irrigated areas is not influencing the pool and the cutting of a channel would not solve the problem. The river flats at Martin Bend are inundated at a flow of about 25,000 cusecs in the river. This can usually be expected to occur for a short period at least once in every two years on an average, but at the present time has not occurred for five years. Hence the salinity build up within the pool has been occurring for this period. At this stage it is not intended to carry out excavation work to enable the release of saline water into the river, particularly in view of the fact that wide investigations are at present being undertaken on the salinity problem in the river and it may be that, eventually, the saline water in areas such as this must be prevented from entering the main stream.

Mr. ARNOLD: It seems that the Engineering and Water Supply Department does not intend to do anything about the problem of the deterioration of the trees that has been

taking place, but claims that the salinity of 115,000 parts per million has in no way any direct relation to the irrigation taking place. Some trees that are dying in this area are about 200 years old, and I am sure that the Minister will agree that they cannot be replaced overnight. Can the Minister say whether the Lands Department will consider this matter, as someone must be responsible for the deterioration?

The Hon. D. N. BROOKMAN: Yes.

BETTING DIVIDEND

The Hon. D. A. DUNSTAN: I have received a complaint from a man who states that he placed a bet at the Totalizator Agency Board office in Grote Street on October 4 last and was given a numbered ticket. The relevant race was run at 2.16 p.m. and the bet was accepted at 2.11 p.m. I am informed by this man that the horse that he had backed won the race. However, the T.A.B. has refused to pay a dividend, amounting to about $165, on the ground that the bet should have been placed at least 20 minutes before the starting time of the race. The board admits that, on the basis of this rule, the bet should not have been accepted but says that, notwithstanding the board's mistake, it is not liable to pay the dividend. The T.A.B. cites the rule under the Act that states:

Cash investments will be accepted only during the hours advertised at each agency for the acceptance of such investments, but the board or any officer of the board may declare at any time that the agency is closed for receiving cash investments.

In fact, the man approached the T.A.B. offering to make the investment, it was accepted, and a ticket was issued. In my view, this created a contract and the T.A.B. was bound to pay a dividend on the ticket. However, it has refused to do so. Will the Premier take this matter up with the T.A.B. authorities? I have copies of the necessary correspondence, the name of the person concerned, and the number of his ticket.

The Hon. R. S. HALL: If the Leader will furnish me with the details, I shall gladly take this matter up with the Chief Secretary to see what is the legal position.

MINES DEPARTMENT GEOLOGISTS

Mr. McKEE: Has the Premier a reply to my recent question about the salaries of geologists and their retention in the Mines Department?

The Hon. R. S. HALL: Because of the unprecedented demand for professional geologists as a result of the boom in mineral exploration in Australia, all Mines Departments are experiencing difficulty in reaching and maintaining a full complement of professional staff.

SPEED BOATS

Mr. WARDLE: My question concerns the licensing of speed boat drivers, which matter has been under consideration by the Minister of Marine for many months. Some weeks ago, he was hopeful that the necessary legislation might be introduced and become effective before the coming summer. Will the Treasurer, representing the Minister of Marine, ascertain what progress has been made with this legislation?

The Hon. G. G. PEARSON: Yes, but, as I have only just taken over the Marine portfolio, I have not caught up with all these matters. Although I believe that it is not possible to have this legislation drafted this session, I will inquire and let the honourable member know.

MINES DEPARTMENT EXPENDITURE

Mr. HUDSON: Has the Premier replies to the questions on details of expenditure in the Mines Department that I raised in the Budget debate?

The Hon. R. S. HALL: As I said in reply to a previous question, because of the unprecedented demand for professional geologists as a result of the boom in mineral exploration in Australia all Mines Departments are experiencing difficulty in reaching and maintaining a full complement of professional staff.

The minimum contribution of the South Australian Government to Amdel of $240,000, irrespective of the amount of work done, is determined by an agreement between the State and the laboratories and applies for a period of five years from January 1, 1964, unless varied by mutual agreement, or until the expiration of five years' notice of intention to cease participation, or of desire for revision of the terms of participation by either party. The Commonwealth of Australia and the Australian Mineral Industries Research Association provide $120,000 each under the same conditions. Each party pays for work in excess of its minimum contribution at normal Amdel charges. The total work load and income of Amdel are expanding at a very high rate, in keeping with the mineral boom. Initially,

the unused balance of this sum provided a subsidy to the organization. Now, the full sum is used on departmental projects, but so far it has proved adequate.

The sum of $80,000 provided for a deep well was not spent on a deep well, as the area of interest was farmed out to private enterprise. Most of the $80,000 was transferred to drilling shallower petroleum wells, and increased helicopter gravity surveys.

Regarding the provision for consultants, it is not possible to estimate accurately in advance the department's needs for consultants. Additional funds are made available against this line on the Estimates if required.

Provision is made each year for special ore-sampling projects which arise from time to time, such as trenching or shaft sinking. Last year, all sampling was done by drilling, and no call was made on this provision.

Concerning pay-roll tax, provision is made for existing staff, including annual increments, the filling of new positions created, and a provision for vacancies which it is expected will be filled in the course of the year. The full provision for pay-roll tax was not required.

Loss of experienced professional staff has limited field activities. Drilling operations on departmental projects were affected by the reduction in experienced geological field staff.

Expenditure on maintenance of buildings at Thebarton depot was reduced to a minimum, as plans were being formulated for a major rehabilitation of the area. This year, expenditure on this line will be kept to a minimum, also in view of planning for major rehabilitation of the Thebarton depot area.

Regarding underground water investigations, the amount spent on this line in 1967-68 substantially exceeded the requirements for full Commonwealth subsidy. The 1968-69 amount has been reduced because of shortage of experienced hydrogeologists, but it is sufficient to gain full Commonwealth subsidy.

POTATO SUPPLIES

Mr. McANANEY: Has the Minister of Lands a reply to my question of October 7 regarding potato supplies?

The Hon. D. N. BROOKMAN: The Minister of Agriculture states that 326.44 tons of potatoes was imported into South Australia from other States, with the authority of the Potato Board, in September. The above quantity was imported by the South Australia distribution centre. Also, 76.47 tons of potatoes was sent to other States by the board in the same month.

Mr. McANANEY: As a part of the question I asked has not been answered, will the Minister of Lands ask the Minister of Agriculture what was the quantity of potatoes imported by the distribution centre in September and what was the total quantity imported into South Australia in that month?

The Hon. D. N. BROOKMAN: I will examine the question and ask the Minister of Agriculture for supplementary information.

JUVENILE COURT

The Hon. D. A. DUNSTAN: I have had a complaint from the father of a boy who appeared before the Juvenile Court on October 15 charged with breaking and entering and larceny. Several boys appeared before the court on this day charged with the same offence: some were released under the Offenders Probation Act without any penalty or bond, and others were placed on a bond for $30 with a surety of $100 to be of good behaviour for three years. The boy in question, a 12½-year-old first offender, was one of those placed on a bond, whereas other boys who were involved in this case and who were not first offenders were released because the parents said that the boys had been given corporal punishment. This boy's father, however, had given him other punishment, but not corporal punishment. In these circumstances the proceedings of the court are apparently being used to encourage the imposition of corporal punishment, which is clearly not the purpose of the Juvenile Courts Act. I have previously raised this matter here on a number of occasions. I appreciate that Mr. Wright has done good work as a magistrate since his appointment. (Incidentally, I was responsible for his appointment.) However, in view of the present constant complaints as to the use of proceedings before the Juvenile Court, can the Attorney-General say what action has been taken to provide that Mr. Wright is sitting in another jurisdiction rather than in this one?

The Hon. ROBIN MILLHOUSE: I should be surprised if the facts were as the honourable member has read them out. If he cares to give me the name of the boy I will check, but I should be surprised because, when I discussed this matter with Mr. Wright some weeks ago, he told me that if any punishment had been inflicted by parents and he was told of it he

would take that into account, and he was referring not only to corporal punishment. The purport of the question, from the particulars read by the honourable member, is that this situation applies only in the case of corporal punishment. My understanding of what Mr. Wright told me (and I am confident that I am correct) is that this is not so, so that I think this is one matter that we will have to put right or at least inquire about before other matters are canvassed. If the honourable member will give me the name of the boy, I will inquire.

POTATO CLASSIFICATION

Mr. BURDON: Has the Minister of Lands a reply from the Minister of Agriculture to the question I asked on October 7 about potato classifications?

The Hon. D. N. BROOKMAN: The Minister of Agriculture states that the South Australian Potato Board is contemplating taking legal proceedings against the growers who sold, and the retailers who bought, potatoes direct at the East End Market, in contravention of the provisions of the Potato Marketing Act, 1948-1966. The reply to the second part of the honourable member's question is "No". However, Mr. R. E. Clark, a growers' representative on the board, has been appointed acting Chairman pending the filling of the vacancy.

WHEAT QUOTAS

Mr. VENNING: As, obviously, legislation will have to be introduced concerning wheat quotas to be delivered for this coming harvest, will the Minister of Lands ask the Minister of Agriculture when this legislation will be introduced? In several areas of the State growers will be harvesting grain within the next fortnight. This will mean that, if the legislation has not been passed, South Australian Co-operative Bulk Handling Limited will not be able legally to place quotas on the delivery of grain.

The Hon. D. N. BROOKMAN: I will ask the Minister of Agriculture for an early reply.

GRAIN HARVEST

Mr. FREEBAIRN: Will the Minister of Lands ask his colleague whether the Agriculture Department can now make a forecast regarding the wheat and barley harvest for the coming season?

The Hon. D. N. BROOKMAN: Yes.

RACIAL DISCRIMINATION

The Hon. D. A. DUNSTAN: Has the Minister of Aboriginal Affairs a reply to the question I recently asked about racial discrimination at the St. Clair youth centre?

The Hon. ROBIN MILLHOUSE: This was a question asked by the Leader, I think as a result of seeing a letter in the *News* a few weeks ago. Having asked the Chief Secretary to have the matter investigated by the police, I am happy to be able to assure the Leader that the investigation, the results of which I have seen, discloses no evidence whatsoever of any racial discrimination at St. Clair. Incidentally, although St. Clair was not named, it was so obviously this centre that I think we can use the name. Efforts to trace the writer of the letter have not been successful. Apparently, the person either used a name that was not his or her own or has perhaps moved elsewhere. As the efforts made to find the person who wrote the letter were unsuccessful, it was not possible to get in touch with the Aboriginal (or Aborigines) who was apparently, according to the letter, involved in the incident.

However, the General Secretary and Manager of the St. Clair youth centre, whom I think the Leader knows well and who has spoken to me about this matter since the Leader raised it in the House, has assured the police, as he assured me when he telephoned me in some annoyance, that there is no discrimination at St. Clair and that Aborigines are treated no differently from the way in which any other member of the community who attends the centre is treated. However, everyone, irrespective of race, is expected to behave himself and, if he does not, he is not allowed to use St. Clair. That was the position in this case.

ADVERTISER SUPPLEMENT

Mr. VIRGO: Has the Minister of Education a reply to the question I asked last week about the political nature of the letters and comments appearing in the *Advertiser* supplement "The state of the State", and whether she had authorized its issue to schools?

The Hon. JOYCE STEELE: First, I discount entirely the suggestion that there were political implications in the supplement brought out by the *Advertiser*. I have been informed that the Director-General of Education, I understand at the request of the *Advertiser*, gave verbal approval for copies of "The state of the State" supplement to be sent by the

Advertiser to secondary schools, and to this end he made available the names and addresses of secondary schools in South Australia. The supplement provides valuable information to the public and has, I believe, met with general approbation. As students in our secondary schools are being educated so that they may accept responsibility as the citizens of tomorrow and also as future leaders of the community in all fields, I believe the supplement is of great interest and importance to them.

From an educational viewpoint, the supplement contains valuable material for the study of current affairs and of South Australian geography and social studies. I know that many primary schoolteachers requested children to bring the supplement from home so that it could be used in this way. I believe the *Advertiser* has rendered a great service to the State in providing in this publication information relevant to South Australia's current and future development and prosperity, as well as in bringing to the attention of the general public many of the facts contributing to a full and satisfying life for all its citizens. The supplement will be a valuable addition to any secondary school library, and I have no intention of taking any steps that will prevent further copies from being accepted by secondary schools.

GIRLS' TRAINING

Mr. ARNOLD: I believe that girls attending high school in many country areas are somewhat at a disadvantage compared with their counterparts in the city in regard to knowing what professional training and other facilities are available to them when they have completed their high school studies. Could the Premier arrange, perhaps through his department, to have girls in country Intermediate classes (and above) visit, say, large training hospitals, the law courts, a teachers college, possibly a university, and a business college in order to give them an insight into what further professional studies may be offering to them? I believe that many girls would avail themselves of such an opportunity and that this may give them a valuable lead concerning the field they may desire to enter on leaving school. Will the Premier consider this suggestion?

The Hon. R. S. HALL: The honourable member would be aware that schools presently conduct numerous tours. There seems to be no lack of support by the Education Department for this type of education by exploratory fact-finding trips. The progress through this House by many school parties is an example of the interest in current events fostered by the Education Department. For this reason, I think any increased emphasis should continue under the administration of the Education Department. However, I will get for the honourable member a report from the Minister of Education on what is occurring presently in vocational guidance in this connection.

COMMONWEALTH ELECTION

Mr. VIRGO: I refer the Premier to a press statement attributed to him in Monday's newspaper to the effect that, following the Commonwealth election to be held on Saturday, he intended to approach the Commonwealth Minister for Shipping and Transport (Mr. Sinclair) in an endeavour to press the claim for South Australia to have the section of the Eyre Highway in this State sealed. I presume the Premier has his ear to the ground as much as most people have and, if he has, he will acknowledge openly that Mr. Sinclair will not be Minister after Saturday, as the Gorton Government will not be in power. Therefore, will the Premier make overtures to the incoming Labor Minister for Shipping and Transport, from whom I am sure he will receive proper and sympathetic consideration to get done things that have failed to be done over the past 20 years of Liberal stagnation?

The Hon. R. S. HALL: I have been waiting for a question such as this for longer than I thought I would have to wait. The honourable member has shown his own form of prejudice in relation to this matter. However, I am providing for only one contingency (because it is the only contingency that will be countenanced by the Australian people on Saturday): that is, the return of the Gorton Government.

Members interjecting:

The Hon. R. S. HALL: If the honourable member bore in mind the record of his Government in South Australia, he would not expect anything worthwhile for South Australia from a Commonwealth Labor Government.

GAUGE STANDARDIZATION

Mr. VENNING: Has the Premier a reply to a question I asked recently about what stage had been reached by the committee set up to look into gauge standardization in this State?

The Hon. R. S. HALL: I have the following report concerning yet another work to be established in South Australia by the Gorton Government:

The consultants selected to undertake the feasibility study of the Adelaide to Port Pirie standard gauge railway, namely, Maunsell and Partners, will furnish their reports in stages as follows:

Within four months from the date of the contract for undertaking this study—

(1) the most efficient and economic method by which Adelaide can be connected by standard gauge railway to the interstate standard gauge railway currently being constructed between Port Pirie and Broken Hill. The methods to be considered are to include, but are not necessarily restricted to—

(*a*) the construction of a new standard gauge railway between Adelaide and a point on the interstate standard gauge railway, over either the whole distance or a part thereof;

(*b*) conversion of the existing broad gauge railway between Adelaide and Port Pirie, either wholly or in part; and

(*c*) any combination of (*a*) and (*b*) above that the consultants consider might achieve the stated objectives; and

(2) the most efficient and economic method of providing for the carriage of traffic on the existing broad gauge system north of Adelaide affected by the works recommended under (1) above.

Within two months of lodging the main report—

(3) the most efficient and economic method of providing for the carriage of traffic on narrow gauge lines affected by the works recommended under (1) and (2) above.

Within five months of the lodging of the main report—

A further supplementary report relating to the matters covered in (1) referred to above and containing outline drawings of the proposed works and realistic estimates of the costs of the works recommended to be undertaken.

UNEMPLOYMENT

The Hon. D. A. DUNSTAN: In view of the record of the Government that the Premier has proclaimed this afternoon, can he say what action the State Government is taking concerning unemployment in the agricultural implement industry, in shipbuilding, and in motor body building in South Australia, as numbers of people in Adelaide and nearby country towns are at present in a grave situation as a result of the unemployment that has developed?

The Hon. R. S. HALL: The Government has taken the following action in regard to the implement building factory at Mannum: I personally have interviewed the management of that factory. We have considered what effect the financial implications of the current recession in sales will have on that factory, and the Director of Industrial Promotion will soon visit that establishment to talk to the management about prospective alternative types of manufacture. The Director of Industrial Promotion has, within the last few days, presented a case to the Tariff Board on behalf of the shipbuilding industry. Mid-term and long-term signs for the motor vehicle building industry in South Australia are of increasing production. The firms have presented to my department a graph of increased employment that will have to be met in this State. Only a few weeks ago, one motor body building firm told me that it needed 400 employees. I do not know whether the Leader has some information that there has been an alteration in the production plan but, generally speaking, the motor vehicle industry is making a continuing demand for labour.

MEAT SALES

Mr. McANANEY: When the South Australian Agent-General was here recently he said that it was not an insurmountable problem for the meat industry in Australia to consider a change in the style of selling stock to butchers. Where meat was prepared, examined, graded and sold over the hooks, it appeared a better method than the live auction system. There is presently a difference of opinion about the days on which the livestock market should be held at the Gepps Cross abattoir. It is stated that a proposal originated from the wholesale and retail butchers through the Master Butchers Association, the aim being to have stock slaughtered in time to reach the shops in the same week instead of being carried over into the following week, as is now the case. It is suggested that this would lead to fresher meat being available to the pre-weekend trade and would result in less wastage of lambs in particular, and therefore there would be a possibility of higher prices. However, if the proposal were adopted there would be more weekend work for producers, abattoir workers and stock salesmen that could lead to an increase in the cost of selling. In view of these matters and the wastage of lambs that occurs through their being held over for days because there is only one market a week, rather than carrying out an investigation into a change in the market day at the abattoir will the Minister of Lands ask the Minister of Agriculture whether an investigation can be held

into the possibility of selling meat over the hooks, whereby the stock could be brought in day by day and sold the following day? This would save much economic loss and waste, and would reduce costs.

The Hon. D. N. BROOKMAN: Although there is much in the honourable member's question, we may need supplementary information from him, because I think most livestock producers would want to retain the alternative that they already have, apart from the question of whether the stock market at Gepps Cross should be altered radically. I will refer the matter to the Minister of Agriculture and get a reply as soon as possible.

WESTERN TEACHERS COLLEGE

Mr. NANKIVELL: Last week, when evidence was being given to the Public Works Committee about the new teachers training college, the priority of work on the new Western Teachers College was discussed. As I understand that further developments have occurred since that time regarding the future planning for the construction of this college, can the Minister of Education tell the House what those developments are?

The Hon. JOYCE STEELE: The replacement of Western Teachers College has been of much public interest for a long time, and I have replied to many questions in this House about the college. A short time ago I asked the Director-General of Education for a report on the progress being made regarding Western Teachers College and today I have received a report that may be of general interest to members. The Acting Director-General of Education reports:

In 1962 the two annexes at South Road and Currie Street of Adelaide Teachers College were combined to form Western Teachers College. Immediately steps were taken to obtain sites for sports grounds and sites for a new building. We were immediately successful in obtaining a lease of 13 acres in the west park lands for sports grounds for Western Teachers College. These have subsequently been developed into the best sports grounds with change rooms of probably any teachers college in Australia. The search for a site for new buildings for Western Teachers College proved fruitless. Consideration was given to buying property in Currie Street. The Engineering and Water Supply Depot at Thebarton was considered. Land on South Road (even the pug-hole) was considered and the site on Holbrooks Road was also investigated. With the change of Government in 1965, the Education Department was promised the Adelaide Gaol site adjacent to the sports grounds in the west park lands and this would have been satisfactory. However, before the gaol site could be used for Western Teachers College, a remand gaol needed to be built. The present Government saw that it would be necessary to wait for some years to use the gaol site, and is at present compulsorily acquiring 28 acres of land on Holbrooks Road, Underdale. Until 1967, when Commonwealth money became available for the building of teachers colleges, Western Teachers College was the top priority for replacement. However, when $3,200,000 became available and had to be spent in the triennium July, 1967 to June, 1970, and no site was available for Western Teachers College, the decision was made to build the new Salisbury Teachers College to increase the number of places available in teachers colleges. In addition $270,000 was available to purchase the Murray Park property for an Eastern Teachers College to replace the other temporary teachers college at Wattle Park, which had been in existence five years longer than Western Teachers College. If a site had been available for Western Teachers College, it certainly would have been purchased before Murray Park.

The Commonwealth Government has not apportioned to the States its total grant of $30,000,000 for the triennium July, 1970 to June, 1973. However, it appears that South Australia should certainly get sufficient funds from the Commonwealth to build Eastern Teachers College, to purchase land for Western Teachers College and possibly to begin building Western Teachers College. The fact is that we have wanted to rebuild Western Teachers College from the day it was founded, but fortuitous circumstances have led to the building of a new teachers college at Salisbury and the possible replacement of Wattle Park Teachers College before the new Western Teachers College. In the meantime, everything possible is being done to expedite the purchase of land for Western Teachers College and make the facilities and conditions at the existing Western Teachers College more suitable. Enrolments over the past two years have been progressively reduced, and accommodation extended.

That does not mean that the number of places in the teachers college has been reduced: it merely means that accommodation has been reduced at Western Teachers College and that places have been found at the other colleges. The report continues:

A new craft building was erected at the South Road section of the college at the beginning of this year and extensions were made to the library at South Road. A contract has been let for cool air conditioning of temporary buildings at the South Road and the Currie Street sections. The building of a new Eastern Teachers College was not meant to increase the number of places. With the existence of Adelaide Teachers College, Bedford Park Teachers College and Salisbury Teachers College, the number of student places will have been increased sufficiently to turn attention to replacement of existing temporary teachers colleges. The new sites at Salisbury and Murray Park will allow for extensive additions to these colleges in the future as needs require

I consider that that report gives the necessary information to all persons who have been interested and gives them the true facts regarding the Western Teachers College and the Government's intention to find land on which to build it.

LEAVE OF ABSENCE: HON. J. W. H. COUMBE

Mr. RODDA (Victoria): I move:

That two months' leave of absence be granted to the member for Torrens (Hon. J. W. H. Coumbe) on account of ill health.

I know that members were distressed to learn of the sudden illness of the Minister, and I am pleased to report that he is making satisfactory progress. I am sure that we all wish him an early recovery to full health.

The Hon. D. A. DUNSTAN (Leader of the Opposition): I am sure that all members wish the Minister a speedy recovery. It is distressing to find that members, particularly Ministers, with their heavy workloads, at times suffer illness, and we all wish Mr. Coumbe well and a speedy return to his duties in this House.

Motion carried.

GOVERNMENT RENTALS

Mr. CORCORAN (Millicent): I move:

That in the opinion of this House the Government should take steps immediately to reduce rentals to the level that applied prior to June 2, 1969, on all departmentally-owned homes throughout the State and refund the money collected as a result of rental increases.

The Minister of Housing will recall that on June 18 this year, on the motion to go into Committee of Supply, members on this side spoke of the increase in rents of Government-owned houses throughout the State that had applied from June 2. Members also spoke of the increase in rents of about 5,000 Housing Trust houses throughout the State. This motion, however, is confined to departmentally-owned houses. I confined my remarks in this House on June 18 almost entirely to the situation that existed at Mount Burr, at Nangwarry, and at other forests in the South-East, because I believed that of all the cases presented to me the greatest injustice occurred in this area. Following my remarks and my appeal to the Minister on that occasion, as well as the appeals by other members on this side and the member for Victoria on the Government side, the Minister promised to have the rents of Government-owned houses at Mount Burr and Nangwarry re-assessed. He has told me that the Public Service Board has informed the Woods and Forests Department that there have been decreases ranging from 5c to $1.80 a week.

The tenants have been notified by the department, but they are dissatisfied because they believed, as I believed on June 18 (and as I believe now), that the rents should be reduced to the previous level, not only in the case of the Woods and Forests Department houses at Mount Burr and Nangwarry, but in the case of all departmentally-owned houses throughout the State, whether they be owned by the Highwaps Department, the Engineering and Water Supply Department, the Agriculture Department, the Woods and Forests Department, the Mines Department, the Lands Department and Marine and Harbors Department, or any other department. These houses are to be found throughout the length and breadth of the State, and I believe the exercise that was carried out following the protests that were made in this House, as well as the protests that were made by individual tenants, has proved that the Government made a mistake in the first instance in increasing the rents at all.

It made a mistake because additional facilities have not been provided at any time in the houses with which I am concerned, and I think that state of affairs applies generally. The Government simply said there was a need for increases, and some of the increases were over $2 a week, so it was obvious that the Government was using these houses to raise revenue. However, we do not believe that Government employees who live in country areas and in many cases are forced to live in departmental houses whether they want to or not (not in every case, but in many cases) should be required to pay a rent from which the Government considers it can make something. I suppose that in most cases these rents were initially fixed on the basis that the capital cost should be recovered over about 25 years. In many cases the rents have paid for the houses twice over, but maintenance expenditure has been kept to a minimum.

I could give so many examples of anomalies and of gross injustice throughout the whole of the State, not only in my own district, that I believe the Government, especially as it has seen the need to make substantial reductions of up to $1.80 a week in the rents and as it recognizes that in the first instance it obviously made a mistake, should restore the rents charged prior to June 2. I have no complaint at all if a tenant is given additional facilities, such

as a hot water service, sewerage, or an electric stove. Nor do I believe that the tenants have any objection to paying something extra for these facilities, but in all the cases I am talking about none of these things has been provided. So, their provision was not the basis on which the rents were increased in such a sweeping manner over the whole of the State.

At 4 o'clock, the bells having been rung:

Mr. CORCORAN: As the time for Notices of Motion (Other Business) has expired, I ask leave to continue my remarks.

Leave granted; debate adjourned.

AUDIT REGULATIONS

Adjourned debate on the motion of Mr. Broomhill:

(For wording of motion, see page 2217.)

(Continued from October 15. Page 2219.)

The DEPUTY SPEAKER: Before the Order of the Day is called on, I table the evidence given to the Subordinate Legislation Committee in connection with the regulations under the Audit Act.

The Hon. G. G. PEARSON (Treasurer): When dealing with this motion last week, I said that I would refrain from making a final judgment until today so that I could read the evidence tendered to the Subordinate Legislation Committee, consider what the mover had said, and perhaps reply more adequately. Having done that, I see no reason for the Government to agree to the motion for disallowance. Before moving his motion, the member for West Torrens amended it to obviate the need for discussion on the limits on land purchase by confining his motion to regulation 85, which is in three parts. He dealt primarily with the second and third parts, by which it was proposed that the limit of Ministerial authority be increased from £5,000 to $50,000.

In support of his motion, he said that $50,000 was a substantial sum and that, in his view, it was not reasonable or proper that the Minister should have authority to authorize a contract over his signature of an amount as high as $50,000. The amendment to the third paragraph is consequential to the matter he raised in respect of the second paragraph. The question arises whether or not there are any risks Parliament runs in allowing a Minister this increased authority. It does not add anything to the authority of a head of a department or to that of Cabinet: it merely adds to the authority of a Minister. In my remarks last week I admitted that I did not fully understand the purport of the motion and I dealt with the volume of work that passes over a Minister's desk. I do not take anything from what I said about that matter, because my statements were factual, although I agree that they did not bear on the motion. However, we are now considering whether the Minister should have authority to sign a contract for work to the value of $50,000, or whether that authority should be restricted to some lesser amount. The mover suggested that $20,000 would not be unreasonable and I believe he indicated that he might agree to $30,000, but he thought that $50,000 was too high. He said:

All Ministers would agree that not much time of Cabinet was taken up in considering and approving most of these contracts: in some cases such approval is merely a formality.

If it is a formality, why trouble Cabinet with it?

Mr. Broomhill: At least Ministers would be informed.

The Hon. G. G. PEARSON: If it is a formality, there is no point in troubling Cabinet with it. He also said:

It is only when other Ministers are interested that these matters are raised with the Minister concerned. This would not be time wasted but time well spent: the time involved in discussion would not be significant, but Ministers would be given the chance to be thoroughly conversant with the type of work being done in all Government departments.

I agree with the latter part of those remarks, but not necessarily for the same reason as the mover put forward. It has always been the policy of Cabinet in my experience (and I can claim the longest experience of any member of this House) that Cabinet is essentially a group of colleagues working concertedly on all matters. I do not know what the custom was during the régime of the previous Government, but always in my time it has been the practice of Cabinet to meet at 11 a.m. every day to transact any official business that may require to be done and, in particular, to do what the mover has referred to: namely, to discuss matters of mutual interest to members of Cabinet, matters of policy, matters that need discussion, consideration and deliberation, and to deal with minor matters that crop up from time to time. It is this Government's custom to devote the whole of Monday afternoons each week to formal Cabinet business.

In my experience, the volume of Cabinet business is growing all the time. When I first joined Cabinet in 1956 we considered ourselves unlucky if we were not able to terminate Cabinet business on a Monday at about 5 p.m., whereas I cannot recall over the last 12 months or more, probably since this Government took office, when we have been able to conclude Cabinet business before 6 p.m.; in fact, last Monday it was 6.45 p.m. before I got out into the street. Frequently, we have gone back again at night, and this is in addition to the daily Cabinet meeting at 11 a.m. at which every Minister attends if he or she can attend. The business of Cabinet is growing all the time.

The honourable member pointed out that some matters do not take more than a minute or two to dispose of, but many dockets are dealt with and progress is being made until suddenly a curly one comes up, and it may take 30 minutes or an hour to discuss it because of its many aspects, and perhaps more problems arise. This tendency, typical of all Government, has been evident, I should think, over the last 20 years or so. It was many years ago that the Premier could attend at his office at 9.30 a.m. or 10 a.m. and by 12 noon put on his hat and walk down the street, having finished his work for the day. Those days have long since passed, however.

It is of interest to members and the public to know something of the work that any Cabinet does. I do not have particular regard to the work of the present Cabinet, but I am sure the Leader of the Opposition would agree when I recite details of the work of Cabinet members, and particularly of the Premier. Why load Cabinet with additional matters which, as the honourable member has described, are formalities? I cannot see the reason for this, although I agree with the honourable member that the time taken in Cabinet to discuss matters of mutual concern, matters of policy, matters of infinite ramifications in the community, and the many-sided problems is time well spent, and that Cabinet could well devote more time to those things as, indeed, every Minister could. If Ministers had more time to do research, to do their homework, and to sit quietly and think over problems, it would be much easier for them, and some mistakes which all of us, being human, now make could probably be avoided, but the pressure of routine work is so great that few Ministers and Cabinet have time to do the essential research work and the contemplation that they should be doing.

I make those comments more for the information of people outside than of members, because most members know something of the work of Cabinet and of Ministers. The honourable member has said that the sum of $50,000, which could be spent under these regulations on the authority of the Minister, is too great and that he would accept a lesser amount. He quoted figures which I assume he has obtained from the minutes of evidence given before the Subordinate Legislation Committee about the number of such items that would be considered. I am not quarrelling with those figures: I am saying that $50,000 in present circumstances is not out of context with other responsibilities of Ministers.

Mr. Broomhill: It could be improved.

The Hon. G. G. PEARSON: The honourable member, in building up a case that he has taken from the evidence that has inspired him, suggests that a Minister could sign four or 10 or any number of contracts for $40,000 each which, if it were 10, would mean that he was approving $400,000 at one sitting. That could be so, but it is possible now (even on a $10,000 limit or even a $20,000 limit, which the honourable member would approve) for a Minister to approve within an hour or less a series of contracts that would amount to over the $200,000 limit set for reference to the Public Works Committee. However, there are many reasons why a Minister would not do it. I suggest that a Minister of the Crown, however human he may be, regards himself as a responsible person. I agree that he needs some protection but I argue (I think justifiably) that there are adequate protections and safeguards which, first, prevent a Minister from making a serious mistake and which, secondly, guide him in his attitude to such matters. For instance, a contract must be in respect of work that has been approved by Parliament or part of an expenditure that has been approved by Parliament. If it is a work that has been subjected to the scrutiny of the Public Works Committee, it will form part of that work on which that committee has made its recommendation. Secondly, if it is a contract for work to be done the Minister must call for tenders.

The procedure for the calling of tenders is carefully and strictly laid down. If, for any reason, the Minister does not think that it is in the public interest to call tenders, he must obtain the approval of the Auditor-General. The calling of public tenders is a procedure that safeguards the Minister, the contractor, Parliament, and public expenditure.

Great care is taken to ensure that tenderers are *bona fide*, that tenders are opened in accordance with a certain procedure, and that they are fair and above board. The Minister may not call tenders under certain departmental authorities to spend money, but in respect of contracts (and the honourable member is concerned mostly with contracts) the procedure is as I have outlined it. When tenders are received they are opened in the presence of certain people who are carefully specified: they are tabulated, and then considered by the appropriate departmental officer, who recommends on the tender form which tender should be accepted. Generally, this recommendation passes through the accountancy section of the department, and then goes to the head of the department, who sends it to the Minister with a recommendation that a certain tender should be accepted. If, for any reason, the lowest tender is not accepted the departmental head invariably sets out the reason why it is not. The recommendation then passes to the Auditor-General for his scrutiny and, if he has any queries, he returns it to the department for clarification. If he has none, he signs to indicate that he has seen the list of tenders and that he has no comment. The tender then goes to the Minister, who sends it to Cabinet if it is for an amount over that which he has power to authorize.

In my experience, no Minister (whatever the amount may be, whether under these regulations or otherwise where he was required to send a proposition to Cabinet) would take on himself the responsibility of signing a contract if he was in any doubt or if he thought that the advice of his colleague on this matter would be helpful and wise. He does not have to take the responsibility under the audit regulations of signing every contract below a certain figure, whatever the figure may be. The honourable member is saying here that the Minister shall not in any circumstances take the responsibility for signing a contract for which the sum is greater than whatever limit he sets ($20,000 or $30,000, or whatever he is prepared to approve), but he is not prepared to approve of the proposed regulation that sets the limit at $50,000.

In view of all those safeguards in the Act, which are necessarily observed, and of the customs that I think have always been observed, even if it is within the limits, surely Ministers do not take the responsibility for signing a contract if there is any doubt about it. Questioned closely on his attitude to the proposed regulation, the Auditor-General told the Subordinate Legislation Committee about the steps that had to be taken before a contract became effective, as follows:

> That, in itself, works very effectively. We query a considerable number of recommendations, sometimes on the rise and fall clause, or whether the person has the financial backing to do the work. If we never queried a single one, the mere fact that they had to come to us is a very good safeguard. It is a matter of degree. It is a question of whether Cabinet should see only major contracts; I think it should, but how do you determine a major contract? I do not regard $50,000 as being too low a limit. Ministers have the power to spend much more money than that if it is done through day labour or work in accordance with the construction or maintenance work in the Estimates. I do not regard $50,000 as being too high.

I do not see any further passage in which he qualified that evidence to any important degree. That, to me, is the expressed attitude of the person whose job it is to be the financial watch-dog over State expenditures. The Auditor-General does say, incidentally, in his evidence that if, when the contract document comes to him from the head of a department, he considers that there is any requirement to refer the matter with comments back to the head of the department, he does so. When asked a little later in his evidence whether he would query a Minister's decision, the Auditor-General said he would not. He would not have the authority to do that unless he believed that a major error was involved, and then he would report to Parliament. This is the Auditor-General's essential function. He is to examine all the State's accounts and to render a report on them to Parliament, and he is completely free and untrammelled in making his examination and report, which is a document that all members value and use widely in their research into financial matters.

For two main reasons, I conclude that the proposals in the regulations should stand. First, there are ample safeguards (although sometimes it may be considered that the safeguards in themselves are clumsy and time-consuming) in the processes through which these documents must pass, including the various independent people through whose hands the documents must pass and whose scrutiny they must endure, to remove any possibility that an improper practice or anything of that sort is involved. Secondly, with the changing values of money and the added responsibilities placed on Ministers in these times, the responsibility in this matter is no greater than are the responsibilities that

a Minister has to meet in many other directions. For these two main reasons, I believe the regulations should stand.

One other point was raised in the evidence tendered by the Auditor-General: he was asked, I think, what was the position of an acting Minister in these matters. I think the questioner postulated the situation wherein an acting Minister, not being completely familiar with the ramifications of a particular aspect of work concerning his colleague, might be inclined to accept the word of his Secretary; the Secretary might place a document before the acting Minister, who might say, "What's all this about?" and the Secretary might say, "It's all right; you can sign it." Quite the reverse is the case. I have been, and am now at this moment, an acting Minister. Fortunately, it is a department I know something about, as I have been an acting Minister over the years in I do not know how many portfolios, and I think it is the custom for an acting Minister to be not careless but particularly careful, because he realizes that he is acting for a Minister and does not want to put that Minister in a difficult position; nor does he want to take a decision that he is not certain the Minister concerned, if he were there, would take himself.

I held up matters of some importance during the time the Hon. Mr. Coumbe was overseas: for example, when I was Acting Minister of Works, of Marine and of Labour and Industry, matters of some urgency that I was asked to approve came before me, but I declined to approve because I considered that those matters should be deferred until the Minister returned. Because he does not necessarily know the background of all matters concerning the department for which he is acting, an acting Minister is careful to see that any decision he makes is proper and in full accord with what he believes would be the permanent Minister's policy if he were there. For these reasons, I oppose the motion.

Mr. CORCORAN secured the adjournment of the debate.

OMBUDSMAN

Adjourned debate on the motion of Mr. Evans:

(For wording of motion, see page 2056.)
(Continued from October 15. Page 2224.)

The Hon. D. A. DUNSTAN (Leader of the Opposition): The Opposition is able, in principle, to support the motion. Previously, when we have had debates in this House about creating the office of ombudsman, objection has usually been raised on the grounds that the office was originally created in the Scandinavian area, where the duties and activities of Parliament are significantly different from many of those that obtain in this Parliament, and where members are not able, through Parliamentary processes, to be equally agents for their districts as they are here. In consequence, much of the work of the ombudsman is properly the work of a member of Parliament in this Parliament. The examination of the work of the ombudsman in New Zealand discloses that many of the matters taken up by him would normally, in our Parliament, with greater private members' time and greater opportunities for questions without notice, be handled by members on behalf of their constituents. However, there is still, in our Parliamentary institution, a gap in administration in providing to citizens adequate remedies for situations with which I will now deal.

From time to time administrative decisions affecting the lives of citizens are taken, and protests about them can be taken only to a limited extent by members of Parliament. If the Government chooses not to give the information, not to allow a full investigation, or simply to stonewall, it can, if it has the numbers, do so. It is not possible for members of Parliament to get hold of the files on particular matters in all cases unless the Administration is prepared to release them. In these circumstances, I can cite several cases going back over the years where, simply because the Administration has refused it, a private member of Parliament has not been able to obtain a proper remedy on behalf of his constituent. Eventually, after protest in Parliament, the private member has met a blank wall of refusal to investigate or to remedy. It seems to us that the best course to follow is to improve the processes of Parliament so that the remedies are effectively available.

Mr. Jennings: A few more secretaries would be a good idea.

The Hon. D. A. DUNSTAN: Yes. How are we to do this? One way would be to allow a select committee procedure under which the files of Government departments in cases of complaint could be required to be tabled before that committee. However, there are difficulties about this. Any Government would require that a majority of a select committee be its own members and, in fact, the

select committee procedure has not always been found to be satisfactory, as has been shown to be the case with some of the activities of the Public Accounts Committee in Canberra. At times the Government has been able to influence the work of that committee, and so investigations that might well have been undertaken have not been undertaken.

What is more, if an absolute right were given to members of Parliament to obtain files in all cases, this would often put Administrations in a difficult position, because an Opposition of any kind might see fit to obtain the files and have them published for political reasons rather than to obtain a remedy for constituents. This would be a difficult position in which to put a Government. Therefore, it seems to us, upon reflection and after examining all the proposals elsewhere, that the best proposal is to appoint a Parliamentary commissioner with power to make investigations in cases referred to him by members of Parliament: that is, where members of Parliament have taken up matters and been unable to obtain a remedy, they could refer them to the Parliamentary commissioner. He would have power to call for the files. He would then report on his findings and make recommendations to Parliament on the action that should be taken to remedy any wrong that he found on investigation. It is important that such a Parliamentary commissioner be someone whose independence is above reproach.

In these circumstances, it would be satisfactory to have such a commissioner only if he were appointed with the unanimous approval of both sides of the Parliament. It would not be impossible to find someone of that kind, but he would have to be someone who had the confidence of both sides; he should not merely be a nominee of the existing Executive Government. If we can proceed on that basis, I think we will be filling a gap in our Parliamentary activity which is real and into which at the moment we find a number of cases falling. In certain cases it has been impossible to obtain remedies for administrative decisions which, had they been independently investigated, most people would have considered to be unfair.

The Hon. Robin Millhouse: Are you saying that you now support the idea of an ombudsman?

The Hon. D. A. DUNSTAN: Yes.

The Hon. Robin Millhouse: When you were in Government it was different.

The Hon. D. A. DUNSTAN: No, that is not so. I have explained the basis upon which I believe we should proceed; this is not the basis that was previously outlined in relation to ombudsman proposals.

The Hon. Robin Millhouse: The motion was much the same.

The Hon. D. A. DUNSTAN: Yes. All I have said this afternoon is that we can, in principle, support the establishment of a Parliamentary commissioner on the basis I have outlined.

The Hon. Robin Millhouse: Things are different when they are not the same.

The Hon. D. A. DUNSTAN: If the Attorney-General regrets that he has convinced me on this subject, he can use his regrets if he wishes.

The Hon. Robin Millhouse: I was not certain I had convinced you.

The Hon. D. A. DUNSTAN: We on this side have examined this proposition for some time. I think that the objections raised to the original proposition were real and valid, but I believe there is a gap in this connection. I agree that present Parliamentary procedures are unsatisfactory. In rejecting the previous motion on this score, I said that I believed that there were other courses that must be followed and that there was a gap that needed to be filled. I believe that is the case and that is why, in these circumstances, in principle we can support this motion. An amendment may be moved later in this debate, not opposing the principle of the motion but spelling out the basis upon which we can support it.

Mr. FREEBAIRN (Light): I am pleased that the Leader supports this motion in principle, because I consider that an ombudsman or, as the Leader describes him, a Parliamentary commissioner, can be an extremely worthwhile addition to the services that the people expect to get.

Mr. Virgo: Don't you represent your district properly?

The DEPUTY SPEAKER: Order!

Mr. FREEBAIRN: Although I was about to say something nice about members opposite, if they interject rudely they do not deserve to have such things said about them.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr. FREEBAIRN: I had to listen to a ridiculous speech by the member for Millicent (Mr. Corcoran) last evening, so it would be

better if he kept his contribution to the debate until later. I compliment the member for Onkaparinga (Mr. Evans) on moving the motion and on his masterly speeches on October 8 and October 15. I refer the House to one important matter which the honourable member did not mention but which is such valuable evidence that I consider that members will be interested to hear it. It is a Victorian Government publication: the report of the Statute Law Revision Committee upon appeals from administrative decisions and a proposal for the establishment of the office of ombudsman.

Mr. Clark: Your difficulty in pronouncing "ombudsman" shows why we wanted to change the title: it's too hard to say.

Mr. FREEBAIRN: It is an extremely difficult word for Anglo-Saxons to pronounce. I believe it is a Swedish word. I do not know how the Scandinavians would pronounce it but, doubtless, they would do so more simply than would an Anglo-Saxon. The report also contains extracts from the proceedings of the committee. At page 9 the committee comments upon its findings from evidence tendered to it about the office of ombudsman. Rather than read the whole of the committee's findings, I intend to read what I consider to be the three most important sections. In section 43, on page 9, the committee states:

The New Zealand appointment is regarded as a landmark in the field of administrative law, and the powers of the ombudsman are very broad.

The Hon. Robin Millhouse: The emphasis is on the first syllable.

Mr. FREEBAIRN: My learned colleague, the first law officer of the Crown, tells me how to pronounce "ombudsman". The report continues:

His principal function is to investigate any decision or recommendation made (including a recommendation made to a Minister of the Crown) or any act or omission relating to administration, and affecting any person or group in a personal capacity, by a Government department or agency, or by an officer, employee or member thereof, in the exercise of any power or function conferred on him by any Act. He may not investigate a decision of a Minister of the Crown. He cannot review decisions of the courts, nor decisions where there is already a right of appeal on the merits to a court or tribunal.

I understand that the member for Onkaparinga explained in detail the precise work of an ombudsman, pointing out that it would not be the function of such officer to inquire into or attempt to alter the legal process. I am reading this report, first, so that members will be able to refer to it in *Hansard* and, secondly, so that members opposite will have detailed information to help them in their thinking.

Mr. Clark: And members on your side, too, surely.

Mr. FREEBAIRN: Yes, I agree. The report continues:

Critics of the institution argue that there is a means open to the citizen already for having grievances investigated—that is, by contacting the local member of Parliament. Although this is true, the member of Parliament has not the wide powers generally vested in an ombudsman.

I think the Leader has outlined this very well this afternoon. The report continues:

Members virtually have to take an answer from a department or instrumentality, whereas the ombudsman has a right to demand books and documents and to investigate personally. Although no accurate statistics are available, the personal problems of constituents relating to discretionary decisions referred to members of Parliament for further representations constitute a very small percentage of the average member of Parliament's work load for his electors and the experience in New Zealand indicates that the activities of the ombudsman are supplementary to and do not in any way limit or replace the traditional role of Parliamentarians in that country. The right of a citizen to approach his local member is in no way impaired by the existence of an ombudsman.

Mr. Virgo: You're saying they don't want to approach you.

Mr. FREEBAIRN: Until the member for Edwardstown interjected, I had not intended to say this. However, electors represented by Labor members, in the main, would be pleased to have some other persons to help them to redress their grievances. Section 49 of the report states:

It is widely accepted, however, that the real success of the office lies in the integrity, diplomacy, personality and capacity of the occupant. The New Zealand ombudsman has proved to be singularly well endowed with these ingredients, and obviously enjoys the respect of those with whom he has dealings. In the committee's view, the selection of an appropriate person to occupy such an office in Victoria would need to be carried out with the utmost caution, for an unsatisfactory appointment could mar the success of what it believes to be a most desirable institution.

Those three sections of the Victorian committee's report indicate that the most important requirement of a Parliamentary commissioner or ombudsman is that he do his job satisfactorily. Whilst I do not want to bring politics

into this debate, I cannot help thinking that the Wilson Government in Great Britain appointed an ombudsman. In fact, I understand that Mr. Wilson set up the machinery for several of these officers and that, although they have not been at work for a long time, they are making a worthwhile contribution in that country. One example (perhaps a back-handed example) that the ombudsman in Great Britain is working satisfactorily is contained in the July 30 issue of *Punch*. *Punch* usually makes the point of lampooning successful institutions, gently poking fun at them, without doing them any real harm. In this case, *Punch* is having a gentle tilt at the office of ombudsman in Great Britain and by so doing is indicating that the office is serving a worthwhile purpose. The article headed "Mini-ombudsman Report 1971-72, states:

Preamble: In concluding my first year's duties as your local ombudsman for Nether Widdlestoke and district, as mooted by the House of Commons in July, 1969, but it took time to get us going, my work is appended herewith.

Cases dealt with: I make it a total aggregate of 79 cases dealt with, many of them in my shop, owing to the public not respecting my ombudsman hours, 6 p.m. to 7 p.m. in the council offices (back corner desk in Rates Department). This has caused inconvenience, but when customers say, "A small half leg of lamb, Mr. Fiske, and I want you to stop the secondary modern boys chalking things on my front gate," I feel duty bound to assist, even though handling problems as well as best meat often means delays in serving, and other customers then appeal to me as their ombudsman as well as their butcher to get the queue moving, which is a vicious spiral.

Notable successes: In the remaining three cases, coming back to Widdlestoke and district, I gladly report them properly brought and dealt with.

(i) Vicar of Chooley Tancake found negligent of local bench when gargoyle dropped off south transept, crushing bellringer's bicycle. Decision reversed to act of God.

(ii) Council house resident, no customer of mine, disciplined for having front door yellow, as against Housing Committee green laid down. On appeal, I ruled paint it green or get out.

(iii) My shop picketed by members of Nether Widdlestoke "Stand on Your Own Feet and Don't Go Moaning to Harold Wilson or Someone Every Time Your Lavatory Won't Flush" Society. Fined for obstruction. On their seeking redress I could not see my way to interfere with due processes of the law.

Conclusion: Trusting resident will appreciate the utter thanklessness of my position, and hoping to be re-appointed for a further term.

Arnold B. Fiske (Families Waited On)

I think that that short reference is really an effort by the magazine to shed some light on the workings of the ombudsman and to show that at least the office is serving some purpose in British society. I support the motion and commend the member for Onkaparinga on his endeavour.

Mr. VIRGO secured the adjournment of the debate.

PROHIBITION OF DISCRIMINATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 15. Page 2225.)

Mr. HUDSON (Glenelg): I support the Bill. It is an important measure because it is important that in South Australia it should be clear that discrimination is prohibited, not only in the letter of the law but also in spirit. To have a situation where the letter of the law is interpreted in a way that would permit discrimination to continue is wrong and something that no member of this Parliament should countenance.

I was disturbed to find that the Attorney-General had refused to prosecute in the case brought to his attention on the ground that the Aboriginal concerned had been refused service only in the lounge and told that he could go into the public bar. This was obviously a case where an Aboriginal was discriminated against: he was not to be treated as an equal of the white community. Only the pukkah sahibs (no doubt the Attorney-General would be included in that category) would be allowed to be served in the lounge and the ordinary citizens (Aborigines included) would have to get service elsewhere. This is wrong; it is equivalent to the front-of-the-bus and the back-of-the-bus distinction that was prevalent throughout the southern States of the United States of America. I am surprised that the Attorney-General did not, at the time he refused to prosecute, see that there was a complete analogy between this case and the case of Negroes in the southern States of the U.S.A. being allowed to travel only in certain parts of buses.

Mr. Broomhill: He may have noticed it.

Mr. HUDSON: I thought he should have noticed it, if he had seen the point of it. He said that the Act was not adequate to cover the situation, but he should have given a commitment then and there to introduce appropriate amending legislation so that a prosecution could take place.

The Hon. Robin Millhouse: What?

Mr. HUDSON: The Attorney-General should have given a commitment then and there to see that appropriate amending legislation was introduced. It should not have been left to the Opposition to prod the Government on this matter, or to put the Government in a position where, in future, the Attorney-General would have no excuse and would have to undertake a prosecution.

The Hon. Robin Millhouse: This is a weak line.

Mr. HUDSON: Not at all: we received the impression that the Attorney-General thought that the Aboriginal concerned had not been refused a service—

The Hon. Robin Millhouse: That's right: under the Act he was not.

Mr. HUDSON: —and the Attorney was not prepared to prosecute, as he saw nothing wrong. Obviously, the Attorney would see nothing wrong with negroes in Montgomery, Alabama, being required to travel in the back of a bus. We need to see to it that the observance of the law here is not analogous in any way to practices that have been condemned in Alabama, Tennessee, and Mississippi. I believe that the original Act was passed as a sign that Parliament would not contemplate the kind of practices developing in South Australia that disfigure the social life of the United States of America. For that reason, I believe that, when the Attorney-General had shown his political and moral weakness in relation to this matter, the Leader is to be commended for introducing an amending Bill that will ensure that in future the Attorney-General of this State will not have the excuse that the present Attorney-General so lamely presented a few weeks ago. I support the Bill.

Mr. CORCORAN (Millicent): The member for Glenelg has displayed more adequately than I could have the reluctance of the Attorney-General to face this matter fairly and squarely. This debate has arisen as the result of an incident that occurred at a hotel at Port Augusta to which the Leader of the Opposition properly drew the attention of the Attorney-General. The Attorney-General in his reply to the Leader, said that in his view, and in the view of the Solicitor-General, there was a loophole here and that the provision did not warrant his issuing a certificate to prosecute. If the Attorney-General was correct in his opinion—

The Hon. Robin Millhouse: You are saying that it is.

Mr. CORCORAN: No I am not, because the proper place to determine that is in court, but the Attorney-General was not prepared to go to court and test whether he was correct.

The Hon. Robin Millhouse: If we had taken the risk and prosecuted in that case, would these amendments have been introduced?

Mr. CORCORAN: If the prosecution had failed I would say "Yes", but I do not know when the case would have been heard. I cannot understand the Attorney-General's point.

The Hon. Robin Millhouse: I was making sure that the thing would work.

Mr. CORCORAN: The Attorney-General did not and would not allow the matter to be tested in court. Our view is that the prosecution would have been upheld in court, but the Attorney-General would not issue a certificate to prosecute. He would not let anyone else prosecute, either.

Mr. Hurst: He prejudged the issue.

Mr. CORCORAN: I know the score on this matter even if no-one else does, and I am not prepared to let it go further. As a result of the actions of the Attorney-General, his reluctance to move, and his obvious grasping at what he called a loophole in the Act to avoid his responsibility, the Leader quickly introduced this Bill to put the matter right. The Leader did not concede the point to the Attorney-General, but he told the Attorney-General that if he was using this as an excuse we would take the opportunity away from the Attorney-General so that he would not have this excuse and so that he would have to face up to the next incident. The Leader proceeded to do this effectively but now, as always happens with our learned friend, the Attorney-General says that the drafting is not quite right, and there must be an alteration because, without it, it could not satisfy the little thing he has inside him. We know what the original Act intended to do, and this has been achieved by the Leader's amendment, which makes clear that the service must be rendered to anyone, irrespective of race, country of origin, or colour of skin. The Leader has suggested removing the existing clause, in which the Attorney-General thought there was a loophole and which provided:

A person shall not refuse or fail on demand to supply a service to a person by reason only of his race or country of origin or the colour of his skin.

Under this section the Attorney-General said that in his opinion the service was given, irrespective of what part of the hotel it was

given in, and he would not issue a certificate to prosecute. The Leader is trying to have that section struck out and the following inserted:

A person whose business includes that of supplying a service for reward shall not on demand refuse or fail to supply that service, on the same terms and under the same conditions as that service is supplied by him to any other person, to a person only by reason of—

(*a*) the race;
(*b*) the country of origin;
or
(*c*) the colour of the skin,

of the person who demanded the service or on whose behalf the service was demanded.

Clearly, that covers the position that obtained in the case at Port Augusta.

The Hon. Robin Millhouse: Is the supply of drink in hotels the supply of goods or is it a service?

Mr. CORCORAN: We come to the point that the Attorney-General is trying to cover in the amendments he has foreshadowed.

The Hon. Robin Millhouse: I should like your opinion.

Mr. CORCORAN: I think I should talk about the Attorney-General's efforts, and his attempt to strike out the definition of "service". I am at a loss to know why he is trying to do this.

The Hon. Robin Millhouse: Do you think the supply of drink in a hotel is a supply of goods or is it a service? This is pretty important.

Mr. CORCORAN: I think that it is a supply—

The SPEAKER: Order! I cannot allow this continued conversation. This matter should be debated.

Mr. CORCORAN: I think that the Attorney-General, by his moves, is again trying to destroy the effect of the Bill which has been introduced by the Leader. The Attorney-General is getting away from the principle of the legislation and what we are trying to do with the principal Act. If he proceeds on these lines we will have a looser arrangement and one that will contain more loopholes than there are in the Act. The Attorney-General claims that there is a loophole in the Act. I believe that the Leader has spelt out clearly what is required to remedy the defect, if there is one, but I am not satisfied that there is one. The Bill should be passed in its present form, and the moves made by the Attorney-General should be ignored by the House. I support the Leader's efforts to rectify the situation. The Leader has been consistent in this matter over a number of years, indeed, I suppose one could say since he reached the age of reason.

The Hon. Robin Millhouse: When do you think that was?

Mr. CORCORAN: I would say at about the age of four. Would not the Attorney-General agree?

The Hon. Robin Millhouse: No, not on that point.

Mr. CORCORAN: Well, I thought it was a stupid question and deserved a stupid answer. The Leader has always tried to uphold the rights of these people and to see that they are treated as the equals of anyone else in the community, and I think he can be quite correctly termed a champion in this field. I support the Bill.

The Hon. D. A. DUNSTAN (Leader of the Opposition): As has been said, I do not agree that the principal Act contains the loopholes that the Attorney says it contains. I think the matter could have been tested in court and, if the Attorney was not prepared to commit Government money to it, plenty of other people were prepared to test the matter. If, of course, such a prosecution were found trivial, it would have been in the hands of the court to award costs against those concerned, and the Attorney-General knows that. Nevertheless, he was not prepared to test the Act, although there was a matter of merit to be tested, and that alone is the basis on which the Attorney-General should decide whether or not he grants a certificate. However, he refused to grant a certificate, and so the only course available to us was to deprive him of the excuse for refusing one.

The Hon. Robin Millhouse: That's pretty sensible!

The Hon. D. A. DUNSTAN: I found the Attorney's reasons for refusing a certificate inexplicable (he did not explain them satisfactorily to this House), and the only thing to do was to take some action in this place to see that he should not produce that excuse again. That is why the Bill has been introduced. I am pleased that the Attorney-General is supporting the second reading. He has laid down some amendments to which I cannot refer at this stage of proceedings, except that I point out that one of these is, I think, an extremely bad one; but I will have something to say about that in Committee.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Refusal, etc., to supply service."

The Hon. ROBIN MILLHOUSE (Attorney-General): I am asking the Committee to vote against this clause with a view to inserting the new clause that I have on file. Apparently, the Deputy Leader does not like the way my clause has been drafted. We are now dealing with the way in which section 4 of the Act should be redrawn and, in spite of all that has been said, I do not wish to argue about it. I am satisfied that the decision I took was a proper one, because I do not believe, on the true construction of the section as it now stands, that the prosecution could have succeeded, for there was no unequivocal refusal of service in that case. The Bill has gone a certain way, but I suggest we would do better to include the phrase "goods or services", which I have incorporated in my amendment, than merely to have "service".

It is an inappropriate definition which is in the Act at the moment and on which this section is based. I point out to the Committee in all modesty that in my present position I have the benefit of the advice of the Parliamentary Draftsman, although the decisions are mine. I have discussed these amendments with the Draftsman and also with the Solicitor-General, and my considered view is that the form in which I propose new section 4 is a more effective form than that proposed in the Bill.

The Hon. D. A. DUNSTAN (Leader of the Opposition): I have no objection to this clause as it is proposed in the amendment. I do not object to importing into this section the idea of the supply of goods, so that the provision is widened considerably in this regard. I am prepared to agree to this amendment and, in consequence, to allow the Attorney-General to substitute his new section 4 for mine.

Clause negatived.

Clause 3—"Prohibition of refusal of food, drink or accommodation."

The Hon. ROBIN MILLHOUSE: I move:

In paragraph (*a*) after "accommodation" second occurring to insert "usually"; and in paragraph (*b*) after "drink" second occurring to insert "usually".

I suggest that these amendments will facilitate proof.

The Hon. D. A. DUNSTAN: I accept the amendments.

Amendments carried; clause as amended passed.

New clause 1a.—"Interpretation."

The Hon. ROBIN MILLHOUSE: I move to insert the following new clause:

1a. Section 2 of the principal Act is amended by striking out the definition of "service".

This is a matter on which we are still somewhat at variance but, concerning this provision, I should like to reply on the wellknown phrase "goods or services", which we have agreed should be inserted in new section 4. That will be the effect of what we have just done when we complete the process. The definition of "service" (and I ask members to consider it critically) appears in section 2 of the Act, as follows:

"Service" means the supply for reward of water, electricity, gas, transport or other rights, privileges or services (not being services rendered by a servant to a master) by any person (including the Crown and any statutory authority) engaged in an industrial, commercial, business, profit-making or remunerative undertaking, or enterprise.

I think that is word for word the same as the definition in the Prices Act, 1948. Obviously the draftsman of the time took the definition of "service" from the Prices Act and inserted it in this Act. If one compares the aims of the two Acts and the circumstances in which they operate, one sees immediately that they are different and, therefore, that a definition that is appropriate in one Act to cover one set of circumstances may be inappropriate in another Act. With great respect to the Leader, I believe that the definition of "service" that he saw fit to have inserted is inappropriate in this Act.

Although it is all right in the Prices Act it is not appropriate here. I think it should be struck out, as I think it does more harm than good. As one sees immediately one looks at it, it is orientated towards commercial undertakings; it spends most of its time referring to the supply of such services as water, electricity, gas and transport in areas where there is unlikely to be any element of discrimination anyway. It certainly does not directly cover such circumstances as the incident at Port Augusta. In any case, I believe we will adequately cover the circumstances by the amendment and by the way I have redrafted section 4. If the Committee accepts the amendment, this definition is mere surplusage, does not mean anything, and should be struck out. The purpose for which it has been inserted is taken away by my amendment. Therefore, this remains simply an

inappropriate provision in the Act and one that from now on, whatever may have been the case in the past, will have no operative effect at all. Therefore, I ask the Committee to support the amendment.

The Hon. D. A. DUNSTAN: I have listened carefully to the Attorney-General to find out just what is his objection to this definition. He said that the definition had been inserted in the Prices Act and, because that Act had other purposes than this Act, the definition was therefore inappropriate in this Act. I waited to hear him point to one difficulty that would arise in the interpretation of this Act from this definition, but he has not cited even one. Where is there a particular case where we would get into difficulty with the interpretation of the word "service" if this definition remains? However, if it does not remain then there is no definition of "service" in the Act, and it is possible for a court to interpret the word "service", where it occurs together with the word "goods", rather more narrowly than would be the case if this definition remained.

Frankly, the reason for the definition of "service" in this Act was to give the widest possible definition. I see no difficulty in the court's interpreting it. It has certainly stood up well in the Prices Act and been held to be a wide definition. I believe it is wise to keep in the Act an extremely wide interpretation of "service" to see that there are no loopholes. If the Attorney-General's case is that this is merely surplusage he cannot feel very strongly about leaving it in. However, we do feel strongly about leaving it in.

The Hon. ROBIN MILLHOUSE: I am not willing to leave it in without a struggle. If we do leave it in it may be more dangerous than mere surplusage. I cannot agree that it is a satisfactory definition; it may limit the operation of section 4 in the future, because it is not an appropriate definition of "service".

The Hon. D. A. Dunstan: You must be able to give an example where it wouldn't work.

The Hon. ROBIN MILLHOUSE: I am not prepared to go into hypothetical examples.

The Hon. D. A. Dunstan: If you brought up a case in court and were asked to show an example, and you said it was merely inappropriate, what reply would you get from the bench?

The Hon. ROBIN MILLHOUSE: I would get a more courteous reply than the Leader is giving me. I have merely pointed to the definition and gone through it. I have pointed out that it is more appropriate to public utilities than it is to circumstances likely to arise in cases of discrimination, and I am not prepared to take it any further than that.

The Committee divided on new clause 1a:

Ayes (17)—Messrs. Allen, Arnold, Brookman, Edwards, Evans, Ferguson, Freebairn, Hall, McAnaney, Millhouse (teller), Nankivell, Pearson and Rodda, Mrs. Steele, Messrs. Stott, Venning, and Wardle.

Noes (17)—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Casey, Clark, Corcoran, Dunstan (teller), Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Lawn, McKee, Ryan, and Virgo.

Pairs—Ayes—Messrs. Coumbe and Giles. Noes—Messrs. Loveday and Riches.

The CHAIRMAN: There are 17 Ayes and 17 Noes. There being an equality of votes, I give my vote in favour of the Ayes. The question therefore passes in the affirmative.

New clause thus inserted.

Progress reported; Committee to sit again.

MURRAY RIVER STORAGE

Adjourned debate on the motion of the Hon. D. A. Dunstan.

(For wording of motion, see page 1560.)

(Continued from October 15. Page 2237.)

Mr. HUDSON (Glenelg): Last week I was not able to continue my remarks for more than a short time and, consequently, my remarks on this matter have been spread over three private members' days. The basic position that I have taken is that if anyone—

Mr. McAnaney: Have you done more homework?

Mr. HUDSON: I am glad the member for Stirling is leaving the Chamber. If he were not, we would only get some more such interjections. One notices the Gortonistic cutting and running of the member for Stirling. The position I have taken is that the assumptions made by the technical committee of the River Murray Commission, which assumptions are partly political and partly technical, must be examined and can be questioned and, if there is doubt about their validity, further information should be obtained and studies undertaken.

We have questioned those assumptions with respect to the minimum flow at Mildura, the flow on the Mitta Mitta River near the Dartmouth dam site, and with respect to evaporation and other matters. Yet, the Premier and other members opposite say that

we have no right to question the assumptions, although that same committee significantly altered assumptions it had made in its previous investigation eight years ago. There is no logic in the Government's position on this matter. Secondly, we on this side have pointed out that certain members of the River Murray Commission had made up their minds well before the report of the technical committee was presented. That is true of the Minister for National Development (Mr. Fairbairn) and the Victorian representative on the River Murray Commission (Mr. Horsfall), and it is probably also true of the New South Wales representative (Mr. Reddoch). Those three gentlemen had predetermined the issue, and the minutes of meetings of the River Murray Commission that we have cited, particularly those of the meeting of April 24, 1968, make clear that the three other members of the commission saw their job as being to convert Mr. Beaney and give him time to convert his Government. All of this has been done.

Thirdly, I think we need to bring home to Government members that their argument that the Labor Party is at fault for our not having Chowilla is completely specious. At no stage has any Government member suggested what should have been done in 1967, when New South Wales, Victoria and the Commonwealth Government were going to defer the letting of a contract. The alternatives then were effectively either to create a dispute on the River Murray Commission or to try to get additional evidence on salinity and cost so as to take those matters to an arbitrator. On salinity and cost, the additional evidence obtained is favourable to Chowilla and not favourable to Dartmouth.

The report states that the average salinity with the Dartmouth dam constructed will be greater than with Chowilla constructed and that the cost of Dartmouth (which is only an estimate), in conjunction with money proposed to be spent on Lake Victoria (which expenditure would be unnecessary if Chowilla were constructed), will be greater than that remaining to be spent on the construction of Chowilla. Further, the estimate for Dartmouth is only a best guess and there is no reason why we may not get an escalation of costs on that project as well. Again, we are faced with a Government that made a fraudulent election commitment to win votes. It knew it would not be able to fulfil that commitment.

The Hon. D. N. Brookman: You know that's wrong.

Mr. HUDSON: It was fraudulent. The Premier went around the river districts, saying that he would build Chowilla. He and the Minister knew that that commitment could not be undertaken by South Australia.

The Hon. D. N. Brookman: Wait until I have a chance to talk to you.

Mr. HUDSON: Doubtless, the Minister will be tremendously powerful, but we on this side know that the Liberal and Country League advertisements in the Chaffey and Murray Districts and throughout the rest of the State, as well as the statements by the Premier, were, "We will build Chowilla." Does the Minister tell me that this State on its own could have built Chowilla, over the objections of the other States? Was that possible?

The Hon. D. N. Brookman: I'll tell you when I get a chance.

Mr. HUDSON: The Minister cannot answer that, because he knows that what the Premier did during the election campaign was dishonest. He knows that South Australia could not build any dam on the Murray River without the approval of the New South Wales, Victorian and Commonwealth Governments. He knows as well as anyone else knows that that approval was not to be forthcoming at that time, so if any South Australian said, "We will build Chowilla", he was making a commitment he knew he might not be able to live up to. Knowing that makes it a fraudulent promise, a promise designed to deceive the electors of South Australia; it was successful, although it has rebounded now. That is one of the reasons why the member for Chaffey and the member for Murray are here today.

Mr. Giles: But we've got something better now!

Mr. HUDSON: That interjection makes it clear that the honourable member realizes that it was a dishonest promise. The only alternative to the charge I have made is to assume that Government members are, to a man, a bunch of ignorant clots. I am not prepared to assume that they are a bunch of ignorant clots, but none of them was aware of the River Murray Waters Agreement or that it was not possible to build a dam or any form of construction on the Murray River in the South Australian section without the approval of New South Wales, Victoria and the Commonwealth. We know that they were aware of the provisions of the agreement. The member for Murray and the member for Chaffey may not have known, but their leaders

knew. However, that did not stop them from saying what they said in order to try to buy votes.

The Hon. G. G. Pearson: What are you trying to do now?

Mr. HUDSON: No South Australian on his own is entitled to say, "We, as a South Australian Government, if elected, will build Chowilla," and the Treasurer knows that that is completely true.

The Hon. G. G. Pearson: You talked about buying votes. I merely asked what you were doing now.

Mr. HUDSON: I am arguing a case and pointing out that the Government's record on this matter, in its public statements to the people of South Australia at the time of the last election and since, is not a pretty one.

The Hon. D. N. Brookman: Do you think—

Mr. HUDSON: How could the Government make that pledge when it could not deliver on it—and the Minister knew that the Government might not be able to do so? If they had said, "We will do our best to proceed with Chowilla by trying to get New South Wales, Victoria and the Commonwealth to alter their opposition to the project," that would have been a different matter; but that is not what was said, and that is not what the advertisements contained.

The Hon. D. N. Brookman: I have a pamphlet here.

Mr. HUDSON: The Minister will have an opportunity to read it out. I hope he reads it in full and does not quote out of context. If it is a Commonwealth Labor Party pamphlet, which I suspect it probably is, this is a somewhat different kettle of fish, because a Commonwealth Labor Government or Liberal Government is able almost to ensure the construction of Chowilla over and above the opposition of New South Wales and Victoria. The Minister of Lands gets terribly offended if any Opposition member interjects on him; after all, we must behave with complete dignity in these matters.

The Hon. D. N. Brookman: A moment ago you told me to answer something.

Mr. HUDSON: Yes, but that was an answer, not an interjection. I am trying to answer what the Minister put to me by interjection, and I hope that I will be allowed to give a reply. A Commonwealth Government can make financial propositions to the States on matters affecting the Murray River that would overcome the opposition of New South Wales and Victoria. For example, regarding Chowilla, together with Dartmouth, if the Commonwealth Government puts a proposition to New South Wales, Victoria and South Australia that the same kind of assistance will be provided as has been provided in New South Wales and Queensland for other dam projects (that is, to provide 50 per cent or more of the finance), I consider that the opposition of New South Wales and Victoria to Chowilla would disappear, because it would then be possible to construct both Dartmouth and Chowilla, as proposed in the motion, without any significant rise in the contributions that New South Wales, Victoria and South Australia would have to make.

The Hon. G. G. Pearson: I am glad to hear you say that you believe that, although I do not know on what ground you base your belief.

Mr. HUDSON: If the Commonwealth Government is providing 50 per cent of the money required, and not 25 per cent, each State has to provide only one-sixth and not one-third, so each State is likely to agree to the construction of the two dams because they will get something extra without having to pay more. This would be putting the whole question on a proper national basis, because I think that the current provisions of the River Murray Waters Agreement that requires the four parties to contribute 25 per cent each is outdated; it is not a provision that the Commonwealth has enforced in relation to the Ord River scheme, the Blowering dam, the Copeton dam, the Snowy Mountains scheme or many other projects in which it has assisted. The conservation of water on the Murray River is virtually the one area in which the Commonwealth contribution is as low as 25 per cent, and I consider that, as we are faced with the fact that the Murray River is, from a water point of view, the most important national resource in Australia, the Commonwealth should be taking a more generous point of view.

The Hon. D. N. Brookman: How can it pledge Chowilla—

Mr. HUDSON: Obviously, the pledge made by the Commonwealth Labor Party would require the Commonwealth's willingness to increase the degree of financial assistance it is giving, not only to Chowilla and Dartmouth. The Minister thinks that is funny; I think he is being pathetic. Does he mean to tell me that the Commonwealth Government, in the kind of financial assistance it is prepared to give for

the Blowering and Copeton dams and the Ord River scheme, cannot do the same thing in relation to the Murray River, and should not be requested to do it, and should not from a national point of view be doing it?

The Hon. G. G. Pearson: You are assuming that the objections from New South Wales and Victoria are based solely on finance?

Mr. HUDSON: I assume, and I am sure that I am correct, that if Dartmouth and Chowilla are built there will be plenty of room to provide 900 cusecs past Mildura, and that would overcome Victoria's technical objections. Chowilla will still give an additional yield to Victoria and New South Wales and, if they are not contributing additional funds to those projects, what basis do they have for objecting? I should be pleased if any Government member could tell me, in circumstances where the Commonwealth is prepared to assist on a 50-50 basis with three States combined in the construction of both Dartmouth and Chowilla and where there is no significant change in the cost to Victoria or to New South Wales and the screams from Mildura over a flow lower than 900 cusecs are not going to arise, what possible objection is left?

The Hon. D. N. Brookman: Is that Labor's pledge?

Mr. HUDSON: The implication—

The Hon. D. N. Brookman: Is that Labor's pledge?

Mr. HUDSON: I am not in the box: I am not facing some crummy lawyer and answering "Yes" or "No", and I will reply in my own way. The implication of the pledge by the Labor Party is, first, that; and secondly, that Chowilla is the law of the land, and Tories like the Minister of Lands should be respecting contractual arrangements solemnly entered into. Basically, this is what we have said. Chowilla is a project approved unanimously by four Parliaments and written into the law of Australia. We should respect that law.

I do not know whether any Government member is worried at the fact that there has been a complete repudiation of the River Murray Waters Agreement, or that, once the principle of repudiation is established, we do not know where it is to finish. If this agreement can be repudiated, why cannot subsequent negotiated agreements be repudiated, if the circumstances become difficult enough? After all, a form of repudiation occurred in the early 1930's that led to the dismissal of a Premier of an Australian State. Apparently, at that time agreements entered into by Governments were held to carry more weight than they do at present. This Government is willing to preside at the repudiation of the River Murray Waters Agreement, which provides for the construction of Chowilla dam.

The Hon. G. G. Pearson: Why do you say "repudiation"?

Mr. HUDSON: That agreement provides for the construction of Chowilla dam; that dam was to proceed; it has now been rejected, and the report of the technical committee, which every Government member accepts as a sort of Bible, contemplates the possibility of the next storage on the Murray River after Dartmouth being not Chowilla but possibly at Murray Gates.

The Hon. D. N. Brookman: It was your Government that deferred the project.

Mr. HUDSON: What was the alternative?

The SPEAKER: Order! There is too much question and answer. The honourable member for Glenelg.

Mr. HUDSON: One is trying to get some logic out of the Minister's general position. I have replied before to the charge that we are responsible because we deferred the project. We did not defer it: it was deferred by the River Murray Commission, on which South Australia's vote was one out of four. The alternative was to vote against it and create a dispute. It has been put before members that if a dispute had been created immediately in circumstances where New South Wales, Victoria and the Commonwealth could go to the arbitrator and say that they had serious doubts about the question of salinity and that they could provide another dam at a cheaper cost, because the agreement provided by implication for only $33,000,000 and that they had implicit agreement to $43,000,000 (because that was the accepted price when they went to tender) but that there was no agreement for a cost of $68,000,000, then South Australia would not have benefited at all.

The Hon. D. N. Brookman: We don't know what Labor said.

Mr. HUDSON: I cannot use plainer English: if the Minister cannot understand what I am saying, I am sorry. I made it clear that a Commonwealth Labor Government would assist financially in order to ensure the construction of both dams. I suggest to the Minister that he should think more carefully about the likely consequence of the Commonwealth's being willing to provide 50 per cent of the cost of Chowilla and Dartmouth compared with 25 per cent.

The Hon. D. N. Brookman: Is that the pledge?

Mr. HUDSON: I cannot make a pledge, but that is the interpretation I put on it. That is the kind of approach implicit in it: otherwise, how could we honour the pledge if New South Wales and Victoria object? What other way would the Minister suggest to overcome the objections of New South Wales and Victoria, or does he not want to overcome them?

The Hon. D. N. Brookman: I am trying to find out what this pledge is.

The SPEAKER: Order!

Mr. HUDSON: I am trying to explain to the Minister. As I believe a certain gazettal has not taken place, I ask leave to continue my remarks.

Leave granted; debate adjourned.

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

LICENSING ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments Nos. 10 and 11:

(Continued from October 21. Page 2318.)

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:—

(4*a*) 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:—

(19*a*) 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'."

Amendment No. 10:

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

That the Legislative Council's amendment No. 10 be agreed to.

We are dealing here with the amendments made by the Legislative Council to allow an application to be made by a reception house for a permit for an entertainment on Good Friday or Christmas Day. Yesterday it was, I think, agreed in the Committee that it was undesirable for a number of reasons, which I will not canvass, that permits should be allowed on Good Friday, substantially, I think I can say, because we all regard this as a very holy day and not a day on which permits should be allowed. However, we considered that there was no objection to such entertainments being held on Christmas Day.

The Leader then raised the point that, if this amendment were agreed to as it stood, we would have the anomaly of an entertainment house being able to apply for a permit but a hotel not being able to apply. As this seemed to be a good point, I undertook to have an amendment drawn that would allow a permit to be sought either by an entertainment house or by a hotel, but only on Christmas Day. Members will see the amendment I have on the file in relation to the Legislative Council's amendment No. 11. Having showed it to the Leader yesterday, I am confident that he is happy about it. I think we can agree to amendment No. 10.

Amendment agreed to.

Amendment No. 11:

The Hon. ROBIN MILLHOUSE moved:

That the Legislative Council's amendment No. 11 be amended by striking out paragraph (*c*) and inserting in lieu thereof the following paragraph:

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

(19a) A permit shall not be granted under this section—

(*a*) in respect of Good Friday, or

(*b*) in respect of Christmas Day or any other prescribed day or part of a day except for premises in relation to which a full publican's licence or permit under section 66a of this Act is in force.

Amendment carried; Legislative Council's amendment, as amended, agreed to.

The following reason for disagreement to the Legislative Council's amendments Nos. 1 and 14 was adopted:

Because the amendments eliminate desirable provisions from the Bill.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (ABORTION)

In Committee.

(Continued from October 21. Page 2348.)

Clause 3—"Medical termination of pregnancy."

Mr. BURDON: We are probably discussing one of the most important social measures ever to come before any Australian Parliament. Yesterday, on behalf of 768 people, I presented a petition 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. In consequence of that petition and of my own belief, I oppose the Bill introduced on behalf of the Government by the Attorney-General. Through the introduction of a social measure such as this, we are only adding to the already permissive nature of today's society. This is a step backwards and is against the principles of Christianity and against beliefs of one type or another held by people not only for the last 2,000 years but also probably for 2,000 to 3,000 years before Christ.

I believe this measure will ultimately affect the lives of every Australian. The effect of this legislation will be felt in the same way as permissiveness and a breakdown in moral standards has been felt in other ways in other parts of the world throughout the course of history. This is the commencement of a backward slide in civilization. I do not hold for one moment with those members of either Party who say that this is a move forward, for I believe the opposite to be the case.

We have seen what has happened in other centres that have become renowned for a particular social activity. We know that the village blacksmith in Gretna Green was able to perform wedding ceremonies for runaway couples, so Gretna Green became a world famous centre. Anybody who wants to gamble day in and day out goes to Las Vegas in the United States or Monte Carlo in Europe. (In Australia, he can go to Wrest Point near Hobart.) These are gambling places; they in no way relate to the subject we are dealing with now. A man can go away and enjoy himself at those places to his heart's content. They have a name and a significance for those people who want to frequent them. I am of opinion that the liberalizing of the abortion laws in South Australia can have the effect of making this State the abortion centre of Australia, a title to which I am sure South Australia would not aspire. As I see it, that will ultimately happen. I hold that one of the principles of life is the respect we must show for human life. I believe that an unborn child, the foetus, has a right to live.

One of the greatest crimes of genocide the world has ever witnessed commenced in Europe in about 1940 or 1941, and about 6,000,000 unfortunate Jews were liquidated. It is said that the hardest task was to kill the first Jew; after that it became easier. Once we take the first step here, it will become easier because gradually the moral standards of the community will decline, which in turn will bring about abortion virtually on demand. The Attorney-General will shake his head and say "No" but, once we start something, where do we stop? It will need only amendments to this legislation from succeeding Governments and where shall we be?

Mr. McKee: Do you think the present law is stopping abortion?

Mr. BURDON: I agree it is not, but we shall not solve the problem in this way. If the honourable member has an opinion contrary to mine, he is entitled to it; it is a matter between the individual and his conscience. Briefly, I shall now quote from Doctor E. G. Cleary, reader in pathology at Adelaide University, when he spoke in a weekend seminar on the question of abortion that took place early in July. He said:

This was because the Abortion Law Reform Association of South Australia was preying on religious intolerance and sectarianism in an endeavour to sway public opinion. This would seem to me to indicate a fundamental insecurity in their argument.

I share that opinion. Doctor Cleary went on to say that the issues at stake affected all the people in the State. Not only does this affect South Australians but it affects people in Australia and beyond. The report of the doctor's comments continues:

These laws concern the right of each and every one of us to life, he said.

The proposed changes were radical ones. They were not a development of existing law but a radical deviation from it. In a pluralist society, laws tended to come after widespread discussion and to reflect public opinion.

Although we speak of democracy in our country, there is a danger of tyranny by the majority or of a vocal minority, a fact that has been realized since the earliest days. It goes on:

Protection against this tyranny lay in a universal acceptance of a common, public philosophy, or core of values. The notion that

innocent human life is inviolable was the most fundamental of these values. It was made clearly explicit in the Universal Declaration of Human Rights, he said.

It was the foundation of the Anglo-American tradition of law, which stressed the presumed innocence of each person until he was proved guilty after the due process of the law, in which he was given every opportunity to defend himself.

Any community that can justify taking one helpless child's life can justify anything.

These words have a significance that should be fully appreciated by everyone in the community. We know that legislation introduced to Parliament is either passed on Party lines or by a majority of the members. We know that in the following session or sessions measures are amended, because legislation is not perfect, even though every attempt is made to ensure that loopholes in the legislation are plugged. It is very easy to introduce an amendment to further liberalize something. This occurred in relation to the licensing laws that were introduced in South Australia in 1967. Although regarded as a model for Australia, these laws have been amended on two or three different occasions.

We know that in an abortion an innocent child, a foetus perhaps 6in. long, is removed from the mother. Somewhere along the line the body has to be disposed of, just as the bodies of Jews in Nazi Germany had to be disposed of. The hardest task was to destroy the first one, and after that it became easy. These are the things that every member must bear in mind.

Members should consider that the type of thing that took place at Belsen in Germany can take place in our own public and community hospitals. What is involved? The description is nauseating but it must be faced. Too many people close their minds to the ugliness of abortion and refuse to consider what is involved. They take refuge in such terms as "therapeutic abortion" and "termination of pregnancy". They imagine that it is a nice, clean, surgical operation that takes a baby away, and that that is all there is to it. The late Professor Nixon, one of the foremost British obstetricians, spoke of "the overwhelming feeling of detestation in those who had to carry out these operations"—surgeons, anaesthetists and nurses.

People must know something about therapeutic abortion because there is a worldwide campaign to legalize, and that means facilitate, the operation. This is an extraordinary thing when we consider that medical advances have reduced the risks of child-bearing to the irreducible minimum. One might therefore expect that the apparent need for abortion would diminish at the same rate. The increasing trend is not the result of pressures from responsible doctors. When the recent legislation was introduced into the British Parliament it was opposed mildly by the British Medical Association and strongly by the Royal College of Obstetricians and Gynaecologists. The impetus for this liberalization comes from laymen. Opposition to it must also spring from enlightened and courageous citizens.

If people accept anything and everything that is placed before them and if they accept a more permissive society, then what has blackened the name of some nations in centuries gone by will cause trouble here. The downfall of nations has occurred as the result of a deterioration in moral standards and corruption of the people. I put this Bill in that class. There may be many areas of uncertainty in modern theology but there is not the slightest doubt about the moral status of abortion. The second Vatican Council condemned it as an abominable crime. This merely emphasizes the consistent teaching of the Christian church since the earliest times. Even the ancient Jews and other races regarded the foetus as a human being, although abortion was acceptable to Greek and Italian society before the coming of Christ. The more enlightened and traditional Christian view is that abortion is always wrong. The uncompromising commandment is "Thou shalt not kill"; "Thou shalt not kill" the foetus by abortion is the condemnation that has been repeated unequivocally by the early teachers of the Christian church, and this is something that has been held by most Christian churches down through the centuries. We are having these principles eroded, and we are having them attacked as necessary means of modern-day life. However, I am one of those old-fashioned people who believe that there is still some good in the old-fashioned ways, and I do not accept the principle that the life of the unborn child should be destroyed. I believe that that child has the right to life, just as much as any of us here. There is a considerable amount of world opinion today that the State does not have the right to take the life of a person, even for murder, and I believe that the State has no more right to take the life of an unborn child.

While there has been a plea from some Opposition members that the legislation be rejected, there has also been a plea from Government members and some Opposition members that the law does not go far enough. I

clearly indicate that, as I indicated some 12 months ago, I am opposed to this legislation and I trust that the views of those people that I have placed before the Committee will receive due consideration and that the Committee, in its wisdom, will not go beyond the codification of what is now taking place in this State. Any further step will be to the detriment not only of South Australia but also of Australia generally, and we as a nation have the right and duty to uphold the dignity of human life, whether in the form of a walking individual or an unborn child.

The Hon. G. G. PEARSON (Treasurer): I thought that I should make some comment on this matter which, after all, is one of considerable importance. It is a social matter and it has always been my custom to indicate my attitude to these matters and not to cast a silent vote. I support the measure. Having indicated my views, I deal first of all with some of the matters raised by other speakers. The Attorney-General introduced this Bill after some consideration of the pros and cons of the matter and I believe that, in the remarks he made in the Committee yesterday on this clause, he gave evidence of some deep research into the matter and that he quoted fairly to the Committee the reports and findings of his research. The Attorney-General has been frank and honest in this matter; indeed, I was pleased to hear several members express to him commendation for the work that he had done and for the way that he presented his facts to the Chamber. However, I have heard other speakers trying to lay the full responsibility for this measure on the Attorney-General personally, while others have laid the responsibility on the Government, calling the Bill a Government measure. As I said, it is a social measure, and it happens that most of my colleagues, I think, support the measure, but that is incidental.

Other social measures have been introduced into this Chamber on which the Cabinet has been divided, but on this occasion I think all members of Cabinet are in accord. But to suggest that the Attorney-General, in bringing this measure forward, is culpable to the extent of advocating what I think can only be called murder is the kind of allegation that is unworthy of this Parliament, and certainly it does not apply to the Attorney-General. I want to say at the outset that this is a matter for the conscience of each individual member. If it so happens that the Attorney's conscience and mine are not in accord with the consciences of some other members in this place, I do not think we should be branded as criminals because we take that view. That, I hope, is the only castigation that I shall find it necessary to make of some members regarding certain comments they have made. In fairness to all members, I think we ought to be able to consider this matter calmly and unemotionally and to express the views we hold.

The Leader of the Opposition, who spoke briefly to this matter, concluded by saying (I think he was accurately reported in the press this morning) that if he were called on to vote "Yea" or "Nay" to the question of abortion on demand, he would vote, he thought, for abortion on demand. He had commenced his remarks by saying that he did not agree that an authorized person responsible for the termination of pregnancy in the early stages was, in fact, guilty of any crime (certainly not guilty of murder). The Leader postulated that, if abortion was tolerable or permissible in any circumstances at all, we must agree that it was not murder because, after all, murder is murder at whatever time or in whatever circumstances it takes place. I would agree with that view.

The Leader went further in what I thought was a logical presentation of his case to say that, if the view can be logically held that abortion is permissible in certain circumstances, then it becomes a matter of what the circumstances ought to be and of what is proper and reasonably permissible. As I have said, he went on to say that, if he were required to decide on it, he would take the view that abortion on demand was not unreasonable. I agree with the Leader on the basis on which he makes his statement. However, I do not go so far as he went in his support for abortion on demand, because I do not believe any medical practitioner should be put in the position of having a patient come to him and require him to perform an abortion, and that is what I understand abortion on demand to mean.

My view is that this is not properly a legal matter at all. I believe that it is a medical matter and that the intrusion of law in its somewhat clumsy way (and probably heartless and cold-blooded way), blundering about in the area of medical practice, is certainly not in the interest of a good result. Having satisfied myself that that is the actual position in the case, I will develop my argument from that point. What is the position if we accept my view that this is in fact a medical and not a legal matter? The Deputy Leader said that

he had opposed the restoration of this legislation to the legislative programme this session. I think he was led by interjection to say that the result of the Gallup poll recently taken on this matter did not mean much anyway, and I have heard other members say that same thing. I do not know whether or not it means much, but I have heard some of the same members who have said on this occasion it does not matter much quote the results of other Gallup polls that have appeared to support their arguments.

The Hon. C. D. Hutchens: There is only one thing wrong with them: they are usually right.

The Hon. G. G. PEARSON: I do not know about that, either. The Deputy Leader also said that he thought it would be disastrous if this legislation were introduced in South Australia without the simultaneous introduction of similar legislation in other States. I agree that there is some substance in that contention. Possibly patients will come from other States seeking to avail themselves of the liberalized view in South Australia. However, if we are to wait for uniform legislation in the other States we will wait a long time—I think far too long. After all, as this State has taken the lead in many matters, I see no reason why in this case it should not take the lead again, for I believe this measure will confer much benefit on many people. I am not insensible of the problem. I am not unaware of some danger, but I believe that, on balance (and quite a substantial balance: this is not a hairline decision for me), there is a substantial weight of evidence and fact in favour of liberalizing the law. If that is so, we should proceed.

The Deputy Leader alleged there was virtually no interest in this matter until the Attorney-General raised it; that in fact it was a dead issue until the Attorney-General raised it. With this I strongly disagree, however. In any case, are we to blame any member because he raises some matter here that he believes is in the public good? After all, members of the Government and Cabinet are usually criticized for having no ideas. When a group of people such as those occupying Cabinet positions in this Parliament have some ideas and put them forward, surely we cannot then reverse things and blame them for what they do. I do not agree that this was not a live issue. It has cropped up on more occasions than I care to remember during my public life, and before it. Indeed, I can remember that over the past 30 years this matter has cropped up with monotonous and rather tragic regularity, so I do not agree that it is of no interest to the public.

The next point made by the Deputy Leader was that the public should be better informed, that we should not be debating the matter now and seeking to arrive at any final conclusion, and that the public and Parliament should have more time to consider it. From the Deputy Leader's point of view, that perhaps would not be a bad delaying tactic to adopt. I do not blame him for suggesting it. Indeed, I do not blame him for anything he says, because obviously he spoke from his own convictions, and I do not quarrel with any member who does that. However, I join issue with him on some of his comments, and on this one in particular. There is no matter that has come before this Parliament that I can recall where a greater effort has been made by its antagonists and protagonists to put the facts before members and the public.

Members have received in the last 12 months or so regular correspondence and reports on abortion from all sections of the community. Obviously, the public understands a great deal about it. This is evidenced by the petitions presented to this place. Those of us who have been here for some time cannot recall any time when so many petitions have been presented in such a short space of time.

The Hon. C. D. Hutchens: There is no doubt about that.

The Hon. G. G. PEARSON: The other day when a group of schoolchildren from Eyre Peninsula was visiting Parliament House I told them of the number of petitions coming to the House and the manner of their presentation. I had to tell those children that I thought that probably for the first 15 years of my experience in this place a petition was a rarity and a novelty. We never saw petitions or heard of them, but in the last year or two we have had many petitions presented, and on some days as many as four petitions have been received.

Mr. Clark: This could well be a good thing.

The Hon. G. G. PEARSON: I agree. I think that petitioning Parliament is possibly a method of informing members what the public wishes them to know. This provision in Standing Orders has not be availed of to the extent that we may have liked, but it is a way by which the public lets us know what they think about a certain matter. It is a perfectly logical, sensible, and proper procedure to be adopted. I am not quarrelling about the

number of petitions that have been received, because I believe they have given us an idea of what the public are thinking. I have presented one or two petitions on this matter and, being a country member, I have looked at the signatures and found that I know personally most of the people.

People for and against the question come from no particular section of my electors: they are not confined to any church groups, although some of them have signed as being members of a certain group, but mostly they are citizens of my district whom I know hold varied political views and varied religious beliefs. They have felt constrained to express their opinion to me for presentation in this way. The Deputy Leader's contention that this matter needs more consideration cannot, in my opinion, be substantiated.

As to other material coming into members' hands, we have received so much that it has been impossible to read it all. It has come from supporters for both sides of the question, and it has come from people with high qualifications in the medical, psychological, religious, and academic fields, as well as from many citizens with ordinary emotions and reactions such as would be expected in the humblest person amongst us. We have received expert advice and we have been told of the feelings of the average citizen. I have discussed this matter with many people whose opinions I value: I have discussed it with several women and with many men, and I believe that my findings are in accord with the results of the Gallup poll. Very few people have told me that they totally oppose this legislation. Some have told me that they oppose it, and those who oppose it are generally strongly opposed to it.

I believe that no good purpose would be served by delaying this matter in order to obtain more information. We have had so much information now that, whatever one reads of the pros and cons, they seem to cancel one another out. Latterly, I consider that not much new matter has been brought before us.

The Hon. C. D. Hutchens: Recently it has been repetitive.

The Hon. G. G. PEARSON: Yes. So, it is proper that the matter should be considered and that we should make a decision on it. It has been argued that abortions are taking place in this community and that we should therefore take action to legalize them. However, I do not argue for this Bill for that reason. I have never argued on that premise in connection with any social matter. I strongly believe, and I have said so before, that legality is not morality. We have made a mistake along these lines in connection with more than one social measure.

We may try to console ourselves that, if we make a thing legal, it is all right: however, it is not all right. We should not liberalize a law simply because someone is breaking it—not at all. However, I believe the Bill is remedial in other respects. I regret that it is necessary to consider it at all. I take the same view in regard to much legislation that comes before this place.

Not long ago, when I prepared an address for a certain church organization on the subject of law in the community, I felt constrained to point out that, if the community acted responsibly, morally and properly in regard to its own self-discipline and its own conduct, we could wipe out half the Statute law on our books; we could sack half our policemen and find them something more useful to do; we could reduce the volume of work in our law courts by 50 or 60 per cent; we could abolish practically the whole of our criminal law and much of our commercial law; and we could turn our gaols into hospitals and some other institutions into more useful places. We could do all these things if we were prepared as a community to exercise our liberties responsibly and morally without being coerced to do so. Therefore, I regret that it is necessary to consider this Bill at all.

If men and women exercised their functions of procreation and the privilege of parenthood responsibly there would be no need to consider many facets of this Bill. There are men in this community who subject their wives and womenfolk to all sorts of indecencies at times when they are partly inebriated or otherwise; they have no regard at all for the feelings of their spouses at that moment, and a pregnancy results. There are some women who solicit and entice and are not worth the name "woman".

Neither of these types of person are fit to be parents but the fact remains that they are parents. Consequently, we spend half the time of this Parliament in trying to make good the results of people's irresponsibility. Nevertheless, I believe this Bill is remedial. As the Premier said yesterday, it does not place any degree of compulsion on any person and it does not oblige people to act contrary to their consciences. It does not in any way offer a release to them from what they in their own

minds feel is wrong and it does not intervene, in the public sense: it is a private matter for each person involved.

Reverting to my first point, if I held the same view as some members hold (namely, that it is an act of murder to perform an abortion in the early stages of development), I would not be supporting this legislation, but I do not believe that. The law does not believe it, either, in other respects. We do not require the registration of a stillborn child or that it shall be subjected to the examinations and certificates that apply when a person dies after life has commenced. We do not take the same view in law of a stillborn child as we do of a child born alive. Here, I assume that the law already accepts the view that a life is not a life until is is capable of a separate existence. That is my view and, if I am wrong, I shall be judged in due time. Therefore, I accept the situation, as many others accept it, that there are reasons why these operations should be performed properly, and I support the measure to that extent.

Earlier I said that I was opposed to abortion on demand, but that is going a step farther than the social clause, to which I am not opposed. This is not a matter either for emotionalism: it is a matter for mature and careful consideration and I therefore support the Bill because I consider that it will do considerable good in the community and not impose compulsion on anyone. I consider that it is justified in any circumstances and I repeat that it is a matter for the medical profession to decide, not the law. After all, we trust our medical advisers in almost every matter concerning our health. We do not question them if they say our appendix needs to be removed or if they advise a hysterectomy, which means the end of child-bearing, as I understand it. We accept our doctors' advice on operations on ourselves or on members of our families which they clearly indicate may be a matter of life or death, and there is no guarantee of a successful operation, or even survival during it. In extreme cases we must accept their advice. Is there, then, anything wrong in saying that this is a matter for the medical profession to decide, without the law interfering in its rather blundering way? I support the Bill.

Mr. McKEE: With previous speakers, including the Treasurer, I agree that this is possibly the most serious piece of legislation to come before this Chamber in many years and that we should express our opinions on the matter rather than register a silent vote. It is unfortunate that such legislation is before this place but, seeing that it is, we have to deal with it, and we have to make a decision. I do not suppose it matters much what decision one makes, for one cannot please everybody. Nevertheless, it is our responsibility to decide this issue, and I have risen to speak, not wishing to register a silent vote. With the Treasurer, I am of the opinion that this should be a medical matter. I am afraid that I cannot agree with previous speakers who have claimed that members should have had more time to consider this issue, for I am quite certain that most members have made up their minds regarding their attitudes towards this matter, having received much literature from all sections of the community over the past eight or nine months.

I believe that those who oppose the issue now have possibly always opposed it and would oppose abortion of any form. On the other hand, I believe that those who support this measure of reform have always been of the opinion that abortion ought to be legal. Some believe that abortion should be legal upon demand, while others support certain restrictions on reform. The people of this State have for many years been subjected to some bad social legislation, and I believe that during Labor's term of office we solved many of the social problems that had previously existed in this State.

Many people believe that abortion should not be a matter for the law at all, and I am inclined to agree. With the member for Adelaide (Mr. Lawn) and the Leader of our Party, I believe that women should be free to make up their own minds on issues such as this. The member for Mount Gambier (Mr. Burdon) has said that the present law is not preventing abortion. Indeed it is obviously a bad law that has never been able to be policed correctly.

Mr. Corcoran: There is no law.

Mr. McKEE: I think it is common knowledge that thousands of illegal abortions are being performed annually in this State, apart from the many that are performed elsewhere. Many of the abortions performed are dangerous and some are fatal, but the law, as it stands, is responsible for many of these dangerous and fatal abortions, because women seeking an abortion are forced to go to backyard abortionists.

I believe there is a need for reform of the present legislation. I think members will agree that there is no Government in existence that can enforce a law to prevent abortions being

performed, and that applies particularly to a law such as the one we are considering, because it is not only preventing abortions but is also preventing people from obtaining proper medical attention. Because of the consequences, qualified and responsible doctors are reluctant in some cases to perform an abortion. Therefore, because of circumstances, people who have a real problem and believe it is necessary to have an abortion are forced to go to a backyard abortionist and can finish up seriously ill as a result of not receiving correct medical attention. I believe that people generally support this reform, and I base this opinion on the fact that, of the many letters I have received, more asked me to support the reform than asked me to oppose it.

Mr. Hughes: What about the petitions presented: wouldn't they be a guide?

Mr. McKEE: I suppose one has to take notice of them, although I have not been asked to present a petition. I have received letters from a certain organization, but it represents only a small minority of people in my district. On the other hand, I agree that that organization is entitled to its opinion; I have always claimed that the minority as well as the majority should be represented. As the Treasurer said, here we have a case where legality is not morality, and I think that sums up the issue fairly well. Members who have opposed the reform claim that they believe the foetus is a human being from the moment of conception and that abortion is much like murder. I doubt whether that belief is widely shared; I think that is more of an opinion than a fact.

Mr. Corcoran: Why?

Mr. McKEE: I think it is merely an opinion regarding when life begins. We have heard several speakers on this matter who have expressed different opinions. I am inclined to agree with the Treasurer that life begins when the embryo can survive on its own. Some people believe that the foetus is a living human being from the time of conception, as it lives through oxygen received from its mother. Others say that it is not a human being until it sees the light of day. There are several opinions about the matter, and I will not try to convince the Committee that I am right in my opinion. I do not think women treat abortion lightly: I think it is something to which they give much thought. Responsible women particularly would not undergo such an operation lightly, and I think they are the people we should consider. I do not think they should be asked or expected to have an abortion performed by some backyard abortionist at the risk of their life. That is why I support the Bill in principle.

Mr. WARDLE: I find myself in the position that the member for Gawler (Mr. Clark) has mentioned many times recently. I do not know whether it is because of his later years in Parliament that he is in this frame of mind but he has often said, "I did not intend to buy into this argument but, because of this, that and the other, I feel constrained to speak." I cannot say I was necessarily going to buy into this argument, either, until the member for Wallaroo (Mr. Hughes), following an interjection of mine last night, called for what he termed the theological view to be stated. As far as that is concerned, it would take all night and all tomorrow to state the opinions of those who hold strong convictions about abortion, ranging from the extreme conservative view to the extreme liberal view, from the strictest Roman Catholics to members of the Abortion Law Reform Association, who could be (and there are some) dedicated Christian people. So in this tremendous range of attitudes there are people who honestly believe that they are following the interpretations of their conscience, which has been sharpened by their belief in the Christian faith. So, to say that the theological view should be stated is completely inconsistent. It can, of course, be stated but, when it is stated, it is stated purely from the interpretation of the point of view of that particular individual.

When the member for Mount Gambier (Mr. Burdon) said that abortion was against the views of Christianity I could not agree with him (although I very much respect his opinion) because in this particular order of those who have and base their opinions on their Christian beliefs we find that there are many people who believe in abortion in one form or another. I appreciated the expression of opinion by the Deputy Leader of the Opposition (Mr. Corcoran). With great respect, I say that it is indicative of the stand that he and people of his religious conviction take. I notice from the committee's report that his view is consistent with that submitted by letter by the leader of the church in this State. I thought it unfortunate that the Deputy Leader had to make the remark he did to the member for Hindmarsh. While I am by no means prepared to go to the extent that the member for Hindmarsh is prepared to go, I say again that a

man makes his decision in all conscience, and what prompts him to believe in this sort of thing is his experience in life plus his interpretation of the Christian faith.

So we must accept, both in this place and outside it, the fact that a tremendous variety of opinions on this matter is to be found amongst men and women who conscientiously believe the opinions they hold because of the dictates of conscience and the interpretation they place on the pattern of Christian living. My view could be said to be middle of the road, and it could be said that I am having 20c each way, but before the opinion of my church was expressed in the form of a circular I had made up my mind about my attitude. I am not prepared to support the Bill as it is at present nor all the amendments submitted by the Attorney-General. I shall support the amendments of the Deputy Leader with one change, that is, the substitution of the word "serious" for "grave". I will give the reasons later for my opinion. It was said by several members last evening that the people of South Australia did not want any change. The present law provides:

81. (*a*) Any woman being with child who, with intent to procure her own miscarriage, unlawfully administers to herself any poison or other noxious thing, or unlawfully uses any instrument or other means whatsoever with the like intent; or

(*b*) any person who, with intent to procure the miscarriage of any woman, whether she be or be not with child, unlawfully administers to her, or causes to be taken by her, any poison or other noxious thing, or unlawfully uses any instrument or other means whatsoever with the like intent,

shall be guilty of felony, and liable to be imprisoned for life.

82. Any person who unlawfully supplies or procures any poison or other noxious thing, or any instrument or thing whatsoever, knowing that the same is intended to be unlawfully used or employed with intent to procure the miscarriage of any woman, whether she be or be not with child, shall be guilty of a misdemeanour, and liable to be imprisoned for any term not exceeding three years.

That is the law in the State at present, and there are no exceptions in the Statute. I am amazed that, when discussing this matter with people, they tell me that they are happy about the codification of the present practice. When asked what that is they usually say that an abortion is permitted when the child is likely to be born malformed, when the mother has suffered from rubella measles and the child will not be normal, or where the medical practitioner considers that there will be a tremendous strain on the family's resources and the health of the mother. We are all closely associated with life and people and know that these things are being done today. I rather wondered whether the member for Wallaroo was really in touch with common practice when I heard what he said, because we know that these things are factual. When we point out to people what the law actually is, they usually say that they did not realize that that was so.

Mr. Corcoran: Have you studied Bourne's case?

Mr. WARDLE: Yes, and it is obvious that this whole question hinges on that case. But should this practice hinge on Bourne's case year after year? People have presented petitions to Parliament and about 75 per cent of them, which means nearly 13,000 signatures, want a codification of the present practice. We know what the present practice is, but do we want it codified? If we want to codify it, I believe that it is necessary to legislate for what is now being practised. However, in doing this there is a very great danger of widening the present practice. This is why I believe it is necessary to carry the amendments to new section 82a foreshadowed by the member for Millicent, except that the provision should end at the word "woman" and "grave risk" should be inserted instead of "greater risk" or "dangerous risk".

If it is codification that we want (and I believe our petitioners have clearly said that they do want it) then this Committee, in codifying the present practice, will at least be achieving something and will at least be taking away the risk that every medical practitioner faces when he aborts or performs a curette. The Attorney-General, when speaking on this provision yesterday, outlined the position of the many groups that have expressed their opinions to members. Because the opinions of the religious groups vary from one extreme to another, it is impossible to agree with all of them. This is why I believe the type of amendment I have described fits my interpretation of what this Committee should do. I support the Bill to that degree only.

Mr. CASEY: This is probably the most important measure that has been dealt with since I became a member of Parliament. If passed, it will profoundly affect the future citizens of South Australia. The evidence placed before members has been so overwhelming that it has been almost impossible to sift through it. The whole crux of the matter is this: do we want to protect the life

of an unborn child? Over the last 12 months many people have said that this question should be brought before Parliament, where it can be thrashed out. I have listened to the arguments raised in this Committee, but some members have shifted their ground so many times that it has become very confusing. They have tried to bring sectarian issues, and even political issues, into the debate. They have used every ace in the pack to try to further their arguments about the benefits that society may derive from legalizing abortion in this State. I do not hold with that theory. As I have said previously, I consider that the whole crux of the matter is: are we to ignore the unborn child? The Treasurer said tonight that he did not think this was a legal matter, but I disagree with him. I think it is a legal matter and I think that the Faculty of Law at the University of Adelaide has said so in no uncertain terms.

Mr. Corcoran: The Attorney-General can tell you that international law recognizes the rights of the unborn child.

Mr. CASEY: I think the Attorney knows that the whole basis of common law accepts, and always has accepted, the principle that the rights of the unborn child must be protected. How on earth people can ever contemplate for a moment that an unborn child in our community has no rights is beyond my comprehension. I remind members that if the Bill in its present form had been passed 50 years ago there is a possibility that very few members of this Chamber would now be here. This shows what a far-reaching measure it is. I treat this as a very serious issue. I hope that every individual member contemplates that point. It is no folly; it could be a fact.

We pride ourselves that we treasure life very dearly. We see posters in the streets of Adelaide today asking us to give to certain organizations so that peoples' lives will be made better. The Heart Foundation has a slogan "Give so that more will live". We accept that, yet we will be doing just the opposite if we accept the Bill. The destruction of life in the Second World War was estimated at about 55,000,000 people, or about 9,000,000 each year. Recently, the United Nations held a conference at which it was stated that about 30,000,000 people are killed every year as a result of abortions. That is a staggering figure. With our permissive society, Lord knows where we will finish up if we allow this Bill to pass. The whole issue centres around the question whether we are going to allow people to destroy human life. After all, there is a beginning to everything. Everyone of us had a beginning, having come through the stages in the woman's womb, and this has been specifically referred to frequently in this Chamber this evening and yesterday. It seems to me that it is absolutely ridiculous not to accept the fact that the foetus is a human life.

I remind honourable members that we are experiencing throughout the world today a technological age in which great strides have been made in miniaturizing all types of thing, including transistor radios and cameras, etc. (one can probably quite easily name dozens and dozens of these things). It is because of this break-through in the technological world that nations have been able to explore outer space to the extent that they have, and in this magical age of miniaturization we actually have a clear example of the beginning of a human life. Although knowledge of this has always existed, we have not always recognized it. When can one say that the foetus is not in any stage of development? The foetus goes through the whole period of development, and anyone who suggests it is not a human being is being irrational and probably atheistic. I honestly believe that such a person does not believe in God, and this is one of the arguments advanced by the exponents of abortion reform. They call themselves non-believers, and that is all right; they are entitled to their opinion.

I think our society as a whole ought to have a really good look at this matter. Members have referred to Gallup polls conducted on people's views on abortion. I will not query the Gallup poll in question; I do not know who actually conducted it or where it was conducted; nor do I know what questions were put or to whom they were put. However, earlier this evening I received a letter from a lady who, being concerned with this matter, took it on herself to conduct a poll in her neighbourhood. She spoke to about 100 people, 69 of whom were willing to sign a petition against this measure and, as 12 said that they had already signed with their local church group a petition against the Bill, the figure is increased to 81. There were 12 who favoured abortion or had no view on the matter, and 15 were undecided, asking the lady to come back. She did not go back. That is a small poll that this lady took in her neighbourhood.

Mr. Corcoran: It was in Adelaide, wasn't it?

Mr. CASEY: Yes, and she took it only recently.

The Hon. C. D. Hutchens: Wouldn't the Gallup poll be just as reliable?

Mr. CASEY: I do not know, but I put forward the results of this little poll as being completely authentic, and they show that 81 per cent, and possibly even more, are against this Bill in any circumstances. The Premier said that this measure was a matter for the conscience of each member. I do not want to criticize individual members, so I hope they will not take what I have to say as a criticism of the individual. However, I want to get a few things straight, for I do not believe that this is a matter for individual conscience at all. The time for a decision of conscience is before the actual conception. That is when people should use their conscience and realize what they are letting themselves in for. After all, we have a big responsibility to the community, and people know the score and are not stupid. They know that, if they engage in sexual relationships and do not take preventive measures, things will follow a natural course. They should use their conscience before the act and not after the deed is done.

The Premier made a few statements with which I could not agree at all. Although he said he supported the Bill, I do not think he had really considered it. I do not think he had considered the fact that what he was legalizing involved the taking of human life. I do not know whether he believes that the unborn child is a human being, but the whole discussion centres around this matter. The Minister of Education got a little confused because she said she supported clause 3 because it provided for a decision to be made by two medical officers, one of whom would be either an obstetrician or a gynaecologist, but of course that is not the case in the Bill, though it is provided for in an amendment on the file. That complicates matters, too. When the Bill was first introduced I said that in no circumstances would I go along with the Attorney-General when he said that any two medical practitioners could make the decision whether the woman requesting an abortion was suffering from mental or physical disability as a result of her pregnancy. In no circumstances would I accept that, because we would be leaving the door wide open. Even the people who have been pushing for abortion law reform realize that there are doctors in our community who are lacking in medical ethics, to say the least. That has been openly stated. There is nothing to stop two of them from setting up a practice and creating an abortion centre that would be a slur on our community. When abortion law reform was accepted in Britain, the *Advertiser* of July 5 of this year had the headline, "London, Abortion Capital of the World".

Mr. Venning: But we are not dealing with that now.

Mr. CASEY: I know that, but much of this Bill is based on the Bill introduced into the House of Commons in England. I am pointing out what could happen here in South Australia. If this Bill is accepted, I can see a repetition of that headline here—"Adelaide, Abortion Centre of Australia". The article of July 5 states:

"The abortion capital of the world"—that's the label causing a storm in London today as fresh disclosures of charter flights, hotels, and a taxi link-up for overseas girls are made by M.P.'s, newspapers and doctors.

Conservative M.P., Mr. Norman St. John Stevas, who is seeking reform of the abortion laws here, which permit any doctor to perform an operation to terminate pregnancy, said last night it was "disgraceful" that London had become the abortion capital of the world.

New findings reveal:

One hotel in London, run by a woman of Polish descent, since last September has had 700 to 800 pregnant girls staying there while awaiting operations.

In Copenhagen, a Danish women's rights organization is planning charter flights to London for women wanting abortions. The Individual and Society Organization already provides girls with the address of a London clinic where they can have an operation for £85 ($A181.90), plus their travel expenses.

I could read more but I merely wanted to point that out to members. They can see this copy of the article if they want to. That is the position in the United Kingdom today, and that will unquestionably be the position in Adelaide if this Bill in its present form becomes law. Two members who have already spoken have said that the woman should have the right to decide whether or not she should be aborted. Why should the woman have the right to decide that?

Mr. Venning: Why not?

Mr. CASEY: Because, under the existing law of this State and this country, one can kill a person only in self-defence.

The Hon. Robin Millhouse: Is that right?

Mr. CASEY: One can kill people in wartime, too. One can kill anybody, as far as that goes, but he will be tried in a court of law.

Of course, one would have to have a good answer to the charge to show that one's act was in self-defence. Whatever the argument used, we must return to the fundamental principle that we are destroying a human life, and that is what some people would want the mother to be able to do. What is the difference between a child in the womb at, say, seven or eight months, and a child that is taken by a Caesarian birth at seven or eight months and lives? Although this child has not been born, does that make the question any different? I do not think it does, and I see no logical reason to think otherwise.

With the Caesarian birth of the child at eight months it automatically becomes a citizen, but a child at eight months of pregnancy is not recognized as a citizen, and some people claim that it is not a human being. In order for something to grow it must have life: if it does not have life it cannot grow. It does not matter at what stage of pregnancy it is, whether the first or last week; if the foetus has no life it will not grow. No-one can differentiate at any stage that what is in the womb is not a human being, and no-one will convince me otherwise. I hope that members will give this matter much thought, because it is the whole crux of the question. The Minister of Education claimed that there are possibilities of abnormalities occurring to the unborn child during pregnancy. This is true, and rubella was referred to. An article written by an eminent gynaecologist in London states:

The commonest situation in which abortion is demanded is when a pregnant woman has suffered an attack of rubella in early pregnancy. Our present knowledge justifies the statement that the rubella virus can now be accurately defined by laboratory testing. Since there are many virus infections which can mirror rubella exactly but which do not produce foetal deformity, laboratory confirmation of the diagnosis must be considered indispensable if valid conclusions are to be drawn. At least 80 per cent of the women in the community also possess antibodies to rubella virus and are therefore not susceptible to infection. The attack rate in the 1964 epidemic (a particularly severe outbreak)—

I think it was mentioned last evening—

was four women in every 100 pregnant women. It is suggested that this is 10 to 100 times the incidence in non-epidemic times. When laboratory tests confirm that a woman did suffer from rubella in the first two months of pregnancy, there is a 60 per cent to 90 per cent likelihood of the foetus also being infected. The effects on the foetus are varied and unpredictable. Even when blood tests confirm infection in early pregnancy, a certain number of normal children will still be born. Moreover, not only can a doctor not predict whether a given baby will be involved, he is also unable to predict what type of deformity will occur. Certain defects are correctable surgically. Other children, even though handicapped by their defect, are capable, with proper education, of living a satisfying life. Vaccines against rubella are now under trial, and present indications are that the rubella problem is on the verge of total solution.

These are some of the advances now being made in hospitals throughout the world. We are gaining ascendancy in correcting deformities. Some friends of mine, after their first child was born deformed, were advised not to have any more children, because the basis of the deformity was hereditary. However, the doctor who gave this advice was completely wrong, because more children have been born in that family and they have been completely normal. It is difficult for Parliamentarians to give a definite answer to this question. Even eminent medical men cannot provide an answer. Perhaps people will say that, if an unborn child appears to be deformed, it should be destroyed. I wonder whether this attitude will inevitably lead to euthanasia; I think it could.

If X-rays in a late stage of pregnancy reveal that a foetus is deformed, further questions arise, because sometimes deformities do not fully affect a child until he is two or three years old. Of course, thalidomide babies were born without arms and legs. Who is to say that a certain deformity will deprive a child of the opportunity of leading a normal life? Deformed people have testified before committees that they value their lives and strongly resent the suggestion that unborn babies with deformities should be aborted.

Members who have spoken in favour of the legislation should give it much more thought because it will affect adversely the lives of many people. It is all right to say that we are getting more unwanted pregnancies in the case of young girls, but one should consider what happens in Sweden. Sweden has always been recognized as perhaps the most permissive country in the Western world but, even there, it is difficult to obtain an abortion because pregnant women must appear before a committee. There are certain other countries in the Western world that are even more permissive than Sweden. For example, in Poland, which is now under Communist domination, women can get abortion on demand. I believe that the same situation applies in Hungary and Yugoslavia and that abortion on demand is easily obtained in some Scandinavian countries, but these countries are now realizing that they must re-examine the situation.

We have not looked at our problem as a social problem and we do not intend to do anything to help people end the predicament wherein abortion is a means to an end. The problem often faced by the unmarried mother is that of earning enough money to be able to support herself and her unborn child. Probably most young girls today wish to have their child—and why not? If they do not want to keep the child there are always many people who are willing to adopt a baby. In Sweden, an unmarried mother can obtain aptitude tests, vocational counselling, and, if necessary, retraining. While in training she receives a basic stipend of $80, money for her rent, from $10 to $35 for someone to take care of her child during the day, transportation money (about $8 in Stockholm), and a $3 clothing allowance, plus the regular child contribution of about $15 a month. In addition, she receives a regular allowance from the child's father, depending on his ability to pay, of a minimum of $22 a month. If the father is unwilling or unable to pay this sum, or if he cannot be located, it is paid by the child welfare board. A welfare officer is in charge of all these unmarried mothers, and I think we might learn much from this and rectify the situation by social means rather than by means of this Bill dealing with abortion. I think this is a wrong measure altogether. I oppose the Bill, and I sincerely hope the Committee will reject it, just as I hope, when the third reading is reached, the House will reject it.

Mr. McANANEY: Having listened intently to most of the speeches made so far, I have been left bewildered to the extent that I have learnt that people who I thought were Conservatives have turned out to be radical extremists on this matter. On the other hand, others, including me, who have supported certain social measures previously, are a little reluctant to go the whole way on this Bill. I think I can claim to be a cosmopolitan person, having lived and worked in many jobs in the city and the country, as well as having been around the world. Indeed, I thought I had a broader view than that of most people and that certain people had narrower views than mine, yet on this measure certain people seem to have gone farther than I would go.

There are certain principles to which we must adhere. We in Parliament pass laws for normal people to carry out normal procedures. Having supported betting legislation previously, I do not think betting is a crime in any way or that it affects anyone who is not interested in it. A person who may have money in his pocket goes along to the races, while another person is equally willing to hand over his money in some other way. It cannot be said that, because one person may not be able to control himself and may go too far in this regard, other people should not be allowed to bet. We are actually legislating for the majority of the people and, in passing the law relating to the Totalizator Agency Board, we assumed it would apply to people who bet in moderation. This applies also to legislation regarding drinking facilities. Nothing is more pleasing on occasions than to sip a glass of red wine, yet a person who goes to extremes in this regard is often in trouble. Having lived possibly for a great many more years than I should like to add up, I believe that our real enjoyment and pleasure comes from sipping the cup of life.

Here, we are legislating to provide a facility for people who have not lived up to certain standards as I think they should have. I think the member for Onkaparinga (Mr. Evans) said that many people have children by accident and not by design. My wife and I had six children by design.

Mr. Evans: I didn't say that all children were by accident.

Mr. McANANEY: The honourable member suggested that people could not say which children were by design. However, overall, my family was by design, and I think this is the case with the average family. Now it is maintained that in certain cases we should make abortion easier. I believe people enter into a contract to bring children into the world, and by my standards contracts should be honoured. When two people decide to enter into a relationship they should meet the obligations involved in it. These types of standard are being broken down in other ways than by this Bill, and we are getting into a more permissive society. I can hardly think of anything in this world that I have not tried in moderation.

I will not join in the argument whether an unborn person is a human being at conception or not until the seventh or eighth month, because to me that does not make any difference. In a permissive society, it is easier for people to get out of their obligations. I do not think this is good for people as citizens, and for this reason I oppose the Bill in its full implications. It has been suggested this evening that in 10 years' time everyone will

want abortion reform, and perhaps we will degenerate to that extent in that time. However, as legislators, I do not think we should speed up the process.

Members have referred to the results of a Gallup poll in which people were asked whether they favoured Mr. Millhouse's Bill. I do not think the average person would know what was in Mr. Millhouse's Bill because, without being rude to him, he has changed his mind on it a few times, and I do not think people know exactly what is in it.

The Hon. Robin Millhouse: When did I change my mind?

Mr. McANANEY: I believe the Attorney-General included a provision in the Bill, whether or not he believed in it, so that the people of South Australia and Parliamentarians would have an opportunity to consider it. In his own mind the Attorney-General does not necessarily agree with that provision, and he has moved an amendment to it. The point I am making is that I do not think the average person, when asked this question in the Gallup poll, actually knew what was in the Bill.

The Hon. Robin Millhouse: The Bill is precisely the same as when I introduced it.

Mr. McANANEY: The Attorney-General in a public statement has given notice of an amendment. Many people do not know who is their member of Parliament, so I do not think such people would know the finer details of a Bill.

Mr. Clark: Everyone has heard them.

Mr. McANANEY: We hope so. The Attorney-General is a good Minister and a conscientious member of Parliament, and I do not question his integrity in any way. However, he made a statement to a newspaper and, with all due respect to the *Advertiser*, what appears in a newspaper is not necessarily what a person says. We can be easily misled. The last Australia-wide Gallup poll disclosed:

About two out of three Australians would make abortion legal when: a woman's mental and physical health is threatened, or pregnancy is the result of rape or incest, or the child is likely to have serious mental or physical deformities, or the woman is intellectually defective or mentally ill; but more than two out of three people would oppose making abortion legal because another child would gravely disturb the economic state of the family.

That is the ground that I am particularly against, and that is what I shall vote against. The medical profession is pledged by oath to protect life, but now, in new subsection (2), we are to make it decide on this social question:

Whether the continuance of a pregnancy would involve such risk of injury to the physical or mental health of a pregnant woman as is mentioned in subparagraph (i) . . . account shall be taken of the pregnant woman's actual or reasonably foreseeable environment.

I would be opposed to voting for a law as vague as that. What is the exact legal meaning of "environment"? I have mixed with wealthy people and poor people and have noticed that some of the happiest people are poor people with large families and that some of the most miserable people are wealthy people with no family. This Parliament has a responsibility in this matter. I will even have a shot at the Commonwealth Government now, in respect of its promise of a $200,000,000 decrease in income tax. That money should go to the family in either child endowment or greater maternity allowances to assist families. That is not in the Labor Party's policy. That Party promises everything but it does not implement the very thing that would secure my support. We have to make allowances to and assist the people who are prepared to have children and carry out their obligations. That is the way we should approach the problem: we should ensure that a family's environment is sufficiently good for children to be born into. We must educate the people. It astounds me that women seem to know so little about pregnancy risks. An article I have here states:

A survey of 200 Melbourne mothers suggests that possibly 65 per cent of Australian women risk becoming pregnant before they marry. The survey of women delivered at the Queen Victoria Hospital in Melbourne shows that 142 of the 200 (or 71 per cent) admitted to premarital intercourse. Of these, only 11 had used effective contraception, leaving 131 (or 65 per cent) who risked premarital conception.

Yet we are to pass a law to allow those women to do certain things because they have not been trained or educated in the facts of life. This is almost unbelievable. The article continues:

The women in the survey were drawn from the lower social class and 76 of them had no knowledge of birth control.

Seventy-eight said they did not know pregnancy might follow intercourse.

We have to consider this aspect, but surely our education system is basically wrong. This is not the Minister's fault, but people should demand that this type of education be made available rather than assailing members of Parliament with literature asking us to do something that each person has to determine for himself. We must not have the situation, which exists in some countries, where there are more abortions than births. If a decision has to be made between the life of the mother or

possibly a child being born, that decision must be made to save a life. It has been suggested that rape occurs in marriages, and I believe that this can happen. However, that is quite different from the case of a girl being set upon by a gang of louts.

Hundreds of doctors in South Australia will have to interpret this legislation, and there may be different standards of interpretation. It has been suggested that we cannot legalize these matters but, if the law is stated clearly, a standard is established and it can be maintained. The doctor should make a decision about the health of the patient and, if it is necessary to do a certain act, he should then decide to do it. I know of one case in a country district where a woman had a heart operation but the doctor did not tell her that she should not become pregnant. She became pregnant, and after six months she was told that it was not safe for her to have a child and she had to be aborted. These should be reasonable grounds for an abortion. However, when we talk in general terms about such things as environment, it is a different matter, and I cannot support the Bill to that extent.

Mrs. BYRNE: This is a subject that 10 years ago was rarely talked about, yet we are now discussing it in Parliament and deciding whether or not there should be any reform in this direction. Like other members, I have received petitions and representations from various organizations and individuals, some in favour and others against. This problem must be faced because it is currently concerning the community. I gained the impression that some members would like to close their eyes to it, but the time has come to make a decision.

What type of woman is likely to seek an abortion? When a woman is married and finds herself pregnant, in many cases the child may not be wanted because there are already several children in the family and the parents cannot afford another child. Because the husband blames the wife, this leads to tension between the marriage partners, and arguments follow. Again, a married woman may find herself pregnant but she knows that she has a heart condition or a kidney condition that means that she should not bear another child. She goes on because she must do so, but it leads to depression and nervous tension, and that is not in the interests of the home and the family.

Of course, a married woman is in a much better position than an unmarried woman. If an unmarried woman is pregnant she immediately feels humiliated and is faced with the question whether she should tell her parents. Sometimes a woman in this condition suffers a nervous breakdown through the humiliation and worry. If she tells her parents and if the father of her child is willing, a hasty marriage is arranged. Many such marriages are happy and lasting, but some break up because there is resentment by both parties.

Sometimes the marriage partners are young and immature, and the woman marries a man whom she does not really care for. Another reason for such marriages floundering is that the partners are immediately faced with financial difficulties because they have married long before they had expected to. If a woman decides not to get married or if the young man refuses to marry her, she can decide to keep the child herself, and she frequently does this. In some respects, it is hard for the child because it normally lives in the home with the mother and its grandparents and often it grows up thinking that the grandparents are its parents. Later, the child will find that this is not so because invariably the truth comes out. The young woman may meet someone else she desires to marry; she brings him home to the house where the child is living, and she immediately faces the prospect of losing him. It is not a pleasant experience for the man, either. One can understand why, in some cases, the young man discontinues the association. The single woman can decide to have her child adopted, and she frequently does this. Often the parents will say to the young woman, "Well, we had better send you to another State quietly," so she crosses the border and, after she has had her child, she comes back and resumes life where she left off.

Perhaps she goes into a home for this purpose. These homes are really worth while, as they act as a shield between the young woman and the public. A woman usually goes into the home and does not come out again until she has had her child and it has been adopted. However, this causes mental stress at the time because the woman is faced with the decision whether to have the baby adopted or to keep it herself. Even at the last moment, when the woman is faced with the prospect she really does not want to have the child adopted. However, she often can

see no other way out because she cannot support it herself unless her parents are able to keep her in the later stages of her pregnancy.

At present, all that a young woman receives is social welfare payments for six weeks prior to the pregnancy. She cannot normally work for this period but must give up working when she is about four or five months pregnant, sometimes before that, because of ill health. For this reason, many unmarried mothers have their children adopted. A woman can have a legal abortion. We know that these are not supposed to be carried out in this State but we all hear things from time to time that none of us can prove. If a woman has enough money she can go to another State or overseas to have an abortion. This means that a wealthy person is able to get out of a difficult position whereas a poorer woman must have the child she is expecting. A woman can also have an illegal operation, but we all know that these are very dangerous and that sometimes the woman loses her life. This requires stealth and it requires money, because if one wants to do something unlawful one must have sufficient money to pay for the abortion. After all, abortion in this State is illegal and the person concerned is taking a risk.

Although we do not know how many illegal abortions are performed each year (it is really a matter of conjecture), the number is probably higher than we realize. I should like to think that this was not the case, because I do not think our laws should force women into this position, as is the case at present. A woman can try certain remedies herself to get rid of the child she is expecting. We have all heard of the various ways in which this may be done, and I do not intend to deal with that now, except to point out that this is dangerous, again, to the woman's life.

There have been cases even in this State of a single woman who, having borne a child, has felt such shame that she has murdered the child at birth. What a great tragedy this is, particularly when we realize that we should never allow a woman to get into such a predicament. I wish to refer to some cases that have come to my personal attention since I have been a member. In all truthfulness, I must say that in the four and a half years that I have been a member only one married woman has ever come to me asking whether I might suggest where she could go to have an abortion. This pregnant woman, who already had six children, did not enjoy good health and, with her large family, was in poor circumstances. However, I have had many cases of single women in similar difficulties who have come to see me. One single woman who was in her early twenties wanted to know where she could have an abortion, and admitted that she had got into the predicament originally through drinking. What she did finally, I do not know; frankly, I do not want to know whether or not she did bear the child.

Another woman, who was in her late thirties, was a widow and assumed that the man with whom she had been keeping company and who was the father of her expected child would marry her, but unfortunately he did not do so. Naturally, she was embarrassed, particularly as she was a widow supporting children and desired to continue in employment. Nothing could be done about her situation and naturally the woman had to go ahead and bear the child. In one case, a young man wanted to marry a young woman, whose father would not give his permission, with the result that the child was born out of wedlock, even though the young couple in question lived together. In another case, a young woman had her baby adopted at birth and refused to marry the young man in question, even though he was prepared to marry her. Indeed, he wanted to keep the baby, but our laws did not allow that. Although the young man's parents wanted him to keep the baby, it depended on the attitude of the young woman. In another case, a young couple were going steady, but the man, after the woman became pregnant, decided not to marry her and left the district. On another occasion, a prospective father returned to England, leaving the young woman in her predicament. Her mother was a widow with four other children to support, so members can understand the financial circumstances in which that particular family was placed. Then there is the worse case where a young single girl becomes pregnant to a married man with several children; then there is no hope of marriage or of the father supporting the child.

Although much is said about unmarried mothers, little is said about unmarried fathers, who seem to be a forgotten section of the community. However, in most cases the father feels under an obligation to marry the girl. Of course, some fathers who are studying have to leave school to go to work, and later they resent this. Others believe that the young woman has trapped them into getting married; they go ahead and get married but do not want to. Some do get married and have a

happy relationship, as I have said. In other cases, unwed fathers can find that a girl refuses to marry them. Then there are cases where a father does not marry the girl but accepts responsibility for the confinement and later supports the child, paying so much a week to the Social Welfare Department. As I have already explained, other fathers abandon the girl altogether. Some fathers cold-shoulder the girl and shrug off their responsibilities. Their feelings for the girl change when they find she is pregnant, and they do not want to marry her, anyway. Some young men deny they are the father. Others believe the girl was promiscuous and do not feel any responsibility towards her. Whatever the position is, whether the unwed fathers accept responsibility or not, in some cases this does have an effect on their personalities. They feel mental stress, and some have even been known to commit suicide. In the long run, it is a fact that the father of such children is usually forgotten about, whereas the mother, particularly if she keeps the child, has to face up to the situation, and it is always known that she has been an unmarried mother.

It has been suggested that perhaps the people who find themselves in this situation are victims of a permissive society, but I suggest that is not the case. The people concerned come from all walks of life, having had various types of education. These pregnancies are rarely planned, usually being the result of a moment of emotional and physical abandon. On other occasions, the pregnancy is a result of carelessness. In some cases a person's religious beliefs mean that he or she is against using contraception, while others have used contraception improperly, or have not taken any precaution, because they do not expect to have a sexual relationship in any case. In other cases, the girls have been careless because they expect and want the boys to marry them. In many cases, single women have been virgins and often it is the first full sexual experience for the father, so it can be seen that these people are to be pitied.

On a few occasions the pregnancy is deliberate, as the young couple keeping company have wanted to get married and have had the idea that if a pregnancy occurs their parents will give permission for the marriage. Then there are, of course, the worst cases of rape or incest. That matter has been fully discussed already. However, the real answer to this problem is not abortion but prevention. In fact, I think that the number of women who will have an abortion, even if this Bill is passed in its entirety, will be very small indeed. It is ridiculous to suggest that a woman, whether single or married, will allow herself to become pregnant and say, "It doesn't matter; I can have an abortion, anyway."

There should be free family planning clinics available to answer questions on all aspects of this matter to which both married and unmarried women could go and receive suitable advice on methods of contraception according to their consciences. It can be said that a woman can now go to a doctor and receive this advice, but single women do not want to do that. There is the problem of finding a sympathetic doctor, anyway. These free family planning clinics would remove much of the problem, and we would find that the cases I have mentioned would be practically eliminated. Summing up, I am confident that legalized abortion will not foster a permissive society and that, on humanitarian grounds, some reform in this direction should take place.

Progress reported; Committee to sit again.

APPROPRIATION BILL (No. 2)

Returned from the Legislative Council without amendment.

ADJOURNMENT

At 10.15 p.m. the House adjourned until Thursday, October 23, at 2 p.m.