

HOUSE OF ASSEMBLY

Tuesday, October 28, 1969.

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

DISTINGUISHED VISITOR

The SPEAKER: I notice in the gallery His Excellency Mr. Walter L. Rice, Ambassador for the United States of America. I know it is the unanimous wish of honourable members that His Excellency be accommodated with a seat on the floor of the House, and I invite the honourable Premier and the honourable Leader of the Opposition to introduce our distinguished visitor.

His Excellency was escorted by the Hon. R. S. Hall and the Hon. D. A. Dunstan to a seat on the floor of the House.

PETITION: COLEBROOK HOME

Mr. EVANS presented a petition signed by 50 members and friends of the Grange Methodist Church who strongly objected to the decision not to grant a licence to Colebrook Home to enable it to care for more than four children under the age of 12 years and to deny it the renewal of the lease of the premises and grounds. The petitioners prayed that the South Australian Government would be guided by the recommendation of the Parliamentary Select Committee on the Welfare of Aboriginal Children that the home should be encouraged to expand its activities.

Petition received.

PETITIONS: ABORTION LEGISLATION

Mr. GILES presented a petition from 83 residents of the Summertown district who were associated with the Methodist Church stating that abortion, except to preserve the mother's life, was wrong in the sight of God. The petitioners prayed that the House of Assembly would not extend the present practice but merely clarify and limit that practice.

Petition received and read.

The Hon. B. H. TEUSNER, at the request of the member for Ridley (Hon. T. C. Stott), presented a petition signed by 58 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.

Petition received.

PETITION: WESTERN TEACHERS COLLEGE

The Hon. D. A. DUNSTAN presented a petition signed by 3,480 students, teachers, and residents of South Australia stating that conditions at the present Western Teachers College had been publicly recognized as being inadequate for the training of teachers. The petitioners prayed that the House of Assembly would request that the Minister of Education state what planning had thus far been undertaken with regard to the construction of the new Western Teachers College; request the Commonwealth Parliament of Australia to make an immediate grant of money available in order that construction of the new college should commence without further delay; request the Minister of Education to make public the proposed commencement and completion dates of all phases of the construction of the new college; and make legal provision that the new college should be fully comprehensive by adding a "D" course, the only course not at present offered.

Petition received and read.

QUESTIONS

TRINIDAD BAND

The Hon. R. R. LOVEDAY: I draw the attention of the Minister of Immigration and Tourism to the desirability of taking all possible action to have in South Australia for the next Festival of Arts one of the leading steel bands from Trinidad. The performance of these people is outstanding and far superior to what is generally realized, and I am certain that the appearance of one of these bands at the festival would not only promote tourism but also would be a tremendous attraction to

all South Australians. Has the Minister any information about these bands; has he had any experience of them; and will he do all he can to support my suggestion?

The Hon. D. N. BROOKMAN: It is obvious that travel broadens one's knowledge and experience. I have not had experience of these steel bands; the only knowledge I really have of them is the *Advertiser* report of the honourable member's statement. I am still trying to work out the design of the instrument, and I am interested to know how the 44-gallon drum is cut up. However, it sounds an interesting and a most enlivening sort of activity. As I am one of those people whose hearing fails somewhat after being subjected to sustained noise, I will take a back seat if and when such a band arrives. I think, without having had any prior contact with the people in charge of the festival, that their programme is almost certainly already finalized; but, if it is not, I will see that the matter is put before them. If those concerned are in any doubt about the quality of this sort of entertainment, I will see that they contact the honourable member, whom I thank for the suggestion.

LOBETHAL ROAD

Mr. GILES: Has the Attorney-General obtained from the Minister of Roads and Transport a reply to the question I recently asked about resealing the road between Lobethal and the top of Forest Range?

The Hon. ROBIN MILLHOUSE: It is intended to complete hotmix surfacing of the Adelaide-Lobethal Main Road No. 12 during the 1970-71 financial year. Although the road appears rough by comparison with the recently surfaced section, it is in an average condition when compared with other roads carrying similar volumes of traffic.

WESTERN TEACHERS COLLEGE

The Hon. D. A. DUNSTAN: Today, I presented a petition from the staff, students and other persons interested in the Western Teachers College. Having been provided with information from members of the college staff, I point out that a letter from them that was published in the Adelaide *Advertiser* contained certain editorial elisions. The original letter, which was not published in full, contained the following conclusion that did not appear in the *Advertiser*:

We are forced to the conclusion that the department has no definite intention to rebuild Western in the near future and that we have

been deluded and deceived into thinking otherwise. We call on the Minister, therefore, to state publicly whether a new fully comprehensive Western Teachers College will, in fact, be built and exactly where and when this is to be accomplished.

I listened carefully to the Minister's statements in the House concerning proposals for the Western Teachers College, and it does not seem as yet that a definite time (or, indeed, a definite place) has been established for rebuilding the college. In view of the petition and of the obvious case that students and teachers at the college have in this matter, will the Minister of Education now make a special approach to the Commonwealth Government, which as a new Government is likely to be more co-operative or, as a reprieved Government, more chastened and malleable?

The Hon. JOYCE STEELE: I should like to answer a few points made by the Leader. The students of Western Teachers College sent me a copy of the letter forwarded to the *Advertiser*, so I had the full letter in my possession. I strongly disagree with the statement that they have been misled and deluded, and I forget the other term—

The Hon. D. A. Dunstan: Deceived.

The Hon. JOYCE STEELE: —because ever since this Government took office it has proceeded with all possible speed to try to solve the problem of building a new Western Teachers College. In a complete statement in this House in reply to a question about teachers colleges, I pointed out that active negotiations were proceeding at present to acquire property at Holbrook Road, Underdale. Unfortunately, in the midst of these negotiations (and I am sure the Leader will appreciate that matters concerned with the law do take time) the solicitor for the owners of the property died. I am given to understand that he had the full facts at his disposal, and the fact that the owners have now to find another legal man to act on their behalf has delayed the negotiations still further. The Government intends to proceed with the building of the Western Teachers College as soon as possible after the acquisition of this land has been finalized. In the meantime, because we have funds from the Commonwealth Government at our disposal, we have decided to proceed with the building of the Eastern Teachers College. As the Leader and other honourable members know, this project has already been referred to the Public Works Committee, and as soon as we have the green light we will go ahead.

In the interim, we have reduced the number of enrolments at the Western Teachers College, provided improved conditions and facilities, and made the accommodation more satisfactory by sending student teachers to other colleges. This will not reduce the number of places for student teachers, but it does mean that accommodation has been reduced at the Western Teachers College.

I point out that the Opposition must bear considerable blame in this matter in that, when it assumed office as the Government in 1965, it announced dramatically that it would build a new Western Teachers College on the Adelaide Gaol site. Having found this to be impracticable because, before that could be done, a new site had to be found for the women's gaol, the remand gaol and for a gaol to house other prisoners in the Adelaide Gaol, the then Government did not proceed further, and absolutely nothing happened between the time of that announcement and the time we took office.

The Hon. D. A. Dunstan: That is completely untrue, and you know it.

The Hon. JOYCE STEELE: I will amplify this. A committee that was set up reported to the previous Government that no site was available for the remand gaol and the women's gaol.

The SPEAKER: Order! I cannot allow the Minister to start debating the answer.

The Hon. JOYCE STEELE: My answer to the Leader is that at present, in conjunction with the other States and under the same terms of reference, South Australia is preparing a survey that will be presented to the Commonwealth Government; one of the terms of reference will embrace the subject of the teachers college. Therefore, when this survey material is ready and the States can go to the Commonwealth, the need for a new Western Teachers College will be brought forcibly to the Commonwealth's attention.

BOOLEROO CENTRE HIGH SCHOOL

Mr. VENNING: Has the Minister of Education a reply to the question I asked recently about a metalwork class for the Booleroo Centre High School?

The Hon. JOYCE STEELE: Because of special circumstances that exist at the Booleroo Centre High School, a recommendation has been made that the boys' craft building should be modified by the Public Buildings Department during 1970 to enable metalwork facilities to be provided. The purchase of equipment and materials will be considered during the preparation of the 1970-71 Estimates with a view to

including experience in metalwork in boys' craft syllabuses at Booleroo Centre High School from the beginning of the 1971 school year.

WHEAT QUOTAS

Mr. CASEY: As it is some weeks since I asked the Minister of Lands to inquire of the Minister of Agriculture when farmers would be told their wheat quotas, as the time of harvest is now very close, and as farmers are anxious to know when details of the quotas will be available to them, has the Minister of Lands a reply to my question?

The Hon. D. N. BROOKMAN: My colleague's reply, dated October 23, is that the Wheat Delivery Quota Advisory Committee of South Australia states that quotas will be finalized and distribution commenced by the end of October.

Mr. McKEE: Has the Minister of Lands, representing the Minister of Agriculture, a reply to my recent question about wheat quotas?

The Hon. D. N. BROOKMAN: The Minister of Agriculture states:

I have been advised by the Secretary of the Wheat Delivery Quota Advisory Committee that, contrary to the honourable member's belief, the committee will meet on Wednesday, Thursday and Friday of this week. It is expected that quotas will be decided and notifications sent to growers by November 10. This reply is dated October 27.

MARRIED STUDENTS

Mr. EVANS: A letter in this morning's *Advertiser* written by Mrs. P. N. Davis, of Goyder Street, Erindale, states:

Could the Government or the Education Department please tell me why a girl student, attending teachers college and university, loses her allowance as soon as she marries?

As this matter is of concern to me and, no doubt, to every other member of the House, will the Minister of Education say whether this is the position?

The Hon. JOYCE STEELE: I, too, noticed the letter in the paper this morning, and I am happy to reply to the honourable member's question. True, at present women students who marry while attending teachers college may continue as students but do not receive any allowance. Further, married women may enter teachers college as private students but without any departmental allowance. However, I recently announced that as from January 1, 1970, women who marry while at teachers college will be allowed to continue their course and, at the same time, elect to continue to receive the appropriate allowances.

Also, as from January 1, 1970, married women may elect to enter teachers college as departmental students and receive an allowance, or to enter as private students without allowance.

GREY TOWNSHIP

Mr. CORCORAN: On August 28, I asked the Minister of Lands a question about changing the name of the township of Grey, in the South-East, to Southend. I explained at the time that I had received a petition, signed by 101 residents or nearby residents of the township of Grey, which requested that the change be made because the town was a seaside resort and had always been known locally as Southend. The signatories also pointed out that the name of Governor Grey had been perpetuated in the county of Grey. After further discussion, the Minister promised to look into this matter. Can he now give me a reply?

The Hon. D. N. BROOKMAN: This is a difficult matter to resolve. No new circumstances have arisen since the original question was asked last year. It was decided at the time, for several reasons, that the name should not be changed: many titles are involved; these would all have to be changed, and there were several objections to this being done. On the other hand, I have much sympathy with the residents, but not on every argument they have advanced. One argument, incidentally, was that the name Grey was a rather unattractive name for a tourist resort, but it has been pointed out to me that the people of Coffin Bay are happy and not ashamed of the name of their town, which is an attractive tourist resort despite its name. Nevertheless, local usage is important and should be considered carefully. The honourable member has the adjournment of the debate on the Geographical Names Bill, which sets up machinery to deal with geographical names, and I expect that, if the measure becomes law, the committee appointed will be able to change names and validate the titles in the old names, not requiring all the titles to be changed. In that way, making a change would be much easier. In the circumstances, I think it would be better to leave the position as it is until the Bill has been debated. Then, if the measure becomes law, I think the matter should properly be referred to the new authority that will deal with geographical names, when residents can put their case to the authority for consideration.

MENGLERS HILL ROAD

The Hon. B. H. TEUSNER: Several months ago, when the Minister of Roads and Transport was in the Barossa Valley area of my district, I discussed with him the urgent need for attention to be given particularly to two roads there. The first road, from Nuriootpa to Tanunda, was wearing badly and, in my opinion, required resheeting. I am pleased that work on that project is in progress. The other matter I discussed with the Minister was the sealing of what is known as the Menglers Hill road. I have pointed out that this road is used extensively by tourists who visit the Barossa Valley, because from the top of the hill a bird's eye view can be obtained of the valley, that Canaan of Australia, which is the envy of less productive districts in the State. As I am anxious to know whether the Minister and his department have further considered this matter, will the Attorney-General ask his colleague whether the department intends to proceed with the sealing of the road this financial year and so connect Angaston and Tanunda by a fine scenic highway?

The Hon. ROBIN MILLHOUSE: After that explanation and eulogy of the honourable member's district, I wonder whether he should be the "member for Canaan", not the member for Angas. I understand that the Angas District flows with milk and honey, and also with wine and oil. I shall be pleased to take the matter up with my colleague.

PORT PIRIE FIRE

Mr. McKEE: Has the Premier a reply to my question about a fire that occurred at Port Pirie on October 11?

The Hon. R. S. HALL: As the member for Eyre (Mr. Edwards) and the member for Rocky River (Mr. Venning) also have asked questions about this matter, I shall regard this reply as being a reply to those honourable members also. Following an on-site investigation by the Chief Officer of the Fire Brigades Board of the fire which occurred at Port Pirie on Saturday, October 11, 1969, the board has considered the circumstances of this case. The fire was located out of district in swamp-type land and, as it presented no immediate threat, the officer in charge of the Port Pirie Fire Brigade instructed the appliance to return to the station in order to give the protection to the life and property of the town for which the brigade is primarily responsible. The board has instructed the Chief Officer to restate its policy to brigades in regard to the

attendance at fires on the boundaries of proclaimed fire districts, which should avoid the recurrence of an incident of this type.

PENOLA HOUSING

Mr. RODDA: Recently I have received correspondence from Penola people, drawing my attention to the need for the provision of further houses there. This need has been increased by the expansion of the wine industry at Coonawarra, and I understand that all people wanting houses in Penola at present are not being catered for. Can the Minister of Housing say what is the present position at Penola and whether future requirements are being considered?

The Hon. G. G. PEARSON: The honourable member raised this matter with me a short time ago, and within the last week or so the Housing Trust has inquired about the position and has now reported that it considers that the current building programme (which comprises 10 double units, 10 terraced pairs, and four single units) is adequate for immediate requirements. That programme is in hand and, in addition, four houses were completed at Penola during the last financial year. The trust is aware that, as industry in Penola is expanding, particularly the wine industry, additional houses will probably be required from time to time, and the trust will keep the situation fluid, examining the need from time to time. Of course, the trust must be sure that applications are firm and that housing is required, because sometimes circumstances change in country areas and the trust does not want to build houses that will not be required. On the other hand, it wants to meet requirements and it will therefore keep the situation at Penola under constant consideration.

SCHOOL FIRE CONTROL

The Hon. C. D. HUTCHENS: I refer to the fire control exercise held this morning at the Woodville Primary School, one of the older schools in the State and one at which, of necessity, timber frame classrooms are built adjacent to one another and other timber rooms have been built to accommodate students attending the hard-of-hearing centre. The committee and staff thank the Minister of Education for attending this morning and I think they would like to know the Minister's impression of the exercise, whether she considers such action would assist if a fire occurred, and whether anything further is required. Can the Minister comment?

The Hon. JOYCE STEELE: I spent a pleasant morning at the Woodville Primary School, with the member for Hindmarsh, in whose district the school is situated. The purpose of the visit was twofold: first, to visit the Woodville Primary School at the invitation of the honourable member; and secondly, to observe the exercise staged in connection with Fire Prevention Week. The part that schools in South Australia are to play in Fire Prevention Week was concentrated on at Woodville this year. Members will be pleased to know that the children who performed this emergency exercise were obviously conversant with the drill necessary for them to evacuate the buildings, and that teachers were well versed in the directions they would have to follow should an emergency arise. Fortunately, there has never been a fire at a school when the children are in class. The speed with which the students at the school performed this evacuation exercise was remarkable: the Headmaster told me that they did it in two minutes flat, although he hoped that they might break the two-minute record and improve on their present performance. It was a comfort to notice the co-operation afforded by the Fire Brigade and other officers associated with Fire Prevention Week who attended in full force. Through television and radio the people of South Australia will be informed that, by this exercise, all schools are in a state of preparedness with regard to fire prevention in schools. The second purpose of my visit was to visit the school and the speech and hard-of-hearing centre at Woodville, which was one of the first established in South Australia. It was a most successful visit and, if what we saw at Woodville this morning indicates the perfection with which children evacuate schools in time of emergency, we need not fear for the safety of the children in schools throughout South Australia.

SPEED BOATS

Mr. WARDLE: Has the Treasurer, representing the Minister of Marine, a reply to my recent question about licensing and registration of speed boats?

The Hon. G. G. PEARSON: When the honourable member asked me about this last week I told him that I thought it was unlikely that legislation to register and license speed boats could be introduced this session, but that I would inquire. I now confirm that it is not possible to introduce such legislation this session.

WALLAROO HOSPITAL

Mr. HUGHES: For a long time the Wallaroo Hospital Advisory Board has made representations through me to have air-conditioning installed at the Wallaroo Hospital. For the information of the Minister, the air-conditioning units have been installed at the hospital for some months but it was necessary to have a new main and a new switchboard installed to enable the units to function. Early in September the Minister of Works told me that all work would be completed by the end of September. Imagine my surprise, therefore, when, on attending a board meeting last Friday evening, I found that the work had not been completed. For some years, because of the hot weather conditions prevailing in that part of South Australia, the board has tried to have this air-conditioning operating, but its members have now become frustrated because of the number of delays that they seem to have thrust upon them following their representations. Will the Minister of Lands, on behalf of the Minister of Works, ask the Director of Public Buildings to treat this matter as urgent and to take all necessary action to have the air-conditioning units operating immediately, because summer is now here?

The Hon. D. N. BROOKMAN: I will give the honourable member a considered reply soon.

LAND SUBDIVISION

Mr. ARNOLD: I believe that the Lands Department has created a possible problem for councils, especially those in the Upper Murray areas, with regard to the subdivision of land for housing. I say this in a constructive and not in a destructive manner, because I know that the department has tried for years to provide housing blocks for people in these areas as cheaply as possible. I believe that the law prohibits private subdividers from disposing of housing blocks unless they meet the requirements as to kerbing, bitumen roads, water table, etc. This means that councils are faced with the problem of having to carry out this work but, apart from moiety, they have no other way of doing it than by using the normal rate revenue. Will the Minister of Lands confer with the Minister of Local Government in order to determine a method by which subdivision in these areas could be undertaken similar to that by which it is undertaken in other areas of the State, whereby kerbing and roads, etc., are provided at the same time? I point out that at Berri, in the

new Housing Trust area that is being developed at this stage, all kerbing, bitumen roads, etc., were constructed first, whereas in the Schrapel subdivision half a mile away, although excellent new houses are being built, there are no similar facilities, and the council believes that it may be some years before these facilities are provided.

The Hon. D. N. BROOKMAN: The provision that the subdivider should provide these services is one of comparatively recent origin, although it has been the law for some years. It has not applied to the Lands Department which, as the honourable member knows, has traditionally had the duty of subdividing land as cheaply as possible anywhere in the State. If the department undertook to install these facilities as a matter of policy the number of subdivisions it could promote in any one year would be reduced and its annual programme would be severely restricted. For that reason I think this matter has to be seriously considered, and I will refer the question to the Government and give the honourable member a considered reply when a decision has been made.

GLENELG TRAM

Mr. HUDSON: Has the Premier a reply to my recent question about the Glenelg tram service?

The Hon. R. S. HALL: In the light of decisions taken by the Government in connection with the Goodwood-Edwardstown rail diversion, the Government has announced that investigations will be carried out to determine whether it is now possible to retain a service on the Glenelg tramway route, connecting with the proposed King William Street subway. It is pointed out that this investigation is but one aspect of the many detailed inquiries now being made in connection with the proposed underground railway project. The Government is considering seeking the services of an independent authority to carry out a feasibility study for both financial and engineering aspects of this proposal. When the results of any investigation are known the Government will be in a better position to determine the future of the Glenelg tram service.

TINTINARA BRIDGE

Mr. NANKIVELL: Has the Attorney-General obtained from the Minister of Roads and Transport a reply to my recent question about sign markings on the approaches to the Tintinara overway bridge?

The Hon. ROBIN MILLHOUSE: The signs at the approaches to this overpass, consisting

of oversize "S-bend" symbolic signs and 40 miles-an-hour advisory speed signs, have been inspected recently and are in good condition and fully reflectorized. The signs are located to present a good target to approaching drivers and any driver exercising reasonable care could not fail to see them. However, details of reported accidents indicate that most vehicles involved in these were travelling at a speed in excess of that advised. There is some merit in the suggestion that additional signs should be erected on the right-hand side of the road, and the situation is being examined with a view to providing these and any other warning treatment that may be feasible. Signs will be of the standard black-on-yellow type, this colouring having been accepted for warning signs throughout Australia. Blue colouring is reserved for signs indicating services such as rest areas and lavatory facilities, and signs of this colour would not immediately indicate a hazard.

CAMPBELLTOWN WATER SUPPLY

Mr. JENNINGS: I have received a letter and a petition signed by 275 residents of Campbelltown and Paradise, some of whom I imagine live in the district of the Minister of Education. The petitioners complain that, although so far only a couple of hot days have been experienced, the water pressure on those days has been low and, on this basis, a worse situation is expected to develop as the summer progresses. The petitioners are wondering whether or not the activities of the many market gardeners in this area are responsible for the poor water pressure. If I give the Minister of Lands, representing the Minister of Works, the letter, together with the petition, will he have the matter investigated and give me a reply as soon as possible?

The Hon. D. N. BROOKMAN: Yes.

ELIZABETH OCCUPATION CENTRE

Mr. CLARK: On Saturday afternoon I had the honour, amongst other important duties, to open the school fete at the Elizabeth Occupation Centre and, on an inspection of the centre, I saw some of the magnificent work being done there. However, it was pointed out by the Chairman of the school committee that the boys' toilet facilities at the centre are

most inadequate. Although there are 46 boys in the school, there is only one toilet and one 3ft. urinal. Following certain suggestions that were made, the Chairman of the committee obtained yesterday, I understand, confirmation that a new toilet block would be commenced at the school in January, 1970, and finished late in the following March. However, it has been pointed out to me that the teaching staff at this school believe they should not have the extra responsibility of watching the students, who are retarded and backward children, particularly while building work is in progress and while earth-moving machinery may be on the school premises. I have therefore been asked to see whether the Minister of Education cannot have the date of completion of the building brought forward, so that the building will be completed before the first term in 1970. Will the Minister consider this request?

The Hon. JOYCE STEELE: First, I endorse the comments made by the honourable member about the good work being done at this occupation centre and, indeed, at occupation centres throughout South Australia. This good work is obvious to anyone who visits the centres, and I believe that in this field of education a great service is being rendered to mentally retarded children. I appreciate the sentiments expressed by the honourable member about the possible difficulties involved in having at a school such as this the kind of machinery necessary for the work in question. I will refer the matter to officers of the Education Department and of the Public Buildings Department to see whether the time table for this project can be reviewed for the purpose to which the honourable member has referred.

DENTAL TREATMENT

Mrs. BYRNE: Has the Premier obtained from the Minister of Health a reply to the question I asked on September 25 about the scale used in applying a means test for treatment obtained at the Dental Department of the Royal Adelaide Hospital?

The Hon. R. S. HALL: The following is a fixed income scale that is being reviewed to enable adjustments to be made automatically with movements in the State living wage:

Assessment	Assessed weekly net income	
	Single person	Family
Ineligible	Over \$26 per week	Over \$38 per week
Full charge	Over \$22 under \$26 per week	Over \$34 under \$38 per week
Two-third charge	Over \$18 under \$22 per week	Over \$30 under \$34 per week
One-third charge	Over \$14 under \$18 per week	Over \$26 under \$30 per week
No charge	Under \$14	Under \$26

MOUNT GAMBIER INDUSTRY

Mr. BURDON: Has the Premier a reply to my recent question about the activities of the battery industry at Mount Gambier?

The Hon. R. S. HALL: The Supply and Tender Board called public tenders and let a contract for the supply of batteries in the South-East as from November 1, 1968. The contract is with United Batteries Limited, which manufactures in Adelaide and distributes through a depot at Mount Gambier. The contract is for the normal two-year period expiring on October 31, 1970. Mount Gambier Batteries did not tender but its interest has been recorded, and it will be afforded an opportunity to tender when the next call is made. An advertisement seeking tenders was published in the *Advertiser* and in a trade journal and, although the *Advertiser* is distributed all over the State, arrangements will be made for the next advertisement to be placed also in the *Border Watch*.

ALBERTON SCHOOL

Mr. RYAN: Has the Minister of Education a reply to the question I asked a few weeks ago about the future of the Alberton Primary School? If the reply is not a good one I hope that, during the Minister's official visit to the school, I may be able to convince her of the need for additions to the school.

The Hon. JOYCE STEELE: After hearing the reply, I hope the honourable member will be able to decide whether it is a good one. I look forward to visiting the Alberton Primary School in company with the honourable member on Tuesday, November 11. In the meantime, I can say that the replacement of the primary school will be undertaken when circumstances permit, and I assure the honourable member and the school committee that any equipment or material purchased by the committee could be transferred to the new buildings without any difficulty. I understand that the infants school has ample room for its enrolments and that the buildings are maintained in good condition.

DRUGS

The Hon. C. D. HUTCHENS: Has the Premier a reply to my recent question about the control of pain-killing drugs?

The Hon. R. S. HALL: The labelling of analgesic preparations with appropriate caution statements regarding the dangers in taking these medicines in excessive quantities and for long periods has been considered from time to time both by the National Health and

Medical Research Council and by the South Australian Food and Drugs Advisory Committee. In July, 1968, following a recommendation of the National Health and Medical Research Council, the South Australian food and drug regulations were amended to require preparations containing phenacetin, an ingredient of A.P.C., to be labelled with the statement "Warning: this medication may be dangerous when used in large amounts or for a long period." The National Health and Medical Research Council is at present considering a recommendation that this cautionary labelling should be extended to include other analgesic drugs including aspirin and paracetamol. Any recommendation of the council will be considered in due course by the South Australian committee with a view to recommending appropriate amendments to the food and drugs regulations.

HALLETT ROAD

Mr. ALLEN: Has the Attorney-General obtained from the Minister of Roads and Transport a reply to my recent question about the Hallett-Jamestown Main Road No. 377?

The Hon. ROBIN MILLHOUSE: The main road connecting Hallett and Jamestown comprises Main Road No. 143 and portion of Main Roads Nos. 142 and 377. Preconstruction requirements for the Hallett-Jamestown road are proceeding, and present Highways Department planning provides for debit order funds to be made available to the District Councils of Hallett and Jamestown for construction to commence in 1970-71.

STATUTES CONSOLIDATION

Mr. McANANEY: Has the Attorney-General a reply to my question about the consolidation of the Statutes?

The Hon. ROBIN MILLHOUSE: Last week the honourable member asked a question arising out of his slight irritation when he was presented with several amendments to the Lottery and Gaming Act. He asked what we were doing about the consolidation and reprinting of Statutes. It is intended to bring out in loose form all the Acts, after they have been consolidated and before the reprint takes place. After the reprint takes place they will become available as and when they are printed. The Commissioner of Statute Revision (Mr. Ludovici) tells me that several factors govern the way he is tackling this job. First, priority is given to the consolidation of Acts not available from the Government Printer because they are out of print. Secondly, where the Government Printer is carrying stocks of Acts,

the consolidation proceeds in alphabetical order. Thirdly, sometimes, when an Act and its amendments are examined for the preparation of its consolidation, Mr. Ludovici finds he cannot carry out the consolidation, because of some literal errors that have occurred, and sometimes more than literal errors have occurred in days gone by.

Therefore, before he can consolidate it is necessary for Parliament to pass a Statute Law Revision Bill to correct the error. We have had several of these, particularly last session. I do not think we have put through any yet this session, although the Criminal Law Consolidation Act Amendment Bill, which deals mainly with abortion, has a couple of Statute law revision provisions in it at the beginning. Finally, it is not economical, nor is it intended, that priority be given to the consolidation of an Act merely because it has been amended, so I cannot give the honourable member any assurance regarding the Lottery and Gaming Act, which is not out of print. It has had a number of amendments, and therefore it will not be reprinted for some time; it will take its place in its alphabetical order. I know it is an annoyance to members in these circumstances. They want to see just what is the provision now, without having to wade through amendments. I regret that this must be done. However, I should be pleased to suggest the appropriate method by which the amendments can be noted in the Acts. As this is a job given to a new articulated clerk, I can recall that I had to do it when I first went into the office. Although it is a bit time-consuming, with a little practice it can be done without too much trouble.

MODBURY PRIMARY SCHOOL

Mrs. BYRNE: Has the Minister of Education a reply to my recent question about the paving of the schoolgrounds at the Modbury Primary School?

The Hon. JOYCE STEELE: The Public Buildings Department states that an examination has been made of the Modbury Primary and Infants School grounds, and a comprehensive scheme has been prepared for improvements to pavements, access ways to buildings, carpark, driveways and drainage systems. The proposals have been costed, and funds will be sought within a few days. It is expected that tenders will be called and a contract let for the work to be undertaken prior to the next winter.

MENINGIE SCHOOL

Mr. NANKIVELL: Has the Minister of Education a reply to my recent question about the provision of additional rain water tanks to improve the supply of drinking water at the Meningie Area School?

The Hon. JOYCE STEELE: The Meningie Area School has an enrolment of 282 primary and 137 secondary students. Five rain water tanks each of 2,000gall. capacity and five tanks each of 1,000gall. capacity, giving a total storage of 15,000gall., have been installed at the school. In addition, the school has an unrestricted reticulated water supply that is used throughout the school for usual purposes other than drinking. Inquiries have revealed that the supply of rain water is plentiful, that there has been no problem, and that, if children have brought rain water to school in plastic containers or suchlike, it has been for the purpose of having chilled or ice water to drink. Not at any time has there been a drinking water problem. True, additional tanks were not erected on the most recently constructed classrooms for the reason that it was considered there was adequate rain water at the school. The only inconvenience that the non-supply of tanks on new buildings has caused has been that some students may have to walk up to 40yds. to obtain drinking water.

GLENSIDE ROAD

Mr. EVANS: Recently, in reply to my question about the junction of Glenside Road with the Mount Barker Freeway, the Attorney-General said that egress and ingress traffic to and from Glenside Road had caused several accidents. As I asked the Attorney to obtain a report on the number of such accidents, and as I believe he has such a report, will he give it to the House?

The Hon. ROBIN MILLHOUSE: There have been at least two accidents this year on the freeway ramp leading to the Stirling main street, and these have been attributed entirely to the present junction with Glenside Road. These occurred on February 21 and March 4 and did not involve lighting poles. I understand that there has been a number of near-accidents, and at least 10 wrong-way movements, which could have resulted in accidents on the ramp, have been prevented by the actions of Highways Department officers who happened to be on the spot. The dangerous situation is caused by vehicles leaving Glenside Road and proceeding in the direction of Crafers, vehicles approaching

Glenside Road from Stirling, and the mixing of slow local traffic with freeway traffic.

The completion of Highways Department work in the vicinity will increase the chances of wrong-way movements taking place unchecked, and it appears, judging from previous incidents, that traffic signs are often not seen, or if seen, ignored. The closing of Glenside Road is seen as the only effective way of preventing movements and actions whose consequences, in this locality, are likely to be very serious, regardless of the number of accidents that have taken place to date.

NORTHERN ROADS

Mr. VENNING: Has the Attorney-General a reply from the Minister of Roads and Transport to my question of October 16 about the road between Murray Town and Booleroo Centre?

The Hon. ROBIN MILLHOUSE: As the honourable member has stated, an unforeseen circumstance has further delayed work on this road. An engineering investigation is currently in hand to determine the best form of remedial action. At this stage, it appears that a further contract will have to be let to render the cutting safe, but this may not significantly delay the actual roadwork by the District Council of Port Germein, and it is hoped that the road pavement will be sand-sealed prior to Christmas. In the meantime, the existing roadway is in good condition.

ELECTION PAMPHLET

Mr. VIRGO: Some people in my district have contacted me over the last few days and expressed concern regarding a pamphlet which was associated with the Commonwealth election held last Saturday and which they had received through the post in the latter part of last week. The matter for concern is that the South Australian National Football League Incorporated has been used in the pamphlet, per medium of its President, in support of a Liberal and Country League candidate for the Commonwealth district in which I live.

Mr. Clark: How did that candidate go?

Mr. VIRGO: He did not win, but these people in my area have taken strong exception to the President of the National Football League using his position, and the league's emblem, in support of a political Party's candidate. Although we might expect that the Headmaster of Prince Alfred College, or the President of the Master Builders' Association, or the past President of the Good Neighbour Council would use his office in this regard, I

think it is disgusting to think that the league has permitted its name to be used, particularly when one realizes that the football public which makes the game and which provides the finance for the football clubs is made up, in the main, of Labor supporters.

Members interjecting:

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

Mr. VIRGO: I am not debating the question, Mr. Speaker. I am merely stating facts. I notice that the Premier has told the Attorney-General what to say. The reason I addressed my question to the Attorney-General and not to the Premier is that the Attorney-General and I share the football district of the South Adelaide club, which has also been used in the pamphlet. Does the Attorney-General consider that the President of the league is acting in the best interests of our national game when he uses his position as President, and also the league's emblem, to promote candidates for the L.C.L.?

The Hon. ROBIN MILLHOUSE: I cannot for a moment be taken as accepting any of the implications in the honourable member's question.

Mr. Broomhill: Didn't you see the pamphlet?

The Hon. ROBIN MILLHOUSE: No, but I shall be happy to look at it. It may be that the matters to which the honourable member has referred are matters of taste.

Mr. Virgo: Very bad taste!

The Hon. ROBIN MILLHOUSE: That is a matter of opinion. I am not prepared to judge the issue until I have seen the pamphlet, but I am confident, even from the honourable member's explanation, that there has been no breach of the electoral law or of any other law. I will make my mind up when I have seen the pamphlet.

PORT CLINTON WATER SUPPLY

Mr. FERGUSON: Last February, in reply to a question about the water supply for Port Clinton, the Minister of Works said:

Cabinet approval was given in January, 1968, for an expenditure of \$30,000 to cover the estimated cost of laying 11,000ft. of 4in. main and the construction of a 100,000-gall. R.C. tank . . . Construction of the tank and the laying of the approved 4in. main are programmed to be completed prior to next summer.

As there is no sign yet of work starting, will the Minister of Lands find out whether the work can be proceeded with immediately, as the water situation at Port Clinton is serious?

The Hon. D. N. BROOKMAN: I will take up the matter immediately.

HOUSING TRUST RENTALS

Mr. CORCORAN: Has the Minister of Housing a reply to my recent question about people paying the ceiling rent of \$12.50 a week for older-type Housing Trust houses that did not have facilities, particularly kitchen cupboards, comparable with those in newer-type houses for which the rent was \$12 or \$12.50?

The Hon. G. G. PEARSON: There is really nothing that I should add to the reply I gave some time ago, except that I may have said that \$12.50 was the rent for the terraced pairs or double-unit type houses, whereas that rent applied to the single-unit type. As a result of the honourable member's question and my investigation, apparently an anomaly in respect of one tenant has been found, and I am told that the trust is considering the matter with a view to correcting that situation.

POTATOES

Mr. McANANEY: Has the Minister of Lands a reply to my recent question about potatoes?

The Hon. D. N. BROOKMAN: The Minister of Agriculture states:

As I informed the honourable member on October 22 in reply to his earlier question, the quantity of potatoes imported into South Australia by the South Australian Potato Distribution Centre during September was 326.44 tons, which was also the total quantity imported under authority of the South Australian Potato Board.

Mr. McANANEY: I still have not received a complete reply to my question. As I asked what was the total quantity imported into the State by all sources during that month, will the Minister of Lands obtain that information from the Minister of Agriculture?

The Hon. D. N. BROOKMAN: I will ask my colleague.

MODBURY NORTH-WEST SCHOOL

Mrs. BYRNE: Has the Minister of Lands, in the absence of the Minister of Works, a reply to my recent question about the new school at Modbury North-West?

The Hon. D. N. BROOKMAN: The new Modbury North-West school has been renamed Para Hills East school. It is expected that work on the erection of this new school will be fully completed by the end of August, 1970.

WRATTONBULLY LAND

Mr. RODDA: Has the Minister of Lands a reply to my question of October 23 regarding park lands at Wrattobully?

The Hon. D. N. BROOKMAN: The Wrattobully Progress Association, which is the registered proprietor of freehold sections 440 and 441, hundred of Joanna (certificate of title volume 2163 folio 51), has approached the department concerning the purchase of portion of adjoining section 430 for the purpose of constructing additional tennis courts. Survey of the area required has been effected by the department and it is expected that a diagram of the survey will be prepared and made available for acceptance by the Surveyor-General in the forthcoming week. Following acceptance of the survey the matter will be referred to the Land Board for fixing of a purchase price of the area required by the association. If this price is acceptable, the land will be allotted to the association and included in certificate of title volume 2163 folio 51, in terms of section 66b of the Crown Lands Act.

USED CARS

Mr. McKEE: Has the Attorney-General a reply to my several questions about what I consider to be the urgent matter of excess charges being imposed by certain secondhand car dealers?

The Hon. ROBIN MILLHOUSE: No, but I will follow up the matter.

ASCOT PARK SCHOOL

Mr. VIRGO: The Secretary of the Ascot Park Primary School Committee has told me that, although the committee is attempting to establish a canteen, this matter seems to have been completely bogged down either in the Public Buildings Department or the Education Department. Will the Minister of Education find out urgently the reason for the delay, as the committee is most anxious to proceed with the project?

The Hon. JOYCE STEELE: Yes.

POSTAL VOTING

Mr. VIRGO: The Commonwealth election last Saturday again drew attention to what seems to me to be the anomalous situation in our State electoral system regarding postal voting. As the Attorney-General knows, at the Commonwealth elections it is necessary for an elector to fill in only one application form to receive the ballot-papers to which he is entitled by his enrolment. Unfortunately, this position does not obtain at State elections, when it is necessary for two forms to be completed if a person desires a postal vote for both the Legislative Council and the House of

Assembly. It seems that a most desirable change could be effected if the present form of application were amended so that a person entitled to obtain two ballot-papers had to fill in only one application form. This change would save costs, because I understand that between 12,000 and 14,000 postal vote applications were made at the recent Commonwealth election and, if this position were repeated at a State election, the number would be half as many again, or more. Will the Attorney-General consider whether he is able administratively to amend the present application form so that at future State elections it will be necessary for a person to fill in only one form to obtain the ballot-papers to which he is entitled?

The Hon. ROBIN MILLHOUSE: I will examine the matter.

PORT PIRIE ABATTOIRS

Mr. McKEE: Has the Minister of Lands a reply from the Minister of Agriculture to my question about the granting of permits for the killing of stock at the Port Pirie abattoirs and the sale of the carcasses in Adelaide?

The Hon. D. N. BROOKMAN: The reply is not available yet but I hope to have it tomorrow. I will get it as soon as possible.

MARION PRIMARY SCHOOL

The SPEAKER laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Marion Primary School.

Ordered that report be printed.

LOCAL COURTS ACT AMENDMENT BILL

The Hon. ROBIN MILLHOUSE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Local Courts Act, 1926-1965, to make provision for the establishment of district criminal courts, and for other purposes. Read a first time.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (COURTS)

The Hon. ROBIN MILLHOUSE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Criminal Law Consolidation Act, 1935-1966, as amended; to repeal section 14 of the Criminal Law Consolidation Act Amendment Act, 1956, and for other purposes. Read a first time.

JURIES ACT AMENDMENT BILL

The Hon. ROBIN MILLHOUSE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Juries Act, 1927-1965. Read a first time.

JUSTICES ACT AMENDMENT BILL (COURTS)

The Hon. ROBIN MILLHOUSE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Justices Act, 1921-1965, as amended. Read a first time.

JUVENILE COURTS ACT AMENDMENT BILL

The Hon. ROBIN MILLHOUSE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Juvenile Courts Act, 1965-1966. Read a first time.

POOR PERSONS LEGAL ASSISTANCE ACT AMENDMENT BILL

The Hon. ROBIN MILLHOUSE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Poor Persons Legal Assistance Act, 1925-1968. Read a first time.

OFFENDERS PROBATION ACT AMENDMENTS BILL (COURTS)

The Hon. ROBIN MILLHOUSE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Offenders Probation Act, 1913-1963. Read a first time.

PRISONS ACT AMENDMENT BILL (COURTS)

The Hon. ROBIN MILLHOUSE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Prisons Act, 1936-1968. Read a first time.

EVIDENCE ACT AMENDMENT BILL

The Hon. ROBIN MILLHOUSE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Evidence Act, 1929-1968. Read a first time.

CHILDREN'S PROTECTION ACT AMENDMENT BILL

The Hon. ROBIN MILLHOUSE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Children's Protection Act, 1936-1965. Read a first time.

WEST LAKES DEVELOPMENT BILL

The Hon. R. S. HALL (Premier) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received. Ordered that report be printed.

In Committee.

Clause 1 passed.

Clause 2—"Interpretation."

The Hon. R. S. HALL (Premier): I do not intend today to proceed any further in Committee. The Select Committee has recommended that the Bill be passed without amendment, and copies of the report are being circulated to members later today. I ask honourable members to be prepared to consider tomorrow the remaining stages of the Bill.

Progress reported; Committee to sit again.

CRIMINAL LAW CONSOLIDATION ACT
AMENDMENT BILL (ABORTION)

In Committee.

(Continued from October 23. Page 2472.)

Clause 3—"Medical termination of pregnancy."

Mr. EDWARDS: Most forms of religion are practised in my district and, in striving to represent my constituents ably, I hope that I am expressing the view of most of them on this Bill. As the correspondence I have received indicates that my constituents do not want me to support this measure in its present form, I will go no further in this regard than support the amendments foreshadowed by the Deputy Leader of the Opposition. Bearing in mind the number of petitions presented in this House, I think most people in this State believe that a codification (or a clarification) of the present law relating to abortion is definitely called for. In my view, the Bill goes too far in its present form, and I cannot support it in that form. Several types of abortion have to be considered, one type of abortion occurring through natural causes. Here, the woman concerned reaches a certain stage of pregnancy and then has a miscarriage.

Although this is a common occurrence for certain women, it is not general overall. I believe that in most cases it is the woman, not the man, who should make the decision, for mostly where an abortion is required the fault lies really with the man and not with the woman. Although many people may question this, I believe, having studied this problem closely, that it is because of the unscrupulous nature of certain types of men that some women become pregnant. In this instance, the man clears out and leaves the woman to take the full responsibility. The man gets off scot-free, but the woman has to carry the burden and make a decision regarding an abortion. If we provide for abortion on demand, we will not solve this problem in any way.

In the case of rape, the woman becomes pregnant as the result of the action of the man,

if we can call him a man (I do not think we can call him that; he is a sexual maniac, and there is no other name for him, in my view). This is one of the causes of the problem regarding abortion, and something must be done to protect women from this type of man. On the other hand, certain women who have perhaps been divorced or widowed make themselves particularly attractive to young men. A young man who falls for this type of woman is often inclined to look for other sexual adventure later on. These problems greatly affect the whole community.

I would not agree to providing for abortion on demand; it is undesirable, and I am sure that the thinking person would not want it, in any case. If we provide for it, I am sure that the abortion rate will increase rapidly to the extent that it has risen in England and in other countries, with the result that we will have difficulty in controlling the situation. A study of the various reports shows that the British law is about to be reviewed, because the authorities concede at this stage that a problem has arisen.

The Hon. Robin Millhouse: The House of Commons refused to do it.

Mr. EDWARDS: That is a little different from what I saw only a couple of days ago.

The Hon. Robin Millhouse: I'll show you the passage in *Hansard* if you like.

Mr. EDWARDS: One of the big problems in the world today is that many people of practically every denomination disregard the marriage vows, whether they were taken in the church or in a registry office. These vows are taken too lightly: I am sure many people do not realize what they are doing when they take them, and they soon fall by the wayside. Then there are cases where men and women live together without marrying. Such relationships go along nicely for a while, then suddenly the woman becomes pregnant. If the child is not wanted, in nearly all cases the man clears out, leaving the woman to bear the brunt of the burden. I do not think the social clause in the Bill will help to solve the problem at all; I can only see its encouraging abortion. I have great sympathy for the deserted wife, especially when she is pregnant at the time of the desertion. However, I do not believe that abortion on demand will solve her problem. In fact, far greater problems can result for such a woman, because an abortion can go wrong and the result can be far worse than if the woman had allowed the pregnancy to take its normal course.

I agree with the member for Stirling (Mr. McAnaney) that, in the case of many unwanted pregnancies amongst young people, the blame lies with the parents, for the young people have not known what they were doing. In these cases, often both parents are working and do not have time to educate their children fully on sex matters. I believe greater emphasis should be given to family planning clinics, as suggested by the member for Barossa (Mrs. Byrne). It would be an excellent idea to establish such clinics, where people could receive advice, in larger centres. We know that many young unmarried women do not like to ask doctors for advice, but if family planning clinics were available I am sure they would seek advice there. I believe that is one way in which we can help solve the problem. I understand that the Education Department will undertake instructions in hygiene at the schools, and this will also help solve the problem. The more that young people can learn about the unfortunate circumstances that result from dabbling in sex the better.

There is another grave problem to which sufficient reference has not been made, and that is the problem of drink and its repercussions in this connection. Over indulgence in alcohol can lead young people into a grave situation. Nowadays, many young people do not think they are with it unless they drink socially with others who are better able to control the effects of drink. It is often found that a young girl who is not used to alcohol has her resistance broken down, and sexual problems are thereby created. Dealing with drinking problems seems to me to be more important in overcoming difficulties in this regard than providing for abortion on demand, which is definitely not the solution. Admittedly, abortion on demand would help in a few cases, but in many cases it would do more harm than good. Something should be done to prevent temptation being put in the way of young girls, whose resistance is made so low by drink and drugs that they become victims of the young man's persuasive powers and finish up pregnant. If our laws regarding alcohol and drugs were a little more strict we would not have half the problems that we have with the younger generation.

I do not consider abortion to be a matter for the State, but rather for the Commonwealth. If the Commonwealth Government deals with the matter, the legislation will be the same in all States, whereas if the States deal with it there could be different legislation

in different States. If this Bill is passed, South Australia could have a situation similar to that which applies in England. People from the Continent now go to England to have their abortions carried out. On this basis, South Australia could become the abortion State of Australia and not the good-living State it is at present. In some ways it may be very good to provide that two doctors should decide whether or not an abortion can be carried out. However, if abortion is legalized, I am sure we will have some unscrupulous doctors who will capitalize on the situation, making money out of it and not worrying whether or not an abortion is necessary.

Most members who have spoken have not given much attention to the time factor involved in pregnancy. If one has had anything to do with the hatching of eggs and has followed the germination of a chicken in an egg, one knows that on the seventh day the chicken is partly formed and on the fourteenth day it is well and truly formed. A similar pattern follows in the case of a human being, and at three months the foetus is formed. Having had letters from and spoken to many doctors, I have been informed that after the third month it is not safe to perform an abortion other than by means of a Caesarean operation, through which it is not good for a woman to go. Several other methods of performing an abortion are possible, none of which is pleasant. Those of us who have thoroughly studied the literature provided on this matter have found that, when abortion is performed on demand, after a time the doctors performing the operations get sick of performing them. They are not very nice operations to have to perform and the health of some doctors breaks down as a result of performing many such operations. In addition, there is the matter of disposal of the foetus after it has been taken from the mother. When done on a large scale, this is not good for the nurses who have to dispose of this mass of blood and other parts of the body that are taken away during these unnecessary operations. In the absence of this unsavoury legislation, doctors would not have to perform such operations, which are not good for the doctors or nurses. If this situation continues, we will have even greater difficulty in obtaining good doctors and nurses to cope with the situation.

There is a lowering of moral standards in the community today, and I am sure that many people have forgotten the Ten Commandments. The Fourth Commandment states, "Honour

thy father and thy mother"; the Fifth Commandment states, "Thou shalt not kill"; and the Sixth Commandment states, "Thou shalt not commit adultery." If we retained our Christian standards, and if men and women did not commit adultery, there would be no abortion problem; it is the lowering of moral standards that is causing this trouble of unwanted pregnancies and the abortions to get rid of them. Regarding young unmarried women, it should be obligatory that both parents, as well as the girl, should have to consent to an abortion, because often the parents want the girl to have an abortion to get rid of the child; although often the parents want the girl to continue with the pregnancy, whereas the girl wants to get rid of the baby. I cannot support the Bill, unless it is amended as has been suggested by the Deputy Leader of the Opposition.

Mr. BROOMHILL: Without canvassing the many involved arguments that have been put by members, my attitude towards the clause has been announced by me at several public meetings where this matter has been discussed. I have made it clear that, although I support the principles behind the Bill, I am sympathetic towards some amendments and I oppose the social clause. I have not made my decision lightly: I have considered all the submissions and the material put before me and arrived at my conclusion in good faith. The present situation in South Australia is unsatisfactory, and this is an appropriate time for us to pass firm legislation on abortion. While I am aware that some members prefer not to be placed in the position of having to make a decision, I believe that one must be made eventually, and I see no good reason why the question should not be faced squarely now.

Mr. Hughes: Can you produce any proof that women want this legislation?

Mr. BROOMHILL: That is a question I am happy to answer, because women make up at least half the community and it has been my own observation, borne out in tests that have been applied, that more than half the people in the community support abortion law reform, and I think that the percentage of women would be equal to the percentage of men in favour of such reform.

Mr. Hughes: That is not evidenced by the petitions.

Mr. BROOMHILL: I do not want to talk about things that have led members to reach conclusions on this matter, but I wish to refer to Gallup polls and petitions. It is difficult for us to take much cognizance of Gallup polls

and petitions. Other members have said that we must consider this problem in good conscience, that we must consider all the factors involved, and that we must look at life as we find it. As Parliament is made up of members from all walks of life, I believe that we are better able to judge this question from our own experience rather than from material put before us.

Mr. Hughes: What do you mean by "our own experience"?

Mr. BROOMHILL: I have had the experience of talking with people, but it may well be that the member for Wallaroo has not taken notice of the things going on in the world today.

Mr. Corcoran: Such as? Give us some examples?

Mr. BROOMHILL: I do not say that these things make us good judges. I simply point out that we are better able to judge by our experience than by taking notice of Gallup polls, petitions or other evidence, because one cannot have evidence placed before one to make a logical decision. Nearly every person in every walk of life, whether a medical man or not, holds conflicting views. If we try to single out any one section of these people to make our decision, we would be faced with making an impossible judgment. This is the point I make.

Mr. Corcoran: Don't you think that, when you're framing the law, you have the responsibility to bring proof before members?

Mr. BROOMHILL: That is desirable, but in this case it is impossible.

Mr. Corcoran: Then we shouldn't be making laws on abortion.

Mr. BROOMHILL: That is the sort of argument that those who oppose any change in the law are putting forward.

Mr. Corcoran: I'm asking you to bring proof.

Mr. BROOMHILL: It is all very well for the Deputy Leader to ask for the impossible. I intend to decide on my own judgment, after taking into account all the factors that can possibly be put before us. Some members who support my point of view have used Gallup polls and other public opinion polls to support their arguments. However, I cannot accept such polls as a guide, because most people who were asked a series of questions, such as, "Do you believe that abortion should be permitted in the case of a person who has been raped?", would immediately reply, "Yes". I have considered this matter and people who ought to know, when asked when the last case

of rape that resulted in a pregnancy occurred in this State, could only tell me that there has not been such a case in the last 20 years, or possibly longer. That is all the evidence that can be put forward.

Mr. Corcoran: How do you decide whether it is rape, anyway? Is that a medical question or a legal question?

Mr. BROOMHILL: That is a difficult matter, and I do not intend to try to answer it. My point is that Gallup polls can be misleading. We are not asked to decide whether it is proper to terminate a pregnancy that results from rape. The matter goes much further and, unless we know completely the basis of any Gallup poll or other public opinion poll, we cannot have a firm indication, although the information might be a guide. The petitions presented have been sufficiently numerous to merit consideration, but we must remember that they have been organized.

Mr. Hughes: I do not agree with that.

Mr. BROOMHILL: I have had few spontaneous approaches, although such approaches would not have influenced me greatly if they had been made. Whether the member for Wallaroo likes it or not, the petitions have been organized.

Mr. Hughes: By whom?

Mr. BROOMHILL: By groups.

Mr. Hughes: You name them.

Mr. BROOMHILL: If the honourable member does not know from presenting petitions whether they have been organized, I do not know where he has been for the last few weeks. I have had petitions from people who seek to have the Bill passed completely in its present form.

Mr. Hughes: Did you organize them?

Mr. BROOMHILL: No.

Mr. Hughes: It sounded as though you had.

Mr. BROOMHILL: Most of the petitions have told the member concerned that the petitioners oppose any change in the present position, but that, if a change is made, it should be only a codification of the present law. I put it to members that, if the average member of the community were given one of these petitions and was told that those presenting the petition wanted to convey their views to members of Parliament, there would be doubt about the intention of the signatories, because I have asked many people who have wanted to have a codification of the present law, "What is the present law?" and none has been able to tell me with any accuracy. I suggest that most

other members were in the same position as I was about 18 months ago, when the introduction of the Bill was first mentioned. At that time I did not know clearly what the law was.

Mr. Corcoran: That would apply to most people in the State at present.

Mr. BROOMHILL: Yes. Although these petitions were circulated far and wide, I suggest that many people were not clear on what they were signing. I do not criticize those who have signed these petitions. They considered that they were serving a useful purpose by expressing opposition to abortion in any form. I ask the member for Wallaroo whether 18 months ago he could have told me, without study, what was the law on abortion. If he could, he would be in a different category from most other people in the community.

I have said that the petitions and the results of public opinion polls are not a sound guide to members, and I think we have an obligation to make our own decision, based on findings after considering all factors. Some members have amazed me by suggesting that we should hold a referendum on the question. Surely those members are not being genuine but are only trying to delay further consideration of the Bill, because the result of a referendum could not possibly be a guide to what members should do on the matter. If we asked for a "Yes" or "No" answer to the question, "Do you believe that abortion should be permitted in some cases?", what would the reply mean? I have pointed out that most people consider that in some cases, such as pregnancy resulting from rape or a case where pregnancy seriously threatens the health of the mother, an operation would be justified. Clause 3 provides:

. . . a person shall not be guilty of a felony or misdemeanour under either of those sections—

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

Mr. Corcoran: Could you define "good faith"?

Mr. BROOMHILL: If I had time, I believe I could. In the circumstances of Bourne's case, it is required in South Australia that two doctors make a decision in good faith before an operation is allowed. I should be pleased if the honourable member could show me instances where doctors had made decisions not in good faith and had permitted these operations. In the past, accepting of opinions of doctors taken in good faith has worked satisfactorily in this State.

Mr. Corcoran: We don't know.

Mr. BROOMHILL: I realize that the honourable member opposes this provision (and so do others like him) because he thinks that doctors may not act in good faith, despite our past history on this question. If this Bill is accepted in its present form and we find that doctors do not act in good faith, I would be the first to support an amendment to tighten up the law. I am sure that other members share my concern about this and would act in the same way. We can only assume (and we have the basis to do so) that, as doctors have always acted in good faith on this question, they will continue to do so. If they did not, Parliament could quickly rectify the position.

Mr. Clark: How do we know?

Mr. BROOMHILL: Can the honourable member tell me of a prosecution of a doctor for having performed an illegal operation in this State? Has the honourable member heard that a certain doctor will do these operations? I suggest that he has no reason to suspect that doctors have not acted in good faith. It has been suggested that, of the two legally qualified medical practitioners required, one should be a specialist in gynaecology, obstetrics, or psychiatry. It seemed to me that this action would allay the fears of members that doctors might not act in good faith, and I thought that this provision would be acceptable. However, it seems that it will not be as simple as it sounds. We have received many letters from doctors.

Mr. Clark: I thought you were taking no notice of the canvassing we have had.

Mr. BROOMHILL: I am not, but a letter I have received, referring me to the *Government Gazette* of April 17, 1969, stated that, of 28 specialist obstetricians and gynaecologists, 24 lived in Adelaide, two in Mount Gambier, one in Whyalla and one in New Guinea, and that the 16 specialist psychiatrists all lived in Adelaide. Out of a total of 44 persons, 40 living in Adelaide come within the category that it has been suggested should be included in the Bill. This provision may make it difficult for any person living in a remote area to obtain an operation. I have had some doubts about whether it is appropriate to provide that a specialist should be one of the doctors involved.

Mr. Evans: It would increase the cost.

Mr. BROOMHILL: Yes, and it would create an undesirable position for people living in those areas, who wished to seek the advice of the specialists.

Mr. Casey: What do you mean by "remote areas"?

Mr. BROOMHILL: I should think that all of the District of Frome would be a remote area. One important side effect of this legislation is the factors associated with pregnancies. At page 5 of its report the Select Committee, when dealing with problems of pregnancy, states:

The committee has been impressed by the evidence of many witnesses, showing the magnitude of problems associated with unplanned and often unwanted pregnancies both within and outside marriage. For example, in 1967 in South Australia 30.75 per cent of all first births occurred within nine months of marriage. In the same year, only 540 out of 2,121 confinements of women under the age of 20 occurred longer than nine months after their marriage. That being so, the committee draws attention to the recommendations in the submission of Professor Cox with regard to family planning, sterilization and sex education. It strongly recommends that consideration should be given to action on these matters along the lines suggested by him.

I was impressed with the evidence of Lloyd Woodrow Cox, Professor of Obstetrics and Gynaecology at the University of Adelaide. Any member who has not read his evidence ought to do so. I shall be asking the Attorney-General what action he intends to take regarding the recommendations that I have just read and, in particular, regarding those recommendations made by Professor Cox, as follows:

Family planning clinics should be set up where there is a community need, and advice should be available to unmarried persons.

Sterilization procedures should be legally defined, in both males and females.

A course in health, physiology and psychology should be developed to be given at appropriate levels in primary and secondary schools. Sex education should be part of this course which should be given by regular class teachers. Special training of teachers would be necessary before introducing the course.

The Select Committee accepted specific recommendations made by Professor Cox under the heading "Problems of Pregnancy". It is disturbing to note that in 1967 only 540 out of 2,121 confinements of women under 20 years occurred longer than nine months after their marriage. This indicates that we have problems in our community that require immediate attention.

I wish to know what the Attorney-General intends to do about establishing family planning clinics and, more important, about providing sex education in schools. I believe that these things are partly responsible for the present

situation. I have received correspondence on this matter from social workers, including the Secretary of the Australian Association of Social Workers in South Australia, who states that social workers are becoming conversant with many of the problems that exist in this regard. He also states:

Thus we would stress the need for a comprehensive review and improvement in the services available for the disadvantaged sections of the community as being at least as urgent as any need to clarify and simplify the procedures and law relating to abortion.

We cannot tackle abortion reform without considering all the other matters to which I have been referring.

Mr. NANKIVELL: It is with some reservation that I address myself to this Bill at all, because of the highly emotional overtones introduced into the debate. Many of the opinions expressed have arisen as a result of a natural prejudice against this measure or of a long-established indoctrination with respect to the religious aspects.

Mr. Clark: That does not necessarily mean prejudice.

Mr. NANKIVELL: No, but in some instances what I have said is true. I think we are dealing with this Bill simply because it has been established that there is a need to codify the present law. As the Act is not precise at present, many doctors lean heavily on judgments that have been given on this matter (on the judgment given in the Bourne case by Mr. Justice McNaughton, and on the judgment given in Victoria by Mr. Justice Menhennitt). I understand that the Western Australian Attorney-General has indicated, notwithstanding the way in which the legislation in that State is framed, that in certain circumstances, where the woman might suffer physical or mental harm or where there is evidence of the child being born with physical defects, the Crown will not prosecute; but this is not laid down in the law in that State.

Nor does our law lay down the precise practice being followed today by medical practitioners. I have discussed this matter with many practitioners, some of whom say, "Let the Act stand as it is, because in this instance one doctor alone can decide." Provided there are grounds, such as those involving the woman's mental or physical health, abortions are carried out today in public hospitals; and, in the opinion of the doctors concerned, they are carried out quite properly. However, a doctor's only defence relates to the interpretation of the law contained in various judgments and not to what the law specifically provides.

I think this is what concerns many people here, including me. Indeed, it is the thing that concerned me with respect to the licensing laws. Certain things were being done and we were saying to the police, "Don't worry about that bowling club down the road; if it doesn't kick over the traces, ignore it," even though, under the Act, what members of that club were doing was illegal. In this case, a court has said that doctors may carry out a certain practice and, provided nothing goes wrong, they are fairly safe. I point out for the benefit of the member for Millicent that the court has defined "good faith", and a medical practitioner who has acted in good faith has a defence. I do not think this is good enough. If, as in other matters of legislation, we accept something as general practice, we should lay down precisely what we believe that practice should be. We should not say, "Don't do anything, because nothing is happening." Nor can we say, "Prove the facts," when the things taking place are not registrable. We do not know the extent to which backyard abortions are being carried out; we know only about the cases coming into the hospitals as a result of something that has gone wrong.

These are the only details we receive, and they are not sufficient grounds on which to base a case against this legislation. It may be asked, "Where are the facts to establish the need to do something?". We have some evidence in this regard and, although it may not be reliable in some instances, it gives some sort of a lead. I am grateful to Professor Cox for giving me what, so far as he is aware, are the up-to-date records. We need to write into any legislation that may be passed in this Chamber what records are to be kept, so that we know what the facts are.

Mr. Hughes: Are you referring to legal abortions?

Mr. NANKIVELL: I am referring to legal abortions. We cannot find out the number of illegal abortions, although we have some idea from the cases that go wrong. These figures were prepared by the British Medical Association and presented to the House of Lords on March 25 this year for the 11-month period from April 27, 1968, to February 25, 1969, and they are rather interesting. Members are saying that in Britain abortion on demand is permitted and that people go there from all over the world to have abortions performed. However, records are kept there, even in private hospitals, and it can be established that 46 per cent of these operations take

place in hospitals outside the national health scheme. The number of illegal abortions is not known, of course. These will never be stopped, because of the prejudice on the part of some people, who do not want it known that they are having the abortion.

The Hon. C. D. Hutchens: They are reduced, though.

Mr. NANKIVELL: Yes, because of the cost factor. During the period to which I have referred, 1,350 abortions were carried out in Great Britain where there was a risk to the life of the mother; and there were 20,746 cases where there was a risk to the physical or mental health of the woman.

Mr. Corcoran: Your figures are out of date; I have later figures.

Mr. NANKIVELL: I should be interested to see them. There were 1,137 abortions where there was risk to the physical or mental health of existing children (that is the socio-economic reason for abortion to which so much objection is taken). In Britain a doctor is given a form to fill in on which he is asked to indicate the ground on which he has decided to perform the abortion. Either the doctors there are acting improperly, not in good faith or unethically, in which case the figures are nothing more than a frame, or these figures must be accepted as factual. These are official figures: either they are deliberately distorted or they are factual. There were 965 abortions performed where there was risk of the child's being physically or mentally handicapped; there were 14 cases where there was an emergency to save life; there were 38 cases where there was an emergency to prevent grave risk of injury to the woman's health; and there were 4,599 cases where a combination of the reasons I have given was said to apply.

Other figures I have had are with respect to California and are provided by the American Medical Association. In America, five States have now legislated to provide for abortion. The States are Colorado, North Carolina, California (which passed legislation in 1967), Maryland, and Georgia (which passed legislation in 1968). There are slight differences in the legislation; I understand a residential section is included in the Act passed in North Carolina. The figures for the first 11 months in California show that there were 4,291 applications (not many in a State such as California), of which 3,903 were approved. There is a different basis of approval there.

As I understand it from Professor Cox, a hospital committee is set up and a person

wishing to have an abortion performed presents her case to the hospital committee which, in turn, decides whether or not it will approve. In some Scandinavian countries, boards are set up to do this very thing. In the Bill, provision is made for the decision to be made by two medical practitioners. It has even been suggested that this provision be tightened to provide for two specialists. I agree with the member for West Torrens that, if the Bill becomes law, the provision relating to two specialists would be prohibitive. People who do not want to change the law are now permitting one medical practitioner to decide that an abortion should take place.

Mr. Corcoran: What is the significance of the figures you quoted of the position in England?

Mr. NANKIVELL: That few cases are performed on the ground of economic necessity and in the interests of the children—in other words, the social clause. The honourable member has said that figures do not prove anything, yet several times he has asked members to present figures.

Mr. Corcoran: Is that the only significance you get out of them?

Mr. NANKIVELL: The significance I get from them is that what is happening in England is happening here now. Most cases performed in England are performed on the ground that the physical or mental health of the woman would be affected, and I understand that the ruling here is that this is sufficient ground for an abortion. If the honourable member wants to tighten up the position he will have to do something to the existing law anyway. The interesting fact is that it is not so much the young and inexperienced who are demanding abortions. Strangely enough, 90 per cent of the cases involve older or married women, few teenagers being involved. One would expect that, if ours is such a promiscuous and free society (and people are saying that our moral standards are declining) most of the abortions would be performed on younger people. Admittedly, there are figures to prove that there is much pre-marital conception, because so many children are born in the first few months of marriage. In fact, figures given today show that, of 2,000 marriages in a year amongst young people, about 1,600 produced children in the first nine months.

Mr. Venning: They are viable in six months.

Mr. NANKIVELL: Yes, children can be born after six months. However, that is not

so likely in the case of first children. In cases of broken marriages where wives with two or three children are deserted and left pregnant, it can be established that there are psychological grounds for some action to be taken. These grounds are accepted and abortions are performed at present if it can be shown that there is an emotional disturbance that will affect the woman's health or the way in which she can look after her children. At present this is considered a sufficient ground.

Mr. Clark: It isn't easy to judge.

Mr. NANKIVELL: No, but it is being used as a basis. I have been told this by people who actually carry out abortions for this reason.

Mr. Corcoran: It is obvious that it has been used as a social clause.

Mr. NANKIVELL: But the honourable member would agree that, by striking it out, it does not make any difference, and that, by writing it in, it only codifies what is happening. Most of the petitions I have received have asked that this be done. One of the things we are faced with in the assessment is to have a look at what is happening now.

Mr. Corcoran: What about the rights and wrongs of abortion itself, apart from what is happening now?

Mr. NANKIVELL: That is where I do not want to become involved, because this is an emotional argument, and people have different moral standards.

Mr. Corcoran: It's not an emotional argument.

Mr. NANKIVELL: The Deputy Leader bounced up and down like a pin on a cushion.

Mr. Corcoran: So we are not allowed to become emotional about the preservation of human life?

Mr. NANKIVELL: It depends on one's idea of when the foetus becomes human life.

Mr. Corcoran: What do you think?

Mr. NANKIVELL: A foetus does not become a life until it becomes viable. One could say that it goes back as far as the day when it was a gleam in its father's eye. It is when a child can live without its mother—at about six months or 28 weeks.

Mr. Corcoran: There's no life before that?

Mr. NANKIVELL: It will not survive by itself. I do not believe that life exists until a foetus becomes viable; anything can happen until then, but it cannot survive on its own. That is my personal view, and I hold to it. Other overriding factors come into the matter. Love is a biological process, and a point is reached where there is no stopping it.

What happens if a pregnancy occurs? The father usually walks away scot-free. We are not prepared to consider that a woman has any feelings or rights in this matter: she must pay the consequences. We are prepared to do all sorts of things to help her.

The Hon. R. R. Loveday: On decisions made by men over the centuries.

Mr. NANKIVELL: That is right. Women have rights in these matters and we should not consider ourselves to be the complete and absolute masters. I have never done that. I have discussed this matter with my wife, who is a trained social worker. I know her views and the problems she has had to face. My views are based on fairly considered grounds, and I do not believe that the Deputy Leader's fears are necessarily well founded. We had these fears of what would happen when we did something about the drinking laws. It was said that there would be one tremendous swill until 10 o'clock, not 6 o'clock, but what happened? I heard all these arguments put forward.

Mr. Casey: There are restrictions in that case.

Mr. NANKIVELL: Yes, and there are restrictions in the Bill. If the honourable member thinks that there are no ethics in the medical profession or that all doctors are there for a quick bob, such doctors would not last too long.

Mr. Corcoran: I didn't say that. You're trying to put words into my mouth.

Mr. NANKIVELL: No. I have listened to the interjections during the debate. The Deputy Leader is touchy on this question because it is a matter on which he feels deeply. I do not wish to override or rubbish his views. I respect them, but I have my own views too, and I have set out basically what they are. I do not think that, if an abortion is carried out within a certain time, it is murder, or that a foetus can be considered to be a life until it reaches a certain point in time.

Mr. Clark: It would be a life if it were left alone.

Mr. NANKIVELL: Yes, and it could create problems, and the person who faces up to the problems is the mother. In most cases it is not the woman who is happily or normally married who will seek an abortion but one who has got into difficulties and for whom circumstances beyond her control create such a situation that her physical and mental well-being is desperate. I do not think any woman would run to a backyard abortionist unless she were desperate, but some married women

would do this to protect their existing children because they knew they could not support another child. I accept that this is done only under duress; it is not something a woman would do willingly.

If one reads the evidence, one realizes that women would not use this means of contraception if there were another method. The press has reported that doctors can prescribe contraceptives for a teenage girl without the consent of her parents. This is not unethical. There is no difficulty in obtaining preventive methods of contraception. I do not think women would resort to this as an alternative, unless they were desperate. I believe that only in a case of desperation or necessity would an action such as this be resorted to. If one reads the evidence of the effects of an abortion on a woman, and if one realizes that she knows what the consequences might be, one must conclude that she would have to be desperate to resort to such a step. I would be the first to oppose this legislation if it were to be used as a method of contraception. Moral issues are involved in this matter.

Mr. Corcoran: You can disregard those.

Mr. NANKIVELL: I am not going to disregard them if the Deputy Leader thinks that people do what he believes is right. It is done by instruction, not by law.

Mr. Corcoran: What have we done about this in the State?

Mr. NANKIVELL: Nothing, but I would support a start. The first thing to do is to educate people so that they may develop a proper attitude. They should not learn by experimentation. People should read books about birth, and it should be taught as a biological subject and placed in its proper perspective. I agree that, at the next level, there should be counselling and advice for young people and some sort of control in the final stage, in family planning. These matters are part and parcel of the whole issue.

All I am concerned about on this is what I was concerned about in other social legislation, namely, that we set down precisely what we want and do not want, not leaving it to courts or Attorneys-General to say what the interpretation will be. We, as representatives of the people, should say what the law is to be. For that reason, I have reservations about accepting the Bill in its present form and also about some amendments. I have not checked whether there is an amendment regarding notification, but I want a provision written in making necessary the accurate recording of cases of legal abortions.

Mr. Corcoran: That's in it.

Mr. NANKIVELL: I thank the member for Millicent and the Attorney-General for telling me that that is covered. As that is put on a proper legal basis, I support the clause.

Mr. VIRGO: I thank the Attorney-General for the information that he gave all members at the commencement of this debate. I, unlike some other members, make plain that I respect the views of the people. I consider that members of Parliament fail in their duty if they do not have due regard to those views. The Attorney-General's information is not the complete story, although it is complete as far as he has been able to go. In addition to the petitions presented, all members have received much material. I have sent to the Attorney-General, as Minister in charge of the Bill, two bundles of petitions. Because the people who had organized these petitions did not consult me or another member or officer of the Parliament to determine the correct procedure, the petitions did not comply with requirements for presentation here.

Further, I, like other members, have received many letters. One supports the advance represented by the Bill but states that, as the Bill stands, it is not liberal enough. Another supports entirely the Attorney's Bill to liberalize the law on abortion. A third letter supports the whole Bill but says it does not go far enough. I have heard the comment that it is easy to get people to sign a petition without reading it properly or understanding it. These comments may or may not be valid, but the petitions have been presented to elected members of Parliament and we fail in our duty if we do not have due regard to them.

If we consider these opinions, a clear picture emerges. The information given by the Attorney states that five petitions, containing 826 signatures, pray that we not pass the Bill. About 13,000 persons ask, first, that we do not extend the law but then, having a second bite of the cherry, they ask that, if we do extend the law, the amendment should not go beyond a codification that would permit whatever now applied. Therefore, about 13,000 people ask that, if the law is amended (and I think it ought to be), the amendment should not extend beyond the present position.

Mr. Clark: That is apart from their first preference.

Mr. VIRGO: That may be so, but the fact that they have tacked it on is significant. A further 1,900 people asked us to amend the law to enable a medical practitioner to terminate pregnancy. There is a great

weight of evidence in the views that have been expressed to us. I do not dismiss lightly, as being of no consequence or validity, these points of view. I have no time for a person who is not concerned about what the public says. In this State for the past 30 years the people have not been able to get the Government they want. If we suggest that the voice of the people ought to be heard on that, we ought to be consistent and say that it ought to be heard on this Bill, too. I do not think this issue ought to be determined on either emotion or prejudice, although I think it inevitable that it will be. The matter should be looked at on the basis of the hard cold facts of reality. Whilst we take into account the electors' views we are also required to take into account the views of experts in the field. We should carefully consider this question and divorce from our minds all prejudice. I consider that, after fulfilling all the demands placed upon me, I should support the Bill, with the exception of the social clause, and that is exactly what I intend to do.

The member for Gawler (Mr. Clark) has said that he will oppose the Bill because he does not agree with the practice of abortion. Frankly, I do not believe there is any person anywhere who would not support abortion in some circumstances. Is there any member of this Committee who is prepared to instruct a doctor that he must, by law, stand to one side and allow the mother to die, rather than carry out an abortion?

The Hon. R. R. Loveday: One or two witnesses before the Select Committee, when pressed on that point, would not give a clear answer.

Mr. VIRGO: I do not know who they were, but I should like to ask them whether they themselves would be prepared to stand aside and do nothing if they knew that their own wives would die if they did not have an abortion. Even the member for Frome (Mr. Casey) would not be prepared to say to a doctor, "You must not perform an abortion on my wife, even though it is believed she will die."

Mr. Casey: No; I do not think I would.

Mr. VIRGO: We have now reached the stage where the honourable member, who opposes this Bill, has agreed that there are some circumstances in which an abortion should be performed. So, it is now a question of degree.

Mr. Casey: I do not think I said that at all.

Mr. VIRGO: I am asking the honourable member whether he would be prepared to

stand aside and do nothing if he was told by a doctor that his wife would die if she did not have an abortion.

Mr. Casey: Has that case arisen? You tell me one case.

The Hon. Robin Millhouse: You are just avoiding answering the question.

The CHAIRMAN: Order!

Mr. VIRGO: A challenge has been thrown out to me to name a case that has arisen. I can do just that. Last Christmas Day someone fairly close to me was taken into the Northern Community Hospital. She was 12 weeks under way and the doctor told her, "I hope you have a voluntary abortion (a miscarriage) because, if you do not have one, your life will be in grave danger unless you have an abortion, and the law will not allow me to perform it." I do not hear any comment from the member for Frome now.

Mr. Casey: You have not finished your story.

Mr. VIRGO: I think the honourable member knows the rest of the story: he knows the person to whom I am referring, and he knows that what I am saying is true. I do not believe there is anyone in the world, let alone any member of this Committee, inhuman enough to see a woman put in that position merely because of some prejudice. The question we are faced with is a question of conscience. We must have proper and due regard for the views of all people. I do not believe that we, as members of Parliament, have a right to inflict on other people our personal views. However, by the same token, I do not believe that a group has the right to place a restriction on others merely because it desires to restrict its own members.

The member for Albert (Mr. Nankivell) spoke about this matter a little while ago. If this attitude was extended we would have to apply this type of restriction to all sorts of questions. Some members of this Committee do not believe in gambling; they are entitled to their view, and I respect them for it. However, I do not believe that they have the right to say to a person who does like to gamble, "Thou shalt not gamble". The same thing applies to what the member for Eyre (Mr. Edwards) was saying about the liquor question. I do not think we have the right to inflict our views on others to this extent.

For many years Sir Thomas Playford inflicted on the whole State his views about lotteries: he did not permit lotteries in South Australia because he did not believe in them.

However, when the people were asked, 70 per cent of them said, "Sir Thomas Playford, your view is different from our view." Too many of us have preconceived and perhaps narrow views. I have already said that there are all sorts of ways of handling this matter, but opponents of this Bill must bear in mind the important point that the passing of this Bill will in no way place any compulsion on them to embark on abortions.

I am fairly certain that people in the community who oppose this Bill will in no way avail themselves of its provisions. However, the strange thing is that it appears that the existing practice could be far wider than the provisions of this Bill. We have not been able to find out what actually happens at present, and it seems strange to me that the petitions we have received have asked that the amendment should not extend beyond a codification that may permit current practice. I have not heard anyone say what the current practice is. However, we all know that abortions are available: it is just a question of whom a person can go to.

Details of a recent incident disturbed me and, to some extent, add weight to my support of the Bill, with the deletion of the social clause. A young girl came to see me because she had received an account from the Queen Victoria Hospital and was being pressed for payment by a solicitor. Sixteen years of age and single, she had had a child in the hospital. The father of the child had been charged before a court and imprisoned, so that the girl was left to bear the child, and then to pay the hospital account. Subsequently, she adopted the child through the Social Welfare Department. I do not know whether or not this girl wanted an abortion, but I am sure that in this case, in which she became pregnant as the result of rape, she would have been greatly affected by the experience.

It has been suggested that if this Bill is passed South Australia will become the abortion State, but this seems to me to be a clutching at straws by those who want the Bill shelved. It has been suggested that it should be further investigated, but it has already been investigated for about 12 months. I do not believe that South Australia will become the abortion State, but I support the suggestion that a residential time factor should be provided. I cannot see pregnant girls rushing over the borders of this State to obtain abortions.

Abortions are readily available now to South Australian girls who have the necessary money. A person can take a blossom tour to Japan,

have an abortion, and return in a week, without anyone knowing anything about it. The Australian Broadcasting Commission's recent television segment showed how easy it was to obtain an abortion in Sydney. Therefore, it is not necessary for a girl to go to Japan. Abortions are frequently performed in Melbourne and Sydney, so we would be fooling ourselves if we thought that pregnant girls would rush over our border from the Eastern States if this Bill were passed. I do not accept the statement that this Bill will provide abortion on demand, because it requires that medical practitioners should act in good faith. I have sufficient confidence in the medical profession to believe that doctors will act in good faith, and we should not be calamity howlers about what might happen under the provisions of this Bill. I believe it is in the best interests of this State. If, after the Bill becomes law, we find instances of its being abused, there is nothing to stop Parliament from again considering its provisions and introducing further amendments. I do not think this will be necessary because, if anything, the Bill will restrict the incidence of abortion. I support the Bill, except for the social clause.

Mr. LANGLEY: From the many petitions we have received and from advice given by those connected with the medical profession, church leaders, and ordinary citizens, one must conclude that there must be some change in the abortion law in this State. It has been confusing to hear the different arguments put forward by these people, both for and against this proposal. However, I believe that we, as members of Parliament, must make the decision. Recently, I read in a newspaper about a doctor from another State flouting the law concerning abortion, and this matter was given much publicity in the Eastern States. At present, many backyard abortions are performed in South Australia, and a few lives are lost as a result. In some instances, both the mother and child have died. These examples show that many opportunities are available for a person to obtain an abortion, although many medical practitioners are not interested in performing this operation. We know that in South Australia today about 400 or more therapeutic abortions yearly are performed by doctors who believe that the family and the people concerned benefit from this operation.

Although often the woman does not want the child, after it is born she loves it and cares for it. Perhaps if she had been able to receive advice from a doctor, her attitude

would have been different. This Bill provides that advice will be readily available to all concerned. People have told me that they have not had this legislation explained to them properly, so I hope that every member will have the opportunity to sum up the various amendments as they come forward. I do not want to record a silent vote. From what I have heard from other people and from knowledge I have gained, this Bill should improve the abortion law of this State. I do not fully agree to the social clause and I do not intend to support it. We have had this Bill spelled out to us and every member has had an opportunity to speak on it. I think it will receive the approval of most people. We cannot meet the wishes of everybody—that is impossible. I am looking forward to discussing the amendments.

Mr. RYAN: Like all other members, I have had many representations made to me both orally and by way of petition. Weighing up what most people in my district require, I would say that opinions were about equally divided. I have attended several meetings, and many petitioners have requested that I, as their member of Parliament, oppose any amendment to the present legislation. But what is the legislation today? The truthful answer is, "There is not any." If anyone wants to dispute the actions being taken in this important matter, even we as legislators do not know what the results will be.

As regards Bourne's case, we can only guess what the courts in this State would determine. I think everyone is hoping that no case will be brought before the court so that it can be tested. Most representations come from people who are voicing personal opinions, but in the last few weeks I have received many requests and representations from people connected medically with this all-important topic. They take a different view from that of the ordinary person. Most medical men who have contacted me have asked that legislation be placed on the Statute Book defining the law on abortion. That is what this Bill does. Naturally, members have their personal views, but they also like to be guided by experts and other opinions. The report of the Select Committee shows that even the most ardent objectors to an alteration of the law or placing on the Statute Book of South Australia what will be a law on this matter want something done.

On page 3 of the Select Committee's report, we see that among the people represented was His Grace the Archbishop of Adelaide.

Naturally, he did not appear before the Committee, but let us look at what was said by other people who did appear. Doctor Texler said:

I would be against any provision to ban abortion utterly from our society, even though I personally consider it wrong.

He is saying that he wants something placed on our Statute Book even though, in his opinion, it may be wrong. Then the report states:

Mr. Haese said that, as a lawyer, he did not think he would say he was opposed to putting the common law on abortion into statutory form, although "as regards my personal conscience, I am opposed to it." Miss Gibson was asked—"Do you think the position might ever arise where abortion was the only solution?" and replied—"The literature is confusing here, and I think it demonstrates that at the moment we just do not know the answer to that question".

Those people were voicing opinions to the Select Committee, presumably as people knowing something about the matter; yet they say it is confusing. What does this do to the minds of members who are asked to vote on this Bill? I suppose practically all members are confused on the issue, but the main issue we have to decide here is: are we to create a law on this matter?

At present abortion is illegal, but we know it is going on. The law will provide for it. I will amplify that. I have read a part of the evidence of three persons who appeared before the Select Committee in opposition to abortion, but they did not object to the total abolition of abortion as it operates today, even though it is illegal. The Abortion Law Reform Association said:

We seek a situation in which a pregnant woman will have a right to approach her doctor to discuss the termination of her pregnancy if it is unwanted in the expectation that an abortion can be considered and performed if she and her doctor agree that this is in her interests and in accord with her conscience and with his.

Will anybody deny a woman the right to discuss this matter with her medical adviser? If people are to say that this shall not be the law in South Australia, they will be taking away from a woman her right to discuss the matter with the person most vitally concerned—her personal doctor. But what are these people doing instead? They are driving women to have something that should be legal done illegally.

The police representative who gave evidence before the Select Committee was pressed about whether he knew the number of cases of abortion being performed in this State. When

he was asked the number of abortions performed illegally each year, Inspector Turner replied:

It would be a very rough guess and I do not think it would be particularly accurate but it would be somewhere between 500 and 1,000 annually.

If members are going to oppose this measure, they will not stop that (nothing on earth will stop it) but they will be condoning something being done illegally. All that this Parliament is asking is that this should be done legally. The Director-General of Public Health in South Australia gave figures that coincided with those given by the police representative—that hundreds of abortions were being performed in this State today, most of them illegally. When other matters of a social nature are being considered, we consider various aspects. When the Bill to legalize the Totalizator Agency Board was introduced we were told that we were going to the depths of social degradation in allowing betting to be open and legal. Everyone knew that it had been going on illegally. In considering whether or not the Totalizator Agency Board would be established, members did not have the opportunity to say, "We'll pass the buck and have a referendum." Members had to vote according to the representations made to them by their constituents and according to their own conscience. However, one would have thought the end of the world was coming when T.A.B. was first mooted. It was thought by some that people would lose their wages, their families would starve, and everyone would suffer, because the State would have to keep those for whom necessitous circumstances had been created as a result of that social reform.

Mr. Hughes: It didn't cut out illegal betting.

Mr. RYAN: It did to a large degree. I would not know where to find an illegal bookmaker.

Mr. Corcoran: You obviously don't punt.

Mr. RYAN: What evil has that social reform created? People go to an agency and openly place a bet if they desire, whereas previously money was put in milk cans and taken around the corner, while someone kept nit in case the police were coming. These people were not criminals. When off-course betting was legalized, no-one was compelled to bet; it was left to the person's own free will if he desired to use this facility. The same applies to abortion. According to some members, one would believe that it would be compulsory for every woman who was pregnant to go to a doctor and to say, "I want to be aborted"!

Mr. Hughes: You're talking out of the back of your neck. No-one has ever said that.

Mr. RYAN: The member for Wallaroo does not believe that a woman should have the right to decide for herself what she shall do.

Mr. Hughes: That's not right, and you know it.

Mr. RYAN: Although a legal right may be provided, there are certain restrictions, and this aspect is one of the main requirements of the Bill. The person concerned cannot go along and say, "I want an abortion." It is not that easy.

Mr. Hughes: No-one ever said it was compulsory.

Mr. RYAN: Some members apparently do not want medical practitioners to decide in these matters. Why does the member for Wallaroo go to a doctor when he takes ill? He goes for advice, and he is guided by the advice he receives.

Mr. Lawn: He has the freedom to go.

Mr. RYAN: True; most important of all, he has the legal freedom to go to his doctor and to discuss his case with him. There is no compulsion in the Bill for a female to go to a doctor or for a doctor to perform an abortion, and that is the most important aspect of this Bill. It is left to the medical practitioner to decide whether or not the operation will be performed. If it is decided that it is in the interests of the woman concerned that the operation be performed, then the operation can be performed legally. If a medical practitioner says "No" and the woman goes around the corner and has an operation performed illegally—

Mr. Hughes: Do you reckon this Bill will cut that right out?

Mr. RYAN: No.

Mr. Hughes: That's what you're implying.

Mr. RYAN: I did not say that. Nor did I say that T.A.B. had eliminated illegal gambling; but it has eliminated the risk in the case of the decent honest citizen who desires off-course betting. If people bet illegally now, they know they are breaking the law and will be dealt with severely if apprehended, whereas others can enjoy using the legal facility. This Bill gives the legal right to the person to seek an abortion. The police gave evidence that between 500 and 1,000 illegal abortions were performed annually. These operations are not performed by medical practitioners who understand a patient's position; they are not performed by people who can counteract anything untoward that may happen in the operation.

If the procedure is legalized, at least some lives that are now being wasted will be saved.

Mr. Hurst: How many convictions are there involving illegal operations?

Mr. RYAN: I do not have that figure; but does it make any difference? Do we have to be guided by the number of convictions? Despite the commandment "Thou shalt not kill," murder is being committed, and many people are suffering under the present situation. We say that the people concerned will have a legal right in the initial stages to discuss the matter with their doctor, and the doctor, not the patient, will say whether the operation can be performed. It is apparent that members who have suggested that people will come from other parts of Australia and perhaps from other countries to have this operation performed have not studied the Bill, because not only is it provided that the patient must discuss the matter with the doctor and that the doctor is to decide whether or not the operation is to be performed: there are also safeguards to be observed before and after the operation. If this measure results ultimately in rackets, it is up to this Parliament to bring down drastic amendments to ensure that those rackets are eliminated. New section 82a (3) (a) provides:

The Governor may make regulations for requiring any such opinion as is referred to in subsection (1) of this section to be certified by the legally qualified medical practitioners or practitioner concerned in such form and at or within such time as may be prescribed, and for requiring the preservation and disposal of any such certificate made for the purposes of this Act.

That is a definite safeguard. First, the doctor has to issue a certificate. No-one could start a racket, because the Governor would have the right to require the preservation and disclosure of any certificate issued under the Act. That is where the certificate is granted in the first place. New section 82a (3) (b) provides:

The Governor may make regulations for requiring any legally qualified medical practitioner who terminates a pregnancy to give notice of the termination and such other information relating to the termination as may be prescribed to such persons or authorities as are prescribed.

With safeguards such as that, I do not see how the rackets referred to will take place. First, if an abortion is considered necessary a certificate must be issued on the prescribed form. After the abortion is performed, a further certificate must be issued stating when and why the termination took place. Also, section 82a (1) (a) provides:

... where the treatment for the termination of the pregnancy is carried out in a

hospital or a hospital of a class declared by proclamation to be a prescribed hospital or a hospital of a prescribed class for the purposes of this section.

Mr. Lawn: Wouldn't such places be better than the backyard?

Mr. RYAN: Yes. I have heard of a case where an abortion was performed in a bath tub and, when the police were called, the person on whom the abortion had been performed was dead in the bath tub. The Bill provides for a certificate to be given that the operation is necessary and, after it is done, for a certificate to state when and why it took place, and the abortion must take place in an authorized hospital.

Mr. Hughes: Now you're saying it won't be done any more in a bath tub.

Mr. RYAN: In most cases it will not be done in the bath tub.

Mr. Hughes: You're altering your statement now.

Mr. RYAN: I cannot deal with hypothetical cases; I do not know what the future holds. All I know is that if the Bill becomes law we will be providing for something to be done legally that is now done illegally. Is there anything wrong with that? The honourable member keeps harping about the fact that abortion will take place, but there is nothing in the Bill about that. All the Bill provides is for a doctor to say whether an abortion should take place: there is no compulsion about it. From the interjections that are being made, I would be led to believe that every female who becomes pregnant will rush along and ask for an abortion.

Mr. Hughes: You're saying that.

Mr. RYAN: No, I am not. The number of women who have abortions now would be minimal compared with the number of births. Why should we allow something that is illegal to continue? If the Bill is thrown out, will the member for Wallaroo condone the 500 to 1,000 abortions that take place now?

Mr. Hughes: Don't be silly.

Mr. RYAN: We know some abortions take place now, although we do not know how many, and that we will never know. Only when someone tells someone else or some information leaks back to the authorities do we know that an abortion has taken place.

Mr. Broomhill: Or the woman dies.

Mr. RYAN: Yes. The actual number of abortions could be two times or 10 times greater than the number that has been quoted by the experts. However, if the Bill becomes law we will know how many legal abortions take place.

Mr. Hughes: But not the number of illegal abortions.

Mr. RYAN: All I know is that Bourne's case will not operate if the Bill is passed. Penalties are presently provided to deal with people who take part in illegal abortions. Since the introduction of the Totalizator Agency Board people are now prepared to say that a certain person is taking bets around the street, and illegal betting is gradually being eliminated. If a person knows that she can have a legal abortion in an approved hospital, will she risk death or being caught as a result of having an illegal abortion? I point out that the penalty in the Act affects not only the person performing an illegal abortion but also the person having it.

Mr. Hughes: Have you ever heard of the word "dollar"?

Mr. RYAN: Yes, I can never get enough of them.

Mr. Hughes: I know, and many others are in the same category.

Mr. RYAN: True. First, the female wanting the abortion will have to decide between going to a backyard specialist and facing the possibility of death or of being caught and severely dealt with, or of going openly to a doctor and discussing her case. I think most people would be prepared to discuss the matter openly. Only last week a woman living in my district approached me. She was pregnant, had money and accommodation worries and was in a real predicament. She already had three children, and when I asked her whether she intended to discuss her pregnancy with a doctor she said, "Yes, I am going to the doctor today, because I do not think I will live through this; if the doctor recommends that I should have an abortion I will be guided by his advice." I asked the woman whether, were it not for her present circumstances, she would even consider such a course, and she said, "Definitely not, but circumstances force me to have a different opinion." She followed this by saying, "Let me hope that whatever decision I make it will be done according to the law."

However, what is the law today, for no law covers this matter? We are guided by Bourne's case, which was decided in another country. Because our law is silent, we have to accept something that happened in another country. What would be the position if the courts were asked to consider a case on the non-existent law today? All the Bill seeks to do is at least to allow something that is happening illegally to happen legally. The Bill will allow people to discuss these matters

with their doctor. The Attorney-General has made great play of the fact that this will be the first State in the Commonwealth to provide for legal abortion, and he has talked about the possibility of people coming here to have abortions. I have dealt with this matter. I remind the Attorney that, when other matters in which South Australia was to be the first were before this Parliament, he said, "Let other States do it first, and we will follow." Apparently, when some people become Ministers, they take a different view from what they took before.

Mr. Hurst: It depends upon the subject, too.

Mr. RYAN: I remember one matter that affected all the people of the State, namely, unfair trade practices legislation. The Attorney said, "Let some other State do it, and we will follow." However, now he says, "Let us be the first, and other States can determine whether it is a good law."

I do not want to record a silent vote: I am expressing my opinion. I have received representations for the Bill and also against it, and I think the number on each side would be about the same. Some say there should be no alteration in the law (although I do not know where they get that idea) and they say, "Do not go further than present practice." I conclude by saying that I consider all the requests made to me by these people, but my opinion will be that the present practice should be made legal, not illegal.

The Hon. R. R. LOVEDAY: Having been away from this august Chamber for three months, I have not had the pleasure or otherwise of hearing all the speakers who have preceded me. However, since coming back I have read (although rapidly, I must confess) the speeches on this important subject and have tried to bring myself up to date with the points of view that have been expressed. May I say that I, as a member of the Select Committee that listened to the evidence of, I think, 34 witnesses, went into that committee with an open mind. I had not given a great deal of thought to the subject. However, I think I had a natural aversion to abortion, unless it could not be avoided in any circumstances. I consider that most people, certainly most women, have that natural aversion to it if it can be avoided, and this is an important aspect of the whole case.

In reading the speeches, I have found that there has been far too much emotion about the matter and a building up of Aunt Sallies so that they could be knocked down. There

has also been much exaggeration. I have received extremely few communications from my constituents on the subject. I have received a few letters in favour of the Bill and a few against it, but I have not been asked to present any petitions. From discussions with people in my district, I would say that most of them favour the Bill. Personally, I am supporting it, as I did as a member of the Select Committee, but, if any new points raised warrant my changing my mind on one or two aspects, I will have an open mind on them. However, I see no reason to change my mind regarding the main points of the Bill. Although much has been said about members not knowing enough about this subject, I emphasize that they have had the evidence of the Select Committee for a long time and could have considered it fully.

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

The Hon. R. R. LOVEDAY: The Select Committee heard evidence from 34 witnesses. The evidence came from people who had conducted much research into the question, from individuals who were simply expressing their personal beliefs and moral and religious attitudes, from the medical fraternity, and from people whose viewpoint was mainly dominated by their theological beliefs. The committee, therefore, had a fine selection of evidence on which to reach a decision. Consequently, I do not believe that consideration of this Bill should have been delayed any longer than it has been delayed. We have plenty of material and enough information about what is happening overseas to arrive at a good conclusion, always bearing in mind that our own environment is not necessarily identical with that of other countries.

As it now stands, the Bill is an effort to codify clearly what is actually taking place today. After reading some of the speeches made by members and after listening to some of the speeches made today, I believe that this point has been overlooked and an attempt has been made to suggest that the Bill permits acts that are not being committed today. In other words, it has been suggested that this Bill is a complete innovation. Personally, I do not think it is: we are simply codifying what is actually taking place in the community and making it as clear as possible what is legally permissible, and surely this is desirable. It is much better to have the situation legally clear than to expect people to have regard to the common law, to what is happening in another country, and to what is known as

Bourne's case. We should avoid leaving people in a state of uncertainty as to what they can do within the law.

Much reference has been made to the petitions that have been presented and to opinion polls. The polls clearly showed that most people, who were asked straightforward questions, said that they agreed with this Bill. South Australian opinion polls were conducted in September and October, and the results of a Gallup poll were published in the *Advertiser* on April 24, 1969. Some of the petitions have been in favour of the Bill and some against, but it would be fair to say that most have been against the Bill. This is not surprising, because whenever legislation is introduced on a controversial subject of this sort the petitions invariably come from minority groups. The Abortion Law Reform Association of South Australia made the point in one of its circulars that only the small minority of people who oppose reform express themselves vociferously. When California reviewed its abortion laws in 1967 members of the State House of Assembly received 10 times the number of letters and petitions opposing reform as letters and petitions supporting it, yet the reform Bill was passed, as the legislators correctly considered that their mail did not reflect true public opinion on the matter. This is a perfectly natural thing to follow in a situation of this type.

Mr. Corcoran: You are saying that the Abortion Law Reform Association represents the opinion of most people in this State?

The Hon. R. R. LOVEDAY: What I am saying is that it is perfectly natural in this situation for the most vociferous objection to the legislation to come from a minority. I did not consider the question of what the Abortion Law Reform Association said: it was citing an historical fact. As a member, I believe that it is obligatory on me to try to act as my constituents would like, to take into account the opinion of other people in the State, and to use my judgment after listening to all the evidence from people who came before the Select Committee. After listening to that evidence I came down very firmly as a member of the majority opinion that is published in the report.

One of the most important points that is being overlooked by those who claim that there will be a great rush for abortion is the natural habits of doctors and of women, as well as the general opinion of the community about abortion. It is clear that most women have an aversion to abortion and that most doctors

have a great aversion to performing an abortion. I believe that most people, whether male or female, have a natural aversion to abortion: they do not like to see the operation or to hear of its being performed, unless there is a need for it. The question of what meets the need produces a diversity of opinion, but on the question of aversion I quote from the evidence of Doctor Texler, one of the nominees of His Grace the Archbishop of Adelaide. I asked him the following question:

In your experience, what proportion of women who go to the medical profession for an abortion are refused an abortion?

Doctor Texler replied:

In my own private practice, 100 per cent are. In my work at the Royal Adelaide Hospital, very few are—because they have already been vetted by their own doctors. Outside those spheres, I would say that most of the general practitioners I know give me the impression that they either refuse most women or they may suggest other alternative help. They suggest abortion only when they think that this is the end of the road.

This is evidence from a witness who opposes the Bill. He has made it clear that doctors have an aversion to the operation and only agree that it should be carried out when the end of the road is reached. It was clear from other witnesses, medical and otherwise, that women generally had an aversion to abortion, and other doctors said that they had an aversion to performing the operation. In these circumstances, is it not rather absurd to suggest that the doctors as a whole will be unethical in the performance of their work in this regard or that there will be an enormous rush for abortion from women who have very little moral feelings on the matter?

This is contrary to normal human attitudes and procedures in these circumstances. I am satisfied that we should not cast a slur on the medical profession in this regard. There may be one or two who will perhaps be not as ethical as we would wish, but is that any reason why we should refrain from passing legislation, because we are looking for perfection? None of the legislation with which we deal in this Chamber do we refuse to pass merely because we cannot attain perfection. We have to weigh up the pros and cons, make allowances for human nature and decide what is best, having regard to the failings of human nature. To speak on this matter as though the medical profession will be unethical in large numbers and as though the numbers of women rushing to have operations done will produce a rash of abortions is, in my opinion, a gross

exaggeration and distortion of the whole situation.

Looking towards the opinion of the medical profession, I received a most interesting letter from one of our medical practitioners, who is a senior doctor, a medical specialist, a member of three Australian colleges and a vice-president of one of them. He concludes his letter by saying:

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

He raises the point that is so important in this issue, that there is no question of compulsion: it is a matter of codifying the present practices and leaving people perfectly free to exercise their moral judgment, to exercise their personal desires, and to exercise their freedom in this matter.

Mr. Ryan: And to do it legally.

The Hon. R. R. LOVEDAY: And to know what they can do within the law, making it clear what their actions should be. It raises the whole thing from the subterfuge of filthy illegal abortion into an atmosphere of cleanliness, and surely that is what should be done. In fact, much of the present situation of illegal abortions arising from intercourse that has taken place in the most undesirable circumstances arises from the very opposition of the same people who are opposing this Bill (very many of them, not all) who for years and years have opposed family planning, instruction in sex, and so forth. In other words, it has been regarded as something that should be hidden. There has been this social pressure for at least a century or more to make this whole matter of the relationship between man and woman something indecent and to cast a slur on the woman who has an illegitimate child while the man goes scotfree.

It is time we looked at this attitude of men in this matter. As I said earlier in an interjection, it means that this outlook has been put upon people by men throughout the centuries. In this regard, what decisions have women ever made? None at all. All the rules and regulations and attitudes of society are the results of decisions of men in the various authorities and powers they have exercised over the centuries. Anyone who has studied the relationships between men and women and the matter of their love for one another will know that the theological authorities over the centuries have from time to

time made it plain that they thought that the honest relations between men and women were in many respects sinful, when we know it was not so: in fact, they were quite in accord with nature. It is because of these attitudes that we have had much of the distress caused by illegitimate children and much of the attitude of society towards the mothers of those children. This is clearly borne out by the way we punish these women by not giving them sufficient legal help in regard to the welfare that is arranged for them.

We deliberately punish these women, and say that they should not have these things, because they have committed a sin. Yet what punishment is handed out to the man? Nothing at all! He is able to get off scotfree. Many of the attitudes expressed in regard to this Bill arise from those old attitudes of the past. I was struck by the letter that appeared in yesterday's *Advertiser* signed by Dr. Dennis Chambers. The letter, which I thought was very much to the point, states:

The social clause of the Abortion Law Reform Bill is in danger of being lost because of misrepresentation that it would mean in effect "abortion on demand". The latter expression only has meaning in terms of population control, and has no relevance in Australia.

When people talk about abortion on demand, the word "demand" means demand; it means that a person is able to go to a doctor and say, "I want an abortion. It has nothing to do with you; I want it." That is abortion on demand, not abortion subject to the provisions of this Bill. Certainly, this Bill does not constitute abortion on demand. The letter continues:

I cannot see a doctor in South Australia being so unscrupulous as to recommend an abortion for social reasons without first taking full account of a woman's emotional state, and counselling her when the condition demands it. Having just returned from working five months in general practice in England on a practice exchange, I can say from personal experience that, at the G.P.-patient level, the liberalized law, including its social clause, is widely appreciated as a long overdue humanitarian reform. Naturally there have been teething troubles, in particular with the setting up of a few private abortion clinics, but these eventuated only because Britain has a national health service that is just too inflexible to cope with the extra work, diverted from criminal abortionists and because many gynaecologists have refused their full co-operation.

As the medical and hospital services of South Australia are organized on such totally different lines, and G.P.s., particularly in the country, have access to hospital beds, I see no

danger of unsavoury abortion clinics ever being set up here.

The country G.P., being relatively isolated from specialist help has to have more gynaecological skills, and has occasionally, within the dictates of his conscience, to perform a therapeutic abortion. This service is appreciated by country patients; but they will lose it if the amendment that all patients must be referred to a specialist is passed. The family doctor is the only practitioner who knows a patient's complete history, condition and background, and furthermore, being the most experienced in social medicine, he is surely normally the one best placed to assess the indications for therapeutic abortion. To insist on all cases being referred to a specialist is therefore both illogical, and against the patient's interests.

From that doctor's statement, I draw the attention of members to the lengthy discussions that have taken place concerning the increase in the number of abortions performed in the United Kingdom since the legislation there was passed. Much has been made of the fact that in 1967, the last full year in which the previous Act applied, the number of abortions was 7,610, whereas since then it has risen to 33,000. Let us look at this in relation to the population of 55,000,000. If we translate that into terms of the situation in South Australia, the equivalent number here would be 660. Yet much is being made of this 33,000. In fact, the police inspector (Mr. Paul Turner) who gave evidence said he believed the number of illegal abortions was between 500 and 1,000. In a very comprehensive analysis, the Abortion Law Reform Association said that its estimate was about 2,100 a year not including those who went to other States. During the debate nothing much has been said about the number of abortions in this State; the number has not been regarded as excessive in the normal run of things. However, apparently it is far greater proportionately (and most of the cases are illegal) than the number in the United Kingdom since that country's Act was passed.

Mr. Clark: No-one really knows the number in South Australia.

The Hon. R. R. LOVEDAY: True. The people who have the best access to what is going on (and this is all we can go on, although they all admit they cannot come down with accurate numbers) say that the number ranges from 500 to 2,000. I want to say that the only body that gave evidence before the Select Committee that had really done objective research on this matter was the Abortion Law Reform Association. The Australian Medical Association certainly had not. I am prepared to give credence to the evidence of the police

inspector and this association on the approximate number of illegal abortions which obviously, on this calculation, far exceeds proportionately the number of abortions in the U.K. since the legislation there was passed. Of course, as the Abortion Law Reform Association points out, about 100,000 illegal abortions a year are believed to have taken place in the U.K. The association cannot prove this, but it got the information from the same sort of source as in the case of South Australia. Surely if this Bill brings into permissive and properly conducted channels only half of the women who would otherwise go to an illegal abortionist it is well worth while, because we will not stop illegal abortions if the Bill is not passed. If we can do that kind of good in respect of the health and future of the women who will undoubtedly avoid going to the illegal backyard abortionists after the passing of the Bill, surely that is well worthwhile just for those women alone.

I have heard suggestions in the debate that the Bill could lead to all sorts of terrible things in regard to society, but I cannot accept those suggestions at all: in my opinion, they are just not true. I have heard statements to the effect that abortion is murder and that murder is wrong and should be condemned. However, I ask myself how it is that when there is a war, which of course is always a war of self-defence according to all participants, theologians on all sides pray for their side to win, sanctioning mass bombing and the use of nuclear warfare, which means the indiscriminate slaughter of children born and unborn. I give little credence to the cry that this suggestion is murder of life.

Mr. Corcoran: Two wrongs don't make a right.

The Hon. R. R. LOVEDAY: I do not suggest that at all. I consider that war is murder, but this is not in the same category as war. I will not accept the suggestion that for up to about three months a foetus can be equated to the life of a woman. To me, this is nonsense. There is no viability or consciousness in that foetus during the period when abortion is usually carried out. It is merely a potential life and, if any members have read carefully the evidence given to the Select Committee and have considered the way in which some witnesses went from the word "life" to "human being" with the utmost ease and used the two terms as though they meant the same thing, they will have seen how these people have managed to get their argument over. It is most important that the use of the right word be recognized in this question. If

one talks about the extinction of life, an animal has life and who will deny that that spark of life is very much different from that of a human being? So, when we talk about making extinct that spark of life in a human being, we should think twice before we eat beef for dinner. After all, if we are to get so technical on the question, let us get down to the right meaning of words and be honest about it.

I emphasize again that those who have a religious or conscientious objection to the operation of abortion are not obliged or coerced in any way by this Bill. They will be able to exercise their free will completely, but I think it wrong for people who have particular ideas about this matter to imagine that they should enforce those ideas on the rest of the community who think differently. After all, many of the views that were held 200 years ago are not held today and I recollect that, when it was first proposed that women in childbirth should be given an anaesthetic, there was an enormous outcry. It was said that it was a sin, that it was laid down in the Word of God that women should labour in childbirth painfully. Much was written on the subject: it was a sin to have an anaesthetic in childbirth. However, no-one would promote that argument today.

People now regard that as completely ridiculous and, of course, much good has come from the use of anaesthetics in that connection and I consider that much good, by way of health and psychological outlook of women, will flow from the passage of this Bill. Certainly, in my opinion, the Bill will not demoralize the community. On the contrary, it will introduce a new clean atmosphere that will have a moralizing effect. I said earlier that the attitudes of our society had been formed mainly by men and that women seldom, if ever, had any voice in the matter. Anyone who has read the history of the relations between men and women over the centuries will know that women are only now emerging from the position of being mere chattels of men. Many men still think that women should be on the receiving end and that they should never be able to voice their own opinions on many of these social questions. This point was very well made in the following part of the submission of the South Australian Council for Civil Liberties to the Select Committee:

The main objection from this council's point of view to the existing legislation is that it uses the criminal law as a device to throw additional burdens upon women, purely because of their

special biological role. When it is realized that in many instances a pregnancy may come about without the specific intention of bearing a child, to force a woman to continue the pregnancy is in direct opposition to the basic right of an individual to determine her own future in accordance with the dictates of her own conscience, so long as she does no harm to the rest of society.

No words of mine could express this point better. The council's submission continues:

There is undoubtedly a strong and respectable body of opinion, drawn from virtually every section of the community, which does not regard abortion at the early stages of pregnancy as morally wrong, and on the contrary regards it in some circumstances as morally right. This fact alone immediately distinguishes the question of abortion from most criminal and quasi-criminal acts which are universally recognized as a proper subject for criminal legislation. In view of the additional fact that abortion is essentially a matter of purely private conduct or behaviour, it is difficult to see how this question should be made the subject of criminal legislation at all. The matter would appear to be more appropriately left to the individual conscience of the woman concerned.

This emphasizes what I said earlier: the fact that this matter can be made the subject of criminal law shows how the male has considered the female in this situation. If the positions were reversed, I venture to say that we would think it ridiculous: as males we would not have a bar of it.

I believe most emphatically that this Bill can do nothing but good. I am not afraid of the consequences but, if we later think that a provision can be improved, it is within our power to improve it. I am certain that this Bill will do much to take out of the hands of the illegal abortionist the business he is now getting, and it will enable many women (who would otherwise go to him) to receive good and proper treatment under good and proper conditions.

Mr. CORCORAN: I understand that, now that every member has had the opportunity to speak, we will be required to proceed with amendments. I intend to adhere to this arrangement. I want to make it clear to everyone present that there is no opportunity now to reply to many of the points raised, but that can be done when we discuss the amendments. Therefore, I move:

In new section 82a (1) (a) after "woman" first occurring to insert "who has been residing in South Australia continuously for not less than seven months."

Fears have been expressed by many people that if this Bill became law it would lead to people from other States coming here to

take advantage of a law that existed nowhere else in Australia. I have provided for the period of seven months, because we know from medical opinion that it is not possible to abort after that period, so people from other States will not be able to take advantage of our laws if this period of residence is included. As the Bill was originally drawn, it could be rightly claimed that South Australia could become the abortion centre of Australia; I believe that it could, and that people do not want this tag placed on the State. A residential clause is necessary, in order to prevent this sort of thing happening. If other States want this sort of law and if their Parliaments decide that it is necessary, let them do what we have done or tried to do in this State.

In addition, this clause must lead to medical people from other States establishing in this State for the sole purpose of specializing in abortion because, if this amendment is not included in the Bill, I do not believe the medical profession in this State could handle the number of abortions it would be required to perform because of the pressure of business that would come from other States. I am sure most members will agree to the amendment.

The Hon. ROBIN MILLHOUSE (Attorney-General): I hope the Committee will not accept this amendment. I say that even though I agree that we need some residential qualification in the Bill, because we cannot get uniformity throughout Australia in the foreseeable future. I do not think this should prevent us from going ahead. I acknowledge that we do not want South Australia to be a centre for abortion in Australia. We should avoid that by having some residential qualification. However, I ask the Committee not to accept this amendment or this way of doing it, for two reasons. First, I consider that the residential qualification can be better inserted by a separate subclause. I propose to do that later; that is merely a drafting argument. Secondly, and more substantially, I think that seven months is far too long a period. Let us remember that the longer the period the more people we shall affect, and inevitably by inserting a residence clause we are running the risk of prejudicing the position of some people who have genuinely moved to South Australia in the recent past.

Let us think of just two examples. First, there are migrants who come to South Australia with the *bona fide* intention of living here. A girl may be pregnant before she arrives here. If she is, it is impossible for her, even though she intends to reside here for the rest of her life,

to have an abortion in the circumstances contemplated in this Bill. Secondly, some people are moved from other States in the course of their employment, and the same thing may happen. Those are the two sets of circumstances in which any residential clause may prejudice a woman. The honourable member, who has been quite open about this, totally opposes abortion. He has said that, if he cannot get his way and have the Bill defeated outright, he intends to cut down its ambit as best he can: this amendment is in line with that aim.

Mr. Virgo: He is perfectly entitled to do that.

The Hon. ROBIN MILLHOUSE: Yes, but I point out to the Committee what his aim is. Having been toying with the period that is proper, I thought at one time that it might be four months but I am not certain now. However, I am sure, whatever a proper period is, that seven months is far too long. We know from our own knowledge and from the evidence before the Select Committee that the period up to which it is safe to carry out an abortion is only about 12 weeks. After that, the abortion, while possible, is fraught with danger, and the longer it is left the more dangerous it is. We shall have the opportunity later to consider the question of residence when other amendments are before the Committee. However, because I think the period is too long and that this is not the proper way to do it, I oppose the amendment.

Mr. HUGHES: I support the Deputy Leader. Unless there is some reasonable qualification regarding residence, South Australia will become the abortion State of the Commonwealth. The type of thing that could happen in this State has already happened in the United Kingdom. Although the Attorney-General is shaking his head, I quote from an article appearing in the *News* on February 18 last, as follows:

Abortion Rate up Sharply: London, Monday. Concern is growing here at the fast-rising abortion rate. Since last April there had been 23,736 abortions in Britain, compared with 4,530 in 1965 and 6,380 in 1966. The increase has caused so much alarm that a Conservative M.P., Norman St. John-Stevas, will try to change the new liberal laws on pregnancy termination. He told reporters he was concerned at the number of young women, married and single, coming from Europe for abortions in Britain.

Although this article was printed early this year, it shows that the very thing the Deputy Leader is trying to prevent here has already happened in the United Kingdom. I have a

further reference to this matter from a person who wrote to me only last week. Referring to the speech I made on Tuesday evening, he states:

You referred to the narrow margin (210 to 199, I think) by which Mr. St. John-Stevas, M.P., was refused permission to introduce a Bill to amend the abortion Act.

It appears that this member realized the danger, but he was refused permission to introduce a Bill to amend the Act. Today members have said in good faith that we should pass the Bill, give it a try, and, if something is wrong with it, rectify it afterwards. I do not agree: I think we should examine it seriously now. As a result of what has happened in other countries, I believe the amendment should be inserted. As the Attorney is prepared to agree to four months, I do not think he should object to seven months.

Mr. CORCORAN: The point the Attorney has made being valid, I have no argument against it. However, if what he has said is the case, surely a dangerous situation could arise affecting those women who come to the State to seek an abortion after four months. The Attorney has admitted that about five and a half months is an extremely dangerous period in which to perform an abortion, the safest period being five to 12 weeks after conception. However, women, on finding after a month or six weeks that they were pregnant, could be enticed to come here to have an abortion. After four months they would be five and a half months pregnant. I do not suggest that any doctor would take the risk and perform the abortion, but these women might seek it. However, in view of a section of the Commonwealth of Australia Constitution Act, to which the Leader has drawn my attention, there seems to be little point in proceeding with the amendment because it does not appear that it would be effective, anyway. Section 177 of this Act provides:

A subject of the Queen resident in any State shall not be subject in any other State to any disability or discrimination which would not be equally applicable to him if he were a subject of the Queen resident in such other State.

It seems that, because of that provision, this amendment could not be given effect to. As I am extremely concerned about this, will the Attorney give his view on that provision?

The Hon. ROBIN MILLHOUSE: This matter was pointed out to me a couple of days ago, when I put my amendment on the file. I do not think there is anything in it.

Mr. Corcoran: You don't think? I thought you could be certain.

The Hon. ROBIN MILLHOUSE: I was putting it in a deferential way, a modest way. I do not think there is anything in the point, because residence is a matter of fact and a person can be resident in only one place at a time. Section 117 of the Commonwealth Constitution provides:

A subject of the Queen resident in any State shall not be subject in any other State to any disability or discrimination . . .

The person would be resident here for the period specified and, therefore, not subject to any disability, as the residential qualification would apply equally to all. In my view, section 117 of the Commonwealth Constitution does not apply so as to invalidate a residential qualification.

The Hon. D. A. Dunstan: You say that the provision that a person must be resident here is not a disqualification against people resident elsewhere?

The Hon. ROBIN MILLHOUSE: That is so. If they are resident here for a month, there is no discrimination against them. I cannot carry the matter any further. It is a simple point and I think it is all right. If the honourable member does not want to go on with his amendment because he thinks it is worthless, I am the last to not stop him, because I do not support it.

The member for Wallaroo referred to St. John-Stevas, in the United Kingdom, and his attempts to change the law. I have the House of Commons *Hansard* for July 15, 1969, in which the debate is recorded. As the honourable member has said, the motion for the Bill was defeated by 210 votes to 199, but the mover gave his objection in introducing the Bill. He stated:

The House has here an opportunity to register by its vote the opinion that it shares the anxieties of the majority of people in the country, of the press, and of the large number of members of the medical profession, and encourage the Government to take action.

Even though the House of Commons had that specific invitation, it turned it down. Mr. David Steel was one of the prime movers in the matter. In fact, he introduced the Bill and dealt with the very point that the member for Wallaroo (Mr. Hughes) made—the influx from other States. He said:

The growth of the private sector has very little to do with foreigners. The amount of hysteria in the press in recent weeks about, for example, 30,000 Danish women coming in charter flights to Britain has been shown to be complete nonsense. The Secretary of

State for Social Services, having made his inquiries, discovered that, in the period of this hysteria during June and the first week of July, only four Danish women had abortions in the private clinics in London.

That is typical of the real position with regard to people coming into the U.K. The press and others opposed generally to abortion have magnified out of all recognition what is happening. My information is that the position is the same with respect to people of other nationalities.

Mr. VIRGO: I am concerned that South Australia should not be made an abortion State, and I do not believe it will be. However, the inclusion of a time factor in the provision will at least allay fears on this point. I am not happy with the terminology of the amendment. I do not care whether it is four months, seven months, or some other period. I wish to raise the case of a woman born in South Australia who had lived here continuously prior to her marriage at the age of 25. She then moved to another State or to, say, New York, and after five or 10 years of marriage became pregnant and wanted an abortion. She could then return to South Australia for the abortion. Because there are no words immediately before "terminated" it seems that the whole purpose of the amendment is defeated. Can the Attorney-General say whether my interpretation is correct?

The Hon. ROBIN MILLHOUSE: I hope the honourable member will not support the amendment, for the reasons I have given and for the reasons he has given. It is not well drafted. I am not certain whether the point he is now asking about is substantial. The amendment contains the word "continuously", but that brings difficulties of its own, because it means that a girl who goes away for a holiday in Melbourne with her husband and becomes pregnant during her holiday will be prevented from having an abortion under this provision, even though she and her husband might have been in another State for only a short time.

Mr. Virgo: Is this referring to the seven months immediately before the termination of the pregnancy?

The Hon. ROBIN MILLHOUSE: I think the amendment intends that it should be, but that is an added reason why the form of amendment is not good. Also, "continuously" creates more anomalies.

Mr. BURDON: A doubt has been created by the section of the Commonwealth Constitution and, if this doubt is not resolved, South

Australia could become the abortion centre of Australia.

Mr. CORCORAN: I am mainly concerned about the number of people who could come from other States and, to me, the period of time is important, as well as the point raised about the Constitution. If we are to insert a residential clause, we must be certain it will work. Unless the Attorney-General can give me an unqualified assurance that it will work, there is no point in our inserting an amendment if it will not stand up in court.

The Hon. ROBIN MILLHOUSE: I have expressed my opinion that this does not apply. It does not imply that I am weak or wavering about this. I have already given my reasons, one being that a person can be resident in only one place at any one time. In this case the person must be resident in South Australia, so there is no discrimination against anyone resident in another State. We can never be 100 per cent certain that the provision will work until it has been tried in court.

The Hon. C. D. HUTCHENS: I oppose the amendment because there may be something important in what the Attorney-General has said, and not only for the reasons he has given. The member for Gawler put the position clearly when he said this would take the teeth out of the Act and render it ineffective. We have been challenged to prove that some of our fears are well founded. The Attorney-General has given two cases where it might work to the detriment of women obliged for cogent reasons to seek abortion. Some years ago a friend of my daughter came to me to discuss the prospects of marriage to someone she had met. On learning that they were of different religious faiths, I strongly advised the two people concerned to settle their differences before they were married, and this they did. They married in a non-conformist church and went to live in another State, where they set up a small enterprise in joint names. About 14 months after the marriage, their first child, a daughter, was born, but as a result of that birth the woman almost lost her life, and it was only a miracle that saved her.

The husband said that he knew how to have associations at the right and proper times, that it would be all right, and that there would be no further conception. Unfortunately, however, a second child was born and, although it was saved, the mother was in hospital for seven weeks. Having told her that there was a strong possibility that if she was to have another child she would not survive, the doctor

prescribed a contraceptive, but the husband forbade its use. Because the girl stood her ground, the husband said that he would not live with her in sin, that they could no longer be considered as being married and, to use his own words, that "she could have the bastards and the business", and he would go. In fact, he left her, and these details are set out in the appropriate legal documents.

These two people have been separated for a long time. Although the woman lives outside South Australia, she banks and does her shopping in this State and her daughter goes to school in South Australia. However, her son does not go to school, because, having suffered brain damage at birth, he is mentally deficient. On November 21 next, the woman in question, now 38, is to marry a man 40, and they are going to live in South Australia. Having discussed their future situation, they have arranged to take all the necessary precautions, and the woman has consulted two specialists. One specialist suggested that she undergo an operation that would render pregnancy impossible, but, having once been rejected, the woman is afraid that this operation may lead to a similar undesirable situation. On the other hand, the doctors have admitted that, although in many cases contraceptives are safe, they can fail. What happens if contraception should fail in the early stages of this woman's new married life? Must she face almost certain death, or go to a backyard abortionist? That would be the position in which this amendment would place her, and surely no-one would want that. The period sought to be provided is far too long. Those of us who have supported this Bill have been accused of sacrificing our Christian principles and of being atheistic. We have been reminded of the commandment "Thou shalt not kill."

The CHAIRMAN: Order! I think the honourable member will realize that this does not relate to the amendment before the Chair.

The Hon. C. D. HUTCHENS: Very good, Sir. I grant to every person the right to his beliefs. However, no-one has the right to engage in Paisleyism to try to force other people to adopt his views.

Mr. CORCORAN: I object to the line taken by the honourable member. I do not think any member has resorted to Paisleyism: I do not think that has ever been suggested. I think this is the wrong sort of tactic for the honourable member to take. However, if he wants to have a fight, that is easy enough to arrange. Other members have said that we

should try to keep emotionalism out of this debate but, if tactics such as those just used are adopted, one is forced to resort to similar tactics.

The Hon. C. D. Hutchens: I was accused in the debate of being an atheist.

Mr. CORCORAN: I did not accuse the honourable member or any other person who supported the Bill of being an atheist; I do not think anyone else made that accusation, either. My argument is based on the fact that I believe the foetus to be a human life with rights, and the fact that we are completely ignoring those rights concerns me. What I want to see now is an effective residential clause. The Attorney-General and other speakers have said that seven months is too long, and they have given certain examples. To meet those examples, perhaps the amendment of the Minister of Education is more appropriate, for that provides for only one month. However, if only a month is provided, it will be a simple matter for people to come from other States and be aborted within 12 weeks. The main reason I advocate seven months is that it will establish a position beyond doubt. Certainly there will be cases that will be excluded because of the provision, but we cannot legislate for every eventuality.

The member for Hindmarsh has said that this is one of the amendments that takes the teeth out of the Bill, and I make no apology for the fact that it does that. If I cannot defeat this measure, I will attempt to tighten it, and I believe that is perfectly in order. I intend to move other amendments that members can defeat if they wish. The Bill as it stands is far too wide. If the law is amended, it should apply only to people of this State, or the State will get a bad name out of it. Although certain cases will be excluded by my amendment, it makes it impossible for people from other States to take advantage of the law. If the Committee will not accept seven months, then it must not be less than six months, which I believe is the minimum requirement necessary conclusively to prevent people coming from other States.

Mr. CASEY: I support the amendment. The Attorney-General was struggling when he said that in seven months a person could go for a holiday or trip and therefore not be resident in this State. The Attorney-General asked how we were to determine whether a person was resident in this State when he went to another State on holidays. The member for Gawler then referred to the place of residence shown as the person's home address, such as

the address on a driving licence. The Attorney's suggestion of four months would mean that the same thing would apply. I repeat the horror I feel at the thought that South Australia could become the abortion centre of Australia. We should act in the interests of the people of South Australia, not of all the people of Australia. If a similar measure is wanted for the whole of Australia, the Commonwealth Government should give the lead. If members have a clear conscience about this measure being introduced for South Australia they should not quarrel with a period of seven months. If the period is limited to one month people will come from other States the same as they are going to London from places such as Holland and Scandinavia.

Mr. LAWN: The amendment does not give effect to what the mover desires, whereas the other amendment on the file does that. In terms of the Deputy Leader's amendment, a woman who has lived here for seven months or more at some time and has moved to another State can come back to have a pregnancy terminated.

Mr. Clark: I don't think the amendment does that.

Mr. LAWN: It does. The Attorney-General intends to move that paragraph (a) of new section 82a (1) will not apply to any woman who has not resided in South Australia for at least four months immediately before her pregnancy.

Mr. HUGHES: First, I make my position clear. In this debate I do not think I have referred to any member as an atheist. I have every respect for every member's Christian beliefs. The Attorney-General seized upon the remarks of the member for Edwardstown (Mr. Virgo) to further his argument. However, when he referred to a lady going to another State on a holiday, he did not mention that she was still a resident of this State. If a lady goes for a holiday for several weeks she does not forfeit her residential qualifications. So, the Attorney-General's argument was very weak.

Mr. CORCORAN: I believe that my amendment does what I intended it to do. If it said "had been residing" it would have the effect described by the member for Edwardstown. However, because it says "has been residing", the honourable member's point is irrelevant. Of the abortions performed in the United Kingdom in the first 14 months that the Act was in force, 14 per cent were performed after 20 weeks. I am prepared to have the period apply immediately before the

termination of the pregnancy, but I appeal to the Committee to include a residential period of seven months, because if this type of provision is not included problems will be created. If this provision is not affected by the Constitution, it will work satisfactorily.

The Committee divided on the amendment:

Ayes (12)—Messrs. Allen and Burdon, Mrs. Byrne, Messrs. Casey, Clark, Corcoran (teller), Edwards, Giles, Hughes, Hurst, Venning, and Wardle.

Noes (23)—Messrs. Arnold, Brookman, Broomhill, Dunstan, Evans, Ferguson, Freebairn, Hall, Hudson, Hutchens, Jennings, Lawn, Loveday, McAnaney, McKee, Millhouse (teller), Nankivell, Pearson, Rodda, and Ryan, Mrs. Steele, Messrs. Stott and Virgo.

Pair—Aye—Mr. Riches. No—Mr. Coumbe.

Majority of 11 for the Noes.

Amendment thus negatived.

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

In new section 82a (1) to strike out "(a)"; and to strike out "in a case where two legally qualified medical practitioners are of the opinion, formed in good faith—

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

or

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

and".

This amendment makes an abortion a medical matter between the woman concerned and her doctor. I am confident that members of the medical profession will act ethically and not rashly. As has been said, abortion is generally viewed unfavourably by both the medical profession and the women concerned. However, there are cases in which abortion is desirable for a number of reasons. We do not attach any legal requirement to most other medical matters other than that a practitioner must be qualified. It is not obligatory on the patient to accept any advice he receives from a doctor, and it is not obligatory on a doctor to accede to a request for an abortion. Following a discussion held recently at the Adelaide University arranged by the adult education authorities, a learned doctor, who made

out a case in support of the Bill, is reported in the *Advertiser* as having said:

Abortion reform would see about 1,000 South Australian women every year no longer disabled and distressed by unwanted pregnancy or unskilled or unsafe illegal abortions.

It is acknowledged by those members of the medical profession and others who have studied this matter that some women are forced to go to backyard abortionists. On the other hand, doctors who perform the operation in good faith do so knowing that they can be placed in an embarrassing and uncomfortable position, despite the fact that they may have performed an operation in the interests of the woman concerned or perhaps in the knowledge that her child might be born deformed in some way. One cannot condone sexual relations out of wedlock, but everyone knows that it does occur. A family doctor knows a family, its disabilities and economic circumstances, and I believe he is the person who should judge whether or not an abortion is desirable. In the "Stories from the Courts" in the *Sunday Mail* of April 19, the following appears:

At 21 she had a tragic life behind her, and in court this week it didn't seem as if it would be any easier for some time to come. She was dark-haired and small, neatly dressed in a light blue frock and a dark blue cardigan. She sat on her own in the court, and when her name was called she left her handbag on the seat and walked to the dock, looking apprehensive. The court clerk, Mr. Ken Packer, read out three charges of shopstealing to the extent of \$119. With a voice you could scarcely hear she pleaded guilty as each charge was read. Then it was the turn of the police prosecutor, Mr. Clive Turner, who detailed the accounts of her wrongdoings and also of her troubles—and they were plenty.

It was late one afternoon when a store detective spotted her stealing. When police came she produced other goods and also at her hotel room. Mr. Turner said she was a deserted wife and had been left with four children, aged 3½, 2½, 1½ and five months. Her husband left her 14 months ago and she was living with the children at her parents' home in the Far North of the State. In June she received her first cheque from the Department of Social Welfare for \$62. On July 14 she used part of this money to come to Adelaide with her second youngest child who was admitted to hospital for operations on the brain and feet.

She booked in at the hotel and intended returning home on July 16. On July 15 she visited her child in hospital and about midday went to a city store and took some property, then to another store with the same result and took the stolen goods to her room. She went back to visit her child and also went back to the city and to another store where she took more goods. She was desperate, she told police, and needed them for the children and herself.

Mr. Turner's story was sorry enough, but her counsel, Mr. J. R. Mansfield, told an even sadder story. She came to Australia from Europe as a girl, and, living in the outback, she did correspondence classes to get to second-year standard at high school. At 15, when the family moved to the Far North, she came to Adelaide and boarded, until she took a position as a nurse's aide and "lived in." She was quite happy.

The CHAIRMAN: Order! I trust the honourable member will link up this article with the amendment.

The Hon. C. D. HUTCHENS: I will not weary members by reading any more of this; I will paraphrase it. Counsel pointed out that the girl was staying in town at a boarding-house. She met a member of the opposite sex and found after a short time that she was pregnant. He was never of any use to her and never worked. Children were produced, and later he left her. Acknowledging that these things happen and that the family doctor would appreciate that this was a sad case, would it not be fair to give a girl in this position a second chance, instead of forcing her into the terrible position in which this girl found herself? Her family would be insufficiently provided for, would become sour with society, and probably would not be an asset to the nation. These cases occur every day.

I have said that most deserted wives are the result of shotgun marriages, with the husband not caring for the family and leaving. In those circumstances, we have a society that is a fertile bed for Communism. We should consider these matters and acknowledge, as the member for Whyalla (Hon. R. R. Loveday) so magnificently put it this afternoon, that the woman has equal rights with the man and should not be dictated to by the male on what is a medical matter, not a legal matter. I hope the Committee realizes that this is sound and desirable, in keeping with modern times, and gives protection to those who need it most.

The Hon. ROBIN MILLHOUSE: The purpose of this amendment is to make abortion a matter between the woman and her doctor, by cutting out all the grounds provided in the Bill. If the amendment is carried and the Bill passed, the provision will be:

Notwithstanding anything contained in section 81 or section 82 of this Act but subject to this section a person shall not be guilty of a felony or misdemeanour under either of those sections if the pregnancy is terminated by a legally qualified medical practitioner where the treatment for the termination of the pregnancy is carried out in a hospital or a hospital of a class declared by proclamation . . .

This is the position that I think we can say fairly is at the opposite end of the spectrum to the position taken by the member for Millicent. I say with all my heart that I could adopt either position, because both positions, once arrived at, are logical and simple to defend, but I cannot accept either position. I cannot accept the absolute prohibition that the member for Millicent would place upon abortion, nor can I accept the position that the member for Hindmarsh now advocates, which would allow abortion to be a matter purely between a woman and her doctor.

I hope that I have made clear my position. I consider that any abortion is an interference with either human life or a potential human life. Therefore, it can be justified only in special circumstances, but I do believe, if those special circumstances exist, that they must be acknowledged, and that we must provide for them. If we agree to the amendment moved by the member for Hindmarsh, we remove those special circumstances. I cannot accept that. We must find a middle course between the two extremes proposed by the member for Millicent and the member for Hindmarsh. Therefore, because it goes far too far, I ask the Committee not to accept this amendment.

Mr. CORCORAN: I support the Attorney-General, who has clearly set out the effect of the amendment of the member for Hindmarsh (Hon. C. D. Hutchens). If it is carried it will lead to an intolerable situation, particularly as there is no residential provision in the Bill at present. It goes directly against my beliefs but, apart from that, any responsible person can see that it is necessary clearly to state as a guide to doctors some grounds on which abortions should not be performed and some grounds on which they should be performed. If it is merely left to the doctor and his patient an intolerable situation will arise. Consequently, I ask the Committee to reject this amendment.

The Hon. D. A. DUNSTAN: I support the amendment, because I believe there are only two alternatives, in logic, on this matter. Granted the premises put forward sincerely by the member for Millicent (Mr. Corcoran) and those who agree with him, I think his case follows: that there can be no abortions except perhaps in circumstances where it is necessary to save a life. If, however, those premises are not granted, and not granted on the ground (and this can be the only ground) that there is not an identifiable and protectable human life at the time when an abortion can be

performed, the law, in my view, has no place in the matter. There seems to be no intermediate position.

The criminal law has no purpose in laying down rules for people in this community except to protect human beings and their property from the depredations of other human beings. The law has no place in the bedrooms of the nation, nor have police officers any place there, except in a private capacity. If there is not a separate and identifiable human life that needs to be protected by the law, there is no place whatever for the law to interfere with the reproductive processes of a woman any more in this matter than in the case of contraception.

The intermediate position seems to me to be completely illogical. What we are saying is that, having got ourselves to an illogical position concerning abortion, we are going to extend our personal inhibitions about the cases in which we personally might contemplate it to others in the community, but I do not think we have any such right. I do not think that, logically, there is any ground for an intermediate position that says that we are going to allow abortion in certain specific circumstances because these seem socially necessary, while we are not protecting an identifiable human life but protecting its potentiality. If we are protecting its potentiality and laying down laws about that, we should be concerned about contraception as well. I do not see the logic of the position that is taken by the clause as it stands. I appreciate the view of the Deputy Leader who does not want this to go any further than he can possibly see that it does go.

Mr. Corcoran: You're dead right.

The Hon. D. A. DUNSTAN: I respect the honourable member's position. I appreciate the premises on which he is arguing but, with great respect to him, I do not think that most people accept those premises. Once that is not accepted, in logic, the position I have stated should follow. The only other thing that can be argued is that the community dislikes abortion and, therefore, we should say to other people, "Since we would not do it or be involved in it, we will not let you be." That, however, is not the position that the criminal law should take. It is a **matter of morals, and** the criminal law is not there to enforce private morals. Unless we can show that there is an identifiable and viable human life to be protected, the criminal law has no place in the matter and, consequently, I am led, in conscience, to support the amendment.

Mr. EVANS: Before the Select Committee was formed I had the same view as that of the Leader of the Opposition, and it is possibly the same now. As a member of Parliament, I cannot accept this amendment and vote for abortion on request which, in fact, the amendment will achieve. To support the argument of the member for Hindmarsh, at the 67th session of the National Health and Medical Research Council a recommendation was made that medical practitioners in consultation should alone have the responsibility for the decision to terminate pregnancy. Secondly, it was recommended that procedures should be performed in an approved hospital and, thirdly, no ground for legal action should lie against a medical practitioner for refusing to perform an abortion.

Although I believe this is possibly what could be the best end result of this legislation, I consider that for the time being it is better to have the clause as it is and not to have abortion on request. I believe in abortion on request but, after listening to evidence given before the Select Committee, I cannot support it and, therefore, I cannot support the amendment.

The Hon. G. G. PEARSON (Treasurer): I addressed myself to this aspect of the matter in my earlier comments on the clause as a whole; therefore, I feel obliged to re-affirm my position, that I support this amendment, and for substantially the same reasons for which it was moved. I said I found myself in agreement with the general progression of the logic advanced by the Leader of the Opposition, and I am still of that view. There are degrees of murder and in some circumstances we try to define them, and the court takes cognizance of the definitions we attempt to provide. I do not entirely agree with the Leader in his attitude to the law of morality, but he is a legal luminary and I am merely a layman. However, be that as it may, I find myself in general agreement with his hypothesis: that, if abortion is acceptable and if it is not criminal, there is no intermediate ground on which we can stand.

I did say, and am still of that opinion, that this whole matter is medical and not legal. The provisos which are sought to be inserted in new section 82a and which the amendment takes out are an honest endeavour to establish some criteria on which the operation of abortion should be permitted. In a matter like this that is medical, psychological, psychiatric and particularly human in its application, the law at its best is but a clumsy instrument to express the kind of thing which,

taken separately, may be capable of lucid expression but which taken as a whole, as a concept of a woman's well-being, cannot be expressed adequately in the law.

This is no criticism of the Parliamentary Draftsman's ability or of the inadequacy of the English language: it is simply a matter of fact that the law cannot express completely adequately what we would define as being either acceptable or non-acceptable. Therefore, I believe that the doctor, who is probably the woman's family doctor and knows more about her history, her physical and mental state, the circumstances of her home life and of her family (in other words, all the things we are trying to write in here) than anyone else does, is in the best position to judge this matter. I agree that we are leaving heavy responsibility in the hands of the doctor to act honourably and properly, but I will trust him because he is the only person who can properly judge the matter. While I agree that doctors are human, as the rest of us are, perhaps some would take one view of a case while others would take another view, but I see no better way of deciding a case than to leave it in the doctor's hands, and I am prepared to do that.

I admit, too, that some doctors will perhaps take a rather loose approach to this but, generally speaking, that is not their attitude. Most doctors, most hospitals, most nursing sisters and most people who attend in theatres do not regard abortion with any liking. Nevertheless, it has to be done, it is done, and it will be done. But there is a natural reluctance to do it which acts as a brake on its indiscriminate use. The further amendments listed will act as safeguards against the abuse of the amendment of the member for Hindmarsh if it is implemented, for it is required that records shall be kept, that certain details shall be known and, in fact, that the whole matter shall be fair and above board, so that there will be no clandestine or improper practices. I think those things in themselves will help ensure that this proposal is not abused. I find myself in support of the honourable member, and I believe that if we are to achieve anything worth while in the amendments to this legislation we ought to accept this amendment.

Mr. CLARK: I find myself in the unusual position of disagreeing in this matter with my Leader and with the member for Hindmarsh, although I am sure they will understand this. As I have said previously, I believe that an abortion should be performed only if it has

been proved to be vitally necessary. In my opinion, this amendment would mean that an abortion could be obtained because it was wanted, provided that the medical officer concerned was agreeable. As I believe that this would enlarge the scope of the provision under which an abortion could be performed, I cannot agree to the amendment. I believe that there must be good medical reason to show why an abortion is necessary, but I believe that this amendment will take that reason out of the new section altogether.

Mr. GILES: I cannot support the amendment, for it would allow abortion on request, involving only one doctor. Although doctors generally are ethical and are a sound group of people, this amendment would leave it open for the unethical doctor to do what he wished regarding abortion. If this amendment were carried, people would come from other States to South Australia purely for the purpose of obtaining an abortion. The Leader says he does not know whether this would or would not involve a criminal offence.

The Hon. D. A. Dunstan: I didn't say that.

Mr. GILES: I thought the Leader did. He said he did not know whether an abortion in these circumstances would be a criminal offence.

The Hon. D. A. Dunstan: I did not.

Mr. GILES: I understood the Leader to say that. As no-one seems to be able to say when a foetus becomes a human being, I believe this matter comes under the criminal law. The amendment would make the provision extremely wide and, as there is the element of doubt concerning when the foetus becomes a human being, we should not make any mistake in this matter. By opening the door, we could make a serious mistake in defining at what stage the foetus became a human being. At this time, I believe the amendment is most unacceptable.

Mr. CASEY: I cannot support the amendment, which provides for abortion on demand. On figures from Dr. Lewis in London, this would mean one abortion for every eight births in this State, for that was the rate of abortion in the first eight months after this law was passed in London. It is also about the rate in Sweden, while in other Scandinavian countries the rate is even higher. In Japan there is one abortion for every two births. Abortions are performed in that country on the ground of population explosion, but what would be the ground here? We say that this country must be populated and we spend millions of dollars to pay for migrants to come here. On

the other hand, if this Bill is passed the birth of some of the best possible citizens will be prevented.

It has been suggested that abortion should be performed for mental or physical reasons. As I said this afternoon, by way of interjection, I was told last year by the leading gynaecologist in Australia, who lives in Sydney, that, on the medical records of this country, not one woman had actually lost her life because of pregnancy. I interjected when the member for Edwardstown was speaking, but unfortunately he did not finish his statement. The person referred to actually had an abortion, but it was a natural one—a miscarriage. Neither Dr. Gibson nor Dr. Cox was influenced in giving evidence to the Select Committee, nor did either divert from the opinion that abortion was not the answer to the problem. I oppose the amendment.

The Hon. C. D. HUTCHENS: This amendment does not provide for abortion on demand. Although the member for Frome has referred to figures about the United Kingdom, the member for Ridley (Hon. T. C. Stott) and I spent a day with five members of Parliament from the United Kingdom, who all agreed that the position had been grossly exaggerated. I agree with the member for Frome that we want population comprising the best citizens. No-one wants women who are physical or nervous wrecks. They do not make the best citizens. I suggest there is merit in providing for a decision to be made by the family doctor and the woman who asks his advice.

The Committee divided on the amendment:

Ayes (7)—Messrs. Dunstan, Freebairn, Hutchens (teller), Jennings, Lawn, McKee, and Pearson.

Noes (28)—Messrs. Allen, Arnold, Brookman, Broomhill, and Burdon, Mrs. Byrne, Messrs. Casey, Clark, Corcoran, Edwards, Evans, Ferguson, Giles, Hall, Hudson, Hughes, Hurst, Loveday, McAnaney, Millhouse (teller), Nankivell, Rodda, and Ryan, Mrs. Steele, Messrs. Stott, Venning, Virgo, and Wardle.

Majority of 21 for the Noes.

Amendment thus negated.

Mr. CORCORAN: I move:

In new section 82a (1) (a) after "practitioners" to insert "(one of whom is registered by the Medical Board of South Australia as a specialist in obstetrics and gynaecology)".

Some members have implied that I do not believe that any doctor acts in good faith or can be trusted in a matter of this nature, but nothing is further from the truth. However, a small number may not act in good

faith and will take advantage of a situation to feather their nests.

Mr. Evans: Would any gynaecologist do this?

Mr. CORCORAN: Gynaecologists take a pride in their work, because they are specialists in this field, and they will do everything they can to maintain their high standard. If it were required that they should be consulted, we could be certain that the position would be critically examined. As there are only 28 gynaecologists in Adelaide, it has been said that it would be difficult for a woman, who was seeking an abortion, to consult them, because of the limited time that they have available, and that some people would have to travel long distances for an appointment. If this is the situation now, what about the woman who urgently wants to save the life of her child? Where does she go?

Mr. Evans: She goes to a general practitioner.

Mr. CORCORAN: What if she needs specialist attention? Perhaps she cannot be treated by the general practitioner, so he would refer her to a gynaecologist and she would have to do exactly what any other woman in a country area would have to do.

The Hon. G. G. Pearson: You have gone wrong in your logic.

Mr. CORCORAN: No, I have not. It is a medical fact that there are cases where a woman in trouble as a result of carrying a child has to be referred to a specialist. If she is living in Ororoo, she has to be referred to a specialist in Whyalla, Mount Gambier or Adelaide; she has to go there to save the baby.

The Hon. G. G. Pearson: In a complicated case, yes, but you are making them all complicated cases.

Mr. CORCORAN: I do not see why any greater facility should be made available to a woman seeking an abortion for any of a variety of reasons than to a woman who wants urgently to save the life of the baby she is carrying. If the shortage of gynaecologists is so bad, surely we should be doing something to improve the situation. We should not be very concerned about a woman who may find it difficult to get to a gynaecologist or a specialist in order to destroy the life of a baby. We want somebody who will check the unscrupulous doctor or pair of doctors. Nobody will convince me that there are not a few doctors who would get their heads together on this and specialize in it.

Mr. McAnaney: They would have clinics in Adelaide.

Mr. CORCORAN: That means that people from the country would have to come to Adelaide anyway. It is not necessary for every hospital in the State to be prescribed. Of the 41,000 abortions performed in the United Kingdom in the first 14 months of the operation of the Act there, almost 30,000 were performed because the physical or mental health of the mother was in jeopardy. This clause should be drawn more tightly. In order to be certain that the things that should be looked at in this regard are either permanent or temporary, I want the best possible advice, and that comes from specialists in this field.

Surely members will not subscribe to an easy method of doing away with an unborn child. Surely they will want to ensure that the proper thing is done to protect its rights. It may be said that it has no rights; that the mother is the one who counts; that her rights are important. But there is no-one to defend the rights of the thing inside her. Specialists have a reputation to uphold, and they will not see that reputation damaged easily.

In spite of certain administrative difficulties that may be caused, I think the matter is so serious that we must provide for the best possible advice to be obtained. A legally qualified medical practitioner, together with a specialist in this field, can make the appropriate decision. However, I would question the decision made in some circumstances by only two legally qualified medical practitioners. Whether we like to believe it or not, there will be unscrupulous doctors in this State who will specialize in abortions. I hope the Committee will support the amendment.

The Hon. ROBIN MILLHOUSE: I must confess that this is a matter on which I found some difficulty. I reported to the Committee last week that when I was in England I had discussions with medical practitioners and came to the conclusion that the pre-operative consulting provisions in the Bill should be tightened up. This can be done in three ways: first, in the way that the honourable member suggests now (that one of the consultants should be a specialist); secondly, we could provide that the operation must be carried out by one of the medical men who is to be consulted; or thirdly, we could provide that the operation must be carried out only by a specialist. I do not know whether the honourable member has forgotten some of the evidence given before the Select Committee which was clearly to the effect (and this was from medical practitioners) that there was no technical need for the operation to be

carried out by a specialist, and that it could be undertaken perfectly competently by a general practitioner of experience.

That, I think, is one matter that we must take into account. I got to the stage of putting on the file an amendment to the honourable member's amendment, and I will move it if the honourable member's amendment is carried. But I have come to the conclusion now, for the reasons set out by Dr. Hackett in his letter, to which reference has been made, that this is impracticable in South Australia, simply because of the concentration of specialists in Adelaide. I cannot accept that people in the country areas of the State, except in, I think, Whyalla, Mount Gambier and perhaps one other place, should be put at a disadvantage; but we are putting them at a disadvantage if we carry this amendment.

Mr. Corcoran: How do you think they get on now? If they have to go to a specialist, they are at a disadvantage.

The Hon. ROBIN MILLHOUSE: That may be so, but it is not a disadvantage created by law. I point out to the honourable member that this is a minimum consultation. There is no reason why a general practitioner wants to get a third opinion or a second opinion from a consultant. We are avoiding the situation that would amount to discrimination against country people. After much thought and perhaps some wavering, I have concluded that there is no satisfactory way to tighten the provisions for consultations. Because of the practical difficulties of this amendment, I believe we should leave the provision as it is in Great Britain and as I put it in the Bill. If we provided that the operation should be performed by a specialist I think this would be bitterly opposed by many medical practitioners.

Mr. Corcoran: No-one suggested that.

The Hon. ROBIN MILLHOUSE: I am canvassing the three ways we could have tightened it up. We had evidence to this effect. The specialists thought it should be done only by specialists, whereas the general practitioners felt they were competent to do it. I believe the medical profession in South Australia is competent enough and honest enough for us to be able to accept the situation as in the Bill. Therefore, I oppose the amendment.

Mr. HUDSON: After some consideration I oppose the amendment. This is a way of ducking for cover from the proper consideration of the clause that provides for abortion to be lawful where, in the opinion of two medical practitioners, the physical or mental

health of the mother is in danger. It seems to me that if we are genuine in believing that in those restrictive circumstances an abortion may be justified—

Mr. Corcoran: They are not restrictive.

Mr. HUDSON: I believe they are because I believe that the vast majority of doctors will approach this matter in good faith and consequently my view is that the amendment is restrictive in its operation. If we accept the purpose of this amendment, it would be wrong to introduce a further provision into it that operated unequally in respect of the general citizens of the State. The information we have from Dr. Hackett is that there are 28 specialist obstetricians and gynaecologists. Of these, 24 live in Adelaide, two in Mount Gambier, one in Whyalla, and one in New Guinea. I think it is worth recognizing first that there are a number of general practitioners who, although not classified as specialist gynaecologists, do in fact tend to specialize within a clinic in that general field. They take a much higher proportion of the pregnancy cases that come into that practice. This has been my experience in relation to two Adelaide clinics, and I think that in the country general practitioners find that, because of the cost and difficulty involved in consulting a specialist, they must develop something akin to a specialist's knowledge. What does the general practitioner in the country do if the mother is not able to go to Adelaide? Who pays, and who arranges the transfer? Where it is a matter of saving the life of the mother or the child, the local doctor does the best he can until the woman has to come to Adelaide, when an emergency effort is made. Until then, he copes as well as he can. Some doctors in both city and country areas, although not registered as gynaecologists or obstetricians, have special knowledge in that area and can give an opinion on whether there is risk to the physical or mental health of the mother.

Mr. Clark: Some specialists come from those ranks.

Mr. HUDSON: Yes, that is one way of getting a specialist knowledge. It seems wrong for one who opposes the Bill to try to put in a provision that is unworkable and discriminates against people in the country and people on lower incomes in the city. I appreciate the Deputy Leader's purpose. I have concluded that the new section, with one amendment, ought to be supported. The provision requiring the opinion of two medical practitioners represents little more than a clarification of the present law, because present law would not

require an opinion of an obstetrician or a gynaecologist, despite what is said about Bourne's case. I do not think it can be said that a specialist's opinion is required. Consequently, if we accept this amendment, we are not only making it tougher in respect of this clause but we are tightening up what is probably the existing law. For all those reasons, I believe the amendment should not be accepted. If we are to have written into our Statutes that it shall be lawful to terminate a pregnancy in circumstances where the mental or physical health of the mother is in danger, according to competent medical opinion, then we should provide in the clause that that medical opinion can be obtained fairly readily. We should not make it exceedingly difficult for certain sections of the population to obtain that medical opinion.

Mr. CORCORAN: The honourable member has said that the amendment would render the clause virtually unworkable and that there are 28 gynaecologists in this State. If, as the proponents of abortion say, this legislation will lead to not more than 1,000 abortions a year in this State and they are spread over the 28 gynaecologists, it works out at less than one consultation a week. If, for reasons of conscience, half the gynaecologists will not consult on this matter, each gynaecologist who does consult will consult twice a week. Yet the member for Glenelg has said that the gynaecologists will be snowed under!

Mr. Evans: Are you suggesting that all these patients who consult a gynaecologist will be aborted?

Mr. CORCORAN: I said "consultations"—it does not necessarily follow that the patients will be aborted. So, the amendment will not make the clause unworkable and it will not mean that the gynaecologists will be snowed under. This was in the back of members' minds. I think it was mentioned in another letter I received today. I want to ensure that the grounds that may be provided in this Bill for an abortion to be performed should be properly examined and that the person doing it should have something to protect. A specialist has more to protect than has an ordinary medical practitioner.

Mr. CASEY: The Attorney-General is following the argument adopted by the Abortion Law Reform Association. When the Attorney-General introduced the Bill last year I said that I would not support it; but I said that a gynaecologist should be one of the specialists to be consulted. It has been proved

by the Deputy Leader that gynaecologists would not be overworked if the amendment is carried. The other argument concerns people living in remote areas. If the Government considered them, it should subsidize the medical expenses of these people, because they should be helped. However, because of the Flying Doctor Service, in some of the most remote areas of this State the people enjoy better medical services than those available to people living in some suburbs of Adelaide. In the *British Medical Journal* of this year, dealing with the mental or physical state of a woman as a ground for abortion in Britain, Dr. T. L. T. Lewis, consultant obstetrician and gynaecologist, Guy's Hospital and Chelsea Hospital for Women, London, writes as follows:

There were 22,256 abortions in the first eight months (about one to every 28 live births, a figure almost identical with the Swedish abortion rate). Of these, 55 per cent were performed on single girls, widows, divorcees or women separated from their husbands, as against 45 per cent on married women. "Since far more married women than single women became pregnant, it is difficult to understand how medical indications can be so much more frequent in women without husbands." It is relevant that of the 22,256 abortions, 15,961 were done in the interest of the women's physical or mental health.

If the Attorney-General can produce one shred of evidence on medical record in Australia today that a woman for mental or physical reasons has had to be aborted, where life was actually in danger, I shall be pleased to hear it. It is just not so.

In Europe, a woman can get abortion on demand, and in Hungary and Poland, and in England, people are not happy with the situation—everything I have read in the *British Medical Journal* complains that the legislation is too wide. Let us not make the same mistake here. In fairness to the unborn child, to the mother and to society in general, there is no reason why a specialist should not be called in as a consultant. Under the Swedish system a woman has to go before a committee before she can be granted permission to be aborted.

Mr. Clark: That is so in several States of the United States, too.

Mr. CASEY: Yes. The people on these committees are experts in their own field. The Select Committee's report shows that a stupid suggestion was made to a gynaecologist in this State by a woman who asked him for an abortion. He asked, "On what grounds?" She said, "Oh, my mental health is going to suffer." He said, "You look perfectly healthy to me; I see no reason why it should

affect you." She replied, "My husband is going overseas and I want to go with him." In other words, it was interfering with her social life and she was prepared to sacrifice the life of a child in the womb merely so that she could accompany her husband. I do not suppose there was any reason why she should not have accompanied him as she was.

The Hon. Robin Millhouse: Where does this come in the evidence?

Mr. CASEY: I am saying that gynaecologists are specialists in their field.

The Hon. Robin Millhouse: What is the reference in the evidence to this example?

Mr. CASEY: I cannot pick it up straight away, but I think other people have seen it.

Mr. Evans: If the woman was aborted, it did not stop her at all.

Mr. CASEY: It is absolutely scandalous to suggest that people should obtain abortion on demand in this way.

Mr. Hudson: She couldn't get an abortion under this Bill.

Mr. CASEY: Apparently, most members desire to provide for abortion on demand, but I do not want that.

The CHAIRMAN: The honourable member must come back to the amendment.

Mr. CASEY: Thank you, Mr. Chairman. I sincerely hope the interjections are more appropriate.

The CHAIRMAN: As interjections are out of order, the honourable member will ignore them.

Mr. CASEY: If women are genuine in their reasons for seeking an abortion, namely, on mental or physical grounds, and if it can be shown they will suffer in some such way, I think it is most desirable that a gynaecologist should be consulted for his opinion. I support the amendment.

Mr. LAWN: I oppose the amendment for the same reason as that given by the member for Glenelg. The Deputy Leader said there would be no difficulty concerning women living in the metropolitan area, because there were 24 gynaecologists here. Under the amendment, however, women living in Marree, Port Lincoln, Port Augusta, Peterborough and Cockburn, etc., would have to come to the metropolitan area to see a gynaecologist, and I see no reason why these people should come to the city. I have seen the correspondence placed before the Select Committee to which the Attorney-General has referred this evening. The people who wrote these letters have told me that in cases up to three months they would give advice whether to terminate the

pregnancy. In cases further advanced than that, they said they would refer the patients to a gynaecologist. During the last 12 months, people who have opposed the Bill have said that, if it becomes law, the same thing will happen in South Australia as has happened in the United Kingdom: that there will be a terrific increase in the number of abortions. The member for Whyalla said that 33,000 abortions had taken place in the United Kingdom, which has a population of 55,000,000. Proportionately, this would mean that South Australia would have 660 abortions a year. The Deputy Leader has said that 1,000 abortions are carried out in South Australia each year, so this means that women in South Australia would make more demands for abortion than is the case in the United Kingdom.

Mr. Corcoran: I said that the proponents of abortion were saying that there were 1,000 abortions.

Mr. LAWN: Well, the Deputy Leader accepted those figures.

Mr. Corcoran: I used them.

Mr. LAWN: If the Deputy Leader used them in the debate and did not accept them, he must have been trying to confuse members. He used figures that he thought he was justified in using, as they were given in evidence to the Select Committee. A police inspector said that there were between 500 and 1,000 abortions a year, and the Abortion Law Reform Association said that the figure was about 2,000.

The CHAIRMAN: Order! Will the honourable member connect his remarks with the amendment?

Mr. LAWN: The Deputy Leader said, in effect, that the women in South Australia were making a greater demand for abortion than was being made in the United Kingdom. This convinces me even more that I am doing the right thing for the women of South Australia in supporting the Bill.

Mr. EVANS: I believe no-one is better able to make the first decision than the family general practitioner. If he believes it is necessary to obtain the opinion of a specialist, he will obtain it. In other cases he may believe all that is necessary is to get the opinion of another general practitioner. Better than anyone else, he understands the position of women and their environment. The main objection that the member for Glenelg had was that specialists were too centralized to serve the people. He also claims that the amendment

places financial burden on those least able to afford it, and that is my main objection. Does the Deputy Leader suggest that the general practitioner would not be out to protect his reputation? I suggest that the reputation of the general medical practitioner is more vital to him in the community in which he lives than is the reputation of the specialist. The Committee has shown overwhelmingly that it does not favour abortion on demand, so it is unfair for the member for Frome to say that members favour it. It would be wrong for us to force a woman to spend unnecessarily, by consulting a specialist, money that she could use for her family. I do not support the amendment.

Mr. HUDSON: Most of the petitions ask that the Bill not extend beyond a codification of existing law, and I suggest that, if this amendment is carried, the law will not even go as far as that condition. Professor Cox, Professor of Gynaecology at the University of Adelaide, in evidence to the Select Committee states:

The Present Situation.

a. The current law.

Illegal termination of pregnancy carries penalties but there is no definition of the circumstances under which the operation is legal. It is assumed that following U.K. practice after the case of *Rex v. Bourne*, termination of pregnancy in the interest of life and health of the mother is legal.

b. Present medical practice.

The medical profession in South Australia assumes that termination of pregnancy on medical grounds where the life or health of the mother would be endangered is legal and that the doctor would not be prosecuted if he acts in good faith. To ensure his own safety from prosecution it is customary for a doctor to seek a second opinion, preferably one from a specialist in the disease from which the patient is suffering. Many doctors consider, however, that this situation is unsatisfactory. Because of the lack of legal definition of therapeutic abortion many doctors refer all those cases in whom they believe pregnancy should be terminated to public hospitals.

Doctor Cox is saying that most doctors would prefer to get a second opinion from a specialist if it were possible to get one and also that they would prefer to send a person to a public hospital, but it is not suggested that present medical practice requires in all circumstances that the second opinion be from a specialist.

The Deputy Leader's figure of 40,000 abortions being performed in the United Kingdom in 14 months is completely consistent with the figure of 33,000 in a year mentioned by the member for Whyalla, who has pointed out that, on a pro rata basis, that would be 660

in a year in South Australia. The Deputy Leader's figure on a similar basis would give 800 in 14 months in South Australia. Professor Cox estimates that about 4,000 abortions are now performed in South Australia in a year. In respect of public hospitals, he states:

The number of abortions (spontaneous and induced) admitted to the Queen Elizabeth Hospital, April, 1965, to March, 1967, was under 700 and the number admitted to the Royal Adelaide Hospital was probably not quite twice as many. One might expect that the number of abortions in public hospitals would have some relation to the number of confinements occurring in public hospitals and that these proportions would be similar in private hospitals. The number of abortions in South Australia per annum might be about 4,000.

Of course, this includes illegal abortions. Professor Cox then points out the difficulties at the Queen Elizabeth Hospital in determining just how many of the abortions carried out have been illegally or spontaneously induced. The pro rata figure for the United Kingdom is not terribly startling when one examines Professor Cox's evidence. Requiring that a gynaecologist or obstetrician should be consulted in every case is making the change in the law more strict than the existing practice.

There has been no really basic opinion expressed to us, even in the form of petitions, that we should do that. Certainly, some petitions asked for outright opposition to the Bill.

However, the vast majority of those petitions basically opposed to the question of abortion (largely because of the petitioners' philosophical and religious views) did state that any statement of the law in the Criminal Law Consolidation Act should not extend beyond a codification or clarification of the existing law, and that is all this new section really does, apart from the social clause, which we shall deal with later.

Progress reported; Committee to sit again.

FOOTWEAR REGULATION BILL

Returned from the Legislative Council without amendment.

LAND VALUERS LICENSING BILL

Returned from the Legislative Council without amendment.

LICENSING ACT AMENDMENT BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendment of its amendment No. 11, and that it did not insist on amendments Nos. 1 and 14, to which the House of Assembly had disagreed.

ADJOURNMENT

At 11.5 p.m. the House adjourned until Wednesday, October 29, at 2 p.m.