

HOUSE OF ASSEMBLY

Wednesday, September 23, 1970

The SPEAKER (Hon. R. E. Hurst) took the Chair at 2 p.m. and read prayers.

QUESTIONS**VIETNAM MORATORIUM**

Mr. HALL: In view of the prosecutions before the court concerning those individuals who were concerned with the disorder last Friday, can the Attorney-General say what is the Government's attitude to those prosecutions and whether it will give an undertaking that it will not interfere with them?

The SPEAKER: Order! This question is, in my opinion, *sub judice*.

Mr. Millhouse: Heavens above!

The SPEAKER: It is a matter before the court.

The Hon. L. J. KING: With respect, Mr. Speaker, I would be willing to answer the question if you wished to rule that it was in order. Of course, that is entirely up to you.

The SPEAKER: The Attorney-General considers that the question is not *sub judice*. Indeed, I was interrupted slightly and did not get the full purport of the question. I am willing to let the Attorney-General reply if he desires to do so.

The Hon. L. J. KING: The prosecutions before the court are entirely in the hands of the court. So far as the Government is concerned, the law will take its course. There will be no interference by me or by the Government with these prosecutions, which are entirely a matter for the authorities concerned. Regarding any effect that the fact that cases that are now before the court may have on the Royal Commission, I can only say that whether the fact that there are current prosecutions has any inhibiting effect upon the evidence the Commission may receive at a particular time is a matter for the Royal Commissioner to decide, and he will have to make rulings on that from time to time, as evidence is tendered before him.

Mr. McRAE: My question is to the Attorney-General and is in two parts. First, can he say whether it is a serious and further offence on the part of persons already charged with offences allegedly committed at Friday's moratorium march to agree between themselves or with others to conceal evidence or to produce false evidence or to disrupt court proceedings? Secondly, can the Attorney-General advise any

persons, especially our young people, what the consequences of this kind of behaviour may be and can he advise what they ought to do if suggestions of this kind are made to them? I have received information that certain persons involved in the moratorium have approached persons charged with offences and, among other things, have suggested to them that they produce perjurious witnesses and false photographic evidence, and that they have offered to assist with this material. In addition, suggestions have been made that the court proceedings ought to be deliberately disrupted and that the defendants themselves ought to act contemptuously during court hearings. If this information is correct, it would seem that many people, especially our young people, are being deliberately involved in a criminal conspiracy by a group of unscrupulous people who are taking advantage of the idealism of others. I am greatly concerned and alarmed at this, and I should like to know whether it is true that the people involved could suffer heavy penalties. I should like to ensure that these people, especially our young people, understand that, whereas any charge arising out of Friday's march might in itself not have much impact on their lives, actions such as those I have already described might well take them out of the category of idealists and put them into the category of defendants in the criminal courts.

The Hon. L. J. KING: I have no information on the matters raised by the honourable member, and I make no comment on whether or not the conduct he describes has occurred. Indeed, it would be quite improper for me to make any comment on this matter. However, if the facts which the honourable member describes are accurate, they would constitute the most serious crime of conspiracy to pervert the course of justice and might involve the commission of other crimes as well. I agree that it is important that young people (indeed, all people) understand that the sort of conduct described by the honourable member would constitute a serious crime punishable by imprisonment, involving the most serious consequences to the lives of any persons who were responsible for that sort of conduct and convicted of such a crime.

Mr. MILLHOUSE: My question follows the question asked by the Leader of the Opposition and the Attorney-General's reply, particularly that aspect of the reply concerning powers of the Royal Commission. With your permission, Mr. Speaker, and the concurrence of the House—

The SPEAKER: Order!

Mr. MILLHOUSE: It particularly concerns—

Mr. Jennings: Ask your question!

The SPEAKER: The honourable member must ask the question, and then—

Mr. MILLHOUSE: Well, Sir, I endeavoured to explain the purport of the question as fully as I could.

Mr. Clark: You explain that after you ask the question.

The SPEAKER: Order! The honourable member must ask the question.

Mr. MILLHOUSE: With great respect, since this controversy arose, on every occasion you have allowed me to do this.

The SPEAKER: Order! This House made a decision in respect of questions, and that decision was upholding a ruling of mine that the question must be stated. The member for Mitcham must state his question so that I can ensure that his explanation is relevant to the question.

Mr. MILLHOUSE: Well, Sir, all I can say is that this is the practice I have adopted until now.

The SPEAKER: Order! The member for Mitcham must observe the decisions of this House, and I ask him to ask his question and then obtain leave of the House to explain it.

Mr. MILLHOUSE: Sir, as you direct me to do this, on this occasion I shall.

Mr. Clark: You will in future, too.

Mr. MILLHOUSE: In view of the reply which the Attorney gave to the Leader, in which he suggested that the Royal Commissioner would decide whether any prosecution would affect the inquiry that he had made, and as there is, so far as I am aware, no provision in the Royal Commissions Act to give a Royal Commissioner power to take any action in those circumstances, can the Attorney-General say whether the Government intends, by legislation, to give the Royal Commissioner additional powers to cover the matter that he has raised in answer to the Leader or whether there is some legal power in a Royal Commissioner to make such a decision and in some way to interfere with the due process of the law?

The Hon. L. J. KING: I am surprised at the honourable member's question; it seems to involve a complete misunderstanding of my reply to the Leader. At no stage in my reply did I suggest that the Royal Commissioner might consider interfering with the due

process of the law. On the contrary, what I said was that it might be (and I only say that it might be, because this is entirely for the Royal Commissioner to say) that the Royal Commissioner could reach a stage in his inquiry where he saw fit to desist from hearing certain evidence about certain specific incidents on the ground that proceedings were still pending before the ordinary courts in respect of these incidents. That would be a matter entirely for the Royal Commissioner, and he does not need any specific legal power in order to do that; the member for Mitcham will recall that, under the terms of his Commission, he is given a discretion to conduct the inquiry as he sees fit. The very terms of his Commission entitle him to exercise his discretion as to the manner in which the inquiry is conducted. I suggest that he undoubtedly has the legal power to desist, if he thinks proper, from hearing evidence on any particular aspect of his inquiry until proceedings have been disposed of in the ordinary courts. This is entirely a matter for the Royal Commissioner; it is not for me to say what he should do. He will undoubtedly consider the matters as they arise before him and the evidence tendered before him, and make his decisions and rulings as he goes along. There is certainly no occasion for any alteration of the law to give effect to that.

RADIO ADVICE

Mr. SLATER: Can the Attorney-General say whether, in cases where people suffer damages as a result of advice and comment by radio commentators, the radio commentators involved can be sued under law? Many commercial radio stations have a programme during which people telephone the radio station, and commentators and guests offer comments and advice on a wide variety of subjects that arise. Often the advice is not entirely correct, and at times it is misleading. I have noticed a recent press article stating that the New South Wales Attorney-General has issued a friendly warning to open-line radio commentators on the legal risks involved in giving advice. He said that he joined the Queensland Minister for Justice, who gave a similar warning. Can the Attorney-General comment on the situation in this State?

The Hon. L. J. KING: There is a rule of law that, where advice is given in such circumstances to an identified person or identifiable class of persons and in circumstances in which those persons may be expected to act on that advice, legal liability may arise if the advice

is given negligently and if some person acts to his detriment on that advice. One can do no more than refer to that general principle. The only guidance I can give to anyone engaging in this sort of service is that these persons should seek the advice of their own legal advisers, placing all the facts before them and obtaining advice whether they might incur legal liability for the advice they give.

WHEAT QUOTAS

Mr. GUNN: Will the Minister of Works ask the Minister of Agriculture whether farmers will be able to make up one year's short-fall in their wheat quotas in the following year? It has been brought to my notice that there is a possibility that farmers who have a short-fall in one year will not be able to make it up the following year, which, if this is true, will prejudice many farmers, particularly those in marginal areas, in the operation of their farming business.

The Hon. J. D. CORCORAN: I will obtain that information from my colleague.

BAGGAGE HANDLING

Mr. HARRISON: Has the Minister of Roads and Transport a reply to the question I asked on August 25, during the debate on the Loan Estimates, regarding baggage handling arrangements in this State?

The Hon. G. T. VIRGO: The Railways Commissioner informs me that the baggage handling arrangements are considered to be excellent and compare very favourably with other systems throughout Australia. I believe that other Railways Commissioners have complimented our Railways Commissioner on the South Australian system. Nevertheless, I have again taken up the matter with the Commissioner to see whether some improvement can be effected.

AMBULANCE SERVICES

Mr. VENNING: My question relates to unsatisfactory replies to questions received by members from Ministers. Although I do not wish to delve into this matter in detail, I should like to refer to one such answer I received.

The SPEAKER: What is your question?

Mr. VENNING: It relates to unsatisfactory replies received from Ministers.

Mr. Jennings: Ask the question!

Mr. VENNING: On August 12, I asked a question regarding payments made by the Hospitals Department to ambulance services that carry pensioners from rural areas to hospitals in the metropolitan area. Unless a

country doctor who wants to transfer his patient to Adelaide sends him to a Government hospital, the department will not pay for the ambulance service. It is not always possible for a doctor to get a patient into a Government hospital in Adelaide, as a result of which it is sometimes necessary for a patient to be admitted to, say, Memorial Hospital. The reply I received last week from the Attorney-General, representing the Chief Secretary (that it was never intended that the payment for ambulance transport should be made merely to transfer a pensioner to any hospital of his own choosing), did not relate in any way to my question. Will the Premier now take up this matter with a view to obtaining justice for those pensioners living in rural areas who, through no fault of their own, and perhaps because of a lack of facilities, have to be transferred from a country hospital to a city hospital designated by a specialist?

The Hon. D. A. DUNSTAN: I do not think the question with which the honourable member ended his explanation was a question about an unsatisfactory reply from a Minister.

Mr. Millhouse: He didn't say that.

The Hon. D. A. DUNSTAN: The member for Mitcham is again attempting to evade Standing Orders. If the member for Rocky River wishes me to get a further reply on this matter from the department I will certainly ask my colleague for it. We are concerned about providing services, certainly, but the honourable member will be aware that certain procedures have been established as a basis for assistance to indigent people in South Australia. If we find it is not a satisfactory service we will re-examine the matter.

TORRENS BRIDGES

Mr. SIMMONS: Will the Minister of Roads and Transport consider the acceptance of some financial liability for the provision of bridges across the Torrens River with a view to providing immediate relief in respect of the undoubted problem of north-south traffic pending a long-term solution of that problem? There is a major north-south traffic problem in the metropolitan area, and as the Torrens River runs in an east-west direction through much of the metropolitan area it cuts across the traffic flow. There are several bridges the responsibility for some of which is accepted by the Highways Department, but other bridges are needed. Unfortunately, in my district there are different local government bodies on each side of the river and as a result it is difficult for them, first, to find finance and, secondly, to

reach agreement. At any rate, because of local conditions in many cases the benefit is to the people on one side of the river only. There is an undoubted need for a footbridge across the river behind the Underdale High School to keep children off busy roads and to bring the school within 100yds. instead of one and a half miles of the children's homes.

The Hon. G. T. VIRGO: I shall be pleased to take this matter up with the Highways Department. I think the honourable member has an important point which could be considered when the report in relation to the revision of the Metropolitan Adelaide Transportation Study plan is being considered, and particularly in the pursuit of our stated policy of upgrading arterial roads to cope with our current road problem rather than riddle the metropolitan area with freeways.

HOUSE SALES

Mr. McKEE: Can the Premier explain the terms and conditions for the sale of Housing Trust homes? I have received queries from some of my constituents who are purchasing these houses. They state that after they paid their deposits they took occupation and, if there was a delay of two or three months in getting a bank loan, the trust insisted that they pay rent for that period.

The Hon. D. A. DUNSTAN: As the honourable member will appreciate, the Housing Trust has to cover the expenses it incurs in building houses with normal financial provision and, when arrangements for a mortgage have not been completed, it is necessary to service the expenditure incurred. I will certainly get a report for the honourable member.

TRADING HOURS REFERENDUM

Mr. HALL (Leader of the Opposition): I move:

That this House request the Government not to interfere with Friday night shopping in those areas where it is now permissible.

There is some urgency in this motion because of the developments of the last few months and the rapid tempo of these developments in the last few weeks and even days. The House is familiar with the history, both since the election and just before it, of the Government's inability to face the question of determining a policy on its own initiative in relation to shopping hours in the greater metropolitan area. The Government's subsequent hidden action is yet to be announced, following the referendum decision last Saturday.

I remind the House that in the last election campaign the present Premier stated clearly that there would be no extension of Friday night shopping in South Australia beyond those areas that already had it. This position was maintained for some weeks until, for some reason (I believe the reason had to do with pressures emanating from the union influence on the Labor Party) the Government stated that it would introduce legislation to enable a referendum to be held in South Australia to ask the people whether there should be an extension, whereas it had said in its election policy speech a few weeks before that there should be no extension.

This was one of the first of the many contradictions that the Government has placed before the people regarding what is an extremely important issue for many thousands of people in the metropolitan area. We remember that the Premier had stated, only 10 days or 14 days, I think, before the Minister of Labour and Industry introduced the referendum legislation, that there would be no taking away of shopping freedoms that then existed. Within a few days of the Premier's statement, we were told that the Government would take freedom from the people north and south of the city and that it would ask, at the referendum, whether it should also take away Friday night shopping in those areas. The Minister stated in this House that the Government would abide by the result of the referendum, and the people who voted, if they had been able to understand the question, would have accepted that the Government would either approve Friday night shopping throughout the metropolitan area or prevent that shopping, depending on the referendum result.

However, it was evident that the Government was gambling with the desires and freedoms of many thousands of people. This was evident from the statement by the Deputy Premier, I think in a news report, that he considered that 70 per cent of the people would approve Friday night shopping. The Government went ahead with the referendum, believing that it had given one more freedom. The Government's gamble failed. The coalition formed in the Trading Hours Steering Committee, which represented 13 South Australian retailing associations, and the Shop Assistants and Warehouse Employees Federation, was one of the factors that divided the "Yes" vote at the referendum. This was combined with a rather mysterious statement by the Premier that a "Yes" vote would mean an increase of \$2 a week in the expenses of the average family. That was a

completely unsubstantiated statement that the Premier has partly repudiated in yet another of his erratic changes in administration. He repudiated the statement by saying, when the referendum result was known, that the increase would not occur in those areas outside the metropolitan area, that he was speaking only of the inner areas.

This means that, on the Premier's economic assessment of Friday night shopping, prices would be much lower outside the central metropolitan area than inside it, because obviously there would be no pressure outside, where the people have those hours now, to increase prices. This is an impossible financial assessment by the Premier of the shopping hours referendum and its effect on prices. The Government and the junior Minister, the Minister of Labour and Industry, lost their gamble. The people voted, under the Premier's warning about price increases and under the campaign of the retail traders and the union, in favour of "No", and then we had the spectacle of the member for Playford saying he could possibly lose his seat because of that vote. The interesting mail I have received includes a long handwritten letter from the Secretary of an Australian Labor Party branch in the area, saying that he thought that this was an unusual approach but it was the only effective approach he could make.

Mr. Burdon: Was that from DeGaris?

Mr. HALL: When this political attitude is adopted, things stir the people. We know that now the Government at least can say that it adopts the attitude that it stands for, because it has stood for every attitude! In the last few months it has stood for a policy of not extending Friday night shopping and for a policy of extension of Friday night shopping if it got a favourable referendum result. What does the Government stand for?

I suspect that the Government is carefully considering the implications of a "Yes" vote in a significant number of districts. I have read that the people in the District of Elizabeth voted overwhelmingly (almost 9,000 to about 2,500) in favour of shopping freedom. In the District of Fisher, the vote was marginally in favour, and the vote in the District of Florey was in favour by a majority of a little over 1,000. The District of Heysen, with its limited form of entry into this contest, because of the restricted area of voting that the Government allowed, was also marginally in favour. The District of Light was significantly in favour, the District of Mawson was overwhelmingly in favour, and the District of

Playford was also overwhelmingly in favour (by two to one). The Districts of Salisbury and Tea Tree Gully are in the same category. The Premier has made ambiguous statements about his policy and uniformity. The Minister of Labour and Industry has stated:

The Government intends that there should be uniform trading hours within the enlarged metropolitan area. It is recognized that this will affect many people, both shoppers and shopkeepers—

they are brave words—

and that there are differing views as to whether all shops should be permitted, should they desire to do so, to open on Friday nights. The Government recognizes that there is considerable public interest in this matter . . .

I tell the Government that there is considerable public interest in this matter. The Minister went on to enumerate his reasons for promoting, on either a "Yes" or a "No" vote, a uniform policy on shopping hours. As I have said, the Government has been on all sides of the question in the last four weeks. The junior Minister may say by interjection, or more forthrightly in a speech, that he will adopt the attitude that he has been promoting previously, but I wonder which attitude it will be. He may gallop in all directions again. I implore him, whatever he does, to adopt an attitude, not to continue the administrative failure of this Government. I mentioned earlier that this matter was urgent, and the reason for this has been stated in the junior Minister's second reading explanation of the referendum Bill. That explanation states:

It is proposed that a further Bill will be introduced immediately after the referendum to give effect to the decision of the people as expressed in the referendum.

The word used was "immediately". I excuse the Minister for not having his Bill immediately ready, because I understand he has been otherwise occupied in the last few days. However, if the Government is to fulfil any part of its promise to the people, one can expect that shortly, at least by tomorrow, a Bill dealing with shopping hours will be introduced into this House.

Therefore, the consideration of this motion is important, because the Government can note the House's attitude to shopping hours before it introduces the Bill on this subject, and it can be saved the embarrassment of once again having to change its course. I should like the House to express its view on this motion today, and, in the light of the build-up of public events and of previous decisions made and rescinded by the Government, I do not think that is an unreasonable attitude.

The Premier had a little fun last evening (I do not begrudge him his fun, because he has not had much fun lately) when speaking to the grievance debate that commenced yesterday afternoon. As is his usual form, he misrepresented entirely the attitude that I had expressed during the referendum campaign. Obviously, the Premier has not read the speech that I made on this matter.

I remind the House that I consistently said that it was an unnecessary referendum, that it was wasteful of Government expenditure, and that people did not have to be told that they did not wish to have taken away rights they already had. I said that, because the question to be asked was so inadequate, my only suggestion to the people would be to vote "Yes", so that the people concerned would not lose their shopping freedom. I also said that my personal opinion was that there need be no restriction on shopping hours and that, as far as I was concerned, shops could open for as long as they wished and as, in fact, they did open at present north and south of the city. I did not say that I advocated this as a vote to be expressed by the people. I moved an amendment in the House distinctly stating that that was my personal opinion, but I did not advocate it, and it is untruthful for the Premier to say that I did advocate it. That amendment was unsuccessful, and I moved another amendment to the effect that the referendum should be conducted on a State-wide basis and that the metropolitan area should not be considered in isolation. I said this, however, after I had already said that the whole thing was unnecessary.

I point out that the result of this will not disadvantage my Party and that I have nothing to regret. Our stance on this matter throughout has been that we should not remove the freedoms that people already have. Through the statements made prior to this debate, the Government is now committed to standing by the result of the referendum, and we are now interested to see, once again, whether the Government will, in fact, stand by it. As I have said, it therefore becomes a matter of some urgency that this House express an opinion today, before the Government introduces the relevant legislation, and I ask members to consider this matter properly, as I am sure that all members have an opinion on it. Although I know that it is the usual courtesy, extended to members by the Government and Opposition alike, that members should have an opportunity to consider whatever measure is introduced, I submit that there has been ample time

for members to make up their own minds on this matter, bearing in mind the lengthy discussions that have taken place and the fact that members previously voted on a similar issue when the referendum Bill was before the House.

Because of the importance and urgency of the matter, I believe that members should be able to express their views today, and I ask them, in the interests of the freedom of the people of this State, especially in the interests of the freedom of those people who now enjoy extended shopping hours, and (for the benefit of those on the Government side who may be a little more cynical about this matter than others), in the interests of the union secretary who wrote to me, I ask members to support the motion.

Mr. EVANS (Fisher): I second the motion. Indeed, I support it as one of the members representing a district in which people at present do not enjoy shopping hours extending to 9 o'clock on Friday evenings but who may wish to enjoy this extension of shopping hours. I speak not only on behalf of the slight majority of people in my district who recorded a "Yes" vote but also on behalf of those who recorded a "No" vote. The Government's intention, when it introduced the referendum Bill, was that we would have uniform shopping hours throughout the State. Let us examine the position of service stations, which have been left out in this matter but to which I have referred previously. Service stations were not to be touched, and most of us know that there has been much discontent in this area for many years.

The present Premier saw fit, prior to the election on May 30, to write to the proprietors of service stations, telling them that if they gave him their support he would ensure that their activities were protected and would help them. However, he did not delve into that aspect when the referendum Bill was being considered; he merely left out service stations completely and said that shops and businesses enjoying the freedom to open seven days a week (or whenever they wished to open) in certain areas north and south of the city could not continue to enjoy that freedom. Even at this stage, there has been no reference to the service stations at Darlington and other areas which are continuing to open for extended hours. Although I do not disagree to their remaining open, I disagree to the principle of attacking one section of people who are serving the community, while leaving other sections alone merely

because some sort of promise has been made in order to obtain a little electoral support and a few votes at a State election. At least we can see that the promise made in that case was honoured. The Leader said that the matter of shopping hours was a gamble. Government members believed that a large majority would vote "Yes", but they did not count on the campaign that was carried out by their own unions, which normally support them, for a "No" vote.

Also, they did not count on the campaign organized by certain organizations that represent various business interests within the city area. As a result of the campaign that was conducted, we have witnessed a "No" vote and a waste of money. What is the Government's intention here? Just after the referendum was held, the Minister of Labour and Industry appeared on television and said that, following the "No" vote, legislation would be introduced to implement that vote. Now, however, we hear that there is discontent among some Government members, and I believe that that discontent is justified, because the people those members represent have hitherto enjoyed a freedom to shop in their areas until 9 o'clock on Friday evenings. Why should they not continue to have this freedom of shopping hours? The only thing that will remove that freedom will be the fact that the Government has been caught between two forces, one force being the trade union movement, which wanted to close shops on Friday night and all day Saturday and Sunday.

Mrs. Byrne: That's not true.

Mr. EVANS: Mr. Goldsworthy was reported in the press before the referendum was held—

Mr. Keneally: Which Mr. Goldsworthy?

Mr. EVANS: The Secretary of the Shop Assistants Union. He said that Saturday morning shopping would go at a much more rapid rate than most people realized, regardless of the result of the referendum.

Mr. Payne: Wasn't there a report in the *Stock Journal*?

Mr. EVANS: I know that certain Opposition members would like to condemn the *Stock Journal* because it represents the interests of country people. The laughter at a certain stage yesterday in this respect showed the attitude of members opposite towards country people. The representative of the union concerned with shopworkers said that Saturday morning shopping would disappear much more rapidly than most people realized. Let no member opposite say that

it is not the intention of that union to seek the abolition of Saturday morning, Saturday afternoon, and Sunday shopping as well as the abolition of Friday night shopping. Members know this well, as does the Minister.

The Government was jammed between the trade union movement and the electors in districts which had Friday night shopping and which were unfortunate enough to be represented by members opposite. The Government chose to seek an easy way out, believing that about 70 per cent of the people would vote "Yes" at the referendum. However, we ended up with a "No" vote. Members representing certain districts to the north are concerned that they may lose electoral support if there is a blanket rule regarding Friday night shopping. The motion before the House will enable the areas that now have Friday night shopping to continue to have it. Of course, not only people living in those areas enjoy the extended trading hours. People who do not have the opportunity or the time to shop on Saturday mornings travel many miles to shop on Friday evenings. Some husbands and wives may wish to shop together and may choose to travel eight or 10 miles to do their shopping at this time.

Certain business houses are prepared to open at that time to provide a service to these people, as they have been providing a service for some time. Most of those who work on Friday evenings are married women whose families are struggling to make ends meet and who wish to earn a little extra to help out. The husband can stay at home on Friday evening and look after the children while the wife does this part-time work to supplement the family budget. Mainly, regular shop employees, who work a 40-hour week, do not work in the evenings. Many of the people who work after hours on Saturday afternoons and Sundays as well as those who work on Friday evenings in the areas that enjoy the additional trading hours are people who need a few extra dollars to supplement their family budget. So why should we take away from these people this freedom that they now enjoy?

Mr. Payne: They shouldn't have to work.

Mr. EVANS: I believe that the attitude of the member for Mitchell at all times would be that no-one should have to work. If ever the day arrives when we do not have to work and we can have a holiday on 365 days a year, I hope I am here, and I hope that we can survive as a State. The honourable member's attitude is that people should

not have to work. I should like to see a world in which people did not have to work, but what would hold our interest? In most cases, the people to whom I am referring do not mind working: they are prepared to work to get on. They do not want to sit down and loaf: they want a few extra dollars to pay their debts, and to improve their position; they do not want to bludge on others. We should seek to protect those who want a bit of extra money and who want an opportunity to earn it, so that they can pay off their commitments.

Mr. Payne: They wouldn't have these debts if they got proper wages in the first place.

Mr. EVANS: Referring to the referendum, the Minister said that it was a clear-cut question. I wonder whether he took a walk down the street before the referendum was held and spoke to any group, asking people whether they thought voting was voluntary or compulsory. I wonder whether he asked them whether they knew what the question meant, and whether they thought that if they voted for 9 o'clock closing on Friday night it might mean losing Saturday morning shopping. That was the opinion some people held.

Mr. Clark: That belief was fostered.

Mr. EVANS: It may have been fostered, but that opinion was held by some people. Did the Minister honestly believe that there would be an increase of \$2 in the average family spending as a result of Friday night shopping until 9 p.m., as was suggested by the Premier? That increase has not occurred in areas where the extended trading hours operate now. Although these areas have some advantages over other areas, this increase has not occurred. While there is the competition that applies now, I do not think there will be any real increase. The same number of people will purchase about the same number of articles. Not as many employees will be employed at any particular time as are employed now; they will be spread out over a more staggered working period. Therefore, there will not be a great increase in labour, although penalty rates will apply more widely than they apply now, and justly so. There will not be an increase of \$2 a week.

The Government believes in uniform shopping hours and it held a referendum to decide the issue. Now that it has been confronted with the decision of that referendum, it is starting to hedge. I ask Government members to think seriously about this motion; they should consider what it provides. It is all right for the Premier to say that he will abide by the will of the people. In Fisher, about half of

the people voted "Yes" and half voted "No". Will the Premier move in favour of those who voted "No", or will the people who voted "Yes" have their will implemented? They all have a will. Will the Premier move in favour of the will expressed by the majority of the people in the extended metropolitan area? Will he provide uniform shopping hours throughout the extended metropolitan area, with no trading on Friday nights? Or will he say that, because people in a district such as Playford voted in favour of 9 o'clock closing, that area can retain extended trading hours? As the majority was slightly in favour of an extension in Fisher, will the Premier change the position in that area, providing for extended trading hours there? As the people in Mawson voted in favour, will he allow them to retain their extended shopping hours? I believe that the Premier and all members opposite have an opportunity now to say that they made a mistake in respect of the referendum and that it was a waste of money. By supporting this motion, they should leave 9 o'clock trading on Friday nights as it stands in the areas where it operates now.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I am taking the opportunity to speak at this stage, because members are aware that, as the President of the Commonwealth Parliamentary Association, I am required by members of the House to be at the airport by 3.25 p.m.

Mr. Millhouse: Isn't the business—

The Hon. D. A. DUNSTAN: On behalf of the Commonwealth Parliamentary Association, I cannot ignore the delegation of 150 Parliamentarians coming to this State and leave them at the airport without a reception by the President of the Commonwealth Parliamentary Association. That would be grossly discourteous. I have been asked unanimously by members of the House to meet the delegation and that is why I am speaking at this stage. The honourable member interjected when I was explaining perfectly reasonably why I, rather than the Minister of Labour and Industry, was speaking at this stage. I ask members opposite: what is it they actually want? Is it their wish that the people in South Australia, as a result of the opportunities that have been taken to ascertain what they want, should get what they want? If that is what the Opposition wants, why is this political exercise of members opposite taking place? They are not asking that something be done in accordance with what people want but are

concentrating the whole of their effort on endeavouring to make the most empty of political points. The whole of these features before the House, the public statements of the Leader of the Opposition and of those who support him, the attitude of the *Adelaide News* in its editorial, which has changed as often as have the Leader of the Opposition and the member for Mitcham—

Mr. Coumbe: And the Premier!

The Hon. D. A. DUNSTAN: I will account for what I have done in a moment. I am now taking the opportunity of giving the reply courteous to members opposite who have concentrated on that rather than on their own actions. The attitude taken by members opposite is so consistent: they have shown the people of South Australia just how consistently they are safeguarding their interests! At the last election the Australian Labor Party was the only Party that announced a policy on shopping hours: the Party opposite said nothing. True, it had been in office for two years, during which time there had been a series of deputations to the member for Torrens and to the member for Mitcham, both of whom had been Minister of Labour and Industry. I have examined what was said at those deputations and have seen the conclusions the Government reached: it came to no conclusions at all on shopping hours. After two years of hearing representations from the public and the traders, the Liberal Government decided to do precisely nothing other than introduce a measure that slightly altered the list of exempt goods. That was its policy, and that was how it planned to cope with the needs of the people of this State.

In his policy speech at the last State election, the Leader of the Opposition pursued a policy of masterly inactivity: he was completely silent. After he had been relieved of his responsibilities of office by the people of this State, suddenly an entirely new attitude was evident. The Leader then said (and I gather that he was not speaking for everyone in his Party because some of its members said something different and, indeed, the Liberal and Country League office on North Terrace said something entirely different) that he wanted extended trading hours for the whole State. There was a big headline in the *News*: shopping hours everywhere were going to be unrestricted. The L.C.L. said it was not going to have restricted shopping hours anywhere in the State. That was its policy. It was the Labor Party's intention to follow the policy it enunciated at the State elections. Wide-

spread threats were then made by people in the restricted areas of the metropolitan area that they would stay open and would break the law. If the law is to be enforced, we need to have the clear support of the public, and it was evident that there was an area in which there was considerable public controversy. As a result, the only thing to do was to give the people the opportunity to vote on the introduction of uniform shopping hours, because they had not had an opportunity to do so before. Therefore, the Government, unlike the Opposition, decided to take action to ascertain what the people in these areas wanted. When the Government introduced the referendum Bill, the Leader of the Opposition said:

I believe this is a completely unnecessary referendum. I do not need to be told that people should have some basic freedoms, freedoms that are enjoyed by people in many parts of the world.

The Leader wanted unrestricted trading hours. He continued:

My Party will support, by vote in this House, that policy, and will advocate the policy that there should be no further restrictions, that there should be 9 o'clock closing across this State on Friday nights.

The Hon. G. R. Broomhill: How long ago did he say that?

The Hon. D. A. DUNSTAN: On August 18.

The Hon. G. T. Virgo: A lot of water has flowed under the bridge since then.

The Hon. D. A. DUNSTAN: The Leader even went on television with me and asked me to withdraw the referendum Bill. He said he would give me his unequivocal undertaking that his Party would support me. He said, "You do not need to know what the people want. Introduce the Bill for 9 o'clock shopping throughout the State and my Party will support it."

The Hon. G. T. Virgo: He knew what the people wanted.

The Hon. D. A. DUNSTAN: Apparently, as he said it was not necessary to find this out. If the Leader had his way, we would now have Friday night shopping for the whole of the metropolitan area and for the whole State. The Leader did not want a referendum held. He considered it an unnecessary expense to ask the people what they wanted. However, the Government could not agree to that. Because it thought the people should be given a vote and be able to voice their opinion, it gave them an opportunity to do so. The people have now had that chance, and we find that the attitude of Opposition members

has changed considerably. The so-called unnecessary referendum has changed the opinion of the Leader of the Opposition, because the motion now before the House is not in accordance with what he advocated in the House on August 18. This motion does not relate to Friday night shopping throughout the whole State: it refers only to Friday night shopping where it exists at present. As a result of the referendum, the Leader of the Opposition is now intrepidly and courageously advocating the policy that the Labor Party enunciated at the last State election.

The Hon. G. T. Virgo: We have heard everything now.

The Hon. D. A. DUNSTAN: Yes, and the Opposition is now happy to advocate the policy that we enunciated earlier.

Mr. Coumbe: What will you legislate for?

The Hon. D. A. DUNSTAN: Members will find that out when the Bill is introduced after the House resumes.

Mr. Millhouse: Why don't you tell us now?

The DEPUTY SPEAKER: Order!

Mr. Millhouse: Why don't you—

The DEPUTY SPEAKER: Order! I want the member for Mitcham to realize that, when I call for order, I expect my ruling to be observed.

The Hon. D. A. DUNSTAN: The Labor Party has always said that it will give effect to the vote of the people at the referendum, and the legislation to be introduced will be in accordance with the wishes of the people. The Government has always tried to obtain a resolution of extremely difficult problems such as this, and it is the one Government in the history of this State that has taken action to grasp the nettle to ensure that this problem is solved. Members opposite ran away from their responsibility, and they have not tried since to give the people what they have wanted, what they have voted for and what they have expressed opinions about. The whole of their motivation in this respect, as has been the case with the editorial writers of the afternoon Adelaide newspaper, has been to try to make political capital against this Government, regardless of consistency, honour or consideration for the people of the State.

Mr. Millhouse: You talk about honour?

The Hon. D. A. DUNSTAN: Yes, honour. Members should concern themselves with seeing to it that they are effectively representing the people they were elected to represent.

Mr. Venning: That's what we're here for.

The Hon. D. A. DUNSTAN: The kind of ploy we have seen from members opposite in their utter inconsistency in this matter, the kind of public statement they have made on it, and the kind of abuse to which they have subjected the Minister and members on this side reflect no honour on them.

Mr. Clark: Not to mention abuse of yourself.

The Hon. D. A. DUNSTAN: I do not worry about that. I have been in this place long enough to know perfectly well that, if I am being abused by members opposite, I am likely to be right.

Mr. Millhouse: You're being abused by the whole of the State at present. Do you still think you're right?

The Hon. D. A. DUNSTAN: In South Australia, as the honourable member has found to his eternal disappointment during the whole time he has been in this Parliament, I have been able to command much more support in this community than he.

Mr. Jennings: He couldn't even beat McLeay.

The DEPUTY SPEAKER: Order! There are too many interjections.

The Hon. D. A. DUNSTAN: I am not worried about the honourable member's statement: I know that I represent in South Australia not only the majority of the people as expressed at the last State election and at countless elections before that, but the people who are concerned with integrity and giving effect to the will of the people of this State.

Mr. Millhouse: Do you think you represent them today?

The Hon. D. A. DUNSTAN: Yes, I certainly do.

Mr. Millhouse: You say that with apparently sincere conviction.

The Hon. D. A. DUNSTAN: This is the kind of thing the honourable member constantly says, and it does him little credit. Why is it that the honourable member cannot concentrate on political issues but will devote himself to the most contemptible of personal remarks?

Members interjecting:

The Hon. D. A. DUNSTAN: This is what he has been saying, but I am used to it. I can not only take it from the honourable member, but I can take it all the better because I know what the people of South Australia think and feel, what they have expressed themselves as thinking and feeling at poll after poll, and the way they are going to express themselves on this matter and others in the future

of this State in favour of the actions taken by Labor members in their favour.

The Hon. G. R. BROOMHILL (Minister of Labour and Industry) moved:

That this debate be now adjourned.

Mr. HALL: I oppose the motion.

Members interjecting:

Mr. Millhouse: The Government is shirking the issue.

Mr. Clark: Members opposite did nothing for two years.

The DEPUTY SPEAKER: If members will stop talking they will know what is going on. There are members voting on a question that has not even been put. Other members are interjecting. I ask members to observe order in the House. I was about to put the question when the Leader of the Opposition rose, believing he could discuss the motion. I will put the question "That this debate be now adjourned".

The House divided on the motion:

Ayes (22)—Messrs. Broomhill (teller), Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Groth, Harrison, Hoppood, Hudson, Jennings, Keneally, King, Langley, McKee, McRae, Payne, Slater, Virgo, and Wells.

Noes (17)—Messrs. Allen, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall (teller), Mathwin, McAnaney, and Millhouse, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Pairs—Ayes—Messrs. Dunstan, Ryan, and Simmons. Noes—Messrs. Becker, Nankivell, and Rodda.

Majority of 5 for the Ayes.

Motion thus carried; debate adjourned.

ROYAL COMMISSION

The Hon. D. N. BROOKMAN (Alexandra): I move:

That in the opinion of this House the following instructions should be added to the terms of reference of the Royal Commission on the recent moratorium: "To inquire into the effects produced by the statement of the Premier in the House of Assembly on Thursday, September 17, 1970, and to establish whether or not this statement gave encouragement to the participants in the moratorium and led to increased violence".

This motion arises from an incident that is unique in the history of this Parliament. I know of no incident that parallels one in which the Leader of a Government has denied his support to the Commissioner of Police in coming events which were obviously not palatable to law-abiding citizens of the State and which obviously would very gravely concern

the population of the State. I blame the Government, not the Premier, for this, although the Premier has his own responsibility. I wish to place the responsibility for the statement that the Premier made on Thursday on the shoulders of the whole Government.

The statement was made as a Ministerial statement and was the first business when the House met. It was made in the name of the Government, without any pressure from anyone. It followed discussions that must have taken place in Cabinet. Whether the decision was unanimous or whether it was an easy decision to make is not our concern here. We do not know about those matters, and they are not our concern, but we do know that the Government was responsible for the statement. The people of South Australia have great confidence in their Police Force, and they want it to be fully supported. A few hours before an event that was likely to prove at least unpalatable, as I have said, and possibly extremely serious, was to take place, the Leader of the Government had publicly announced his disagreement regarding the intended actions of the Commissioner of Police and stated publicly that the police should avoid confrontation with those participating in the march.

As I have said before, it is not possible for the police to confront disturbers. It is those who wish to disturb authority, not the police, who do the confronting. The police were there, as they should have been, in the normal exercise of their duty. The Commissioner of Police exercised his power and responsibility under the Police Regulation Act. I, with a large proportion of the population of South Australia, am extremely thankful that he did. The power under which the Police Commissioner acted, namely, that in the Police Regulation Act, has not been challenged. Although that Act was amended by the previous Labor Government in other respects, the Government did not deal with that power or suggest in any way that it should be altered. As far as I know, the Government does not suggest that now: I hope it does not. However, the Premier, in his statement on Thursday, said of the Commissioner of Police, amongst other things, "Over him we have no control." Consider the background to this matter for a moment.

The DEPUTY SPEAKER: Order! The honourable member realizes, because he made the statement yesterday, that very little can be discussed on this motion in view of the ruling given by the Speaker yesterday. I point out

to the honourable member that one of the terms of reference of the Royal Commission is, "What arrangements and plans were made by the police with respect to the proposed moratorium demonstration?" The arrangements that were obviously attempted to be made between the Commissioner of Police and the Government, or the arrangements the Commissioner made in accordance with his own powers, are the subject matter of the terms of reference of the Royal Commission. I ask the honourable member to discuss only the motion that he has moved this afternoon.

The Hon. D. N. BROOKMAN: Mr. Deputy Speaker, I shall do my best to confine my remarks as you wish. I must admit that I am extremely confused about the exact line that I must tread and not cross.

The DEPUTY SPEAKER: I agree, but I am afraid I cannot advise the honourable member.

The Hon. D. N. BROOKMAN: I have not any doubt that I have to do this by trial and error, but I shall try to avoid transgressing Standing Orders as far as possible. I will, therefore, not add the words that I intended to add about the background to the Labor Party's involvement with the moratorium. I will not go into that in detail other than to refer to it as a background that occurred only a few days before the Party had stated that it would not take any active part in the moratorium, or something to that effect. After that the Premier made a statement in this House about which I complain and which the leaders of the demonstration must have taken as a rebuke to the Commissioner of Police, because it was the publicly stated policy of the Premier and his Government that the police should not interfere with the marchers if the marchers wished to occupy an intersection.

As the Premier said, he had received from the Commissioner of Police a letter expressed in extremely moderate terms stating that the police wanted to avoid any sort of violence but that the Commissioner could not ask his officers to neglect their duty and allow this projected event to happen. At this stage no-one knew whether that projected event was likely to happen. In fact, I am not sure whether the leaders of the march knew. I ask what could have been stronger encouragement to the leaders to defy the police than for them to know that the Premier had disagreed publicly with the Commissioner of Police?

The Hon. HUGH HUDSON: I rise on a point of order, Mr. Deputy Speaker. One of the terms of reference of the Royal Commission is "Why did it happen?" The hon-

ourable member is clearly canvassing that question and, therefore, is out of order.

The DEPUTY SPEAKER: I cannot uphold the point of order. This morning I seriously considered whether the motion was in order, in view of the ruling the Speaker gave yesterday. A Royal Commissioner has been appointed to inquire into various matters, and one term of reference is "Why did it happen?" That is the point raised by the honourable Minister of Education. That is the matter I considered to decide whether the motion was in order, and I was inclined to the view that the Minister has expressed, but it would be possible for the Commissioner to take a different view from mine, so, in fairness to the House, I consider the House should have the right to determine whether, in its opinion, the question "Why did it happen?" involves the matter now before the Chair in the motion moved by the honourable member for Alexandra. The terms on which this can be discussed are very restricted. I am listening to the debate as closely and as intently as I can, and I do not think that the honourable member at present is out of order.

The Hon. D. N. BROOKMAN: Thank you, Mr. Deputy Speaker. I said that the statement made by the Government was a rebuke to the Commissioner of Police, that it would have been taken as such by the leaders of the moratorium campaign, and that, indeed, it would have been taken by them as a form of encouragement. I claim that the Premier clearly expected the police to make a mistake, and I substantiate that claim by referring to the statement made by the Premier after the event. Speaking from another State, through his press secretary, the Premier, referring to the Government, is reported in the *Advertiser* of September 19 to have said:

It believes people should be able peaceably to demonstrate their political beliefs without being subjected—

The DEPUTY SPEAKER: Order! The honourable member is out of order. I refer him to the wording of his motion and to certain of the terms of reference of the Royal Commission, namely: "What happened at or near the said intersection . . .?"; "What changes, if any, should be made to the law on this subject?"; and "What, if anything, can or should be done to prevent a repetition of public disorder in connection with a public demonstration?". I refer the honourable member to other matters in connection with the demonstration and the after events. The honourable member is referring to a statement

made after the event. I point out that the addition sought to be made to the terms of reference refers to whether or not the statement made by the Premier on September 17 (not September 19) should be a matter for investigation.

The Hon. D. N. BROOKMAN: I am merely trying to point out that the Premier's statement after the event proves that he had prejudged the issue both before the event and even when he was not properly—

The DEPUTY SPEAKER: I am afraid that everything that happened after the event is out of order, for it is the subject of the Royal Commission.

The Hon. D. N. BROOKMAN: With respect, what I am referring to did not happen after the event: it was merely a statement made by the Premier that precipitous behaviour had occurred on all sides. That proves to my mind not only that the Premier thought the police would go wrong but also that he disagreed with them after the event.

The DEPUTY SPEAKER: Order! The honourable member is out of order. I do not wish to appear harsh, but I shall read a few lines from the report of the remarks made in the House yesterday by the honourable member (and I entirely agree to those remarks), as follows:

I gave notice today of a motion to be moved tomorrow, to add to the terms of reference. If this ruling is upheld, there is absolutely no point in my making any statement when that motion is called on, because I shall not be able to speak to it.

The honourable member yesterday accurately summed up the position that is now before the House. As I have already said, I have considered whether I believe the motion to be in order: I have given the honourable member the benefit of the doubt, and I agree with him that very little can be said in this debate.

The Hon. D. N. BROOKMAN: I will leave any further discussion on that point and direct your attention to the statement I made yesterday in the light of the ruling being given on the discussions at the time. At that stage I was extremely worried about the possibility that I might not be allowed to discuss the matter at all, and I appreciate that you have not prevented discussion completely on this matter. I find this confusing, and I find it rather difficult to understand why this Legislature is the only place in the world, as far as I know, where a free discussion cannot take place on a matter such as this.

The DEPUTY SPEAKER: Order! I do not believe for a moment that the honourable member intends to reflect on the Chair. If I did believe that, I would ask him to withdraw his remarks. This is not the only such Legislature in the world: we follow the rulings of the House of Commons wherein it is definitely laid down that reference to a matter before the court or a Royal Commission which is *sub judice* is out of order. It has been ruled in this House by a member of the same Party as that of the member for Alexandra that a decision of Cabinet made in the Cabinet room in Flinders Street, Adelaide, was *sub judice* at the time and that it was, therefore, not the subject matter of a debate in this House. In view of the ruling that that decision of Cabinet was *sub judice*, if the honourable member says that a debate on the terms of reference of the Royal Commission is in order, I fail to follow his line of reasoning. A precedent has definitely been laid down in this Parliament, and I am bound to follow precedent. That is what I am trying to do this afternoon, as the Speaker was trying to do yesterday.

The Hon. D. N. BROOKMAN: Everyone is aware of the volatile and unreasoning character of an excited crowd, and everyone fears the consequences of this situation, because of the thoughtlessness that comes from an excited crowd.

The DEPUTY SPEAKER: Order! The honourable member is not in order in referring to what an excited crowd may do; that is the subject matter of this inquiry.

The Hon. D. N. BROOKMAN: I will leave that matter and point out that no member of the community asked that the Government should intervene in this matter last week. On the other hand, however, no-one wanted the Government to duck out, and yet that is what happened: a disgraceful hand-washing process took place in this House last Thursday. This left the Opposition aghast and I am confirmed in my view that it left most of the public of this State aghast. The Government should not become involved in these matters; it should leave the physical control of law and order to the dedicated specialists available to exercise that control. The moral effect of the Government's action on those dedicated specialists (the South Australian Police Force) must have been extremely serious. It could have been shattering, but I do not believe it was. The police are too calm and steady for that but, had they been over-sensitive in the matter,

it could have had a very serious effect on the morale of the force.

The **DEPUTY SPEAKER**: The honourable member is again discussing the actions of the officers of the Police Force, and that is out of order. As far as I can see, the honourable member and any other honourable members must confine themselves to the question whether the statement of the Premier made on Thursday, September 17, 1970, gave encouragement to the participants in the moratorium and led to increased violence. It is up to honourable members speaking in this debate, if they are supporting the motion, to try to show the House that that statement made by the Premier on the day mentioned did lead to increased violence or encouragement to the participants. Honourable members who may oppose the motion are also restricted to the same point. The member for Alexandra.

The Hon. D. N. **BROOKMAN**: Very well, Mr. Deputy Speaker. The terms of reference of the Commission read out in that statement include five paragraphs. The first paragraph refers to the leaders of the moratorium and their plans; the second paragraph deals with the police, and the third with the incident itself. The fourth paragraph asks a question about the limits of public demonstration—

The **DEPUTY SPEAKER**: Order! The copy of the terms of reference that I have been referring to is a photostat copy of what appeared in the press. I know the preamble to the terms of reference. The photostat copy I have of what appeared in the press does not correspond with what the member for Alexandra is saying.

The Hon. D. N. **BROOKMAN**: With respect, I am not trying to read the terms of reference; I have no time to do that. I am merely referring to the subject matter in the paragraphs, and I do not think anybody will dispute that the subject matter is approximately correct. The fourth paragraph refers to limits of public demonstration, and the fifth to what, if anything, can be done to prevent further public disorder. There are five paragraphs, and I have heard it claimed (and I claim) that the action of the Government or the Premier in his statement on Thursday would be included in those terms of reference under paragraph 3 (b)—“Why did it happen?” I point out that two parties are referred to in these terms of reference. I say there should be three parties—not merely the leaders of the moratorium and the police but also the Government, because of its actions. That is what my motion aims to do. The

Government should be added. In order to show what I think has been well expressed as “the public mind” on this matter, I refer to last Monday’s editorial in the *Advertiser*, which reads:

To bring into the open his quarrel with the Commissioner of Police on the eve of a potentially explosive situation in the streets of Adelaide was an astonishing indiscretion. To proclaim that control was out of his Government’s hands and then to associate himself publicly with the allies of the moratorium was a dangerous provocation. To fly out of the State at the height of the tension—and, to cap it all, by pronouncing judgment on the horrifying events of the day from 1,000 miles away and on the basis of incomplete reports—was a piece of irresponsibility of extraordinary proportions.

I could not put it better than that. I believe that every word of that is fair and that the terms of reference of the Commission should specifically include the actions of the Premier and his statement on Thursday as expressing Government policy, which concerns every member of the Government, not only the Premier. The members of the Government are all in this.

Mr. **MILLHOUSE** (Mitcham): Mr. Deputy Speaker, I second the motion. I make it clear, as I think I did yesterday, that in my view and in the view, I believe, of many (probably a majority) of the citizens of this State a Royal Commission is entirely unnecessary; but, if we are to have one, I believe it should cover the actions of the chief actor in what has taken place in South Australia in the last few weeks. What in fact happened with regard to the actions and activities of the Premier? Before he went away on his trip overseas, he and the Labor Party had said publicly that they supported the moratorium demonstration.

The Hon. G. R. **Broomhill**: Supported a non-violent demonstration.

Mr. **MILLHOUSE**: We were told that the Labor Party had, in fact, gained control of the committee organizing the demonstration and, so far as we knew, when the Premier left this State for Japan the Labor Party proposed to take part in the demonstration itself. While he was away, what happened? The support of the Labor Party for the moratorium demonstration was withdrawn, and the chief spokesman for the Labor Party was the Minister of Roads and Transport; and following him was the Acting Premier at the time, the Minister of Works. There was to be no support by the Australian Labor Party of the moratorium demonstration. Then the Premier

returned to this State, and what did he do? He said publicly at first that this was what he believed all along, that, if there was to be violence, he would not support it—

The DEPUTY SPEAKER: Order! The honourable member is out of order. I have endeavoured to make it clear that the motion before the Chair is that the Royal Commission be required to investigate or to inquire into the effects produced by the statement of the Premier in the House of Assembly on Thursday, September 17: that is, did the statement of the Premier in this House on September 17 encourage the participants in the moratorium, and did it lead to increased violence? That is the question before the Chair, and the debate is limited to that. The member for Mitcham.

Mr. MILLHOUSE: I appreciate the situation in which you find yourself, Mr. Deputy Speaker—

The DEPUTY SPEAKER: Thank you!

Mr. MILLHOUSE: You have to interpret a ruling which was made by the Speaker yesterday and which was supported by the majority of the members in this House. If I may say so with respect, you have in the last half hour or so, while the member for Alexandra has been speaking, obviously done your best within the limits of that ruling to allow him to speak, and you have done the same with me; but it is obvious from the number of occasions on which you have called the member for Alexandra to order, and now that you have called me to order, that it is not possible for us properly to debate this matter with the Speaker's ruling standing as it was made yesterday. That being so and because I believe that this is a matter of such grave importance to the State, I move:

That Standing Orders and the practice of the House be so far suspended as to allow discussion of the matters referred to the Royal Commission.

I presume that I may speak to the motion.

The DEPUTY SPEAKER: I have counted the House, and there being present an absolute majority of the whole number of the members of the House, I accept the motion. Is it seconded?

The Hon. D. N. BROOKMAN: Yes.

The DEPUTY SPEAKER: Does the mover wish to speak?

Mr. MILLHOUSE: Yes, Sir. I understand that under Standing Orders I may speak for 10 minutes to the motion, and I wish to do so. At the outset I emphasize that, in so moving, I imply no criticism whatever of you, Mr. Deputy Speaker, in the way you have handled

the debate on the substantive motion so far. I will not say any more about that. However, this question of the demonstration and the moratorium and the activities and actions of those who have in one way or another become bound up with it is of such supreme importance in the life of this State, and of such tremendous interest to the people of this State, as well as to members, that I believe it is absolutely necessary that we should be free to debate it. As a result of the ruling that was given yesterday, we are precluded from debating this matter freely, as I believe it should be debated in this place.

This motion, to a very great extent, tests the sincerity of members opposite in their denials that the Royal Commission has been appointed merely to stifle debate in this House. Why honourable members should want to avoid a discussion of a matter of such importance and significance in the place where it should be discussed, I do not know. They have denied that this is so, but their actions to date have been otherwise, and we have at present (unless this motion is carried) the ludicrous situation that we are the only body in this State that is not permitted to discuss this matter fully and freely. Anywhere else outside this Chamber, or presumably the other place, the matter can be discussed without let or hindrance, only excepting the laws of defamation that apply to any discussion in the community. But here in the House of Assembly we are to be precluded, apparently, from discussing these matters.

I suppose every member has read the letters to the Editor that appear in today's and yesterday's newspaper. Under the ruling that was given yesterday, we in this place do not have the freedom that is given to correspondents to newspapers to discuss this matter. That is an absolutely absurd situation, and I believe that we should set Standing Orders aside so that we may discuss this matter of importance. What do we find (and this was in my mind when I asked a question of the Attorney-General earlier today)? The Royal Commissioner is appointed pursuant to the Royal Commissions Act, and there is no provisions in that Act for contempt proceedings to be taken against anyone.

A Royal Commission is not a court. I defer to the ruling given by the Speaker to this extent, that the practice of the House of Commons is that matters referred to a Royal Commission are considered as being *sub judice*, but in fact a Royal Commission is what it says, namely, a commission of inquiry, and

not a court. That means that anyone outside this place cannot be guilty of contempt of the Royal Commission in discussing the matters that come before it unless Parliament gives the Royal Commission specifically the right to punish for contempt or unless it creates specifically an offence of contempt of a particular Royal Commission or Royal Commissions in general. That has not been done under the Act that governs Royal Commissions in South Australia, so there is no bar at all to a full, frank, and free discussion in the community of everything that went on leading up to Friday, on Friday, and since, except that we are bound by the very fact that a Royal Commission has been appointed in South Australia and by the fact that we follow the procedures and practices of the House of Commons.

This is a ludicrous situation. We could avoid it and satisfy ourselves, and I believe satisfy the people of South Australia, very simply by suspending Standing Orders to allow of a full discussion. I believe that Parliament is the body where matters of controversy should be thrashed out. As this is one of the prime functions of Parliament, we should take this course, and what has happened this afternoon merely underlines the importance of doing so. The member for Alexandra has been inhibited, and I was being inhibited, in a discussion of this matter, and that is why I moved this motion. I ask the Government members to accept what I have said, to remember what the Premier said in 1959, which I quoted here yesterday, and to allow of a full, frank, and free discussion in this place. If they are sincere in saying that the Royal Commission was not appointed merely to gag us, let them show that sincerity, and let us have a debate here. After all, what are members opposite trying to hide by deliberately attempting to prevent a discussion in this place?

Mr. Clark: We are sticking to Standing Orders.

The DEPUTY SPEAKER: Order! I do not think that last statement by the member for Mitcham is entirely in order. A ruling has been given and it is strictly in keeping with the rulings of previous Speakers, and no Speaker or his deputy can change that. The member for Mitcham.

Mr. MILLHOUSE: I defer to what you say, Sir, and, if I went beyond the limits of propriety on this occasion, I apologize. I am merely pointing out that we are bound by rulings and the practice that we follow,

unless we set them aside in the way I am proposing. I am giving all members an opportunity properly to set aside that ruling by suspending Standing Orders so that we may carry out one of our prime functions.

The Hon. HUGH HUDSON (Minister of Education): I oppose the motion. I do so, first, because a ruling that has been given is fully consistent with rulings previously given on other occasions by other Speakers in this House and observed by the House, and it is fully consistent also with the practice of the House of Commons. Also, I oppose it on the grounds that the member for Mitcham wants not a full and frank discussion of the whole subject but a full and frank discussion aimed at vilifying one person, namely, the subject matter of his motion. Indeed, if this motion were carried we would not be permitted under our Standing Orders to engage in a full and frank discussion of the whole subject, because Standing Orders would require us to stick to the terms of this motion, namely, whether or not the statement of the Premier in the House of Assembly gave encouragement to the participants in the moratorium and led to increased violence.

Mr. Millhouse: You ought to read the motion I have moved.

The Hon. HUGH HUDSON: The motion is to suspend Standing Orders in relation to the debate.

Mr. Millhouse: No, it isn't; you read it.

The DEPUTY SPEAKER: Order! The motion, moved by the honourable member for Mitcham, states:

That Standing Orders and the practice of the House be so far suspended as to allow discussion of the matters referred to the Royal Commission.

The Hon. HUGH HUDSON: Well, this is an endeavour to get around the ruling of yesterday and to canvass the whole matter again. This is done in the context of a motion that is not aimed at the whole terms of reference of the Royal Commission but is aimed at one person: it is aimed at vilifying one person, and that is what Opposition members are concerned to do. They want open slather on the Premier, and they waited until the Premier had to leave the House.

Mr. Millhouse: I told him not to go.

The Hon. HUGH HUDSON: Before this motion came on, it was moved that Notice of Motion No. 2 be taken into consideration after Notice of Motion No. 3. Why was it not moved at that time?

The Hon. D. N. Brookman: Don't be silly.

The Hon. HUGH HUDSON: At 2.25 p.m., when questions ceased, why was it not moved that Notices of Motion Nos. 1 and 2 be taken into consideration after Notice of Motion No. 3, so that the Premier could have been here? Members opposite, including the Leader, knew that the Premier had to go to the airport, because the original arrangement was that the Leader would go with him. Clearly, the purpose of the Opposition in relation to this matter is to vilify a member of this House. Opposition members have associated themselves fully with the disgraceful acts of vilification that have taken place in South Australia in recent days. The reasons for the practice in the House of Commons and for that practice being followed in this House are very much substantiated by the kind of inflammatory statements made by a number of people in relation to the Premier of this State. These reasons provide a sound basis for the ruling given in 1959 on the occasion of the Stuart Royal Commission and for the ruling given yesterday by the Speaker on the occasion of this particular Royal Commission.

The House divided on Mr. Millhouse's motion:

Ayes (17)—Messrs. Allen, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, and Millhouse (teller), Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Noes (22)—Messrs. Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran (teller), Crimes, Curren, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, McKee, McRae, Payne, Slater, Virgo, and Wells.

Pairs—Ayes—Messrs. Becker, Nankivell, and Rodda. Noes—Messrs. Dunstan, Ryan, and Simmons.

Majority of 5 for the Noes.

Motion thus negatived.

The bells having being rung:

The Hon. J. D. CORCORAN (Minister of Works) moved:

That Standing Orders be so far suspended as to enable Notice of Motion, Other Business, No. 3, to be proceeded with.

Motion carried.

Mr. MILLHOUSE: I am pleased that we can get a suspension of Standing Orders on this matter, although I failed on the other matter. I want to make one point clear in answer to the abuse hurled at me

across the Chamber by the Minister of Education during the ringing of the bells. I do not attach the blame and I do not assign responsibility for what happened to one man: I put the blame and the responsibility on the whole Government for what occurred in this place last Thursday. The Premier was speaking in the name of the Government. That is the point that I want to make very clear. So far as any other reasoned argument and debate on this motion is concerned, I am precluded by Standing Orders (which are now to be observed by the House, by the deliberate vote of the House) from putting anything further. Therefore, I content myself by saying that I second the motion.

The Hon. J. D. CORCORAN (Minister of Works): I oppose the motion of the member for Alexandra. Possibly I should welcome the fact that the honourable member moved the motion, because at least it affords me an opportunity to say a few words about some of the things that happened prior to this motion. I oppose the motion, first, because I consider that the terms of reference that have been set down for the Royal Commission are quite adequate to cover the points made by the honourable member. During his speech he said he considered that not only should people who involved themselves directly in the moratorium be named in the terms of reference (and also the police) but also other bodies or persons who may have been concerned should be stipulated in the terms of reference. In other words, he said that specifically the Premier should be named in the terms of reference. I suppose we could also say that, if any group or individual who was opposed to the aims of the moratorium played any part in what happened on that day, that group or individual should also be named in the terms of reference. This is a ludicrous exercise. In fact, one could go as far as to say, "What part did members of the Opposition play in the events leading up to the moratorium and in the events since the moratorium?" It would be just as logical to suggest that they, too, should be included in the terms of reference. I do not honestly believe that the motive behind the honourable member's motion was purely and simply that he was concerned about what flowed from the Premier's statement. I honestly believe that the motive was purely and simply to discredit the Premier of this State. I notice that the member for Alexandra was very careful to say that the whole Government carried the blame for the decision that led to the Premier's

making his statement in this House last Thursday.

The Hon. Hugh Hudson: If blame there be.

The Hon. J. D. CORCORAN: Yes. Since last week, attacks have continually been made on the Premier himself. He has been singled out by the Opposition and, I may add, by the press in many instances; a concerted attack has been made on him in connection with this issue—an attack that is completely unjustified, one of the most villainous attacks I have heard on an individual since I have been a member of this House.

Mr. Goldsworthy: He has been particularly outspoken.

The Hon. J. D. CORCORAN: I do not mind how much the Opposition attacks the Government's policies and how much it discovers and highlights any weaknesses of those policies—that is the Opposition's right and duty. However, it ill behoves any Opposition to do what this Opposition has done in the last week or so in its concerted and deliberate attacks on the Premier.

Mr. Clark: It defeated its own ends.

The Hon. J. D. CORCORAN: Yes, because if the people do not see it now they will realize later what the real aims of the Opposition are in this matter. I wonder how genuine is the Opposition's concern about the events that happened last week. Does the Opposition think it sees a golden opportunity to do what it has wanted to do for a long time, which is to totally destroy the character of our Premier? It is character assassination at its worst, and the member for Mitcham has played his part in it.

The Hon. Hugh Hudson: We have had enough humbug from the Opposition.

Mr. Millhouse: If that is so, who gave us the opportunity?

The Hon. J. D. CORCORAN: Whilst the Opposition said that it was completely wrong for the Government to suggest anything at all to the police, just an hour or so after the Premier left this State to go overseas the Government was called on to state a policy in relation to the moratorium. So, the Opposition clearly believed, if it was genuine, that the Government should play some part in this. I said at the time (and I say it again) that I could see no need for a statement of policy by the Government. There was a moratorium in this State last May, and there have been other demonstrations in this State but, to my knowledge, the Government did not state a policy on any of those events; and I could see no need for a policy to be stated on this. How-

ever, the matter was pressed to try to embarrass the Government because, as the member for Mitcham said at the time, the Government Party was associated with the moratorium activities.

Subsequently, as everyone knows, because of certain events the Government Party dissociated itself from the activities that were to take place on September 18, and it made its reasons perfectly clear—it believed that the activities planned for that day could lead to violence. We maintained a consistent position: we agreed with the aims of the moratorium (opposition to Australia's involvement in Vietnam and Indo-China and to the National Service Act), but we believed that any opposition, demonstrations or protests about these matters should be made in a peaceful and orderly manner. The Party was not satisfied that this would occur, so in my view it took the right and proper decision to withdraw from association with those activities. That was a completely responsible decision. The member for Mitcham would know that I had certain things to say about people or elements of those people who still supported the moratorium. I said that they were more interested in promoting themselves in the radical movement and having themselves indented with it rather than in concerning themselves with the issues at stake.

The Premier returned to the State after the decision had been taken and was told of what had happened. He fully agreed with the decision that had been made. He, too, was convinced that had we not taken this step we could clearly have had a situation that could have led to violence. He made an announcement accordingly. In fact, I think he spoke in this House and made his position perfectly clear. It was the Premier's genuine concern to see that there was no violence on Friday. Apart from the fact that we had withdrawn our support, it was still the Premier's genuine concern to do everything possible to see that no violence occurred.

Mr. Millhouse: What about breaches of the law?

The Hon. J. D. CORCORAN: My Party had withdrawn because we considered that it was a breach of the law, but we argued last week about splitting hairs on breaches of the law and whether marching down the street was a breach of the law. It was a genuine concern on the part of the Premier that made him decide to discuss the matter with the Commissioner of Police because, clearly, every member knows now (if he did

not know before) that the Government cannot direct the Commissioner to discharge his duties regarding law and order, although it is competent for the Government to discuss these matters with the police. Had the Government not done this, the Opposition would possibly have castigated it for not taking any interest in the matter and for not seeing that everything possible was done to avoid violence last Friday. The Government did this in a reasonable and sensible way.

The Commissioner did not accept all the suggestions put forward, although he accepted some of them. Consequently, the Premier and the Government decided that it was important that the people of this State should know what the situation was so far as the Government was concerned and what efforts had been made to see that on Friday nothing happened that might precipitate violence. That was a perfectly proper and reasonable thing to do. The Premier considered that it was his duty to tell the people of the State what had been done. However, he has been criticized vehemently and most unfairly, because of what I have just said, for leaving the State at 2 p.m. on Friday. I think he was called the run-away Premier and we have been called run-away Ministers. I ask reasonably and sensibly of the Opposition: what could we have done? What would the Opposition have expected us to do if we had remained in Adelaide? Opposition members cannot answer.

Mr. Millhouse: We will answer it! You could have been here!

The Hon. J. D. CORCORAN: I was only a telephone call away in Millicent, and I would have been only a telephone call away in Adelaide, because I had no intention of participating in the activities that took place on September 18, whether or not I had been in Adelaide. I make that perfectly clear. Neither did the Premier have any intention of participating in those activities.

Mr. Gunn: What about other Government members?

The Hon. J. D. CORCORAN: That would have been entirely up to the individual conscience of members. I resent the criticism that has been levelled at the Premier particularly. He has been singled out for a concerted attack in this matter. The emotion will not die out of the matter as long as the Opposition keeps whipping it up, as it intends to do. However, when the emotion dies out and the people consider the matter in a rational way,

they will agree that what the Premier and the Government has done has been perfectly reasonable and proper and that every action we have taken has been designed to minimize the sort of thing that could have happened but possibly did not happen to the extent that some of us thought it might.

We were genuinely concerned about the position and made continual pleas to the people, whether they supported the moratorium or opposed it, to use good sense and to act in an orderly way on Friday. I consider that the original terms of reference adequately cover the additional term of reference that the member for Alexandra desires to give the Commission. It is competent for the Royal Commissioner, if he considers that anything could have arisen from this, to investigate the situation thoroughly. I resent what I consider to be the real motive behind the motion, namely, to single out the Premier again for a most unfair and vicious attack. I oppose the motion.

Mr. McANANEY (Heysen): The Deputy Premier has said that we have been vilifying the Premier, but that is what the Premier has been doing to the Prime Minister for the last three months or so: he has vilified the Prime Minister in every way, with inaccurate statements and statements that are not true.

Mr. Clark: They're correct.

Mr. Langley: They're correct, but they're not reported in the papers.

Mr. McANANEY: Government members complain that we are vilifying the Premier, but the Premier himself has been vilifying the Prime Minister. When the Premier said last Thursday that, if law and order was kept, there would not be any trouble, I asked him what he meant by law and order and about the position if someone sat down in the streets and held up traffic. The Premier said he thought that was law and order and that he had marched with the farmers.

The SPEAKER: The honourable member should confine his remarks to the motion.

Mr. McANANEY: I think the Premier's actions and his statement on Thursday last are relevant to the motion, and the question I asked the Premier referred to what he had said on Thursday afternoon. I think that is directly connected with the motion.

The SPEAKER: The motion states:

That in the opinion of this House the following instructions should be added to the terms of reference of the Royal Commission on the recent moratorium: "to inquire into the effects produced by the statement of the Premier in

the House of Assembly on Thursday, September 17, 1970, and to establish whether or not this statement gave encouragement to the participants in the moratorium and led to increased violence".

The terms of reference given to the Royal Commission are *sub judice*. The honourable member may speak to the motion to extend the terms of reference but he must not refer to matters pertaining to the demonstration or to other matters in the terms of reference.

Mr. McANANEY: On a point of order, Mr. Speaker, the motion before the Chair is in regard to the Premier's statement.

The SPEAKER: The motion before the Chair is to extend the ambit of the Royal Commission. The statements cannot be debated in this House. The honourable member for Heysen.

Mr. McANANEY: On a point of order, the Deputy Premier got into the same ambit as I am speaking on and got right away from the motion.

The SPEAKER: With great respect, I did not hear what the Deputy Premier said about the ambit of the inquiry by the Royal Commission. The Commissioner's function is to investigate matters, and I did not hear the Deputy Premier make any reference to the ambit of the inquiry.

Mr. MILLHOUSE: On a point of order, Mr. Speaker, when the Deputy Speaker was in the Chair in your absence, the Deputy Premier did canvass these matters without let or hindrance. Why is it not fair for the member for Heysen also to do that?

The SPEAKER: I deal with matters that are discussed before me and I cannot deal with what has been said previously. While I am in the Speaker's Chair, I will conduct matters before the House in accordance with my interpretation of Standing Orders.

Mr. Millhouse: Sir,—

The SPEAKER: The honourable member for Heysen has the call.

Mr. McANANEY: It is difficult for me to assess what I may speak about, when the Deputy Premier has widened the matter so much. I thought one of the earlier rulings was—

The SPEAKER: I am not discussing the earlier rulings. I am asking the honourable member to confine his remarks to the extension of the ambit of the Royal Commission.

Mr. McANANEY: I was just pointing out that earlier it was stated that we should not talk about the moratorium, and I was speaking about something that had happened

well before it and about my belief concerning the statement last week.

The SPEAKER: That is something for the Royal Commission.

Mr. McANANEY: A matter for the Commission is what took place in the discussion between the Premier and Professor Medlin on the Thursday.

The SPEAKER: I point out to the honourable member that yesterday, when my ruling was being discussed, the Leader said:

I gave notice today of a motion to be moved tomorrow, to add to the terms of reference. If this ruling is upheld, there is absolutely no point in my making any statement when that motion is called on, because I shall not be able to speak to it.

The motion to extend the terms of reference of the Royal Commission is in order but the honourable member, on his own Leader's statement, must not refer to matters that will come within the scope of the Royal Commission.

The Hon. D. N. BROOKMAN: Could I refer to a point of order on this matter?

The SPEAKER: What is your point of order?

The Hon. D. N. BROOKMAN: You just read a statement that I made yesterday.

The SPEAKER: With great respect, it was not what the honourable member said yesterday but what the Leader said yesterday. That is what the Leader indicated, so there is no point of order.

The Hon. D. N. BROOKMAN: Could I raise a point of order? The point of order is that I understand that you, as Speaker, take precedents from the practice of the House but not from interpretations by members of the House on an opinion. You have been quoting the Leader of the Opposition.

The SPEAKER: As Speaker, I interpret the rules of the House, and I have interpreted those rules. I have merely read to members what their own Leader said.

Mr. McAnaney: What's he got to do with it?

The SPEAKER: I will interpret the rule and I have decided (and the House upheld my decision yesterday)—

Mr. MILLHOUSE: May I, on a point of order, say respectfully that it is very hard on the member for Heysen.

The SPEAKER: What is the honourable member's point of order?

Mr. MILLHOUSE: My point of order is that, when the Deputy Speaker was in the Chair, the Minister of Works was given a very

free go and now, because of the coincidence of your return—

The SPEAKER: With great respect, I have already stated that, when I am in the Chair, I am responsible, and I cannot sustain the point of order.

Mr. MILLHOUSE: On a further point of order, should there not be consistency between ruling which you give and those which your deputy gives?

The SPEAKER: The point is that the Speaker will give the rulings. It is the prerogative of the Deputy Speaker, when in the Chair, to give rulings which, if questioned, should be disagreed to at the time they arise.

Mr. McANANEY: It is ridiculous to have to carry on as a member of this House if we are not to have any chance to represent our constituents. All I am trying to do is refer to the effects of the statement made by the Premier, and I am referring particularly to that part of his statement when he defined what he considered was meant by—

The SPEAKER: The honourable member cannot pursue that line; he must adhere to the motion.

Mr. McANANEY: Then it is completely hopeless being a member of this House.

The Hon. HUGH HUDSON (Minister of Education): This motion is part of the reaction and vilification in respect of the Premier since the events of last Friday.

Mr. McANANEY: On a point of order; there is nothing in this motion about the vilification of the Premier.

Mr. Millhouse: Sit down; you're on a point of order.

The SPEAKER: Order! I am the Speaker, and I determine when members shall sit down. The member for Mitcham is trying to take over my role. The member for Heysen rose on a point of order.

Mr. McANANEY: You restricted me to confining my remarks to the motion before the Chair, yet the Minister of Education gets up and starts talking about vilifying the Premier. That has nothing to do with the terms of reference of the Royal Commission.

The SPEAKER: The Minister of Education is in order, and I ask him to proceed.

Mr. McAnaney: He could talk about anything.

The Hon. HUGH HUDSON: The terms of reference of the Royal Commission ask the Commissioner to determine what happened and why the events of last Friday happened. The Royal Commissioner has to report to this House on the reasons for the events that

occurred last Friday. This motion suggests that the Premier's statement may have been one of those reasons. If evidence were put to the Royal Commissioner, and he determined that the Premier's statement had a part to play in what happened last Friday, under the original terms of reference the Royal Commission would be fully entitled to consider the statement. What purpose, then, is served by specifically referring to the Premier in the terms of reference of the Royal Commission?

The only purpose is that which has been adopted by certain reactionary forces in this State, including the Leader, the member for Mitcham and the mover of the motion, in indulging in a campaign of vilification, often carried out in the most personal and disgraceful way, of the Premier of this State. One only has to examine, not just the editorial of the *Advertiser* but also some of the letters that the *Advertiser* has seen fit to print, to see how far people and that paper are prepared to go in permitting vilification of one man. There is no purpose other than personal vindictiveness and an attempt at vilification in moving this motion because, as I have already explained, if the Premier's statement had anything to do with the events that occurred last Friday, the existing terms of reference would permit the Royal Commission to consider that statement.

The Hon. G. R. Broomhill: The mover would know that.

The Hon. HUGH HUDSON: He knows that to be the case, and so does the member for Mitcham. What is their purpose, and why is the motion loaded one way? The motion pre-judges the matter. It may well be the case that the statement made by the Premier last Thursday afternoon, when it is considered by the Royal Commission, is held to be something which led to a reduction in violence. However, the motion contemplates that the Premier's statement encouraged the participants and led to increased violence.

The Hon. L. J. King: A thoroughly unworthy suggestion!

The Hon. HUGH HUDSON: In other words, the member for Alexandra is asking the Royal Commission to pre-judge the matter, by setting out a specific term of reference, which asks the Royal Commission to consider not whether the Premier's statement led to reduced violence but whether it led to increased violence and encouraged the participants. The term of reference sought to be added does not ask the Royal Commission to consider whether the Premier's statement

kept some people away from the moratorium demonstration: it only asks whether it encouraged the participants. If that is not evidence of loading the terms of reference in an attempt to vilify the Premier of this State, I do not know what it is, and I reject fully the statements made by the member for Alexandra and the member for Mitcham that, in moving and seconding this motion, they were concerned to attack only the Government. That is not the case and they know it.

It is time that a protest was made in this State at the standard of conduct adopted by the Opposition in relation to the Premier on this matter and at the standard permitted by the leading newspaper of this State in the public discussion which it has allowed to take place through its columns. I ask the House to consider the first letter which appeared in the press this morning, referring in the most scathing fashion to the Premier's running away next from the Norwood football club. Is that the level to which public discussion of these matters is to descend in this State? Is that the level which the *Advertiser* is to permit? Is that the standard which members of the Opposition accept as a good standard?

Mr. McANANEY: On a point of order, Mr. Speaker. You have been pulling up our members for pointing at members on the other side of the House. You were deliberately watching the Minister of Education, who was pointing, and you did not pull him up. I think this is a point of order.

The SPEAKER: There is no point of order; I decide these matters.

The Hon. HUGH HUDSON: I am suggesting not that I or the Government should determine what is discussed by the newspapers of this State but that, when we are dealing with matters of such grave importance, we should ask for a decent standard of public discussion from members of the Opposition and from the newspapers, and that we should not countenance the kind of vilification that has taken place in this community. This motion is entirely unnecessary, for the terms of reference of the Commission are as wide as they can be. They will enable the Royal Commissioner to canvass all questions that may have anything to do with last Friday's happenings, because they ask the Commissioner to determine what happened and why it happened. Members of the Opposition are asking this House not only to set out in the terms of reference "Why did these things

happen?" but also to single out one person for special mention in them.

Mr. Millhouse: Heaven knows the Premier has made himself prominent enough!

The Hon. HUGH HUDSON: And there is another example of exactly what I am getting at. The honourable member says he is attacking only the Government and then he interjects that the Premier has made himself prominent enough and, therefore, because he has done that, he is to be subjected to a personal attack and is fair game for such an attack. That is the kind of approach which members of the Opposition seem to be adopting and which members of this House should reject as beneath contempt and not worthy of the Parliament of this State. There is no cause for one person to be singled out in these terms of reference, which are wide enough. There is no legitimate reason for the motion that has been moved today. I ask that all members, even the member for Alexandra and the member for Mitcham, reject it.

Mr. EVANS (Fisher): Originally, I did not intend to speak in this debate but, as we have had a Minister of the Crown standing up and saying that this type of debate is not worthy of this Parliament when we refer to the actions of the Premier, I say that his actions are not worthy of a man who is supposed to be the Premier of this State.

Members interjecting:

The SPEAKER: Order!

Mr. EVANS: That is not the attitude of my colleagues: it is my own opinion and my own attitude. There was no need for the Minister of Education, when he referred to whether or not this statement of the Premier gave encouragement to the participants in the moratorium demonstration, to say that this proposed term of reference should be widened. It states "whether or not"—whether he did or whether he did not give encouragement.

The Hon. G. T. Virgo: There is nothing about discouragement in the terms of reference.

Mr. EVANS: Perhaps the Minister wants to insert "discouragement" in the terms of reference if he believes it is not there already. The Minister of Education claims that all aspects are covered and then says that this one is not; yet he himself has admitted that in his opinion all aspects are covered in the original terms of reference. The Minister of Education said we should not speak of the Premier of this State, but I will speak in answer to the comment made by the Deputy Premier that the papers have set out, in their editorials and

articles and in letters written by people expressing their opinions in the paper, to vilify the Premier of the State. Does the Minister of Education believe that the people of this State should not write letters to the newspapers expressing their personal views of the man who is supposed to be leading the State, the man who chose to belong to a group and who resigned from it because his name was published in an advertisement, the man who stood up in this House and said he would do what he believed in, whether or not he breached the law, but who, when his name was published as belonging to an organization, said "That's taboo; I will leave it because my name has been published"? Do members of the Government really believe that this is the kind of man who is honest, sincere and genuine?

The Hon. G. T. Virgo: Do you believe that report?

Mr. EVANS: I believe it and know that many members opposite are ashamed of the attitude that their Leader adopted in this respect. I believe there is every justification for any newspaper or anyone in the State who wishes to express an opinion being able to express it. It is honest comment, and members opposite know that. I would enjoy an occasion perhaps in the future of seeing the Minister of Roads and Transport on the Opposition benches, with some future Premier of another Party on the Government benches, making similar moves and adopting the attitude he has adopted, as we have seen in this House, on past occasions. He laughs about it now because he is on the opposite side, where power counts: he can shift ground if he feels like it. Why? We were told by the Premier today that his Party chose to withdraw its support of an organization when he thought there might be violence (they were his words)—that his Party would withdraw its support. That happened while the Premier was overseas.

When he returned, did he take it as a guide to withdraw his membership from the committee? No—not at all; not until the next day when the committee published an advertisement including his name on the committee. What did he do then? He resigned because he had to face up to and own up to the people that he belonged to that organization.

Mr. Hopgood: Which one?

Mr. EVANS: If I mentioned which one, there might be some move that I should not speak of or mention the name, even though the

Deputy Premier mentioned it when he was speaking.

Members interjecting:

The SPEAKER: Order!

Mr. EVANS: The Deputy Premier spoke of responsibility, saying that the Opposition had a responsibility and that the Premier was a responsible person. Until a month ago most South Australians may have been misguided enough to believe that but, after the actions last week on not only one but more than one issue, that support fell. If the Government doubts my words on this I challenge it to go to the people and find out whether that still stands, because the Government that that man leads or is supposed to lead—

Mr. Lawn: If the honourable member wants another election and will give up his seat and contest the seat of Adelaide, I will do likewise and we will both contest the seat of Adelaide now. That is a fair enough offer. I mean that.

The SPEAKER: Order!

Mr. EVANS: I can be just as sincere in making a reverse offer to the member for Adelaide, if he will give up his seat and contest Fisher with me. If he chooses Mawson or a similar district, he may have some basis for a fair argument and he may find that it is a long walk home from the south coast.

Mr. Lawn: I threw out the challenge, but the honourable member will not accept it.

Mr. EVANS: I wonder why the Minister of Education chose to condemn the newspapers because they published public opinion and letters referring to a situation that the Premier and the Government found themselves in. Why did the Minister of Education object to this? I have always been led to suppose by the propaganda of his Party that it believes in the right of the individual to express himself.

Mr. Crimes: In decent and honest terms.

Mr. EVANS: I have always been told that the individual is allowed to express himself in the way he thinks fit. If the Premier believes that he has been defamed in any way, he is capable of looking after himself. If he is not, he has slipped in that field as he has in others. Did the Minister of Education object because at last the people of South Australia have woken up and they know where the Premier is leading them? They know where the allegiance of the Labor Party lies, and now the people have realized the fact and have chosen to express their opinions to the rest of the people of this State who may not yet realize the situation. Why did the Minister of Education object? I find it hard to follow the thinking

of the people who are leading us, or attempting to lead us, at present. I am sure that the confidence of many members of the Premier's Party has been shattered because of the attitude of their Leader, which the Minister of Education says we should not speak about. My colleagues may not wish to speak about it, and it was not the intention of the motion to do that, but that was before the Minister of Education gave his opinion. I took the opportunity to speak about it, and I have no regrets. I support the motion.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I seek leave to make a personal explanation.

Leave granted.

The Hon. D. A. DUNSTAN: I should not have risen in this debate were it not for the vicious misrepresentation of my actions and statements that have just been made to the House by the member for Fisher. The petulant hypocrisy of the honourable member does him little credit.

Mr. Millhouse: Why not speak to the debate?

The Hon. D. A. DUNSTAN: I intend to speak about the things that have just been said concerning my resignation from the Campaign for Peace in Vietnam, because what happened and what I did in that matter have been quite viciously misrepresented in this House by the honourable member. I joined the Campaign for Peace in Vietnam as a member of its general committee, because, like other members of my Party and like other people who were not members of my Party and in some cases were members of the Party opposite who chose to belong to it, I was bitterly opposed to the continuation of Australia's involvement in Vietnam. From time to time the committee of that organization undertook activities that expressed public opposition to continued Australian involvement in that country. Whilst I was overseas last year the committee saw fit to publish certain statements with which I was obviously in disagreement and used my name in advertisements without my consent.

At that time, I, together with the present Commonwealth member for Adelaide, who was also a member of the committee and who had been similarly misrepresented, wrote to the committee and stated that we could not continue to be associated with it if this were to happen again, and that we must require that before our names were used in any advertisement undertaken by a meeting at which it was not possible for us to attend and express

our opinions, then our consent and approval must be obtained. What happened last week was that an advertisement appeared using my name without my approval and consent, and clearly contrary to the statement that I had publicly expressed. I do not dissent from the general proposals of the Campaign for Peace in Vietnam that we should not be there.

I certainly did dissent from publicly expressing support for the march that took place in Adelaide last week, and the committee had no right whatever to publish an advertisement containing my name as supporting it. Because the undertaking given to me had been breached and I had been publicly misrepresented in that way, I had no course but to resign. That clearly was stated publicly, and is completely contrary to the actions and motives assigned to me in the vilification for which the member for Fisher has just been responsible in this House.

The Hon. L. J. KING (Attorney-General): The speech we heard from the member for Fisher is remarkable for the confirmation that it provides of the accusation that the Minister of Education had made previously, that the motive in moving this motion was to vilify the Premier. When the Minister of Education made that allegation it was indignantly denied from the front bench of the Opposition, but no sooner had the denials died from the hearing of members than the member for Fisher rose and said in the baldest terms that in his view the Premier was not fit to be the Premier of the State, and went further and accused him of dishonesty, insincerity, and want of genuineness. One had only to listen to the speech by the member for Fisher to realize clearly what really lay behind this motion.

The terms of reference of this Royal Commission enable (and were drawn to enable) the Royal Commission to inquire into all matters that may have contributed to the events that occurred in the city last Friday. It is clear to anyone reading them that that is so. There was no genuine motive of public interest involved in moving a motion attempting to add a term of reference involving the actions of the Premier, but merely a desire to denigrate the Premier. If any doubt at all remained about that, one had only to listen to the speech by the member for Alexandra made in support of this motion, because in that speech he chose to quote with approval an article in the *Advertiser* (and he quoted passages from it) in which it was stated, as he quoted it, that the Premier had

associated himself with allies of the moratorium. This was in plain contradiction to the truth of the matter and in contradiction to what the member for Alexandra knew to be the truth of the matter.

So far from associating himself with allies of the moratorium, the Premier both in this House and outside made it perfectly clear that he completely dissociated himself from the demonstration that took place in Adelaide last Friday, because no satisfaction could be obtained that the actions of the demonstrators would not lead to violence and breaches of the law in the city. What motive does the Opposition have for introducing a motion attempting to associate the Premier with the violence that took place in Adelaide on Friday and then, in support of the motion, quoting an article in a newspaper that contained such blatant falsehoods? Not only that, but the member for Alexandra quoted with approval a further passage from the article in which the suggestion was made that the Premier flew out of the State—the obvious implication being that the Premier flew out of the State to escape his responsibilities in South Australia.

I suppose no more unworthy suggestion could possibly have been made from Opposition benches about the Premier. The Premier, as every Opposition member knows, went out of the State to discharge his public duties in pursuit of advantages for the people of South Australia. He went out of the State in pursuance of arrangements that had been made and in circumstances which, on what had happened in the days before, showed clearly that he was powerless to affect the course of events that occurred in Adelaide on that day.

Mr. McAnaney: Why did he say it was all right to block a street?

The Hon. L. J. KING: The Premier never said that it was all right to block a street.

Mr. McAnaney: It's in *Hansard*.

The Hon. L. J. KING: If the honourable member would like to read what is in *Hansard* he would see that the Premier never said any such thing. I defy him to quote any such thing said by the Premier. The Premier was faced with this situation: the leaders of this moratorium demonstration had clearly determined to obstruct an intersection in the city of Adelaide. What both the police and the Government had to face was that this action would take place. What had to be decided was what course of action should be taken in that situation. Should there be an attempt to exercise some tact and prudence in the matter in an effort to avoid a violent con-

frontation, which the anarchist and revolutionary leaders of this movement were obviously seeking, or should a confrontation be caused possibly producing violence which, in its turn, might beget further violence and confrontations?

Mr. Goldsworthy: Let them break the law!

The Hon. L. J. KING: By his interjection, the honourable member shows that he would be completely irresponsible as a leader of the State, and I hope he never has the opportunity to be a leader. A man who, faced with the possibility of violence in the streets of Adelaide, would say, "Let us see whether there is a breach of the law and decide our course of action on that line," would be completely irresponsible, because the first duty of every Government is to see that the peace and order of the community is preserved. It was the attempt to do that which led the Premier, with the full authority of the Government (and let the member for Alexandra be under no misapprehension about that), to take up with the Commissioner of Police the appropriate course of action to be taken. It is well known now that the Government's view and the Commissioner's view as to the course of action that should be taken did not entirely coincide.

On September 17, in this House, the Premier made it clear that the Commissioner had the legal right to make his own decision. The Premier expressed the view that the Commissioner would carry out his duties, as would members of the Police Force, in the terms that he and they believed to be right, and no-one challenged their legal right to do that, nor did anyone challenge the fact that they had to decide in accordance with what they considered to be right the course of action that they should take. In those circumstances, as the Premier said, that was where the responsibility had to lie; it was beyond his or the Government's power to affect the course of events further. In those circumstances, the suggestion, which was at least implied in the remarks of the member for Alexandra, that the Premier left the State in some way to avoid his responsibility is an utterly unworthy suggestion and one of the most reprehensible suggestions that could possibly be made in this House against the Premier of the State. I utterly repudiate it, and I am proud to be associated with the actions the Government took prior to the moratorium in an attempt to defuse the situation and to try to separate the anarchist and revolutionary leaders of the

moratorium from the followers who were being misled and who wished to participate peacefully in the march. I also associate myself with the attempt to see that peace and order in the streets of Adelaide was preserved as far as possible.

I utterly repudiate the attempt made today to impugn not only the efficiency, effectiveness or good judgment of the Premier, but also, to quote the member for Fisher, his honesty, sincerity and genuineness. There has been an utterly disgraceful attack made in this debate. We have seen the sort of thing that a public man should not have to expose himself to when he takes up the office of Premier. During the course of this debate and earlier we have heard suggestions that not only had the Premier avoided his responsibility and been motivated by motives other than honesty, sincerity and genuineness but indeed that he was also motivated by resentments nursed from far back and that he had so far abdicated his responsibility as to allow his judgment to be clouded by incidents dating from somewhere in the past. It is plain from a perusal of the terms of reference of the Royal Commission that everything that the Commissioner could be required to inquire into lies fairly and squarely within those terms. It is clear that there never was any genuine consideration of the public interest involved in moving this motion, its sole purpose being to make the utterly unworthy suggestion that the Premier's attempt to modify the course of events at the demonstration, in a way that would promote peace and order in the city, in some way had the effect of encouraging the participants and of leading to increased violence. This is an utterly unsubstantiated and unworthy allegation. As the motion serves absolutely no purpose, I ask the House to reject it.

The Hon. G. T. VIRGO (Minister of Roads and Transport): When the member for Alexandra moved the motion, honourable members heard him say clearly that it was directed at the Government. As the debate has proceeded, however, we have found out all too clearly that the honourable member was not aware of the manner in which his own members intended to speak, or alternatively he was making a very feeble attempt to try to hoodwink Government members into believing that what he said was true. In fact, the reverse is the case. This has not been an attack on the Government: it has been one of the lowest attacks that I have ever heard;

and it has been made on a person who commands the respect of the people of South Australia, as he has commanded respect for many years, and as he will continue to command it in the future, long after the names of members opposite have been forgotten. Yesterday, the member for Kavel said that the most fundamental grievance South Australians have is directed at the Premier who, he said, had been elected (at least he had the decency to admit this) on Labor's policy speech. That is exactly similar to the way in which the debate today has gone; this debate has been a vilification of the Premier. Over the past few days, debates along similar lines have been conducted in an endeavour to discredit the Premier, the Government and, worst of all, the State.

Mr. McAnaney: Now you're going too far.

The Hon. G. T. VIRGO: In recent days, we have witnessed in this House attack after attack by Opposition members, who have spoken irresponsibly in an endeavour to vilify the Government and the Premier and, worse still, to drag down the State. If one member opposite can honestly face his Maker and say that he has done anything to advance South Australia in the past week, I will resign from Parliament today. Not one member opposite is capable of doing that. Day after day, we have heard South Australia being dragged down. When has an Opposition member got up and supported the Premier for what he has done for South Australia? Which Opposition member has had the courage to stand up and support the Premier's efforts to have negotiations on the Dartmouth dam and to get the best he can for rail standardization in South Australia? We have had nothing but criticism.

Mr. Gunn: What has that got to do with the motion before Parliament?

The Hon. G. T. VIRGO: If the honourable member stays in Parliament long enough he will realize that discussion on the interests of South Australia has everything to do with this Parliament. If the honourable member had been prepared to support the Premier's efforts to get funds for the Eyre Highway, I would have had a very high regard for him. Instead, he sold South Australia down the drain by saying through the press that it was the State Government's responsibility to do that work. He was fortunate enough to get a reply from the Commonwealth Minister, something that the Premier has not been able to get.

Mr. Gunn: You invited me—

The SPEAKER: Order!

The Hon. G. T. VIRGO: I want the Leader, who is busily engaged in looking through books, to read his own policy speech, which he made on May 4, 1970. He said:

I ask for your pledge and support of the principle for which my Government will stand or fall. In return, I give you my pledge that my Government will never put politics before the interests of our State.

Presumably, the Leader is released from that pledge, because he used the words "my Government". Because he has not got a Government, it could be argued that he is released from that pledge, but that is not the only score on which he could be released. He also said he would never put politics above the interests of the State, yet we have recently seen politics played in its lowest form, and never worse than today.

Mr. Venning: Talk about getting down into the gutter!

The Hon. G. T. VIRGO: The honourable member ought to know more about that than anyone else I know.

Mr. Mathwin: You are being harsh.

The Hon. G. T. VIRGO: The honourable member ought to discuss the matter with the member for Rocky River. He should consider why the member for Alexandra talked his colleagues into putting up this motion today, and he should then look at the article in today's paper that lists the six major reasons (given by the Leader of the Opposition) why the Premier should immediately resign. Are these not the very things on which the Opposition has wasted the time of this Parliament over the last few days?

Mr. Venning: Wouldn't you like him to do just this?

The Hon. G. T. VIRGO: I did not intend to reply to interjections, but I want it publicly known that there is no-one I know in Australia whom I would prefer to serve under as Leader of my Party than Don Dunstan. If the member for Rocky River wants to make any more stupid interjections of that nature—

Mr. Venning: I am glad to hear what you said.

The Hon. G. T. VIRGO: South Australia is in a fortunate position. I say, with due respect to many people, that the man leading the Australian Labor Party in South Australia is the most capable of all Party leaders in Australia, and I make no apologies for making that statement.

Mr. Goldsworthy: What about Gough Whitlam?

The Hon. G. T. VIRGO: I would be quite happy to discuss the ability of the Common-

wealth Leader of the Opposition, if you would permit me to do so, Mr. Speaker, because the member for Kavel has asked me to do it. I wonder whether I would be outside Standing Orders if I did so. I have the highest regard for Gough Whitlam, and I assure the member for Kavel that the day is not very far distant when South Australia will be getting a far better go from Gough Whitlam as Labor Prime Minister of Australia than we have got over the last 20 years, and we will also see the Labor Party's promises being fulfilled. For example, we will not be arguing the point with a Commonwealth Labor Government about a 21-year-old agreement to standardize railways. There have been 21 years of Liberal rule in the Commonwealth sphere, and where is South Australia? It is back in the dark, dim, distant past, because no-one on the Liberal benches, whether he has been in Government or in Opposition, has ever been prepared to put forward a case for South Australia. Now that we have a Premier who is doing this, the Opposition cannot jump into him quickly enough and cannot attempt to discredit him quickly enough, because it is frightened that South Australia may start to progress and get a fair go. The Opposition is frightened that its Liberal cohorts in the Commonwealth sphere will be shown up for what they are and for what they have done. They have cheated South Australia for years and years and are still doing so.

I think I heard some "Hear, hears" from Opposition members. I am very pleased to hear that, but I wish they would stand up and be counted. I am disgusted at the way the Opposition has attempted to play its role. I do not think the interests of this State should be brought down to the level that members opposite have recently attempted to bring them, particularly today. I know that I speak on behalf of every Government member in this House, on behalf of the thousands of Labor Party members throughout the length and breadth of South Australia, and on behalf of the 52 per cent of this State's population who voted Labor at the last elections, when I say that we have complete election—

Mr. Goldsworthy: It was 50 per cent.

The Hon. G. T. VIRGO: I am not surprised that the honourable member had to leave school: he obviously has never learnt mathematics.

Mr. Goldsworthy: You left school earlier than I did.

The Hon. G. T. VIRGO: Yes, but I learned more about mathematics while I was at school.

The 52 per cent of the population of South Australia that voted Labor, together with the other people I have referred to, have complete and unqualified confidence in the Premier of South Australia, and the Opposition has done nothing for its cause other than degenerate it. By this disgraceful move today, it has done nothing for the welfare and advancement of South Australia.

The Hon. G. R. BROOMHILL (Minister of Labour and Industry): I am grateful to have the opportunity of listening to what my fellow Cabinet Ministers have said about this despicable motion moved by a member whose actions in this regard have not surprised me one iota. The only credit that can be reflected upon the Opposition in relation to this despicable move today is that at least their Leader was not willing to move such a shameful and obvious political trick as we have seen in the motion moved by the member for Alexandra. The motion has been supported by the member for Mitcham who, I would have thought, would not indulge in the type of action that he has indulged in today.

Mr. Clark: Who's he kidding?

The Hon. G. R. BROOMHILL: Well, I was prepared to give the member for Mitcham greater credit than, perhaps, the member for Elizabeth was, but the position has become obvious as the day has worn on and we have seen such a small response from other Opposition members that that is to their credit. They have not been willing to associate themselves with a motion such as we have been considering this afternoon.

Mr. Millhouse: You wait and see.

The Hon. G. R. BROOMHILL: I should think that what my colleagues on the front bench have said today has made abundantly clear the Government's position in supporting 100 per cent the Premier's actions, not only on this issue but on all issues on which he has made statements in relation to the events that led up to the situation last Friday. We continue to support him.

I only wanted to add some remarks, because I think we have adequately established what was in the mind of the mover of the motion. He would join in the campaign that the newspapers are now undertaking to discredit the Premier, and I may point out that that campaign is being waged most unsuccessfully. I repeat the statement by previous speakers that the matter dealt with in the motion is completely covered in the terms of reference given to the Commission. The honourable member who moved the motion has not denied

this, so clearly he is attempting to discredit the Premier. The motion states:

That in the opinion of this House the following instructions should be added to the terms of reference of the Royal Commission on the recent moratorium: "to inquire into the effects produced by the statement of the Premier in the House of Assembly on Thursday, September 17, 1970, and to establish whether or not this statement gave encouragement to the participants in the moratorium and led to increased violence".

I want to repeat the point made by the Minister of Education. It is clear that the intention of the motion is to create the impression that the Premier's actions encouraged the participants in the moratorium and led to violence, whereas the mover and all other members know that the Premier's actions were clearly designed to encourage the participants in the moratorium to reduce any violence that might have occurred, and the Premier's actions had that effect. I am certain the member for Alexandra will not deny this, because I heard him say by interjection that he was willing to accept this. What else could he say? He knows that the Premier's actions created the effect that we have stated. If he does not deny that the terms of reference are wide enough for any matters mentioned in this motion to be referred to the Royal Commission, what was his intention in moving the motion? It was to provide an opportunity to attack the Premier further.

Then the member for Mitcham, who followed the mover, despite the comments made by other Ministers, attempted to deny that this was the case. He tried to make it appear to be an attack on the Government. However, there is nothing about the Government in this motion. The motion is confined to an attack on the Premier and, despite what some members have said, before the member for Mitcham raised points of order and before he denied that this was the case, the member for Fisher made the position painfully clear. I repeat that the Premier has the full support of members on this side and of all members of the Labor Party in what he has been trying to do to maintain law and order and protect the rights of all the people in the community. I am pleased that so few Opposition members have been willing to associate themselves with this shameful motion.

The SPEAKER: The honourable Leader of the Opposition.

The Hon. G. R. Broomhill: I hope I didn't force you to get up.

Mr. HALL (Leader of the Opposition): No. I am sorry if I have not been speaking often enough for the benefit of members opposite. If I knew they wanted to hear more from me I would have spoken more often. I must say that I was not moved by the apology offered by the junior Minister. It was nothing less than an apology, but it was given at least in better taste than was the speech made by the Minister of Roads and Transport. It is evident that Government members are adopting the age-old tactic of trying to divert one of the most effective and most glaring spotlights ever put on a Government in South Australia. Government members are trying to divert the beam of light that is gleamingly outlining the Government by stating that the Opposition is indulging in personal abuse. This is the surest sign that the Government is running for cover.

The Hon. G. R. Broomhill: Why didn't you move the motion?

Mr. HALL: The Minister has had his chance. He is not known for making sensible interjections, and he is out of order, at any rate.

The Hon. G. R. Broomhill: Why didn't you move this? You weren't game to.

The SPEAKER: Order!

Mr. HALL: We know that the Government is divided deeply on the issue before the House. This is evident to all who watch Government activities, because no other cause would have got a Government with a sound majority and the support of the people, a Government that has boasted about its majority in almost every debate, into such a demoralized state and made it the ineffective Administration that it is today. The Government has no sound argument but only the hammer of the gag and restriction and repression to offer the Opposition, thus preventing debate in this House, as it has done twice today. The Government claims that our attacks are on a personal basis, and this is the first and cheapest refuge. We know that a Premier, as leader of a Government, must stand by his statements. Surely the Minister of Labour and Industry will not try to tell the House that, because the Premier made a statement, it was made in a personal way and he should not be criticized for taking that action. The Premier took action, and it is this action that is under the scrutiny of the House. One thing inherent in the speeches of all Ministers today is their belief that we are concentrating our attack on the Premier alone. May I enlighten Ministers and other members opposite by telling them that each one of them is

blameworthy, because they all support their Leader. The Premier, as head of that Government, bears the brunt of that criticism. However, I want it known in this House that it should be spread equally over all members opposite. Ministers cannot claim impersonal refuge and say that they are not responsible for the policies they espouse and vote for in this House. Members opposite are saying that the criticism here is not valid—not because of something inherent in the criticism or that it is wrong in logic but because it is personal. This is nonsense.

The Minister of Roads and Transport criticizes this side of the House for being anti-South Australia because it did not support the Government's attitude on the Dartmouth dam and on rail standardization. What nonsense is this? Every person in the community is getting around to the point of view that the Government is fumbling on both these matters. Cannot the Government see its hand before its nose? Cannot it sense the public feeling on these vital issues? No wonder it is getting itself into such a tremendously demoralized and ineffective state, as it is in today, repeating policy after policy, differing from step to step. What nonsense it is for the Minister of Roads and Transport to claim personal abuse and criticize us because we will not support policies that will ruin this State! Members opposite are putting this State at risk.

I rise only to say that I am not concerned with the personalities of members opposite in these debates. I hope that when we meet outside this House we shall not be personal enemies—but that is up to members opposite. I am not concerned with their personalities in any other way than as they affect the Government of this State. There is no doubt that the Premier took action and he is being put into the spotlight in the debate in this House because of the action he took. I reject any suggestion that the attack on the Government is on a personal basis.

Mr. WELLS (Florey): I oppose the motion. In my opinion, this is a low and contemptible attempt to involve the Premier in an unsavoury situation in the hope that he may be discredited. I am not surprised that this occurs, that these vicious attacks are being made upon him by the Opposition as a Party and as individuals, because, of course, we on this side are aware that members opposite fear the ability of our Premier in debate and administrative capacities.

He has the ability at all times to confound arguments brought forward by members of the Opposition. It is obvious that this motion has been dragged from the bottom of the barrel of political viciousness by the member for Alexandra. I was intending to say that I was extremely surprised that the honourable member permitted himself to be used as a hatchet man to launch an attack on the Premier by this motion but, now having cognizance of the Leader's statement that, in his opinion and the opinion of his Party, the blame or the condemnation being levelled should be shared by the Government as a whole—the Ministers, the Premier and the rest of the Government—I believe the Opposition, and not the member for Alexandra alone, must now bear the shame for introducing such a motion. I am certain that the people of South Australia will heap nothing but contempt upon those responsible for the actions we are discussing because they recognize our Premier as a brilliant, honest and conscientious leader of the people of this State, a man who has produced many reforms for the State and will continue to lead it into a position of honour that it had never occupied prior to the advent of a Labor Government. To further my argument, I refer to the grievance motion moved yesterday.

Mr. EVANS: Mr. Speaker, I rise on a point of order. The honourable member wishes to refer to the grievance motion moved yesterday. I believe it is out of order to refer to another debate of this House in the same session.

The SPEAKER: Yes, it is out of order.

Mr. WELLS: I bow to your ruling, Mr. Speaker. Discussion took place in this House yesterday which presented an opportunity for members opposite to heap invective and abuse upon the Premier; it afforded opportunities for spite and spleen to enter the ensuing debate, and these opportunities were quickly grasped by members of the Opposition in the attacks they made yesterday on the Premier. We have seen people rise from the Opposition side who have made a gross misrepresentation of statements, whether by design or through ignorance—and I am referring, in the main, to the member for Fisher, who has completely misrepresented the Premier's position in respect of matters that have been discussed here previously. This again is a firm indication of the spite and animosity displayed towards the Premier by the Opposition.

The people of South Australia amply demonstrated their faith in the Premier and the Government at the recent election. I am

certain the people have enough confidence in the Government they have installed in this Chamber to realize that they are being subjected to unwarranted and vicious attacks, not because of any action of the Government or of any actions that may have brought some discredit upon the Government or the Party but purely and simply because members opposite are so imbued with hatred and fear of the Premier because of his ability to lead this Government and this State that they lose no opportunity to castigate him whether the reason be true or false, whether it be valid or imaginary. The ability of the Premier has always been a snag and a thorn in the side of members of the Liberal and Country League, who would be very pleased to see him replaced or removed from his position, not only as Premier of the State but also as Leader of this Party, because they know that, as long as he is the Leader of this Party, our policies will be sound, well considered and accepted by the people of this State.

The Premier has shown the people of South Australia that he is capable of leading them to a situation that will result in great benefits not only to the people who voted for him and his Government but also to the whole population of the State. This is a situation that has completely reversed the position that was evident when this Party came to power. We saw the L.C.L. Government devoid of any activity that would have brought benefit to the people of this State, but now, the people having spoken, I suggest that they will never turn their backs on people whom they trust and rely on and who are dedicated to the leadership of the Premier of this State, the man who, despite vicious and premeditated attacks on him and his character, will never flinch and will never lack the support of Government members.

Mr. CLARK (Elizabeth): I realize that the member for Alexandra probably wants to exercise his right to close this debate today, and I do not wish to stop him. I consider that it is necessary for me to speak because of remarks that have been made in the last few days or, indeed, in the last two or three weeks. I entered this House as a member in 1952: Don Dunstan, if I remember correctly, came in in 1953. I remember him well, as I am sure do the four members here now who were members then, as a bright young man who showed signs of the future that lay before him. He has matured into the finest Leader of his Party in Australia. If some members do not believe this, I suggest that they read

newspapers published in other States. Perhaps we get a clearer picture if we consider it at a distance from the scene. During the last two or three years many able writers for newspapers in other States have formed an accurate assessment of the worth of Don Dunstan, both as the Leader of the Opposition and as the Premier of South Australia. That assessment is high indeed.

Mr. McKee: And by Liberal Prime Ministers, too.

Mr. CLARK: I am proud to serve under Don Dunstan as Premier. I believe the effect for good that he has already had as Leader of the Opposition and Premier is great indeed, and the years that he has before him as Premier will only serve to enhance this. I speak in this debate for one reason, which has not been given by other speakers. I oppose the motion because I believe it is unnecessary. I have obtained legal advice on this, not from any of the legal lights on my side or on the other side. I have been informed that, under its terms of reference, the Commission can call the Premier or anyone else if it wishes. For that reason I claim that this motion is completely unnecessary. I have spoken to the Premier about this matter and he has told me that he would be pleased to appear before the Commission if it thought it necessary that he should do so.

I have no need to charge the Opposition with defamation of character: my colleagues have done that. Members opposite have convicted themselves out of their own mouths during the last few days and again this afternoon. I suggest that if the Royal Commission thought it necessary it could call the Leader of the Opposition before it, and I believe that it could call any speaker who spoke on September 17 (quite unnecessarily in my opinion, but I suppose necessarily in theirs, because it gave them the chance to further denigrate the Premier) following the Premier's statement regarding the interview that he and the Chief Secretary had had with the Commissioner of Police. It is peculiar that no-one has taken the Chief Secretary to task on this issue: they both put certain points of view to the Commissioner.

Mr. Millhouse: Are you serious?

Mr. CLARK: Indeed I am. They made certain submissions to the Commissioner of Police. I trust that the member for Mitcham is not suggesting that my statement is inaccurate.

Mr. Millhouse: No: I am saying that at the interview the Premier was undoubtedly the spokesman.

Mr. CLARK: I am afraid the honourable member does not know the Chief Secretary.

Mr. Millhouse: One draws one's own conclusions, knowing the two men.

Mr. CLARK: This is what I was about to say. I have known the Chief Secretary for many years. I probably know him more intimately than the member for Mitcham does, and I assure the honourable member that the Chief Secretary is the last man in the world who would not have his say. He does not run second to anyone (and I do not say that disparagingly): he is a man of firm opinions and I know that, if he and the Premier spoke to the Commissioner of Police, Mr. Shard would have put his views plainly.

Mr. Millhouse: You have come to the opposite conclusion to mine.

Mr. CLARK: It would be natural for me to do that, and I would think that there was something wrong and that I was sickening for a serious illness if I did not. Those who spoke in the debate last Thursday (the Leader of the Opposition, the member for Mitcham, the Minister of Works, the member for Alexandra, the Minister of Roads and Transport, and the member for Victoria) could be called before the Commission without the member for Alexandra's moving this motion. That debate could well be forgotten, because of the inflammatory statements made by some members that were, no doubt, well read and studied. The motive for moving the motion was once again to make an attempt (feeble as it has proved to be) to denigrate the Premier. This has been going on for some days and I think we know the reason: it is the same reason as that which was responsible for the nonsense appearing on page 2 of today's *News*, an item that will cause a peal of merriment to ring throughout the State. It states the Leader's six major reasons for suggesting that the Premier should resign. Each of these so-called major reasons is really minor, and none of them is a reason at all. Obviously, the Leader is attempting to make a policy speech at a time when no election is likely to be held.

I should think that the Leader, despite encouragement from some of his members, would be the last person at this stage to submit willingly to another election. He did that a few months ago, and I think that at that time he was possibly the only member of the Parliamentary Liberal Party who thought that he had any hope of winning. I

am sure that his colleagues had no such hopes, and I congratulate them on their good sense in that regard. I fear that this motion is another attempt to kill the Dunstan image. As I said at the beginning of my speech (and I say this not disparagingly but as a statement of fact), no Opposition member is capable of challenging the present Premier on any grounds.

Mr. McAnaney: He has no respect for facts and figures.

Mr. CLARK: Although I have respect for the member for Heysen at times, he is the last person to talk about figures, either mathematical or physical. He should not refer to this matter, because I know that, whenever he quotes figures (and he does this too often unfortunately), he invariably makes some little mistake, such as stating millions instead of hundreds of thousands. I think it would be a good idea if he gave figures away, as he should also give away supporting his Party on motions such as this, which can only be doomed to failure. I agree with my colleagues, although I have expressed myself in milder terms, because other members have used all the terms which I should like to have used and which I do not wish to repeat. This debate has been another attempt to denigrate the Premier that I believe has failed. All that has happened is that the esteem in which the Premier is held by the people of the State whom he represents has been built up.

Mr. HOPGOOD (Mawson): This debate is both the best and worst I have heard since I have been a member. I regard it as the best debate because it has been most encouraging for me to be with my colleagues and see them in full cry, throwing back at the Leader of the Opposition the accusations that we are in some way divided on this issue, and to hear my colleagues from the front bench and back benches alike support the man whom I regard as the obvious and only man to lead the State at present: the present Premier. If I ever had any doubts whatever about my personal commitment to the Party of which I am a member, they have been completely evaporated this afternoon.

The Premier has been personally attacked in two places and by two groups of people in the last week or so. First, he has been attacked from the platform of the moratorium. Honourable members will realize that amongst the various people supporting the moratorium there is a small group which sees the Aus-

tralian Labor Party as its main opposition in Australia and in South Australia. People in this group are not particularly worried about the Liberal and Country Parties; they are perfectly satisfied to see years and years of Liberal and Country Party Governments, because they know that these Governments create a situation in which their extreme revolutionary doctrines can gain ground among the dissatisfied populace. These people see the A.L.P. as their basic opposition, their main aim being to destroy that Party. At this point they see that, in South Australia, in order to destroy the Labor Party, they should destroy the Premier, who is the Party's Leader. I repeat that in the last week or so the Premier has been subjected to personal abuse by a small minority of the population; these people can be identified as revolutionary activists.

The other group by which the Premier has been attacked consists of members of the L.C.L. in this House, and they have chosen this Chamber as the place in which to attack him. What an extraordinary united front we have confronting us at present comprising the revolutionary activists, some of whom are engaged in moratorium activities and, on the other hand, the ultra-conservative members of the L.C.L. in this place. This is a subject on which there is considerable speculation. There is a common cause, shared by members of the L.C.L. and the extreme section of revolutionary activists in the community, to destroy the political credit of Don Dunstan as the Leader of the Labor Party and Premier of the State. Nothing would suit the revolutionary activists and L.C.L. members more than to see the Government out of office and Dunstan discredited. I turn now to the vast majority of moderate opinion in the State. Most people in the State do not want to see these extremely radical and extremely reactionary elements feeding off each other and engaging in a sort of dialogue which can do no more than lead to the downfall of constitutional government as we know it. Mark my words, this is what the revolutionary activists want and it is what the reactionary elements, which would take a hard line against the activists, will give the activists if they proceed in the way they are proceeding at present. Therefore, I am amazed at this united front that has developed in South Australia in the past few weeks between people whom we would normally expect to be at the opposite ends of the political spectrum: L.C.L. members on the one hand and the extreme revolutionary activists on the other hand.

I believe that the terms of reference of the Royal Commission are perfectly adequate to satisfy the demands of all sections of the population for an inquiry into the activities of the last week or so which led up to the appointment of the Commission and which, consequently, may flow therefrom. For this reason, I can see no point in the motion, which I can only interpret as a personal attack on the Premier. This was certainly not repudiated by the member for Fisher, who said that he wished to blame the Premier personally. Of course, in doing so, he completely confused the moratorium committee with the Committee for the Campaign for Peace in Vietnam. When one realizes the confusion that exists in the honourable member's mind about this particular issue, one can imagine how many other things he is confused about.

We listened to a farrago of nonsense from the Leader this afternoon. He talked about division in the ranks of the Government, although I have never seen the Government more united in its ranks than it is at present and than it is on this particular issue. I wish to put this whole business in perspective. For many years, it has been obvious that the Liberal and Country Parties, which, for most of my life, have ruled both in this State and in the Commonwealth, have not been prepared to wage campaigns on the basic economic issues facing the people of Australia. We know the sort of issues that need to be attended to by State and Commonwealth Governments.

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

The Hon. J. D. CORCORAN (Minister of Works) moved:

That Orders of the Day, Government Business, be postponed and Notice of Motion, Other Business, No. 3, be proceeded with.

Motion carried.

Mr. HOPGOOD: In my brief experience of Australian politics I recall that on every occasion when there has been a Commonwealth election the Liberal and Country Parties have not been prepared to meet the Australian Labor Party on the issues that directly affect the people of this country—the bread and butter issues. We have seen this, for example, in the notorious Petrov affair, a political gimmick engineered to react against the Australian Labor Party and protect the Liberal Government, which at that time was under attack over bread and butter issues. We have seen this, too, in the kicking of the Communist can that has gone on.

We have heard all about the downward thrust, the sticky, gooey sort of treacly move-

ment that is flowing down school atlases from the Northern Hemisphere towards us. Now that that has been shown to be the hollow sham that it is, we are faced with the possibility of a law and order campaign. I believe the Liberal and Country League in this State is playing its part in Mr. Gorton's interest in ensuring that the law and order issue is kept simmering and on the boil. The issues of law and order and kicking the Communist can have not been so much to the fore in South Australian politics because it has not been necessary for the L.C.L. to use them in a gerrymandered State in order to win a majority of seats in this House. However, now we find that we are in a much different position: it is possible for the A.L.P., if it wins a majority of votes in the constituencies, to win a majority of seats in this House. So, the sort of political gimmickry that has characterized the Commonwealth scene over the years is being experienced here. That gimmickry has involved talking about Communists and the downward thrust and even the sort of thing that worried our grandfathers in the early days—the days of the I.W.W. (the "Wobblies"). We are now getting the same sort of thing here.

We are finding this sort of political gimmickry in the form of personal attacks on the Leader of the Labor Party here, the Premier of this State. Government members take strong exception to the sort of campaign that is at present being mounted by the L.C.L. through the news media and by the revolutionary activists who at this stage seem to be making common cause with the L.C.L. in these attacks on our Premier. I repeat what has already been said by Government members: this motion is completely unnecessary and seeks to do only what is already within the ambit of the Royal Commission that has been announced by the Attorney-General. For that reason and because the Premier is specifically involved in this motion, I can regard it only as a personal attack which I deplore and which I think every fair-minded South Australian would equally deplore.

Mr. McRAE (Playford): I see no need to mention in great detail the reasons why the motion is needless, particularly when one considers the terms of reference. That point has been canvassed in detail by my colleagues on this side. Nor do I need to defend the Premier, first, because he does not need to be defended, and, secondly, because of the comments that have been made by my colleagues on this side. I, as a Government

back-bencher would only add my voice and say that I have full confidence in the Leader of my Party, the Premier. I, too, am appalled at the campaign of vilification that has been mounted against him and his fellow Cabinet Ministers. However, I am not surprised at this campaign, because if one does a little research into the history of the Party that has moved the motion this afternoon, one can easily find that it was involved in the last major law and order Royal Commission in this State. I refer, of course, to the Stuart Royal Commission.

It is interesting to note that the Government of the day on that occasion went to extreme pains to make sure that an individual was involved in the terms of reference. I refer to the third term of reference of that Commission, which dealt with the counsel for Stuart (Mr. David O'Sullivan). This term of reference appalled the Law Society and its members, because it was seen as a blatant political gimmick on the part of the Liberal Government of that day to sidetrack the public from the real issues at stake and turn attention to the man who had defended Stuart without fee throughout this whole episode. I may say with some pride, in relation to my former profession, that the same man refused to accept any fee when he was later vindicated, so there is a history on the part of the Liberal Party in involving individuals in major issues of this kind, and involving them in a way that is needless and, indeed, vindictive.

The Liberal Party did it then to try to cast a smokescreen over what might come out of the Commission and as a way to punish a man who had done nothing but defend his client, but whom the Liberal Government found to be embarrassing to it. Now we find that that Party tries to do it again. Even the undertaking that the Premier is willing to attend the Royal Commission and give evidence if need be does not deter members opposite from pressing on with this motion. Even the fact that it must be clear from the terms of reference that any form of investigation into any person, whether a Premier, a Cabinet Minister a back-bencher in Parliament, or anyone else, would be admissible does not deter the Liberal Party from moving a motion of this kind.

As has been pointed out before, it is clear that in pressing on in this way, the Opposition is determined to get at the Premier as an individual. On the last occasion on which we had a large issue in law and order

(namely, the Stuart Royal Commission) the then Liberal Government, as I have said, set down the terms of reference of that Commission. *Hansard* shows that the Leader of the Opposition at that time (Mr. O'Halloran) tried to move a motion that dealt with that case, and he was gagged by the then Liberal Government from proceeding. However, on this occasion there has been no attempt from this side to prevent the honourable member who moved this motion or those who followed him from dealing with it in detail and putting their views thoroughly and as well as they could.

I do not think the Leader wanted to get involved in this: it was late in the day before we heard from him, and then only after he had been challenged from this side to show that he was supporting the motion. No attempt was made from this side to prevent the whole matter being canvassed by the members of the Opposition. Indeed, they made it another of their platforms for a continuing attack on the Premier. They do this (and I support my colleagues in saying this) because they are envious of the way the Premier has conducted himself both as a debater (although that is not so important) and, more importantly—

Mr. Gunn: He is a good actor.

Mr. McRAE: If he is a good actor, that is more than can be said, perhaps, of the Leader of the Opposition, who may be classed as a bad actor. The reason, as I see it, for this continued attack is that members opposite see in the Premier a grave and continuing danger to their position. They see him as a man who is not only a good debater but also possessed of great administrative competence, with great ability over a wide range of subjects. So members opposite see in him a person who can keep restraint, and restraint is the basis of all law and order. They also display, rather obviously, a tinge of envy and jealousy, because they cannot match him when it comes to logic or presentation. So envy or jealousy (or both) becomes more transparently obvious as time goes on.

Members opposite also display annoyance: they are annoyed by the Premier because he can continually beat them to the punch and dispose of them more than adequately. They are annoyed with him, too, because, in addition to all these qualities, he is accepted by his own Party and by the people of South Australia. So, it becomes more and more obvious why this motion has been moved. It has been moved not to assist the Commission or the

people of this State but purely as a dishonourable political gimmick. It is dishonourable because members opposite know full well that the facts do not show any good cause for investigating any one individual more than another. Even if we accepted all the arguments of the member who moved this motion, he could not show a logical reason why one person should be investigated more than any other, which is what he, in the motion, is asking members to have done.

He is attempting, dishonourably, to put on the Premier the onus of disproving some alleged involvement in the violence to which this moratorium demonstration gave rise. I strongly oppose the motion, and I join with my colleagues in saying that we have supported, and will continue to support, the Premier. I remain horrified (I suppose I shall grow more horrified as time goes on) at this dishonourable type of gimmick.

Mr. CRIMES (Spence): I oppose the motion and have tremendous pleasure in joining in this magnificent display of unity on the Government side. There has been plenty of evidence over the weeks that a giant conspiracy has been established between influential interests outside the House and the Opposition in the House for the purpose of denigrating and rubbishing the name of the Premier of this State. I believe that they met together in some plush club atmosphere to work out this campaign. They have, in fact, a slogan which they are not prepared to honestly voice to us, but I imagine it would be something like a "get the Premier" campaign. What they have figured out, mistakenly, is that if they attack the Premier sufficiently with the aid of their allies in the press in this State they will achieve a situation where they will divide the Premier from the rest of the Government members. They have thought that we would desert him like rats leaving a sinking ship. What a mistake they have made: we have seen dismay written across each of their faces today as speaker after speaker on the Government side has shown unmistakably where he stands in regard to unity and loyalty to the Premier of this State.

The Hon. G. R. Broomhill: How many members opposite were prepared to support the member for Alexandra?

Mr. CRIMES: Yes, how many? In all this mistake there has been the need for the fruition of their conspiracy so that there would be established some reason for it. Members opposite found the reason in the ranks of the minority of misguided people who are allied

with the moratorium campaign and who took the line that has been taken to involve violence.

Mr. McKee: They look sad and disillusioned.

Mr. CRIMES: They do, because they know what they are up against in the person of the Premier, who has the courage and ability to lead this State in the way he has. He could even do it much better if it were not for the people who are established in the Upper House under this roof. If he were free, and if we were free, to establish our policies as set down when we approached the people before the last election we would, indeed, see dynamic democracy in action in South Australia. Either by design or by coincidence, among this minority of people attached to the moratorium campaign who were the reason for the A.L.P. standing aside from the campaign when there was a possibility of violence, the Opposition has found its allies. If they are not allies physically they are spiritual allies, because those people agreed to the plans of the L.C.L. and its influential friends outside this House.

Mr. Gunn: Don't talk rubbish.

Mr. CRIMES: They use law and order: do they use it for democratic purposes? The answer is "No". History tells us who has used the term law and order, for which we stand in its true democratic content. Those people who were the cause of the Second World War (Mussolini and Hitler) stood for law and order. However, it is not only a matter of law and order: it is a matter of law and order for what? We, on this side, stand for law and order on a democratic basis, so long as people can peacefully express their views to the general community in order to persuade the rest of the community to accept their point of view. That is the difference: we believe in persuasion, whereas certain others believe in nothing but force. It is no mistake to say that Hitler and Mussolini wanted law and order, and they got it for their purpose. We want it for our purposes, which are democratic and peaceful purposes. Others in the community believe in purposes similar to those for which Mussolini and Hitler sought law and order. Many things in our society are admirable, but there are other things that people in the universities and elsewhere should and do question, and in justice they must have a democratic right to do that. We insist that they have this right, but we will not permit anyone who wants to express his right to an opinion to interfere with the rights of others in expressing that right.

Not much more can be said about the motion or, rather, about the motives behind it, because we are really concerned about the denigration of and disgraceful attacks on the Premier. There is little doubt of this unholy alliance of people on the extreme left and those on the right. I suppose that, if we gave these extremists from the left an opportunity to come into the House, they would criticize the present Opposition in much the same terms as we use to criticize it, but they would not realize that criticism must be peaceful and persuasive. Extremists from the left, as well as those from the right, who put one foot out of line and indulge in violence, rather than peaceful persuasion, have to be brought to book.

Mr. Goldsworthy: You say they can come and sit down here, if they're peaceful, and that's all right.

Mr. CRIMES: I did not say that, and that is an example of the extremism about which I am talking. We try to talk to members opposite in rational terms, but they cannot understand us.

Mr. McAnaney: When are you going to start?

Mr. CRIMES: I have nearly finished, for the simple reason that nearly everything that can be said on behalf of the Premier and in opposition to the motion has already been said. However, when we have all finished speaking, I am sure that we will not have made any headway in the face of the dogmatic approach to law and order exhibited by the Opposition. I am constrained to thank the member for Alexandra. Outside the House, he is an admirable and courteous person, but inside this Chamber he reveals his true self. Nevertheless, I thank him for moving the motion, for it provided an opportunity for the most magnificent display of unity by members on this side of the House and of loyalty to the greatest Premier that we have seen in a long time. If the press, with which our opponents are allied, will print what members on this side have said, I am sure that the citizens of South Australia will fully understand the conspiracy that has been taking place against our Premier.

Dr. TONKIN (Bragg): I cannot allow the general trend of the remarks of members opposite to go without some form of reply. Opposition members have been accused by various members opposite, particularly by the member for Mawson, of attempting to destroy the Labor Party by destroying the Premier.

Mr. Hopgood: That's right.

Dr. TONKIN: Certainly the Premier speaks on behalf of the Labor Party, on behalf of this Government, and on his own behalf. The Government is just as responsible for his actions as he is for the Government's. The Government is responsible for whatever happens in this House and in this community, whatever the sphere over which it has control. The fact is that the Government cannot stand criticism and it is getting much criticism from the Opposition and from the community. There would be even more criticism from members on this side, if debate on all matters were possible.

The Hon. G. T. Virgo: It isn't criticism: it's rubbish.

Dr. TONKIN: I think that the difference between attack and criticism is something that the Minister should look into a little more carefully. This reaction to criticism, these squeals we are hearing from Government members, this talk of denigration, vilification, hatred and fear of the Premier, these allegations of vicious, premeditated attacks on his character: Sir, I cannot accept that this has anything at all to do with the motion.

In fact, it is the members of the Labor Party themselves, the members of the Government opposite, who have twisted this criticism by some freakish interpretation (how on earth they have arrived at it, I do not know) into a personal attack on their Leader. They have done this previously as a result of any form of defeat; when things are not going well, when they are being strongly criticized, they tend to twist the overall picture with a bid for sympathy by turning it into personal criticism of their Leader. This is the complete example of absolute immaturity. It is like the reaction of a child who, denied sweets or criticized in any way, throws a tantrum. Labor members are now throwing a tantrum. I cannot accept that this is a personal attack on the Leader of the Labor Party, unless the members of the Labor Party have turned it round themselves to make it so.

Mr. Langley: It is, and you know it.

Dr. TONKIN: Members of my Party have been accused of indulging in a conspiracy with the press and with revolutionary activists. I have never heard such rubbish in all my life. The reaction we have heard from Government members proves beyond doubt that the current criticism of the Government that is so high in the community at present is completely justified.

The Hon. D. N. BROOKMAN (Alexandra): Mr. Speaker, I suppose that, like the generals in the first few months of a war, one comes to envy the later leaders who learn by experience because, as everyone could see this afternoon, when I moved this motion I moved it under the greatest difficulties. We had the narrowest possible interpretation of what was *sub judice* and what was not. A half a dozen or more times I was stopped from making my point, but I did not complain.

Mr. McKee: You never had a point to make.

The Hon. D. N. BROOKMAN: I made no complaint. In fact, I pointed out that I appreciated that the Deputy Speaker was trying to administer Standing Orders as fairly as possible. I did have to leave out some of the points that otherwise I would have put. However, I got through my argument and, without complaint, sat down, only to hear the debate, as it went on, get so wide that it brought in everything from Gough Whitlam to Hitler and Mussolini. Not one member of the Government Party was prevented from saying what he wanted to say. The comments of those members ranged around the motion; occasionally they referred to it, but the debate on their part became mostly a sort of address in reply of personal abuse. That is about all it was.

I have sat here and listened to hours and hours of this sort of abuse, without hearing one single debating point put forward. The entire front bench, with one exception, got up one after the other white hot and full of adjectives, but without a single point. Not even the Attorney-General could find anything to bring to the debate other than adjectives—and what wonderful words they were. We have all heard the word “vilify” so many times that it almost appears that there has been a Labor Party inservice school to teach its members which words to use.

Some of the interjections really ought to be hung on the wall just for people to see. We have been accused of being spiritual allies of the leaders of the moratorium. Our pyrotechnic interjector from Pirie said that we brought out the red coats. The Eureka Stockade was referred to, too. The last few hours of this debate have been interesting and no doubt a useful exercise in demonstrating Labor solidarity. All Government members used the same words and the same arguments, and they all spoke with the same level of emotion.

The Hon. Hugh Hudson: Because we are sick of members on your side.

Mr. Millhouse: You didn't do too well.

The SPEAKER: Order! The member for Alexandra is replying to the debate and must be heard in silence.

The Hon. D. N. BROOKMAN: I suppose I could pick off the arguments of each Government member one by one, but I would prefer to deal with them with one barrel of a gun, just as though I was shooting a dozen galahs off a perch. However, in case I injure the egos of some of the actors in the peculiar drama that we have been witnessing this afternoon I should mention first a few items that have been referred to by Ministers. I will give them that honour because, after all, the back-benchers, loyal as they are, did a good job in backing up the Government yet without bringing any new points to the debate. First, the Minister of Education, who is listening very carefully, made one criticism that was not produced later by anyone else. Nevertheless, it was a criticism that I thought I should mention. He said that this debate had been brought on when we knew that the Premier had to leave to go to the airport. I gave notice of this motion yesterday—over 24 hours ago—and, furthermore, I remind the House that, if anyone thinks it is easy for the Opposition to manipulate the Notice Paper and bring on a debate when it suits it, I can tell him that that is not correct.

Mr. Lawn: We know all about that.

The Hon. Hugh Hudson: Why did you change the order of the Notice Paper?

The Hon. D. N. BROOKMAN: Because I wanted to get motion moved before 4 o'clock.

The Hon. J. D. Corcoran: You waited until the Premier left the House.

The Hon. D. N. BROOKMAN: I dealt with that matter before the Minister of Works came into the Chamber. This was an urgent matter and I wanted it debated before 4 p.m. I may here hand a grain of gratitude to the Government front bench for moving that Standing Orders be suspended to enable the debate to continue. It was not of my choosing particularly that the debate should go on but, nevertheless, I appreciated that action. All the afternoon I was worried about the possibility of the debate falling through because of lack of time, so I was pleased about the suspension of Standing Orders. The second point that the Minister of Education made was repeated many times by other members opposite, with increasing vehemence. That was that this debate was aimed at the Premier. I want to refresh honourable members' minds about

what I said earlier this afternoon. I specifically stated that the motion was aimed not at the Premier but at the whole Government.

The Hon. Hugh Hudson: We know what you said. You know this is already covered in the existing terms of reference.

The Hon. D. N. BROOKMAN: The motion was aimed at the whole Government. There is no way in which that motion could have been framed without a reference to the Premier's statement. That was the only way of nominating what we were referring to, and I pointed out in great detail this afternoon that the statement was not just the Premier's but the statement of a Government that had had a long time to discuss the matter and of a Government that evidently agreed wholeheartedly with the statement. I am blaming the Government, and that includes the Minister of Education and the Minister of Works. I made that point as clearly as I could. The tack adopted by the Minister of Works was to say that there had been much personal abuse.

The Hon. J. D. Corcoran: That is right.

The Hon. D. N. BROOKMAN: What constitutes personal abuse varies in the minds of different people. I do not know whether the Minister worries about accusing everyone of insincerity and whether he regards that as personal abuse. He seemed to accuse every member of the Opposition, certainly me, time and again, of having a political motive and of being completely insincere about the matter. He does not consider that to be personal abuse: he was just throwing that in, and that is nothing, from his point of view. Last week I had to remind the Minister of Works of his statement that the member for Mitcham would have liked to see a bloodbath in the streets. Is that not personal abuse?

Mr. McKee: He's a professional trainer of soldiers, but he won't go to Vietnam.

The SPEAKER: Order! Honourable members must maintain order when the Speaker is on his feet. The honourable member for Alexandra.

The Hon. D. N. BROOKMAN: In bringing the motion forward, I consider this motion to be important and necessary for a full ventilation of the matters before the Royal Commission and, in moving it, I have tried to attack the Government. I have not set out to attack anyone personally, but every member of the Government who has spoken has at least accused everybody on this side of the House of insincerity. That was almost taken for granted by them before they started to speak.

The Hon. Hugh Hudson: Will you explain one thing for me?

The Hon. D. N. BROOKMAN: I will in a minute.

The SPEAKER: Order!

The Hon. D. N. BROOKMAN: We were told by the Minister of Works that we wanted emotion to be kept whipped up. Perhaps it is better to repeat, even though it should be obvious to anybody who takes an honest view of this matter, what I said last week, and I know I was speaking for every member of this House when I said that not one member of the House wanted any violence. I agreed that we all agreed on that, but we on this side are accused of having wanted violence and an unpleasant incident. If that is not personal abuse, our ideas on definitions are so far apart that we can hardly meet on common ground in argument.

Mr. McKee: You are right there, too.

The Hon. D. N. BROOKMAN: We have been described many times as reactionaries, but I had better not get too thin-skinned about that.

The Hon. Hugh Hudson: Will you answer one question for me?

The Hon. D. N. BROOKMAN: No, I will not. I was interested in the Attorney-General's remarks. As a new member going straight on to the front bench as a Minister, I think he has done very well but this is the first speech he has made in which he has departed from his usual calm and logic. He said that the real motive of this motion was to vilify the Premier. Of course, that is not regarded as personal abuse by the Government. He complained about how bad the debate was and how the Premier was pointed out as having some resentment against the police from years ago. As a matter of fact, that was not referred to in this debate: it cropped up yesterday and was nothing to do with this debate today, so the Attorney-General was inaccurate in that. He made a speech quite different from any other that he has made so far.

He reminds me of a statement I read last night by Robert Townsend, who said, "Lawyers take to politics like bears to honey." The only word that the Minister of Labour and Industry used that I have not already mentioned is "despicable". That was an entirely new word that he introduced into the debate.

Mr. Millhouse: He had to make some fresh contribution to it.

The SPEAKER: Order!

The Hon. D. N. BROOKMAN: I have pointed out that mentioning the Premier in the motion is the only way of describing the Government's attitude on that Thursday when it made that astonishing declaration.

The Hon. Hugh Hudson: It is covered by the existing terms of reference.

The SPEAKER: Order!

The Hon. D. N. BROOKMAN: The Minister will get into trouble in a minute; I can see it coming! The declaration on Thursday was a heavy blow at a man who, in the following 24 hours, had the biggest responsibility of anyone in the State. He was the man in charge of the physical arrangements to deal with whatever disturbance arose. That is why I said earlier today that the Opposition was aghast when it heard that statement, the public declaration of a difference of opinion and judgment. This was a difference of judgment between the Government and a person who is employed as an expert in a particular field, but it was a public declaration of that difference of opinion. However, it went further when the Premier said, "We have no control over him. The matter is now out of the hands of the Government." Later, he said, "In these circumstances the responsibility will rest there"—that was with the Commissioner of Police. I considered at that time that the police would be concerned, and also that it was an encouragement to the leaders of the moratorium. I have no doubt that it was not intended as an encouragement.

The Hon. Hugh Hudson: You know it was intended in the reverse way.

The Hon. D. N. BROOKMAN: It was not intended as an encouragement, but it was a desperate attempt by the Government, which wanted to ensure that it was clear of whatever consequences followed. It was obvious that the Government did not want any part of the consequences. I know that the Government did not want violence and that it did not want to encourage violence, but I believe by making that statement it encouraged the leaders of the moratorium because they then knew that the police were isolated from the Government in whatever action was taken to control the demonstration. It has been said many times that in the terms of reference there is room for discussing the Government's action.

The Hon. Hugh Hudson: And yours and anyone else's, and your statement and the Leader's statement.

The Hon. D. N. BROOKMAN: That is so. A reference has been used that the only possible argument that has been pro-

duced by the Government is that in term of reference 3 (b) appears the question, "Why did it happen?" Who could possibly imagine that the Royal Commission under its terms of reference would sit in judgment on the Premier's action in this House on behalf of the Government?

The Hon. J. D. Corcoran: Why not sit in judgment on your action?

The Hon. D. N. BROOKMAN: It can and it is entitled to.

The Hon. Hugh Hudson: Why not put everyone into the terms of reference?

The Hon. D. N. BROOKMAN: Who would have imagined that by these terms of reference the Government's action would have been brought into the scope of the inquiry? I did not think for a moment that they would have been. I doubt whether they will be, unless my motion is carried. I make it clear that there are more than two parties concerned in this affair. The first term of reference refers to the leaders of the moratorium and the second to the police, but the other terms do not refer to any particular party. I suggest that one other paragraph should be included incorporating the actions of the Government.

The Hon. Hugh Hudson: Why don't you make these remarks before the Commission?

The SPEAKER: Order! The honourable member for Alexandra is closing the debate.

The Hon. D. N. BROOKMAN: If the word of the Ministers who have spoken is to be accepted, there could not possibly be any effect from including the terms of reference in my motion.

The Hon. Hugh Hudson: Except a personal attack on the Premier.

The Hon. D. N. BROOKMAN: The Minister knows that that allegation has been adequately denied, and yet he keeps on repeating it over and over again.

The Hon. Hugh Hudson: Your motion is quite unnecessary.

The SPEAKER: Order! The honourable member for Alexandra is closing the debate, and it will not be broadened. Therefore, I request honourable members to maintain silence while the debate is being closed.

The Hon. D. N. BROOKMAN: If there is no possible cause for concern to the Government from the inclusion of the terms of reference in my motion, why should they not be included? I repeat that the purpose of the motion is to have the Commission inquire into the effect of the Government's statement on the eve of a crisis, a statement that repudiated the

one man who was left with the responsibility of controlling a difficult demonstration.

The SPEAKER: The question is that the motion be agreed to.

The Hon. Hugh Hudson: I ask for the motion to be read out.

The SPEAKER: The motion states:

That in the opinion of this House the following instructions should be added to the terms of reference of the Royal Commission on the recent moratorium: "To inquire into the effects produced by the statement of the Premier in the House of Assembly on Thursday, September 17, 1970, and to establish whether or not this statement gave encouragement to the participants in the moratorium and led to increased violence".

The House divided on the motion:

Ayes (19)—Messrs. Allen, Becker, Brookman (teller), Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Millhouse, and Rodda, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Noes (23)—Messrs. Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, Lawn, McKee, McRae, Payne, Slater, Virgo, and Wells.

Majority of 4 for the Noes.

Motion thus negatived.

LICENCE SUSPENSION

The Hon. G. T. VIRGO (Minister of Roads and Transport): I move:

That the time for bringing up the report of the Select Committee on Motor Vehicle Licence Suspension be extended until Tuesday, October 20.

Following the appointment of the Select Committee, the House fixed September 29 as the date for bringing up the report. However, this will not now be a sitting day, and the following sitting day will be October 13. It seems likely that the committee will have completed taking its evidence by that date and that it would have been possible for a report to be submitted by then. However, as most members are aware, the member for Victoria, who is a member of the committee, is also a delegate from this Parliament to the Commonwealth Parliamentary Association Conference, and he has been for most of this week and will be until October 10 engaged in matters in connection with that conference.

It is the intention of this Government, of course, to recognize the *bona fides* of a mem-

ber of the Opposition representing the Parliament and not to take advantage of this situation, as was done on a previous occasion, and it is in these circumstances that I move to extend the time for bringing up the Select Committee's report until October 20 so that members of the committee may have sufficient time to ensure that a considered report is submitted to the Parliament.

Motion carried.

APPROPRIATION BILL (No. 2)

Adjourned debate on second reading.

(Continued from September 22. Page 1569.)

Mr. HALL (Leader of the Opposition): In his second reading explanation the Treasurer said that this Bill was in the same basic form as previous Appropriation Bills, except for two variations. The first variation is in the method of referring to Supply Acts and in relation to the excess that may be incurred. This is automatically covered, I think without limit, for the purposes specified. The second variation relates to the inclusion of payroll tax. Because these seem to be reasonable provisions, I do not quarrel with them. I do not know whether anything undesirable will develop from them, but it must be remembered that this kind of Bill is introduced annually. It is a normal Bill except for the two variations mentioned.

Bill read a second time and taken through its remaining stages.

KINGSWOOD RECREATION GROUND (VESTING) BILL

The Hon. HUGH HUDSON (Minister of Education) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read. Ordered that report be printed.

THE REPORT

The Select Committee to which the House of Assembly referred the Kingswood Recreation Ground (Vesting) Bill, 1970, has the honour to report as follows:

1. Your committee met on two occasions and heard evidence from the following persons:

Councillor W. G. McCord of Mitcham City Council and President of the Kingswood Recreation Ground Trust;

Mr. A. A. Cotton, Honorary Secretary of the Kingswood Recreation Ground Trust;

Mr. H. F. Hayes, Town Clerk of the Corporation of the City of Mitcham; and

Mr. R. J. Daugherty, Senior Assistant Parliamentary Draftsman, Adelaide.

2. Advertisements inviting interested persons to give evidence before the Committee were inserted in the *Advertiser*, the *News* and the *Community Courier*, the latter being a weekly newspaper circulating in the Kingswood area.

3. Evidence placed before the committee showed that the income received by the Kingswood Recreation Ground Trust was not sufficient to enable the area controlled by the trust to be maintained effectively. The President of the trust, in evidence, stated, "It has been a worry for a long time to keep up the standard and we feel we have not been able to do what we wanted to because of lack of funds." In his evidence, the Town Clerk, in speaking of the area, said, "The council is prepared to take it over and develop and maintain the grounds and protect the existing users."

4. Your committee is of the opinion that the proposals contained in the Bill are desirable: that clause 3 provides, through the Minister, sufficient protection of the interests of the existing users of the ground and that there is no opposition to the Bill.

5. Your committee recommends that the Bill be passed without amendment.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Vesting of recreation reserve."

Mr. MILLHOUSE: After all that has been said in this place today, I am a little sentimental about the vesting of the recreation ground in the Mitcham council. I have kept a filing system since I became a member of Parliament in 1955. The docket on the Kingswood Recreation Ground Trust goes back to July, 1955, when the trust was in financial difficulties and was seeking money from the Government. I see from my docket that in November, 1955, the first suggestion that the ground should be vested in a body other than the independent trust that had been administering it since the early 1920's was made. At that time it was suggested that it should go to the Minister of Education. Soon after that, we all turned ourselves inside out on whether tennis should be permitted to be played there on a Sunday, but this suggestion was dropped. This reminds me that the wheels of Government turn very slowly: the Minister had to give his permission before tennis could be played, and that took years to get. Now, the ground is to be vested in the Mitcham council. It has taken about 15 years to get a solution to the problems of the trust and to allow it to disappear, and I am glad that this is another of the jobs I started many years ago and is now being completed.

As the trust disappears and the ground is vested in the Mitcham City Council, I should like to express appreciation to those who have

been members of the trust over the last 50 years or so for the work they have done. I think the member for Unley has had use of the ground for many years, on and off, and I am sure he will support me in saying that many people have put in much work voluntarily for very few thanks, except the knowledge that they were helping those who had the use of the ground over a long period. It is only fitting that we should express our appreciation to all those—those whom we know by name and those whom we do not know or have forgotten—who served as members of the trust over the last 50 years.

Mr. LANGLEY: I support the member for Mitcham. I am sure the people of the area are very much aware of the wonderful way in which the ground has been looked after over a number of years. The time has come when lack of finance has forced the curtailment of the trust's activities and it is no longer able to carry on this ground. I am sure children and sportsmen in all walks of life can look back with gratitude on the way in which the oval has been looked after by its pioneers. Many sports, including soccer, football and cricket, have been played on this ground; the school near it and the Unley High School have played a prominent part in the use of this oval, which I am sure has been for the betterment of the district in general.

I always remember a cricket team that used to play there, of which the then Deputy Commissioner of Taxation was a member. (I cannot remember his name but he was a prominent member.) The trust has kept the ground going for many years. On many occasions, some of its members have taken money out of their own pockets to ensure that the ground could be played on. In the future, we shall always have memories of the wonderful way in which those people pioneered this ground, which is one of the few playing areas in the district. I am glad that it will remain in the same condition so that it can be used in the future, for it will be a great thing for the area: instead of housing, there will be some recreation space. I am sure the Mitcham council and all the witnesses who appeared before the Select Committee hope that in the future finance will be made available for maintaining the oval to ensure that it is used to even greater advantage than previously.

Clause passed.

Remaining clauses (5 to 7) and title passed.

Bill read a third time and passed.

**BRANCH FROM SANDERGROVE TO
MILANG RAILWAY (DISCONTIN-
UANCE) BILL**

Second reading.

The Hon. G. T. VIRGO (Minister of Roads and Transport): I move:

That this Bill be now read a second time. It authorizes the Railways Commissioner to take up or otherwise dispose of the railway line branch from Sandergrove to Milang and is introduced in consequence of the decision to close the line. The line to be taken up is delineated on the Parliamentary plan referred to in clause 2. A copy of the plan is available for perusal by honourable members. In substance it follows similar measures that from time to time have been introduced into this House.

Clause 1 is formal. Clause 2 provides appropriate definitions for the purposes of the measure including a reference to the 1881 Act, which originally authorized the construction of the railway. Clause 3 enables the Commissioner to take up portion of the railway authorized by the 1881 Act, and clause 4 incorporates this Act with the South Australian Railways Commissioner's Act, to which it is complementary.

Mr. MILLHOUSE secured the adjournment of the debate.

**CONSTITUTION ACT AMENDMENT BILL
(ADULT FRANCHISE)**

Adjourned debate on second reading.

(Continued from September 2. Page 1244.)

The Hon. D. N. BROOKMAN (Alexandra): I regret that I have to inflict my thoughts on members again so soon. This Bill is similar in intent to a measure introduced some years ago when the Labor Party was in power, but it is slightly more restrictive in its purpose. I do not like the Bill any more than I liked the previous measure, and I do not like the Government's attitude to Upper Houses any more than I liked it some years ago. The Government's aim concerning second Chambers is to abolish them: it intends to abolish the Upper House as soon as it can. It will go further than that: if I am to judge by statements which I have already mentioned once this session and which were made by the Premier when a private member but never denied, the Labor Party believes in one Government for the whole of Australia. It believes that State Parliaments should be reduced to Legislatures that do not control policy. I think I have put that accurately.

Mr. Jennings: He didn't say that; he spoke about delegated powers.

The Hon. D. N. BROOKMAN: The Labor Party stands for an overall control in Australia by one Parliament. Members opposite stand for centralism, which they will achieve by degrees. They must achieve it by degrees because they cannot do it more quickly by any other method. The Bill is just one step towards this end. Members opposite want to have a common electoral roll for both Houses; in fact, they will reduce Legislative Council elections to a form similar to that for House of Assembly elections.

The Hon. G. T. Virgo: And give everyone the right to vote: that would be terrible!

The Hon. D. N. BROOKMAN: Once members opposite control the Upper House, they intend to abolish it. If that House were abolished, South Australia would be in a particularly vulnerable situation, because Bills could be brought in without notice and could become law in one day.

The Hon. G. T. Virgo: As happens in Queensland and New Zealand.

The Hon. D. N. BROOKMAN: There would be no need for notice of a Bill to be given: notice could be dispensed with. There would be no need to have an interval between the first and second reading or Committee and third reading stages of a Bill. These intervals could be wiped aside by suspending Standing Orders. I have seen a Bill passed by Parliament in the one day.

The Hon. G. T. Virgo: Where have you seen that happen?

The Hon. D. N. BROOKMAN: In South Australia; it has happened quite often.

The Hon. G. T. Virgo: And we have two Houses!

The Hon. D. N. BROOKMAN: The conduct of the Minister is similar to his conduct when he used to sit on a back bench; it is more like the conduct of a back-bencher than the conduct of a properly behaved Minister.

The Hon. G. T. Virgo: That's only your opinion.

The Hon. D. N. BROOKMAN: I know, but some other people would agree with me.

The Hon. G. T. Virgo: On your side.

The Hon. D. N. BROOKMAN: Some Ministers are experienced interrupters. I will not say that they are interjectors, because it is rather too kind to call the comments they make interjections.

The SPEAKER: Order! The honourable member must speak to the Bill.

The Hon. D. N. BROOKMAN: On several occasions I have seen a Bill pass through both Houses of Parliament on the same day.

However, those have been Bills on which there has been no dissent. I have also seen a Bill introduced into Parliament, against the wishes of the Opposition, by the suspension of Standing Orders, and I have seen it go some way towards completion. However, it is not difficult—

The SPEAKER: Order! The honourable member must speak to this Bill.

The Hon. D. N. BROOKMAN: Mr. Speaker, I am speaking to the Bill. I am pointing out the situation that will occur if the Government achieves its objective, which will be furthered by the passage of this Bill. In a one-House Parliament there is nothing to prevent the passage of legislation against the wishes of the Opposition. We have seen how Standing Orders can be suspended and a Bill assented to. In fact, a Bill can be assented to by the Governor in Executive Council on the same day, if the Government wishes.

That is a bad situation. No harm is ever done by our having a second look at legislation. I have never known when harm has been done by it. I have at times seen legislation stopped or delayed but it has never, to my knowledge, been to the proven disadvantage of the community. This has taken place on only a few occasions. It is quite normal for a Bill to take several weeks to get through Parliament, even though it is passed by both Houses, and this period of time enables the public to discover what is going on. The delay, therefore, is valuable.

The Hon. G. T. Virgo: Does that apply to the shopping hours legislation?

The Hon. D. N. BROOKMAN: The shopping hours referendum Bill is an example of how a Government can twist Standing Orders to meet its own wishes.

The SPEAKER: Order! That Bill has passed this Parliament. The honourable member must speak to the Bill now before us.

The Hon. D. N. BROOKMAN: Yes, Mr. Speaker. A certain amount of normal delay is necessary to enable the public to know what is going on. We know how many representations are made to members after a Bill has been given publicity in the newspapers. It might take some weeks for those representations to come to members of Parliament.

The Hon. L. J. King: Is this relevant?

The Hon. D. N. BROOKMAN: Yes, it is relevant. I have pointed out that this Bill is one step towards the abolition of the

Legislative Council. I believe there should be built into any legislative system some advantage to the *status quo*; in other words, if a Government wishes to bring in a reform it should be necessary to bring more weight to bear to achieve that reform than it is necessary to apply to retain an old law. That principle has been used in government for centuries and, although it has been used for so long, it is nevertheless modern. The charter of the United Nations provides that the decisions of the General Assembly on important questions shall be made by a two-thirds majority of members present and voting. That sort of provision is repeated again and again in Legislatures; its purpose is to give an advantage to the existing situation.

It is easy to see that, if reform is required, more argument and more pressure has to be applied in support of that reform than has to be applied against it. Without that sensible provision, Legislatures could make many unwise laws and do many injustices to people. Therefore, we require two Houses of Parliament elected under different conditions. Then, there will be an inbuilt resistance to change that is in the interest of everyone in the community. It is as much in the interest of supporters of the Party opposite as it is in the interest of my Party. Anyone who believes it should be easy to change a law (simply by whisking a Bill into Parliament and out again in one day) is being illogical. There should be some assistance to the conservative viewpoint.

When I say "conservative" I do not mean it in the narrow political sense: I mean it in the sense of resistance to change. There are as many conservatives (in their own way) who vote Labor as there are conservatives who vote Liberal. Over the years I have seen many Labor Party members who are conservative not in their political allegiance but in their resistance to sudden change—and I am looking at a few now.

The SPEAKER: Order! The honourable member must ensure that his remarks relate to the Bill.

The Hon. D. N. BROOKMAN: I am not trying to transgress the rules, Mr. Speaker. Many people in this community are naturally conservative, irrespective of the political Party they support. Many Government members do not want the change that some members of their Party want. The Upper House should be elected on a different franchise and under different conditions from the House of Assembly; if it is not, the difference between

the two Houses will be eliminated. In effect, under the Bill voting will be compulsory, and the Government desires that, but I disapprove of it.

The Hon. L. J. King: For both Houses?

The Hon. D. N. BROOKMAN: For the Upper House, anyway.

Mr. Clark: Why?

Mr. Millhouse: Because there should be a distinction.

The SPEAKER: Order! The honourable member must address the Chair, not reply to interjections.

The Hon. D. N. BROOKMAN: I am addressing you all the time, Mr. Speaker, and I am saying that voting for the Upper House should be voluntary. We have seen a rather shabby attempt to get around that recently, when polling day for the referendum was set for the same day as the Midland by-election. Fortunately, that attempt did not work and the Government had to accept different polling days. When we consider the result of the voluntary voting in the by-election, we see that an alarmingly large number of people did not bother to exercise their right to vote. In those circumstances, their votes would become somewhat dangerous. In fact, if they are so indifferent as not to wish to exercise their right to vote, their vote is not worth recording. We have seen how, in certain districts—

Mr. McRae: Are you talking about the Legislative Council? I think you must be.

The Hon. D. N. BROOKMAN: I am trying to speak to the Bill, in the face of a sustained barrage of ill mannered interjections, and members are not being called to order. I draw your attention to that, Mr. Speaker.

The SPEAKER: If the honourable member confined his remarks to the Bill, he would do much better.

The Hon. D. N. BROOKMAN: I regret that you do not agree with my method of discussing the Bill, Mr. Speaker, but I must add that there is nothing narrow about this debate. I have been speaking under difficulties earlier today and, as you know, I have done my best to comply with the conditions you have laid down. I may add that I tried harder than did many other members. This is a normal Bill. In fact, it is a Bill to alter the Constitution, and that gives it certain added importance. I consider that it should be possible to canvass matters allied to the subject matter of the Bill, because they are related to it.

I have been saying how important it is to have some difference between the voting

systems in the two parts of a Legislature. I know that I am not getting any support from the Government in my belief that the conservative side of the question should have some advantage, but I consider that it is as much to the advantage of the supporters of the Government as it is to the supporters of this side, and, if the people are given an opportunity to vote on the retention of a second Chamber, I am certain they will support its retention.

A few years ago an attempt was made to abolish the Upper House in New South Wales. We know that the system of election of that House is vastly different from the system here. Despite that attempt and the confidence of the proponents of the idea, namely, the Labor Party, which sought abolition, the proposal was defeated resoundingly.

Mr. Millhouse: But, of course, some members of the Upper House in New South Wales changed their minds when they got there.

The Hon. D. N. BROOKMAN: Yes. There was an attempt to stack the Upper House and then vote themselves out of existence. They changed their heart, if not their coat. I do not know what they did. The same sort of experience can be expected here. At present, the Labor Party could get a majority in the Upper House. True, the Upper House has many members belonging to the same Party as that to which I belong, but it is not true to say that we act in unison as a Party. Although we are members of the same Party outside the House, we do not meet together, and Liberal members of the other place do not necessarily have the same political views as we have.

Mr. McRae: Except that they all disagree with the Government.

The Hon. D. N. BROOKMAN: My experience of the Upper House, extending over several types of Government, is that Liberal members there disagree with the Government frequently, although they rarely take their disagreement to the point of drastic action. When they disagree with the Government, it will be found that that disagreement is as much with a Liberal Government as it is with a Labor Government. One of the first big quarrels after the Second World War was the difference of opinion between the Upper House and the Playford Government on the forming of the Electricity Trust. They overcame that in due course. That sort of disagreement can happen with any Government.

In the narrow political sense, the members of the Liberal Party in the Legislative Council do not pursue the same activities that the

members of the Liberal Party in this House pursue. I know, however, that the members of the Labor Party all meet together as one Party; they are strictly a Party of solidarity, as is apparent in the voting in this House and in another place. Those members have little or no freedom except perhaps on matters of no Party-political significance. Also, members of another place are frequently criticized unfairly by members of this House, but they are just as active as are members here. We are no better than they. They travel just as far as we do and meet as many people as we do; they are just as conscientious as we are. It is one of the unfortunate consequences of this Government's attitude towards the Upper House that the members of that place are so frequently criticized in many ways.

We have not, so far, had many speeches in this debate but, if we do, I confidently forecast that there will be much criticism of members of another place. If it follows the pattern of other debates, this debate will comprise mostly unfair criticism. Members of the Upper House are no more above making mistakes than we are but, although they are just as conscientious and industrious as we are, we hear members in this Chamber describing them in terms that I think are opprobrious and most unfair.

Mr. McRae: They don't sit long, do they?

The Hon. D. N. BROOKMAN: The fact that they do not sit as long as we do does not mean that they do not work as hard. If the member for Playford thinks he has been working hard all day, I think he has disguised it very well. A member of the Upper House, which might have adjourned at 5 p.m. today, might have achieved more work in the intervening period than have some of my friends on the Government benches in this place. I support members in the other place in their work in the interests of South Australia, and I believe that they are fulfilling an important function in our political system. I believe that they do no harm and much good by being where they are with the powers they have.

The Hon. L. J. King: Adult franchise would not hurt them.

The Hon. D. N. BROOKMAN: The Attorney-General has now started to interject again to talk about adult franchise.

The Hon. L. J. King: That is what the Bill is about. I am sorry.

The SPEAKER: Order! The honourable member must address himself to the Bill.

The Hon. D. N. BROOKMAN: I am talking about the Bill, if I may say so, and

speaking under considerable provocation. I ask you, Sir, to ensure that I am given a fair hearing. The Attorney-General made a speech on this Bill and said everything he wanted to say, but now he thinks he is free to interrupt, along with his colleagues. I am not happy about their getting away with it. I do not favour the types of interruption that are made, and I think—

The SPEAKER: Order! The honourable member is not speaking to the Bill.

Mr. McRae: I think he is being provocative.

The SPEAKER: Order!

The Hon. D. N. BROOKMAN: Thank you, Mr. Speaker. This Bill is one step towards abolishing the Upper House and, as such, I oppose it. The Leader of the Opposition has filed some amendments with which I agree and which I shall support in Committee, because I believe they will improve the Bill. Nevertheless, it ill behoves the Government, which has recently been brought into office as a result of a new electoral system introduced by the Leader of the Opposition, to set about trying to force reforms on the other place. The Leader of the Opposition, as Premier, did more to break the unhappy deadlock we had reached in electoral distribution in this House than did any other person, but he has received not even one word of approbation from any Government member.

The Government came into this House with a substantial majority for this Parliament. It certainly has a larger majority than we have seen for some years, yet, before it has gone far, it sets about throwing suggestions to the other place for its reform. Government members are sending to the Upper House several Bills that they hope will be defeated and those defeats can be used as reasons for opposing that place. The people of South Australia generally are not disturbed about the difference in the voting conditions that apply to the House of Assembly and the Legislative Council. There is not the public interest in this matter that the Government would have us believe exists, as has been shown amply by the low percentage of people who voted at the voluntary Midland by-election. I oppose the Bill.

Mr. GUNN (Eyre): I thoroughly endorse the remarks of the member for Alexander. At the risk of being called a Conservative, I oppose the Bill. I am not particularly concerned if I am called a Conservative. The other evening the member for Playford spoke

at some length, and the main point he made was when he tried to downgrade the value of the Legislative Council. He also tried to downgrade its members who, in my opinion, have done nothing that is not in the best interests of the people of South Australia. In my district they are held in the highest regard, and I am proud to be associated with them whenever they come to my district.

The speech of the member for Playford was typical of what we can expect from the No. 1 hatchet man of the Labor Party. He was followed by the No. 1 knocker of the Party, the member for Mawson. We realize that they are both vying for the extra seat on the front bench, but if they are to be judged on the speeches they made in this debate they will be found sadly lacking. The member for Playford said that in New South Wales people voted against the Legislative Council, but that is not correct. In *House of Review*, Ken Turner states:

The 1961 referendum was a considerable success for the Opposition, for the Council was easily saved, if not vindicated. Asked did they favour the Abolition Bill, 57.6 per cent of those casting valid votes replied "No". Of course, being Socialists, all members opposite support the abolition of the Legislative Council because they are not allowed to think for themselves or express their own opinions. We know it is their aim to abolish the Upper House in this State, as it is their aim to abolish the Senate. This is just the first step. They believe in compulsory voting because they do not believe that people should be given a choice.

Mr. Venning: Regimentation!

Mr. GUNN: I agree. If members opposite believe in compulsory voting, they should use it in the trade unions before unionists are called out on strike. The Bill before the House is ill conceived and does not have the support of the people of South Australia. It is poorly timed, being brought into the House for the sole purpose of trying to get the Government off the hook. First, the Government members beat the big drum, blaming the Commonwealth Government. When they used up this story, they turned to attack the character of the Legislative Council. They are trying to get off the hook.

Mr. Jennings: Oh!

Mr. GUNN: The member for Ross Smith is well aware of this. Since I have been a member, he has made absolutely no contribution to debates. In Committee, I will support the amendments the Leader intends to move, but not adult franchise.

Mr. COUMBE (Torrens): I support the second reading, because the Leader has foreshadowed amendments which I cannot discuss at present but which are important in considering this matter. Those members who have been in this House longer than I will know that I have spoken on every occasion that electoral reform has been discussed. Therefore, I think my views are well known to most members. I certainly do not want to cast a silent vote on this occasion. We are discussing here tonight whether or not we shall have adult franchise for the Legislative Council. In my view, the time has come for adult franchise to be applied to the Legislative Council. I make my view on that quite clear. I intend to support the foreshadowed amendments that are on the file in the name of the Leader of the Opposition.

Mr. Clark: Not the one about elections being held on different days, surely?

Mr. COUMBE: Just a moment: I am making this speech.

Members interjecting:

The SPEAKER: Order! The member for Torrens has the floor.

Mr. COUMBE: Thank you for your protection and confidence, Sir. The Legislative Council franchise, apart from being a voluntary one, is presently restricted to the extent that about 15 per cent of the people of South Australia who are over the age of 21 years and who are entitled to vote in House of Assembly elections are not entitled to vote for the Legislative Council. I believe it is time to alter this, because I see little justification for preventing those people from voting for the Legislative Council if they desire to do so. In other words, I believe that these people should be able to enrol for the Legislative Council and cast their vote at a Legislative Council election if they wish to do so. The Bill before the House does not coincide with the views I have just expressed. It provides that a person shall be enrolled for the Legislative Council if he is entitled to be on the House of Assembly roll, and that he shall vote. Once again we get this compulsion, to which I have referred in earlier speeches and about which we have heard so much from members of the Government Party. I believe that there should be no compulsion in Legislative Council voting. On the other hand, if a person wants to vote for the Legislative Council he should be entitled to do so.

The question of the bicameral system of Parliament was referred to by several speakers,

not only this evening but in the debate that took place some weeks ago. As a firm and fervent believer in the bicameral system of Parliamentary representation, I will always do my utmost to uphold that principle. I say that advisedly, not on behalf of any individual Party but on behalf of the people of South Australia, the electors of South Australia who, after all, are the people that count. The laws made by this Legislature affect everyone in this State. The bicameral system gives the best possible results. If any Government member doubts my sincerity, I remind him that I have expressed exactly the same views when I have been on both sides of the House.

Mr. Jennings: At the one time?

Mr. CUMBE: What a silly, facetious interjection—typical of the honourable member. I have made the same comments when I have been sitting on the other side as I have made when I have been on this side. I doubt whether any Government member would have the guts to do that. I suggest that during the Committee stage the Government should grasp the nettle, grasp the compromise that is being offered, and if it is sincere accept the foreshadowed amendments as a means of getting its Bill carried to give adult franchise for the Legislative Council. This will be a complete test of the Government's sincerity. Whether the Labor Party's rules will allow Government members to do this is another matter.

Mr. Clark: Commonsense will not allow us to do that, but commonsense is something you are not used to.

Mr. CUMBE: I thank the honourable member for his most generous comment. I know that he would not be allowed, under the rules of his Party, to move away from them: he would be no longer a member of the Party if he did—he would be on the outer.

The Hon. G. T. Virgo: He would be like Mr. Edwards on the West Coast.

Mr. CUMBE: Yes, and he would be like the highly respected former member for Adelaide (Mr. Cyril Chambers), who represented me in the House of Representatives and who was kicked out of the Labor Party because he disagreed with it. He had his head chopped off.

The Hon. G. T. Virgo: Where is the former member for Light (Mr. Freebairn)?

Mr. CUMBE: Why does the Government not grasp this wonderful opportunity, which the present Premier has been trying to get ever since I have been in this House?

Mr. Hall: They do not want to solve this; they still want the running sore.

Mr. CUMBE: Of course, this Bill comes as no surprise to members of my Party: the only surprise is that it was delayed to this extent. We are entitled, of course, to ask ourselves why the Government has introduced it in this particular form. The Government could have introduced it in the form that it is in now or in a totally different way that could have meant the abolition of the Legislative Council. It could have introduced it in many ways, but it has decided to introduce it in this form. Why has it been introduced at all? The answer to that is quite simple. Some members opposite who have expressed themselves are quite open about the matter. They are completely opposed and antagonistic to the other place and, frankly, want to abolish it. Let us tear the veil aside and hide nothing. The official policy of the Government is to abolish the Legislative Council.

Mr. Mathwin: It's in the little book.

Mr. CUMBE: Yes. The little book changes so often that one has difficulty keeping up with it. It is almost as difficult to keep up with as the Victorian and New South Wales books will be soon. The Bill has been introduced to get the thin end of the wedge in the door and is the first step towards abolition of the Upper House. I repeat that, in my view, the franchise should be widened. I see no logical reason for excluding about 15 per cent of those entitled to vote for the House of Assembly from voting for the Legislative Council. Who are these people and what are their categories? They are over 21 years of age and, in many instances, could be sons of members of this House. My own son, who is 22, is entitled to vote for the House of Assembly but is precluded from voting for the Legislative Council.

Mr. Clark: Does he live in your district?

Mr. CUMBE: Yes.

Mr. Clark: That's one vote you get, anyway.

Mr. CUMBE: I thank the honourable member. Does his son live in his district?

Mr. Clark: Yes.

The SPEAKER: Please return to the Bill.

Mr. CUMBE: Mr. Speaker, we are just exchanging courtesies at present: we are getting chummy. Some children over 21 years of age reside with their parents. I have dealt with one category. Another group could be nurses in large hospitals. There could be professional people who live in institutions, and many students live in large residential colleges. There are five of these colleges in my district and in one case, as the member

for Mawson knows well (it was quoted recently) I think the caretaker gets a vote and, possibly, the master. All the students at one post-graduate college in my district are certainly over 21 years of age, but none of them gets a vote. Surely these people should be entitled to vote for the Legislative Council. All the persons at the other four colleges are not over 21 years of age, but many of them are, and the residential staff is not entitled to vote for the Legislative Council. This staff comprises men, in the main, with honours degrees or higher qualifications. I see no justification for denying these people the right to vote for the Legislative Council if they want it.

Mr. Clark: At what age would you have them vote?

Mr. CUMBE: I made quite clear that, if a person was entitled to vote for the House of Assembly, he should be eligible and have the right, if he wished to, to enrol and vote for the Legislative Council. That means 21 years of age. There is no difference on this issue: 21 years is the age.

Mr. Clark: What about 18?

Mr. CUMBE: That is a hypothetical question, which we shall deal with when it comes before the House. It is not contained in this Bill. When the Bill to lower the voting age comes before the House, as is envisaged in His Excellency's Speech, I shall express myself again upon this matter. This measure can be expedited if the Government, in the Committee stage, accepts the very reasonable amendments proposed by the Leader of the Opposition—and they are reasonable. I am not allowed to talk about them in detail because you, Mr. Speaker, would rightly pull me up. If the member who laughed just now cares to study the amendments in some detail, he will see that they are far more reasonable than he thinks they are.

Mr. Clark: Probably the silliest amendments ever put forward!

Mr. CUMBE: I am sorry, but I have to differ from the honourable member on this occasion. This is an opportunity for the Labor Government to move a little further along the path on which the Premier has been struggling for many years, as I remember, from both sides to achieve something. This

is an opportunity for him, if he has the courage to support it with the help of his Party, to get a little further along the path. Having said all that, I still assert that the bicameral system of Government in this State must be maintained. I believe the views I have expressed in this regard will strengthen the Legislative Council in its working; they will also strengthen the respect in which it is held by the people of this State. In view of the happenings of the last week or two, many people have said to me, "Thank God we have a Legislative Council!" I will fight to the bitter end to maintain the right of the Legislative Council to express its independent views within the Legislature of South Australia. We must have the two Houses.

I heard Queensland mentioned a short while ago. I have been there and seen its Parliament in operation. I now mention a man who is no longer a friend, possibly, of members opposite but at one time he was: I refer to Mr. Gair, probably the man who more than any other person in Queensland regrets the disappearance of the Upper House there because, if it had been there a few years ago, he might still have been Premier of Queensland instead of being in the Commonwealth Parliament representing the other Labor Party. I intend to support the second reading of the Bill. When it comes to the Committee stage, I intend to support wholeheartedly the amendments foreshadowed by the Leader of the Opposition, firmly believing in the bicameral system of Government in this State, and further that there is no justification for any longer having a restricted franchise for the Upper House. However, I want it to be on a voluntary basis. Everyone on the House of Assembly roll should have the right to enrol, and the right to vote if they wish. I oppose the idea that certain sections of the community should be denied the opportunity to cast their vote at an election for members of the Legislative Council if they wish to vote.

Mr. PAYNE secured the adjournment of the debate.

ADJOURNMENT

At 9.50 p.m. the House adjourned until Thursday, September 24, at 2 p.m.