

HOUSE OF ASSEMBLY

Wednesday, June 20, 1973

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

PETITION: SPELD INCORPORATED

Mr. GUNN presented a petition signed by 109 persons, stating that Speld (S.A.) Incorporated should receive a State grant or subsidy in order to maintain and expand its services to children and young adults suffering from a specific learning difficulty.

Petition received and read.

PETITION: PENFOLD'S WINERY

Mr. DEAN BROWN presented a petition signed by 167 persons, stating that, for the quality of living of the present and future population in the Adelaide metropolitan area, the Government should acquire the area known as Penfold's Winery at Magill for establishment as a wine museum and recreation reserve with suitable facilities.

Petition received and read.

QUESTIONS**CRIME**

Dr. EASTICK: I direct my question to the Premier, as it concerns matters of policy and expenditure. Does the Premier consider that the South Australian Police Force has sufficient manpower to cope with the soaring crime rate highlighted in the report of the Commissioner of Police that was tabled in this House yesterday, or does he intend increasing the strength of our Police Force? I wish to make clear that I am offering no criticism of the general efficiency of our Police Force, because it has been shown on numerous occasions that our force is recognized as being second to none in Australia. This fact is highlighted by the report today of an invitation by the Commonwealth Government to the former South Australian Police Commissioner to undertake an investigation in the Northern Territory. However, I am concerned that our force be maintained at a strength that gives it the opportunity of countering any increased crime rate with an increased availability of personnel to investigate reported offences. It is reported that the number of assaults rose by 25 per cent; the number of offences against property increased by 6,240; there were over 2,800 more breakings, and more than 3,800 cases of larceny. I am concerned that only 32.7 per cent of these crimes were cleared up. Of the 12,293 housebreakings and burglaries only 2,409 were cleared up—less than 20 per cent.

I ask whether it could be claimed with justification that this reflects a shortage of sufficient manpower to spend the time needed in following investigations through to a conviction. I am in accord with the Commissioner's plan to make police patrols in the community more conspicuous by distinctive markings on police vehicles. I believe all members will appreciate the advantage of having police patrols available, as evidenced by the good safety record on our roads over the Easter break. However, the old-time battle tactic of making a few seem like many is only a temporary ploy, and if we do not have a big enough Police Force to give adequate protection to the community we have to do something more constructive than simply making the few we do have more obvious.

The Hon. D. A. DUNSTAN: I do not think that the staffing or training of the Police Force in South Australia is less adequate than that of any other State. In fact, the report we have on this score shows that we are ahead of

the other States. I have had discussions with the Commissioner of Police about the possibility of altering some of the bases of duty of members of the Police Force to allow them to concentrate more on what should be the normal activities of the force in the prevention and solution of crimes. The submissions made to us by the Commissioner about alterations in staffing and development of a force have been accepted. I can assure the Leader that we will be constantly consulting the Commissioner about the development of the force in such a way that it will be able to cope with what is a situation common to most major cities now: that in urban areas throughout the world there

is an increasing crime rate. This situation has arisen as a result of a great many sociological factors and not as a result of police activity or the lack of it. On the other hand, this does not mean that there should be any complacency about the matter. I assure the Leader that there is no complacency, and that the consultations we have had

with the Commissioner have produced proposals for oncoming policies that will ensure that our Police Force is able to concentrate its attention on the prevention and solution of major crimes.

Mr. GOLDSWORTHY: The article in the *Advertiser* about the report of the Commissioner of Police refers to the fact that there has been a large increase in the number of abscondings from Government institutions. Can the Attorney-General say whether he is satisfied that every effort is being made to minimize the number of abscondings? Is he convinced that the new methods of rehabilitation are not contributing to the number of abscondings from Government institutions? During the last session, the Attorney was frequently questioned about this matter. It is alarming to members of the public to read of the increased number of abscondings. Previously, the Attorney has said that the major consideration is the rehabilitation of the detainees, and no-one disputes that statement. As

the Attorney acknowledges, the other factor involved is the safety and protection of people and their property. To say the least, it is disturbing to read this article in the *Advertiser*.

The Hon. L. J. KING: The number of abscondings has increased in 1970, 1971 and 1972. The figure varies from time to time and from institution to institution. Several factors are involved. One of them is the factor that, like the phenomenon of the increasing crime rate in urban areas, there has been an increase in the absconding rate from juvenile institutions in all parts of the urbanized western world. The cause of that is difficult to pinpoint, but

doubtless it has something to do with the increased independence of outlook of modern youth and I think that the tendency to seek to run away from institutions probably has increased in all parts of the world.

The honourable member has asked me whether I am satisfied that the new methods adopted have not contributed in any way to this increase. I cannot give that assurance, because the new methods that have been adopted in South Australia are directed towards developing personal contact with the juveniles in the institution. They are directed towards trying to understand the problem that has led to the juvenile getting into trouble and trying to develop communication with the juvenile to remove those problems. This involves a degree of personal relationship between staff and juveniles in an environment that makes security rather more difficult. Two things are required to reconcile the needs of security with these new methods. One is a change in the physical security arrangements at institutions, and, of course, we have inherited institutions and it is only

by degrees that the physical arrangements of the institutions can be altered because, if the new methods are to be given full scope and are to produce their full results, it is necessary that the juveniles have a degree of freedom within the institution and, if they are to have such a degree of freedom within the institution, the external security of institutions ought to be strengthened. It is useless having ovals and grounds, for instance, without having any outer security, because in such circumstances the facilities cannot be used with a sense of freedom. The only way they can be used by the juveniles is if the juveniles are marched up and down under the supervision of guards, and that defeats the object of the juvenile rehabilitation institution. Action has been taken progressively in the past two years to strengthen external security at institutions so that more scope is thereby given for freedom and means of communication within the institution.

Mr. Goldsworthy: Fencing?

The Hon. L. J. KING: Yes, I refer to fencing, more security, locks on doors, screens outside dormitory windows, and other sorts of device that make it difficult for children to get out of the institution. That has had the effect of reducing the amount of direct supervision required, giving the juvenile inmates the opportunity to develop, by degrees, some sense of responsibility for their behaviour within the institution. One factor involved is the strengthening of external security to enable the new methods to operate satisfactorily. The other thing required is the gradual development of experience by the staff in the new methods, because misunderstandings about what is expected or lack of experience in developing the contacts with the young people involved can result in breakdowns in security. Speaking generally, despite some setbacks at various stages of the programme in this regard, it has settled down really well. The new methods are now working smoothly.

There is, of course, much room for improvement, but I am pleased to be able to say that there is no sign of an escalation in the absconding rate and there is an indication that it has settled down. More success has been achieved in some institutions than in others, but the overall picture is encouraging and I can reply to the honourable member directly by saying that, in my opinion, the new methods are operating satisfactorily. They are not at present contributing in any significant degree to the absconding rate. The action taken by way of staff training, development of staff experience, and development of greater security in the institutions is gradually producing the objectives that we have been trying to achieve.

ENFIELD PRIMARY SCHOOL

Mr. WELLS: Will the Minister of Education be kind enough to provide storage space for wet-weather clothes, such as raincoats and boots, at the new Enfield Primary School? I have received correspondence from constituents who have stated that their children must leave their raincoats and boots outside the school, no area being provided in which they can hang their personal clothing. I have spoken to the Headmaster, and he is delighted with the beautiful new school that the Minister has provided. However, he states that the job is not yet entirely complete and that children who wear wet-weather clothing to school must leave it outside the room in untidy heaps. In this way, it can be damaged and, in any case, it is not good for it to be there. I have been told that mobile racks, on wheels and with hooks, that are available would be admirable to solve this problem. I hope that the Minister will assist in the matter.

The Hon. HUGH HUDSON: I shall be pleased to look into the matter. It is customary, in relation to the schools

of the Enfield Primary School type or in relation to the provision of open-space units, to provide mobile racks such as those to which the honourable member has referred in his question. As apparently this has not been done at Enfield yet, I will check the position and bring down a reply as soon as possible.

VICTORIA SQUARE DEVELOPMENT

Mr. COUMBE: Can the Premier say what is the position regarding the Asian-type hotel development project which was planned for Victoria Square and which was announced in a blaze of publicity about a year ago? Nothing seems to have happened, and I ask what action, if any, has been taken, in view of other hotel developments in various places in the city at present. I also ask whether the Government has any definite plan for the future development of the vacant lot in Victoria Square which is now being used as a car parking lot and which was the site suggested originally for this hotel project. In view of the publicity given at the time, the fact that some negotiations have been carried out with a consortium on the matter, and the fact that no further information seems to have been given, at least publicly, I now ask the Premier what is the present position regarding the scheme.

The Hon. D. A. DUNSTAN: The original consortium whose submission we had accepted for provision of further information to us as a basis on which an indenture could proceed has not proceeded with its submissions. The reason for this is twofold. First, the consortium had based its original submission on the understanding that it would develop some other hotel projects in Australia, and those projects did not eventuate. Secondly, several unfortunate deaths occurred in the senior management of the company in America, which threw the whole organization into some administrative confusion for a period, and that was the cause of our not getting the submissions when we had originally asked for them. Subsequently, however, a new consortium made proposals for the site, and these were based on the incorporation of the Charles Moore interest in the total project. The negotiations with that new consortium are now well advanced. Its proposals are well along the way. It has checked with us at each stage of development so that we are able to obtain agreement about the form of the development and the conditions the consortium will require of us about whether its proposals will fit in properly with the requirements of the Adelaide Development Committee, acting on Professor Winston's proposals for Victoria Square development. Each of these things has been checked and agreed upon. The requirements of the new consortium are not as great as those we would have conceivably been willing to offer to obtain this development.

Mr. Coumbe: Is it still a hotel site?

The Hon. D. A. DUNSTAN: Yes, because a basic requirement is that a major hotel of international standard will be established there, and that requirement remains. It will be the major part of the development. We are under constant pressure from international and interstate wholesalers of tourism who say that we will not obtain the kind of tourist development in South Australia which we have been seeking and which the Australian National Travel Association has proposed for South Australia until we provide accommodation of the kind and standard intended to be built on this site. The project is developing well at present, and I expect that in the foreseeable future an indenture will be signed and I shall be able to put it before the House.

CHRISTIES EAST PRIMARY SCHOOL

Mr. HOPGOOD: Will the Minister of Education discuss with officers of his department the matter of providing a fence for the Christies East Primary School? This is a modern and up-to-date school, which has been open for some time, but parents have been continually worried about its lack of a fence, particularly because of its closeness to Elizabeth Road, which is becoming an increasingly busy thoroughfare. I understand that yesterday afternoon a child was knocked down and killed on that road. Although the lack of a fence could not be blamed for the tragic occurrence, as the child was on a bicycle and was a short distance from what would be the entrance to the school if there were a fence, no doubt this tragic incident will bring before people's minds the fact that there is no fence. I understand that traffic authorities are not willing to consider the provision of a pedestrian crossing until a fence is erected, because without a fence there cannot be a gate through which the children can be channelled into such a pedestrian crossing.

The Hon. HUGH HUDSON: I shall be pleased to look into this matter for the honourable member.

PIGGERIES

Mr. ALLEN: Will the Minister of Works ask the Minister of Agriculture whether the licensing of piggeries in South Australia has been considered? I have been approached by producers of small numbers of pigs in my district with a request for a licensing plan to be adopted in this State. The reason for the request for licensing is not so much that it would be a health measure but that it could be used as a means of controlling production. It was claimed that a \$5,000,000 piggery was to be established in this State soon, and these producers were concerned that this piggery might cause overproduction in the pig meat industry.

The Hon. J. D. CORCORAN: I shall be pleased to refer this question to my colleague and let the honourable member have his reply soon. The honourable member would be aware that the Engineering and Water Supply Department keeps a close watch on piggeries that are established in areas where pollution is likely to emanate from them and damage the water source, but these are not the only piggeries in the State. As this question is not based on that factor but is concerned with production, I will ask my colleague for his comments.

NORTHERN AREAS WATER SUPPLY

Mr. KENEALLY: Will the Minister of Works provide me with a current report on the safety and quality of the water supply to our northern towns? This matter is of great importance to residents of the northern Spencer Gulf area, and it is with great relief that the people in this area were able to see through the last summer without another outbreak of amoebic meningitis. However, there are always reports about the quality of water received at Port Augusta, Whyalla and Port Pirie, the most recent report emanating from the Port Augusta city council.

The Hon. J. D. CORCORAN: I noticed a report in this morning's press saying that water received at Port Augusta was of a coffee colour. I want to give a categorical assurance that the water is perfectly safe. The honourable member will be aware that, when suspicion was levelled at the water main supplying the area as a possible source of amoebic meningitis, the Government acted promptly and quickly to set up temporary chlorination stations at Port Pirie, Port Augusta and Kadina. These stations have now been converted to permanent stations at a cost of \$250,000. I, along with the honourable member, am delighted that

this measure was effective and that in this year, in that area, no cases of amoebic meningitis were reported. This is a great relief not only to the Government and to me but to everyone in South Australia. Of course, this does not mean that the Government is not continuing to monitor and watch the situation closely. Indeed, the Public Health Department, the Engineering and Water Supply Department and the Institute of Medical and Veterinary Science are all co-operating to see that if there is any change in the situation the Government is notified immediately.

Regarding the turbidity of the water, a suggestion has been made that holding tanks or something of this nature should be set up in order to improve the quality of the water. According to my advisers, however, that is not the case. They say that this would have no effect at all. Although I regret that the water is not always acceptable, I am still pleased to be able to tell the honourable member that it is perfectly safe from the health point of view, and he would know that it is very costly to the Government to supply water to these relatively arid areas of the State. For instance, the cost of the duplication of the Morgan-Whyalla main recently was \$30,000,000. We appreciate that the water is needed and we are not bemoaning the expenditure of that money; otherwise it would not have been spent. I point out to the people served by this system in the areas to which the honourable member has referred that at least they are paying back to the Government only about half of what it cost the Government to supply water to them, and I hope that they consider that factor when they are being critical of the quality of the water they are receiving. I assure the honourable member that every step is being taken to minimize the risk and that we are perfectly happy about the acceptability of the water from a health point of view.

EXPORT INCENTIVES

Mr. HALL: In view of the disastrous situation that may result from the Commonwealth Government's threatened removal of export incentives, will the Premier put aside his Party loyalties and take effective action to have the Commonwealth Labor Government reverse its intentions in this matter?

Members interjecting:

Mr. HALL: For the benefit of the Minister of Environment and Conservation, I will quote—

The Hon. G. T. Virgo: What personal Party loyalties mean!

The SPEAKER: Order!

Mr. HALL: Mr. Speaker, I know that you will not allow me to reply to any interjections, which are out of order anyway. I should like to quote from several public statements that have caused much concern in South Australia, both in the management sphere and in regard to the leadership of unions, concerning the continued employment of South Australians and the well-being of important South Australian industries. On June 16 last, the Minister for Overseas Trade and Secondary Industry (Dr. Cairns) made clear in Adelaide, so the report states, that redundancy and unemployment are possible outcomes of Government action. The report goes on to say that, if the export incentive programme is removed, there will be a reduction in employment. In the *Sunday Mail* of June 17, the Premier is quoted as saying that no predictions could be made now on whether car industry jobs would decrease as a result of the Commonwealth Government's intentions to introduce a new export incentive policy. The Premier, according to the report, went on to say:

As I understand Dr. Cairns's plans, I should imagine they—
referring to prices—
are going to increase.

We all remember the Premier's indignation at any previous Commonwealth Government's action which, through any taxation measures, increased the price of car products of the firms concerned. The Premier went on to say:

We will be having continuing discussions on this matter. Therefore, as the Commonwealth Government has changed and is now one of this Government's own colour, will the Premier take up this matter and show the same indignation at the threat to South Australian employment and jobs as he showed when the Liberal and Country Party Government was in office previously?

The Hon. D. A. DUNSTAN: The honourable member's vociferations about Party loyalty interested me.

Mr. Hall: I have had them quite well defined.

The Hon. D. A. DUNSTAN: No doubt he has, whatever that means. I assure the honourable member that I have been in close consultation with industry in South Australia about export incentives. I have communicated with the Commonwealth Government about the influence of export incentives on employment within South Australia and have received the thanks of industry in South Australia for the representations I have made.

Mr. Millhouse: What result have you got?

The SPEAKER: Order! The honourable Premier.

The Hon. D. A. DUNSTAN: I have had some useful establishment of understandings with the Minister for Overseas Trade and Secondary Industry in Canberra. In fact, the discussions I had with him last Saturday will, I think, lead to useful developments for South Australia. I assure the honourable member that I have not neglected this matter. I have been able to discuss such matters with the present Commonwealth Government, whereas previously the Commonwealth Government not only treated this State with contempt but completely ignored representations made both by industry and by Government. That is not the case with the present Commonwealth Government, and I assure the honourable member that we will get understanding and co-operation and that we are getting it at present.

WEST TERRACE CEMETERY

Mr. WRIGHT: In the light of the Adelaide City Council report on the future planning for the return and development of the park lands, I ask the Minister of Works whether the Government has considered future plans for the West Terrace cemetery. To say the least, I think this cemetery is certainly an eyesore.

Mr. Jennings: It has all the earmarks of an eyesore!

Mr. WRIGHT: It is in a dilapidated condition and has been so for a long time. I do not think this cemetery is in a suitable position in the metropolitan area, and I hope that the Government has plans either to shift it or to renovate and redevelop it in order to make it as attractive as possible.

The Hon. J. D. CORCORAN: My friend and colleague the member for Ross Smith commented that it has all the earmarks of an eyesore. Late last year I inspected the West Terrace war cemetery in company with Sir Thomas Eastick, who was then President of the Returned Servicemen's League, and with the Director of the Public Buildings Department, the cemetery being the responsibility of that department. Probably not many people realize that the war section is there; indeed, it is one part of the cemetery that is extremely well cared for and attractive in appear-

ance, as cemeteries go. Concerning the remainder of the cemetery, following this visit I established a committee consisting of the Director of the Public Buildings Department, the Town Clerk (Mr. Arland), and the Director of Lands (Mr. Dunsford), and I think that that committee is meeting tomorrow to discuss the future of the cemetery.

Of course, the cemetery is still being used, and I believe that it is cheaper for those people who cannot afford a large sum for a burial to use it than to use any other cemetery in the metropolitan area. That factor would have to be considered by the committee, but I hope that, as a result of its deliberations, some recommendations will be forthcoming that will lead to a vast improvement in the general appearance of the cemetery. However, at this stage, I cannot visualize exactly what those recommendations are likely to be. Suffice to say that the Government, which is aware of the problem, is having it investigated, and in due course I will have a report from this committee. I shall then be happy to let the honourable member know, as soon as I can, the recommendations of the committee and the outcome of the Government's consideration of the matter.

POINT McLEAY

Mr. NANKIVELL: Is the Minister of Community Welfare aware that Point McLeay reserve has nearly reached the stage of self-government or autonomy as a result of certain actions taken by the Point McLeay council and that, as a consequence, the Superintendent of the reserve no longer has any disciplinary powers? Further, will the Minister support my representations to the Chief Secretary to retain the police officer at Narrung or, alternatively, to retain the premises, consisting of the police station and the lock-up at Narrung, until such time as the Point McLeay Aboriginal Council has satisfied itself that it will be capable of exercising the independence it has now assumed within the confines of the area? I know that this matter is causing the Point McLeay council considerable concern, and I think that it is an area in which the Minister might well make special representations to his colleague.

The Hon. L. J. KING: True, at Point McLeay the council is making excellent progress in assuming responsibility for the affairs of the local Aboriginal community, and this is in accordance with the direction of Government policy in relation to Aboriginal communities throughout the State. So that there will be no misunderstanding about this, I point out that no matter how developed becomes the system of control by Aborigines of their own local affairs, those councils will never have the authority given by law to a police officer. Consequently, responsibility for dealing with breaches of the law will always remain with the police, whether in an Aboriginal community or elsewhere. Therefore, the developing authority and autonomy of the Aboriginal community does not affect the responsibility of the police and the need to have police officers available where they can be called on if necessary. Of course, so far as Aboriginal communities can, by the exercise of internal disciplines and pressures, manage without the police, so much the better, as one would say in relation to any family or community within our wider society. So far as we can manage our own affairs in a way that avoids infringement of the law and breaches of the peace, naturally to that extent we can be without the police. However, no doubt it will always be necessary to have police officers in a position to preserve law and order and enforce the law in Aboriginal communities, and elsewhere. Although I do not know what is the current position at Narrung, I will certainly take up the matter with the Chief Secretary and ascertain the position.

OFFENSIVE PUBLICATIONS

Mr. PAYNE: Can the Attorney-General say what progress has been made in setting up the committee that the Government promised in its election policy that it would appoint to look into publications concerned with sex and violence? In delivering our policy speech, which was so obviously endorsed by the majority of the people of South Australia, the Premier said:

A committee will be authorized to impose restrictions as to the display, advertising and sales of such materials—publications dealing with sex and violence—and strict measures will be taken to ensure that such restrictions are complied with.

I have received some representations concerning the matter, especially in relation to certain magazines on display in delicatessens.

The Hon. L. J. KING: A Bill on the topic will be introduced during the next session of Parliament later this year.

PART-TIME EMPLOYMENT

Mr. EVANS: Will the Premier discuss with the Public Service Board and heads of Government departments the feasibility of giving pairs of supporting mothers, both single and married, the opportunity of gaining employment as a team within Government departments? Men with a family whose wives have deserted them and who therefore do not have the opportunity to spend 40 hours a week in employment may also appreciate the opportunity of working only 20 or 30 hours a week. I ask the Premier to investigate this matter so that perhaps two people could pair up to work two and three days alternatively each week. When holidays were due, one person could carry the full burden while the other took a holiday break. Where children were involved, it would be possible for mothers who lived in the same community and who had formed a pair to care for each other's children while one of them was at work. I believe that many unmarried mothers and deserted wives would appreciate this opportunity to gain employment and the benefits from it. Will the Premier bring down a report on the matter?

The Hon. D. A. DUNSTAN: The duty of assisting single-parent families who are in difficulty is the business of the Community Welfare Department. I will discuss the matter with the Minister of Community Welfare and refer the honourable member's question to the Public Service Board to see whether anything can be done.

INTAKES AND STORAGEES

Mr. LANGLEY: Can the Minister of Works say what is the present position with regard to metropolitan reservoirs and whether there is likely to be sufficient water available for consumers for the coming summer?

The Hon. J. D. CORCORAN: I am sure that everyone would be amazed if I said that I could not supply this information, but strangely enough I have the following information: The metropolitan reservoirs received an intake of 2,484,000,000 gall. since Friday morning, June 1, bringing the total storage in these reservoirs on June 20 to 15,209,000,000 gall. This figure is 1,462,000,000 gall. above the minimum storage of 13,747,000,000 gall. on June 1, 1973, and compares with the storage of 19,940,000,000 gall. on June 20, 1972. The current position is considered to be satisfactory. Present indications are that storages will be as favourable at the beginning of next summer as they were at the beginning of last summer. Any deficiencies could be met by additional pumping, not only on the Mannum-Adelaide main but also on the Murray Bridge to Onkaparinga main.

PYRAMID SELLING

Dr. TONKIN: Will the Attorney-General say whether he has initiated or intends to initiate an inquiry into the activities of the organization known as Cybernetic Training Institute? The Attorney would be well aware of the newspaper report and the feature article written by Stewart Cockburn in the *Advertiser* recently. I have received representations from several people who have been involved with this organization personally or (which is rather more frightening) because their children have been involved with it. The organization is reminiscent of another Sydney-based organization, Mind Dynamics, which I understand is a subsidiary of Holiday Magic. In my opinion, pyramid selling is a fairly pernicious sort of thing, but pyramid selling involving mind-expanding courses and trading in the wills and minds of people is even more pernicious.

The Hon. L. J. KING: Having had inquiries made into this matter, I agree with the views expressed by the honourable member. I have given some attention to the matter of whether it is possible to deal with the problem by legislative means. I suppose it is never possible, by legislative means, to prevent people who wish to avail themselves of this type of institution from doing so, no matter how pernicious or foolish the activities may seem to the member for Bragg and me. There are elements of a pyramid selling nature in the scheme and from this point of view I am interested in whether it is possible to deal with them by legislative means. As I have said, the whole topic of pyramid selling is being investigated. As a result of discussions I have had in the United Kingdom about the work that has been done there on the problem, I feel much more optimistic than I felt when I departed from Australia that it is possible to draft legislation to deal effectively with pyramid selling, and I hope to be able to introduce legislation on that topic in the next session later this year. I hope that the terms of the legislation will be sufficient to deal at that time with the pyramid selling elements of the scheme to which the honourable member refers.

Mr. WARDLE: Will the Attorney-General or his executive officer be prepared to interview the executive directors of several organizations to determine whether he or his executive officer believes that such organizations are pyramid selling organizations? From questioning members of the staff of two or three of these organizations I have found that they do not believe their firms to be pyramid selling organizations, but they believe that a certain proportion of the public suspect that they might be. In order to clarify the situation, each executive director would be pleased to explain the basic principles of the functions of his organization. Will the Attorney look at the structure of those firms to determine whether they are pyramid selling organizations or not?

The Hon. L. J. KING: No. I believe that the function of the Attorney-General's Department is to consider whether there is a social evil and, if there is, to try to devise legislation to meet that evil. It is then for the individual and the individual organization to consider whether their activities infringe the law passed by Parliament. I do not think it is any part of the function of the Attorney-General to investigate the activities of an organization for the purpose of giving a clearance to the public. It would be a dangerous thing indeed if Ministers began to hold out to the public that a certain organization was operating in a way that was to be commended, because it would then be necessary to establish some sort of commercial practice clearance tribunal to investigate commercial activities and guarantee to the public

that such companies were all right, and that would not be a practicable proposition. It is for each individual organization to ensure that its activities are within the law, and it is for each individual organization to ensure that its conduct is such that the public can clearly see that it is a reputable organization, one with which it is safe to deal. Although I appreciate the motives underlying the honourable member's question and the anxiety of the executives of commercial organizations who feel they are wrongly suspected of some activities of which they are not guilty, it is not part of the function of the Government or of the Attorney-General's Department to give clearances for the benefit of the public. It would be a very dangerous practice and I do not intend to follow it.

DAYLIGHT SAVING

Mr. ARNOLD: Will the Premier say on what basis the Government decided to continue daylight saving next year and whether the rural sector was considered or whether basically the decision was made purely in the interests of business communication with the Eastern States? Will the Premier also say whether it is the Government's long-term intention to adopt Eastern Standard Time eventually? My reason for asking this question is that part of a letter that I have received from the Barama Vegetable Growers Association states:

At our last committee meeting it was decided that daylight saving be abolished.

The Hon. D. A. DUNSTAN: The basis of the adoption of daylight saving in South Australia was the need to maintain some approximation to parity in time with the Eastern States.

The Hon. J. D. Corcoran: They decided to go into it without consulting us.

The Hon. D. A. DUNSTAN: Exactly: the Liberal Governments of Victoria and New South Wales adopted daylight saving without consulting us, and we were unable to obtain discussions with them about it. Since a large proportion of our products is sold in those States, it was necessary to move to a reasonable approximation with the time scale in those States. Queensland did not do it, because not as much of that State's industrial production is marketed in New South Wales and Victoria as in the case of South Australia, but a considerable degree of annoyance was expressed in manufacturing circles in that State because no move was made to approximate the time parity with New South Wales and Victoria. It would be disruptive for our business community (including manufacturers in the honourable member's district) if we were a long way out of time with New South Wales and Victoria. No decision has been made by this Government to adopt Eastern Standard Time. We have examined this matter several times and consider that, in present circumstances, we cannot move to that time. We have decided to continue daylight saving while New South Wales and Victoria have adopted it for the reasons I have given. During the period of daylight saving much support was expressed for the Government's move, but little opposition expressed to it.

The Hon. G. R. Broomhill: About 70 per cent were in favour of it in the poll.

The Hon. D. A. DUNSTAN: Yes. The Government is satisfied that its move was sensible and right, and it certainly had widespread support from the areas of occupation of representatives on the Industrial Development and Advisory Council. That is the explanation I have for the honourable member, and I cannot promise him that the situation will be any different in future. If New South

Wales and Victoria take a different attitude, this is a matter that could be re-examined.

OPEN GOVERNMENT

Mr. GUNN: Can the Premier say whether it is the Government's policy to pursue a policy of open Government as advocated by his Commonwealth colleagues? If it is, will he release to the public and to members of Parliament all the reports that his Ministers and he are denying to the people of this State and to members of this House? To refresh the Premier's memory, as well as the memories of other members, the Minister of Transport at present is refusing to make available to members a copy of the recently prepared report into the operations of the South Australian Railways.

The Hon. G. T. Virgo: That is a complete lie, and you know it!

The SPEAKER: Order!

Mr. GUNN: On a point of order, Mr. Speaker, the Minister of Transport has said that I am telling a complete lie, and I ask for an unqualified withdrawal of that remark.

The SPEAKER: The honourable member has asked for a withdrawal from the Minister of Transport.

The Hon. G. T. VIRGO: The report has been made available to the Leader of the Opposition and the Opposition Whip—

The SPEAKER: Order!

The Hon. G. T. VIRGO: —but in deference to the honourable member, I will withdraw my statement.

The SPEAKER: The honourable Premier.

The Hon. D. A. DUNSTAN: This Government is pursuing a course of open Government. We are publishing reports to members of Parliament and to the public at the earliest possible time they can be made available. Concerning the report to which the honourable member referred, he will know that, initially, a limited number of copies are available. The reports are then made available within a limited area, such as is possible on the basis of the report. When the report is printed it is made available publicly, and this has been done in several instances. We have recently released a series of reports and will continue that process. Where reports are from departmental committees on which the Minister relies for information before formulating a policy, we do not release the reports because they concern internal matters. Where reports contain matters that are necessary for the information of members and of the general public we release them, and we will continue to do so.

WALLAROO BRIDGE

Mr. RUSSACK: Will the Minister of Transport reconsider the recent decision to demolish the foot-bridge over the railway lines at Wallaroo, and have it either reconditioned or replaced? This is a most important pedestrian route from a major part of the town to the waterfront installations, and, particularly in summer, it provides an important pedestrian path to the swimming pool and the waterfront from the motels and hotels in the town. Tourism is a most essential industry for this town, a fact that has been evidenced by the Government's recent very practical support. Also, this matter was raised at a recent meeting of several hundred people at Wallaroo, and this is one of the reasons why I bring it to the Minister's notice today. I realize that it will be costly to restore the bridge, but I consider the expense is warranted, and urge the Minister to reverse the decision.

The Hon. G. T. VIRGO: This question has been considered seriously and at some length, and I remind the honourable member that the decision to demolish the

bridge was made by the Corporation of the Town of Wallaroo as a result of discussions. A proposition was put to the corporation and it agreed that the bridge should be demolished. Therefore, I must listen to the council of the area rather than to the member.

TRAIN FARES

Mr. BECKER: Can the Minister of Transport say whether the Government will approve of an increase in train fares and, if it does, by how much and when? A report published in the *Advertiser* of June 2 this year states:

A rise in metropolitan train fares was recommended by the Chairman of the South Australian Railways Advisory Board (Dr. D. Scrafton) yesterday.

I understand that the South Australian Railways will have lost \$100,000,000 since 1968 if the results for the present financial year are as forecast.

The Hon. G. T. VIRGO: I wonder whether the honourable member is advocating that we should increase fares and freight rates, and whether he has consulted with some of his colleagues, particularly those from rural areas that have benefited as a result of the subsidies made available by the Government to these people in reduced rail freights and fares.

Mr. Becker: I asked whether you would approve the rise.

The SPEAKER: Order!

The Hon. G. T. VIRGO: The question of fares and freight rates is always being considered by any Government, and that is the present situation. If a decision is made in future to increase them, it will have been made only after due and proper consideration, and the honourable member will be informed at the same time as the general public is informed.

GLADSTONE GAOL

Mr. VENNING: Will the Attorney-General, representing the Chief Secretary, say what is the Government's long-term policy regarding the basis of operations of the Gladstone prison, and what is the programme for completion of the new Gladstone police station? Rumour is rife that the Gladstone goal may not continue as such for long. People involved with the situation are concerned about this and would appreciate the Government giving the House and the local member information regarding planning for the future of the gaol. Although the foundations for the new police station have been dug for 12 months, that is about as far as progress has gone, and I should like to know when further progress will be made.

The Hon. L. J. KING: I will refer the question to the Chief Secretary.

SOUTH-EAST UNDERGROUND WATER

Mr. RODDA: Will the Premier further spell out his Government's policy regarding last Thursday's announcement bringing underground waters in the South-East under the control of the Underground Waters Preservation Act? The Premier's announcement would result in a changed scene in the use of underground water in the area and much concern has naturally been expressed by landholders regarding the proclamation. I seek an assurance from the Premier that landholders will still have the use of sufficient water for their requirements. What criteria will be used to determine water quotas and on what basis will usage be determined? Will the Government encourage the construction of above-ground water storages in the area as well as the recharging of the aquifer by seasonal drainage water now diverted to the sea by the drainage system covering the

area? This matter is of concern to the Government, and the Opposition recognizes the problem facing the Government in this respect: that is, eliminating pollution in the area and the effect of such pollution on the environment.

The Hon. D. A. DUNSTAN: The Government has brought this water under the control of the Underground Waters Preservation Act and in these circumstances it will be necessary for permits to be issued for wells to be sunk and for water to be drawn off over a certain depth. This is to ensure that the aquifer is not polluted and that we maintain a proper surveillance of what is a resource vital to the area. There is currently no proposal for a restriction on drawing off, but merely in respect of control of the manner of drawing off to ensure that the resource is preserved. The honourable member knows that there has been over a period a continuing examination of the nature of the resource, which is an extensive and vital resource. I see no reason for fear to be expressed by landholders in the area that they will be disadvantaged as a result of the proposal. In fact, my belief is to the contrary: they will be protected by our proposals. I hope that nothing alarmist will be said about this. I am sure that between the Lands Department and the landholders, effective co-operation can ensue to ensure that the resource is preserved to their advantage.

GRASSDALE STATION

Mr. CHAPMAN: Will the Minister of Environment and Conservation explain the reason for allowing the sealing off and the recent padlocking to prevent entry to section 3 of the hundred of Ritchie in the County of Carnarvon?

The Hon. G. T. Virgo: If it's your land why should he explain?

Mr. CHAPMAN: It is not my property: it is a property known as Grassdale Station, which was purchased by the Government in 1972. At the time the land was acquired, members of the community were told that it was to be used later as public picnic grounds and to be ceded or added to the Flinders Chase Reserve. I do not object to the acquisition of land for these purposes, but it would seem to be quite wasteful if this land, after having been used by three generations as a farming and grazing property, were to remain sealed off from farming and grazing or from public access. Further, there is no local evidence to suggest that there is to be any development of that area. Can the Minister explain to the House why his department continues to seal off this expensive productive farming property from public use?

The Hon. G. R. BROOMHILL: I cannot say why the area has been padlocked, but I will ascertain the reason for the honourable member and obtain details of the possible future use of the area.

WATERFALL GULLY RESTAURANT

Mr. DEAN BROWN: Will the Minister of Environment and Conservation say when his department will grant approval for the lessee of the Waterfall Gully restaurant to apply to the Licensing Court for a liquor licence for that restaurant? As this restaurant is under the control of a Government department, it is necessary for the department to grant that approval before the proprietor can apply for a licence. He wrote to the Minister's department early in February, and on March 5 he received an acknowledgment of that letter. At this point, 4½ months after his initial application, he has received no further correspondence. I therefore ask the Minister to look into this matter.

The Hon. G. R. BROOMHILL: I am looking into it.

MODBURY WEST SCHOOL

Mrs. BYRNE: Will the Minister of Education ascertain for me what accommodation facilities, either temporary or permanent, are planned for the Modbury West Primary School and when such facilities will be provided? I have been informed by the school council that, if the mid-year enrolment figure is up to expectations, it may be necessary to use the library, activity and art rooms as classrooms. Because houses are continuing to be built near this school, it is evident that the school enrolment will continue to increase.

The Hon. HUGH HUDSON: I am looking into this matter, because it was raised with me in a talk-back radio programme on Monday morning. I shall be pleased to give the honourable member the necessary information as soon as I can.

MOUNT BARKER HOUSES

Mr. McANANEY: Will the Premier, as Minister in charge of housing, ascertain the date on which the Housing Trust commenced building in the southern area of Mount Barker, the number of houses completed since then, the number being constructed, and why it will be six or eight months before many are completed? I understand that the delay in obtaining a Housing Trust house in Mount Barker is second only to the delay experienced in Mount Gambier and that it involves a period of well over a year, yet there always seems to be several Housing Trust houses in the area all but completed, and it takes a long time before these houses are given the final touches so that people can occupy them. It seems to the casual observer that much capital is tied up in partly-completed houses in Mount Barker at present and that no real effort is being made to have the houses completed so that the big demand for houses that exists can at least be partly satisfied.

The Hon. D. A. DUNSTAN: I will obtain a report for the honourable member.

NORTH ADELAIDE TRANSPORT

Mr. CUMBE: Does the Minister of Transport recall that last November, in the last Parliament, which was the last time that I asked a question in a series of questions, I asked him about his negotiations and consultations with the Adelaide City Council concerning the vexed question of the road transport system through North Adelaide? Can the Minister say whether further talks on this problem have occurred and can he tell me the outcome of those talks? I am sure the Minister is aware that there is an urgent need to upgrade and, in fact, determine the road system in North Adelaide, because only about three or four major roads lead north and south, and residents are concerned about the increasing volume of traffic using these roads from all points north and north-east, flowing through North Adelaide into the city proper. Can the Minister give me any information on this matter and, if he cannot, will he undertake to obtain for me any information that may be available?

The Hon. G. T. VIRGO: As I think it is desirable to obtain a full report on this matter, I shall be pleased to obtain one and bring it down for the honourable member.

COUNTRY SCHOOLS

Mr. GOLDSWORTHY: Will the Minister of Education say what can be done to expedite the improvement of facilities in country schools where work has been approved but concerning which it is difficult to get satisfactory tenders? In the case of two schools in my district (Gumeracha and Mount Torrens Primary Schools) work has been approved

for some time. In the case of Gumeracha school, the work involves the oval, paving of grounds, and the like, and tenders have been let at least twice, the last occasion being well back into last year. However, on inquiry, no satisfactory tender seems to have been received. I have more recently received a letter from Mount Torrens School Council which indicates precisely the same situation. I realize that this is a difficult situation, but it seems that more could be done, maybe if the Public Buildings Department itself undertook the work. The work having been approved for some years, these schools seem to be suffering considerably from the fact that the work has not been started. I should appreciate anything the Minister could do or suggest whereby this work in country schools, especially Gumeracha and Mount Torrens Primary Schools, could be undertaken.

The Hon. HUGH HUDSON: I will examine the problems of Gumeracha and Mount Torrens Primary Schools to see precisely what the difficulties have been and what can be done to overcome those difficulties. In the light of those reports, if there are general problems that apply, I will discuss those with the Minister of Works and see whether action cannot be taken to improve the situation.

BOATS

Mr. GUNN: Can the Minister of Marine say whether it is intended in this session or the next session to introduce legislation for registering or licensing private pleasure boats? I have received complaints from fishermen in my district who are concerned about the activities of a small minority of irresponsible people who own speed boats and interfere with fishermen who are legitimately earning an income, but it is often difficult to determine who the offenders are.

The Hon. J. D. CORCORAN: The honourable member may recall that the Government prepared legislation that it intended to introduce during the last Parliament. At the behest of the then Commonwealth Minister for Shipping and Transport (Mr. Nixon) the matter was held over pending a conference of State Ministers responsible for marine matters; the purpose of the conference was to try to establish a uniform measure that would apply throughout Australia. I agreed at the time that this was most desirable and that it would be foolish for the Government to proceed with legislation that might have to be altered radically in the following session. As a result of the conference, it was decided to investigate the possibility of drawing up uniform legislation; the matter was referred to a body of port authorities, which was to make recommendations to the next conference of Ministers, due to be held some time this year. The officers have met and are ready to make a recommendation to the Ministers, but, because there has been a change of Government in the Commonwealth sphere, I am not sure whether there will, in fact, be a meeting of Ministers and, if there is such a meeting, I am not sure when it will take place. Certainly I am anxious to arrive at some uniformity in this matter and to introduce legislation as soon as possible, because, in addition to the incident referred to by the honourable member, many other representations have been made to me. The member for Murray has constantly sought information on this matter. So, I hope we will be able to introduce legislation during this session, although I can give no guarantee at this stage.

SMALL BUSINESSES

Mr. VENNING: Will the Premier consider providing a buying service for metropolitan and country businesses, so that they may be able to continue to operate in what appears to be a very competitive world? Throughout country areas we find that the number of small businesses is slowly but surely decreasing, to the detriment of the areas where they

have been operating. It has become impossible for them to carry on because the supermarkets have been able to sell their goods at prices cheaper than those at which small businesses have been able to purchase their requirements. So, will the Premier consider either providing a buying service or negotiating with large wholesalers so that small country businesses can purchase their goods at prices similar to those available to supermarkets?

The Hon. D. A. DUNSTAN: As it comes from a supporter of rugged individualism and free enterprise, I find the honourable member's suggestion a little surprising. However, I shall certainly examine it. It is, of course, open to small businesses to register a co-operative under the Industrial and Provident Societies Act to provide such a service for themselves. However, I shall certainly have my department investigate the matter to see whether the Government should assist in the development of such a buying service.

DRUGS

Dr. TONKIN: Will the Attorney-General say what evidence he has to link the increasing crime rate with the increase in drug abuse in this State? I asked a similar question about 12 months ago. The kind of link I have referred to has been the usual pattern overseas, as I am sure the Minister is well aware. In some countries it has been thought that the increase in the use of drugs of abuse is directly responsible for the increasing crime rate, as was pointed out earlier today, not only in this country but also in other parts of the world. It has seemed that some further research should be undertaken into the question of a direct relationship. I would be interested to see whether such research has been put in hand.

The Hon. L. J. KING: It is obvious that drug abuse has a direct relationship to some crimes; the very nature of some crimes shows that. For instance, in South Australia there have recently been breakings into pharmacies, and drugs have obviously been the object of the breakings. That type of breaking is certainly related to drug abuse. To what extent drug abuse and drug dependence are causal factors in crime is difficult to establish, no matter what research is done. The Police Department keeps an eye on this matter. As a result of the honourable member's question, I shall inquire whether there is any further information I can give him on the topic.

LOW-COST HOUSING

Mr. HALL: In view of the Premier's announcement during the election campaign of a proposal to allow the Australian Council of Trade Unions to develop land provided by the Government for housing, can he say whether an agreement has been signed between the South Australian Government and the A.C.T.U. concerning that announcement? If such an agreement has been signed, is any overseas money involved in the project and, if it is, at what rate of interest? How many Australian principals are there in the project, and what shares will they have? What sum is the A.C.T.U. paying for the land, and from whom will the land be obtained?

The Hon. D. A. DUNSTAN: At this stage no agreement has been signed. I am not aware at this stage of proceedings whether, in fact, the A.C.T.U. will be using overseas sources of finance. I know that at one stage of proceedings discussions were held with a German workers' bank and with the Bank of Israel, the Israeli trade union bank, about the provision of funds. However, the Government would not be dealing with those organizations; rather, it would be dealing directly with the A.C.T.U., which would be the principal involved. The interest rate will be a matter

between the A.C.T.U. and the people from whom it raises finance. The Government has simply informed the A.C.T.U. of the interest rate that it would need to obtain to make the project for low-cost housing viable and competitive.

With regard to the basis of our providing land for the A.C.T.U., it has been told that land is available from the Housing Trust at the price the trust has been charged for the land, given an indenture that would ensure that low-cost housing was provided to workers in South Australia at competitive prices, so that it would be ensured as a result of the investment, that workers would be able to get houses of an adequate standard and at a price low enough for them to afford. In these circumstances, we would make the land available to the A.C.T.U. at the charge we make to the Housing Trust itself for the development of the land. That means that it would be at the book charge that the Housing Trust charges itself in its own operation for developed land in that area. That is the basis of the negotiation, which is currently proceeding.

PORT LINCOLN HIGH SCHOOL

Mr. BLACKER: Can the Minister of Education say when work will commence on stage 2 of the Port Lincoln High School, and whether the expected high enrolment at the school has been fully considered? In 1971, the relevant proposal before the Public Works Committee was based on a ceiling enrolment of 1,000 students. As that figure was reached with this year's enrolment, it is important that the projected plans be adjusted to accommodate future needs. The completion of work on stage 1 will not remove the need for most of the prefabricated temporary classrooms. In all probability, the increased number of students expected in years to come will exceed the accommodation available.

The Hon. HUGH HUDSON: Only a few days ago I received a letter from, I think, the Port Lincoln High School Council on this matter. The whole question of the timing of stage 2 is currently being investigated. I point out to the honourable member that, to some extent, the timing depends on commitments to other projects that arise, particularly with regard to urgent accommodation needs in country and metropolitan areas throughout the State. I am concerned to see that stage 2 of the Port Lincoln High School is undertaken as soon as practicable. I am sure that the honourable member will appreciate that the construction work currently taking place on this school is a complicated business because of the temporary accommodation arrangements that have to be made. The extent of any building that proceeds within the limited area of the schoolgrounds has to take into account the continued running of the school and the continued ability of the staff to cope adequately with the educational needs of the students there. However, bearing that in mind, as well as the needs of other schools, I assure the honourable member that stage 2 will be provided as soon as practicable. When I have additional information available I will see that it is communicated to the honourable member.

PRIVATE CONTRACTORS

Dr. EASTICK: Can the Minister of Works say whether any decision has been made by the Government about the construction by private contractors of sewers and general water supplies? Late last session, the Minister said that he was aware of the inability of the Engineering and Water Supply Department to cope satisfactorily with the demands being made on its services for waterworks and sewerage, and that the use of private contractors in this field was being considered. I know of no statement made that has

clarified the situation, nor do I know of any alteration in existing policy.

The Hon. J. D. CORCORAN: I point out to the Leader that it has not been the Government's policy to bar altogether private contractors from engaging in this type of work. I have said that each case will be treated on its merits, and that has been the position. In fact, at this time a private contractor is installing sewerage in a subdivision with which he is connected. As there is likely to be an upsurge of this activity fairly soon, from time to time the Government or the department and I will examine the situation and, if necessary, a private contractor will be permitted to undertake this kind of work in his own interests. Although no statement has been made about it, the matter is constantly under review. As the need arises, it will be met in the way I have outlined.

CHAFFEY DISTRICT SCHOOLS

Mr. ARNOLD: First, can the Minister of Education say what progress is being made with regard to the new classroom that has been built at the Cadell Primary School? Secondly, has he considered a request made by the Berri Primary School Council for an additional classroom at that school in which migrants can be taught English? A temporary wooden classroom has been built for students at the Cadell Primary School. Although its construction was completed in March, at this stage the finishing of painting and electrical wiring has not been done. Until this work is completed, the department is not able to supply furnishings for the room. Consequently, existing classrooms at the school are overloaded. I shall be grateful if the Minister can ascertain the reason for this delay, as the bulk of the work has been completed for three months.

The Hon. HUGH HUDSON: I shall be pleased to look into both matters raised by the honourable member and bring down a reply.

DRINK-DRIVING OFFENCES

Mr. MILLHOUSE: Although my question may need to be transmitted to the Chief Secretary, I hope the Attorney-General will answer it. Can the Attorney say what is the Government's view concerning the pilot study of drink-driving offenders who are brought before the Elizabeth Magistrates Court? About a week ago, this pilot study, which I understand involves the assessment and subsequent treatment of offenders convicted in that court, was reported and generally commented on favourably. Yesterday, I noticed the following report in the *Advertiser* which cast doubt on the study:

An Elizabeth stipendiary magistrate, Mr. G. E. Carter, yesterday, expressed doubt on the future of a pilot study of drink-driving offenders brought before the Elizabeth Magistrates Court. Mr. Carter said in court that this was because "certain people" held the view that, to offer treatment in the court at Elizabeth to those suffering from alcoholism, discriminated in some way against people in the area. As a result, the study might come to "a grinding halt," he said.

Later, the report states that the study was expected to begin in the first week of July, following more than three years of planning and talks with magistrates in Elizabeth. It would be a pity if this work is for some unsubstantial reason brought to a stop. I seek in the reply to the question an indication of the Government's attitude to the whole project.

The Hon. L. J. KING: I was most interested to read about this matter in the press on my return from the United Kingdom. I checked with my department and ascertained that there had been no communication with it.

I therefore have not been consulted at any stage about this matter, either in the formulation of the plan or in its apparent deferment or frustration or whatever has happened to it since. I have just spoken to the Minister of Transport, who administers the Motor Vehicles Act and the Road Traffic Act, and he informs me that he has no knowledge of the matter either, other than what he has read in the press. However, I will inquire to ascertain what was the origin of the plan, what the plan was, how it is proposed to implement it, and whether it will be deferred or reappraised. I do not know whether the Chief Secretary has any knowledge of this matter, but I shall inquire and endeavour to obtain additional information for the honourable member.

WATER RATES

Mr. EVANS: Will the Minister of Works negotiate with the Engineering and Water Supply Department and the Treasurer in an endeavour to have the water rates for the Stirling District Council area and the Mitcham hills area changed to the same percentage of the annual assessed value as the rest of the metropolitan area property owners pay? The present situation has been in existence for about 30 years. The people in the Mitcham hills area pay 9½ per cent of their annual assessed value and the people of the Stirling District Council area pay 12 per cent, whereas the rest of the metropolitan area from Elizabeth right through to Christies Beach and down to Semaphore pays 7½ per cent, meaning in real terms that the people in the Mitcham hills area pay 26½ per cent more annually in rates than do their city counterparts, and the people in the Stirling District Council area pay 60 per cent more. Both of them are in the metropolitan area and are in one of the wettest parts of the State and, as many of the people there do not use their water quotas, it is an unjustifiable imposition on them. Will the Minister consider bringing the rating in these areas into line with the rest of the metropolitan area?

The Hon. J. D. CORCORAN: The member will appreciate that it costs more to provide water and sewerage in these areas. If some people do not require water, do they wish to have the supply discontinued?

Mr. Evans: Some of them would be happy to do that.

The Hon. J. D. CORCORAN: The member will find that he does not know the situation as well as I know it. This matter is under review.

LITTER FINES

Mr. MATHWIN: Will the Minister of Environment and Conservation say whether the Government has further considered the question of on-the-spot fines for litterbugs? The Minister is well aware of the type of penalty imposed in other parts of the world, particularly in Singapore and the Far East, and the Minister is also well aware that the Jordan report provides that heavy on-the-spot fines should be imposed on people who discard litter in the streets.

The Hon. G. R. BROOMHILL: This matter has received further consideration and the honourable member may have read recently that I sent an officer of my department to the other States that have on-the-spot fines to find out how they operate. I think the honourable member made the point that this form of fine operated well in other parts of the world; he mentioned Singapore, where it operates well. There, the fine is particularly heavy, and there was considerable policing of the legislation when it was first introduced. Some States have enacted legislation that has not been put into force. The reason

in my view, after studying the legislation in operation elsewhere, is that there are many problems associated with the legislation.

It is difficult to determine exactly what litter is—whether it is the cigarette butt, the packet or the paper around it, and whether it is the ice cream cone or the stick in the ice cream. It would be unwise to consider introducing legislation here without considering all the difficulties that other States which have introduced this legislation have encountered. For example, who is to police on-the-spot fines? Also, some councils may enforce the legislation, thereby driving people to other council areas. For instance, at the beaches a council may not impose litter fines. Considerable difficulties are associated with this matter. It is not the kind of matter on which a decision can be taken without a thorough investigation of the advantages and disadvantages associated with this type of legislation. However, it is being considered.

MURRAY RIVER PERMITS

Mr. NANKIVELL: Can the Minister of Works say what is the Government's policy with regard to the issue of temporary permits to pump water from the Murray River? I was under the impression that a statement was made about 18 months ago, prior to the installation of meters, that temporary permits would be granted out of the normal pumping season to allow the growing of cash crops. I understand that this has been the practice and, with respect to certain growers in the Paringa area, this was the practice until this year, when the Minister or the Government decided that temporary permits for the production of cash crops would no longer be issued. I refer to a letter written to a Mr. L. R. Thompson, of Paringa, which states:

I refer to your letters of February 16 and March 21, 1973, requesting a temporary permit to water 14 acres of vegetables between March and November, 1973. I have received requests from numerous other licensees for increases in acreage, and have refused these in accordance with the Government's policy. In view of this, I regret that I must refuse your application even for a further temporary permit.

The Hon. J. D. CORCORAN: The case of Mr. Thompson is well known to me, as it was known to my predecessor. Mr. Thompson managed to con someone into enabling him to have what he considered to be a permanent licence to water cash crops. It was made clear to the honourable member's constituent last year that that would be the final year, because of the very point that was made, that several applications had been lodged, and it was clearly pointed out to Mr. Thompson initially that it would be a temporary permit, and then it went on and on. Finally, to be consistent I had to put a stop to it, because the Government's policy is not to issue temporary permits to water for cash crops.

Mr. Nankivell: Isn't there a surplus of water?

The Hon. J. D. CORCORAN: The honourable member appreciates (and he is not that naive, because he has been around for some time) that a water licence is after all a temporary licence, because it is issued annually. However, many people tend to think that it is a water right, when there is no such thing as a water right in this State. If we did this for a cash crop in one year, immediately in the next year, if there was plenty of water in the river, there would be a hue and cry by the people concerned that I, the Minister, or the Government had encouraged them to make a capital outlay to do this or that and that, just when they had it built up, the annual licence or the temporary licence

was withdrawn from them. I think the most consistent and the proper way to handle the matter is to provide that, until we can issue a water licence on the same basis as we have done in the past (by that I mean so that people can expect, in all reason, that the licence will continue), there will be no temporary licences to divert water from the Murray River, even in years when there is plenty of water in the river. I have made that clear to people on the river.

The Hon. Hugh Hudson: To do otherwise leads to the problem they have in New South Wales and Victoria.

The Hon. J. D. CORCORAN: Of course it has done that. The member for Mallee knows that that is the problem that has arisen in New South Wales and Victoria, and this is their problem. The honourable member knows that those States have an excess commitment, because they have issued these licences and cannot meet the demand to which the licences have led. The honourable member also knows that, in the worst circumstances, we are well over-committed already, and surely it is sensible and proper management to ensure that this situation is not aggravated. That is the idea behind this policy, which is clear. May I take this opportunity to clear up something that could lead to misunderstanding as a result of a statement made by the Minister of Irrigation in the Murray River area recently that, when metering was completed, it was possible that further licences could be issued. I make clear that the Minister was referring there to Government irrigated areas only, not to private irrigators.

PARLIAMENTARY COUNSEL

The Hon. D. A. DUNSTAN (Premier and Treasurer) moved:

That Standing Order 82 be so far suspended for the remainder of the session as to enable the Parliamentary Counsel and his assistants to be accommodated with seats in the Chamber on the right-hand side of the Speaker.

Motion carried.

ADDRESS IN REPLY

The Hon. D. A. DUNSTAN (Premier and Treasurer) brought up the following report of the committee appointed to prepare the draft Address in Reply to the Speech of His Excellency the Governor:

1. We, the members of the House of Assembly, express our thanks for the Speech with which Your Excellency was pleased to open Parliament.

2. We assure Your Excellency that we will give our best attention to the matters placed before us.

3. We earnestly join in Your Excellency's prayer for the Divine blessing on the proceedings of the session.

JOINT COMMITTEE ON SUBORDINATE LEGISLATION

The Legislative Council notified the appointment of its representatives on the Joint Committee on Subordinate Legislation.

JOINT HOUSE COMMITTEE

The Legislative Council notified the appointment of its representatives on the Joint House Committee.

SESSIONAL COMMITTEES

The Legislative Council notified its appointment of Sessional Committees.

SUPPLY BILL (No. 1)

Received from the Legislative Council without amendment.

**CONSTITUTION ACT AMENDMENT BILL
(FRANCHISE)**

Adjourned debate on second reading.

(Continued from June 19. Page 18.)

Dr. EASTICK (Leader of the Opposition): On behalf of my colleagues, I support the Bill, which brings to reality, for the first time since I have been in this House, a belief that members on this side have held for a long time, namely, a belief in adult franchise. The Bill brings adult franchise into a position where we can accept it and support it, because it has been introduced in this House virtually in conjunction with another Bill that indicates that the Government, through the Premier, has accepted that adult franchise is not a matter that can be taken in isolation. It is a single issue that must be considered with all other aspects of the Bill to amend the Constitution Act.

The acceptance and realization of the Government that other matters may be considered vital by this House at this time creates an entirely different atmosphere from that which has prevailed previously. On many occasions in this House and in another place during the past 12 months opportunity has been given to the Government to discuss with the Opposition in a fit and proper way various aspects of the total Constitution Act, and opportunity has been given by way of amendment to Government legislation and by the presentation of a Bill in its own right which did not encompass all the aspects of those measures that the Government could support or was happy to support.

In this place and elsewhere it was indicated clearly to the Minister responsible for the Bill that opportunity existed for a broader discussion, in conference if necessary, to make clear to the people of South Australia that in the acceptance of adult franchise they were not creating a situation in which the Upper House would be a mirror image of the Lower House. Now, although it is not correct for me to refer to another measure presently before this House, that opportunity exists; it is on this basis that I have the full support of my colleagues in seeking the promotion and the furtherance of the Bill.

The responsible attitude that I suggest we should show to this measure demonstrates that we want to see it go forward so that other matters with far greater ramifications can come before this House and another place as soon as possible. We have never had anything to hide, nor have we anything to hide now. As we move to the final stages of this measure, in due course we hope that the House will consider an amendment I will present so that the matter can be seen to be considered in the total perspective of the South Australian Constitution and not in the isolation of this one matter. I repeat that this Bill has my support and the support of my colleagues.

Mr. HALL (Goyder): I can understand the reluctance of other members from this side of the House in speaking to this Bill, because the situation is the opposite to what the Leader of the Opposition had to say. There are members on this side who have a lot to hide in relation to adult franchise. I can understand their reticence in case they should show what they wish to hide. This Bill is of great importance; it is not simply conferring on everyone in the State the right to vote for the Upper House. It is the culmination in this State of a tremendous political struggle which should not have taken place. At this time, in 1973, the Government has simply said to the Opposition, "We are pointing an electoral gun at your heads and if you do not vote for it we will shoot you". It is as simple as that. The Liberal and Country League stands back to the wall, strong-armed to the wall, and

giving in abjectly, raising a tattered white flag. The member for Hanson knows that because he is a member of the most right-wing Party South Australia has ever had. If the honourable member doubts it he should have seen yesterday in the gallery the members of the League of Rights, who were there watching the opening ceremony, as they have every right to do as citizens of South Australia, but they were there in their dual capacity as official members of the L.C.L. branch structure.

Mr. Venning: Rubbish!

Mr. HALL: I can name them in confidence for the honourable member. This is the right-wing Party with nothing to hide on this issue! Over the years the L.C.L. has endeavoured to find a scheme to advantage itself in the restructuring of the Upper House and it has continually fought the introduction of the full franchise on that basis and for no other reason. I know that, because I was a member of the Party over long years. I remember in 1968, at the Pennington Terrace hall, warning the L.C.L. what would happen to it if it did not give full voting rights to the citizens of South Australia. Others in the L.C.L. believed, too, that those rights should be available. The records of this House will show how they voted at various times.

I remember that, in 1968, when this subject was before the House, there was a heading in the papers the following day: "Upper House Crisis—Assembly Votes for Adult Franchise". The Bill was brought in by the then Leader of the Opposition, now the Premier; I was Premier at the time. We had a dramatic little exchange in which an offer was made for the acceptance of a referendum, safeguarding the existence of the Legislative Council, that it might not be abolished unless the people voted for its abolition; in return for that a number of members voted for full adult franchise.

That really set the L.C.L. alight. I remember what happened in Cabinet, how it blew apart, and how the Leader of the Opposition in the Upper House said that he would resign and that, if he did so, he would bring down the Government with him. I remember saying, "If you like, you can resign, but you will not destroy the Government." After three days of some temper about this issue he re-read the Constitution and found that it was not necessary for three Ministers to come from the Upper House. Although the Ministry in the House of Assembly is limited, there is no statement to the effect that even one Minister must come from the Upper House.

On those few words in the Constitution the Government of the day was saved from destruction. So I say there is much to be hidden, because the L.C.L. has been shipwrecked on this very issue and the people who have driven the L.C.L. ship on to the rocks are the Legislative Council. They have steered it on to the rocks. The member for Rocky River knows that the L.C.L. has its smallest numbers in this House for many years. Members laugh, and perhaps that attitude was responsible for their inaction yesterday. For seven long months they cried out for the House to meet, but yesterday they sat supine, as though they were handmaidens of the Government.

This issue has destroyed a once proud Party and it has done so because of the selfishness of those who sit in the other place. They have acted in that other place as if South Australia were a feudal kingdom in which they were a privileged minority, sitting there without any worthwhile public support. The day of reckoning has come. There is a gun pointed at their heads and they must surrender or be blown up; they have put up the tattered white flag of surrender.

I mentioned in passing the public warning I gave in 1968, the disarray in Cabinet when we were in office, and the search to find a solution to the matter. I remember the Glenelg meeting of the L.C.L. early last year when a so-called compromise was reached, and there were many who gave and took in the working out of that compromise. It did not satisfy me, but I suppose one must give and take. In politics it is not always a matter of getting one's own way and so we gave something away.

Mr. Venning: You must be joking.

Mr. HALL: There is one thing: the member for Rocky River is not going to get his way by the passing of this Bill, because he has consistently opposed full franchise. Let us see how he feels on this issue. Let us see whether he has changed his mind now. Why has the honourable member changed his mind now? The reason is that his Party is in tatters and against the wall. This has been the subject of great debate since certain things have happened to the Party sitting in front of me. I have been bitterly disappointed by the reaction of some of its members, even at this late hour, because they have not been able to recognize the truth of the issue and the demand for voting rights in 1973 that people in other parts of the world get by the gun and by insurrection, although people here are denied their rights by the exercise of privilege. When I was a member of the same Party I remember the new member for Gouger, who represents my old district, and how disappointed I was when he spoke in what is now my district and referred to proposals to modernize and update franchise rights.

At the meeting [had quoted from the book *Playford to Dunstan*, which is an admirable textbook on South Australian politics, but the honourable member said to the L.C.L. committee, "Do you know that the book Mr. Hall is quoting from was written by a Socialist?" I wonder would he agree to burn it! The truth takes a bit of facing, but many people have tried to make the L.C.L. face it. We know who has controlled the L.C.L. Until recently words in the L.C.L. constitution were sacrosanct, and one dare not change a preposition without an annual general meeting. Some of us who went a bit far were shoved off the end. Now, change can be accepted without holding an annual general meeting, because there has been an enormous change of heart. Obviously, the member for Rocky River has changed. Although an annual general meeting is not needed any more for some things, the real boss of the L.C.L. has not come out into the open, but it is apparent to us that the real Leader of the Opposition dwells in the Upper House. That is evident from the statements made recently. The Leader of the Opposition is in the Upper House, and the Leader of the Opposition here (so-called) follows him.

The Hon. Hugh Hudson: He's a puppet!

Mr. HALL: The Leader of the Opposition in the Legislative Council is a puppeteer and the eventual Leader of the L.C.L., and everyone here jumps to his tune. He has ruined this Party by the manifestation of his power, but there is only one course it can follow, and that is disintegration. This Party in the past has had some public support that has been noteworthy. Not often has it had majority support, particularly in the last decade or so, but it has had significant support. Despite this, it has insulted the public of South Australia consistently over the years. I remember at one stage, when I occupied a more exalted position than I do now, giving a Cabinet luncheon to an eminent South Australian. That person told me, rather humorously, he could not vote at Upper House elections because he was not living in a self-contained dwelling.

The advice he received from an L.C.L. Councillor was that he should rip up the passage and then he would be able to vote.

The L.C.L. has treated the public of South Australia like juveniles for too long and has deliberately perpetrated the country-city division. It has sent its L.C.L. members of the Legislative Council with their hand maidens from the Assembly throughout the strongholds in the country to preach hatred and political division for which it has been well known for so many years. In the last year or two it has broken out in a festering sore on the body politic in South Australia: it could not do otherwise. One cannot suppress democracy and vilify one's own colleagues, as members of this Party have done, without destroying those who originate such schemes. Today we come to a most important occasion, and we find the Leader of the Opposition saving face. The Premier has been an astute tactician, and has given the Opposition the face-saving opportunities they need in the proportional representation Bill that he has introduced parallel with the franchise Bill.

On April 2, I had published in the *Advertiser* a proposal I believed would solve the problem of franchise and the Upper House generally. Although nothing is entirely novel, I thought it took things a considerable step forward and broke through the barrier of the compromise agreement of the L.C.L. My proposal recommended one electoral division for the whole of South Australia, as in the Senate, throwing aside the situation of cutting the State into a country and a city division for the Upper House, and I recommended one State-wide electorate with proportional representation. I included other things some of which were novel and some perhaps unnecessary, but they were dressing for the main issue because the solution to the problem was to have one electorate and proportional representation.

The SPEAKER: Order! I fully realize that the adult suffrage Bill is linked with another Bill, and one could say they are closely associated. However, although I am not going to allow a debate on a Bill the second reading explanation of which has been given, I will allow some latitude to link one with the other in a limited way. I will not allow a debate on a Bill which is now before the House and the second reading explanation of which has been given.

Mr. HALL: I appreciate your drawing my attention to Standing Orders, Mr. Speaker, and will leave that side of it. I think its only linking point is that the Premier disagreed (as far as I remember) in his public reply to my contentions. The Leader of the Opposition here, following the Leader of the Opposition in the Upper House, made some critical references to peripheral matters that did not touch the main issues. However, today we are to study issues directly based on the statement I made in April. The Premier has been an astute tactician in introducing this face-saving measure for an Opposition that would have to give in without any alternative if he had insisted on one Bill.

We find an Opposition that so far has been mute, and rightly so. We could name all the opponents of full franchise and those who would maintain the existing restricted franchise with some qualification or another regardless of the public demand and the justification of the vote itself. They can be named, and we know they have changed their minds since they spoke or voted previously here. I guess that we could consider all sorts of reason for the change. However, there is no other way to go. The end of the road has been reached for the domination of the Upper House by a certain Party, which has dominated it for many decades, and one can foresee clearly that it will have to give up this domination soon. It will give it up in disgrace and will have little chance of regaining its

prominence for many years because of the disgraceful way it has behaved. It has been a poor tactician and it has not been in the interests of South Australia by being a totalitarian Party House.

Although I support the Bill, I am disappointed, following my long years of warning to the L.C.L. since 1968 and my hoping at that stage to have led it to some public acknowledgment of its responsibilities, that at no stage did the Party recognize my warnings to it. We have come to this stage where, as I have said, the L.C.L. is wrecked and will be destroyed completely. There was no definite reason why it should be destroyed if it had given the public what it should have given it many years ago.

Mr. Jennings: Have you any idea what should take its place?

Mr. HALL: I was recently in Victoria and noticed the splendid victory of Mr. Hamer there. One of the things that even the Prime Minister, who is of a different political belief from Mr. Hamer, acknowledges is that the Premier of Victoria is recognized to have brought a new breath of Liberalism to his Party and to his Administration. One of the things that the Victorians did long ago, in a State of Liberal politics, was to introduce full franchise for that State. It seems to me that Liberals in other States, and particularly in this State, should follow that course.

Mr. Jennings: They got rid of the gerrymander over there.

Mr. HALL: Nothing is perfect. I do not have Standing Orders on my side to enable me to examine the defects of the honourable member's own Party, but I trust the Government will proceed with all haste with the ramifications of this Bill. It is clear that there will be no double dissolution because of it. The blusterings of the Leader of the Opposition in another place have indeed been blusterings, as I think is recognized by all of us who have been involved in this issue. They describe more fully than I think anything else can the politics of the Leader of the Opposition in another place, and they describe more adequately than anything else the nature of his politics. It is easy to see why members on this side of the House will not try to justify their change of heart.

Mr. MILLHOUSE (Mitcham): I support the Bill. I must confess that I was surprised, although perhaps I should not have been, at the tactics of the Liberal and Country League in allowing the Leader of the Opposition to make a very short speech and then shutting him up. I suppose when anyone is embarrassed—

Dr. Eastick: Or responsible.

Mr. MILLHOUSE: —the best thing is to get it over with as quickly as possible in order to avoid such embarrassment. I have no doubt it was hoped that, by the Leader of the Opposition speaking for only a minute or so, everyone else in the House would be caught napping and there would be no debate on the Bill; but that little ploy did not come off. There is no reason why we should have a long debate on this Bill, because the principles which it will put into law, I hope, in South Australia are so clear as to be, to me, indisputable. It is, however, ironical that the L.C.L. is to support this Bill without saying a word of any significance on it because this issue of the franchise for the Legislative Council has been the crux, the focus, of the division in the L.C.L. which has wrecked that Party over the last few years. It has, I believe, wrecked it beyond any chance of salvation because, as I say, it is ironical that members of this place, the majority of whom have opposed identical or similar measures stoutly for the last seven years, should now let

it go through without a word. The saving of face which the Leader of the Opposition attempted in his speech, and which I suppose will continue in Committee, is feeble indeed and will, I think, impress no-one. One wonders what will happen to the measure in the Legislative Council. I have little doubt it will pass, and without amendment, despite all the objections which have been raised on previous occasions and which could just as well be raised to this Bill.

Last year, out of loyalty to the compromise which was being made at the special L.C.L. meeting in February, I voted against a similar Bill and I felt bound by that compromise, stupid though it was, to wait until I was bound no longer to support a Bill such as this again. I was prepared to accept a compromise because at the least it accepted the principle of a universal franchise even though it was hedged around with absurd conditions which could never have been accepted by the other political Parties in this State or by the community as a whole. At least we accepted the principle and it was for that reason I was prepared to accept it to the point of opposing this Bill in the last session; but certainly I do not regard myself as being bound by that compromise after the last election.

I well remember the first time that this proposal was put before the House of Assembly. It was in January, I think, of 1966, when the Walsh Government introduced a Bill to provide for full franchise for the Legislative Council, together with a number of other alterations to the constitution of this House and to the constitution of the State generally. I spoke on that occasion, in all innocence, in favour of a full franchise for the Council because to me it was a matter beyond debate or dispute. I had always said, "Well, the issue has not been raised. We do not have a full franchise for the Council. If the issue is ever raised, I shall have to support a full franchise." When it was raised I supported it and I think that some other members on this side of the House at that time supported me. The member for Torrens was one; the then member for Gouger was another. The then member for Burnside also supported me, as did the member for Angas, now replaced by the member for Kavel. I recall, too, that the member for Burra (the late Mr. Quirke) supported me; I am not sure whether there were any others. We all said during that debate "We are in favour of a full franchise for the Council". What was the next development? The next thing I knew was that I had been reported by several of my own Party members who were members of the Upper House to the executive of the Liberal and Country League for such a disloyal thing as having gone against the principles of the Party. I was to be matted by the President and members of the executive of the league.

Mr. Hopgood: Put in the Star Chamber!

Mr. MILLHOUSE: Yes. It did not work very well, I assure the honourable member, but that was the object of my old friends in the Legislative Council, and that was the beginning of this divisive matter in the L.C.L. which, as I have said, has wrecked it. I have supported full franchise consistently in this place ever since, with the exception I mentioned of last session, and I have no regrets about it. I only wish that the majority of L.C.L. members of this Parliament had had enough common sense, even if their hearts were not in it, to accept full franchise many years ago instead of, to preserve their own positions in the public life of this State, opposing it bitterly, to the ruin of their Party.

I support this Bill for the reasons which have been given by the Premier and the member for Goyder. Perhaps I can sum it up in this way, and then I need say no more:

that there should be no question of the right of every citizen to take part in the election of those who make the laws under which every citizen must live.

Mr. BLACKER (Flinders): I, too, support the Bill. Its principle has been the policy of the Country Party for nine years, although we have never had the opportunity to voice our views. The policy of full franchise has been with us. I offer the support of my Party to this Bill. I do not intend to indulge in Party politics as has been the case with previous speakers. I am disappointed that the Liberal and Country League has been forced to go to such lengths in order that this measure should be passed. I support the Bill.

The SPEAKER: As this is a Bill to amend the Constitution Act and to provide for an alteration of the Constitution of the Parliament, its second reading requires to be carried by an absolute majority and, in accordance with Standing Order 298, I now count the House. There being an absolute majority of the whole number of members of the House, I put the question that this Bill be now read a second time.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Commencement."

Dr. EASTICK (Leader of the Opposition) moved:

To strike out "a day to be fixed by proclamation" and insert "the day on which the Constitution and Electoral Acts Amendment Act, 1973 (being the Act a Bill for which was laid on the table of the House of Assembly and read a first time on the 19th day of June, 1973) comes into operation".

The Hon. Hugh Hudson: That's a shabby trick.

Dr. EASTICK: The Minister of Education will have his chance to have a say in the correct and proper manner. This amendment is in accord with the statements made by the Premier and other persons: the two Bills are recognized as being parallel and of equal importance. I seek consideration of this matter to bring into perspective the statements attributed to the Premier, and to recognize the need for these matters to be considered in concert.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I cannot agree to the acceptance of this amendment. The Leader will know that this Bill is proposed to be presented to the Upper House in the same condition as that of the Bill persistently previously refused by the Upper House. There is good reason for that: the Bill having been persistently refused by the Upper House, despite the clear mandate of the Labor Government for adult franchise for the Upper House, an election for the Lower House has ensued, and this is the first time that those provisions of the Constitution relating to deadlocks between the two Houses on a persistent refusal of the Upper House of the mandate of the Lower House can be used. To use them the Bill must be presented in the same form to the Upper House as the Bill previously presented to it and refused.

Mr. Millhouse: They know that.

The Hon. D. A. DUNSTAN: Of course they do. So, the Bill could not leave this Chamber if those provisions of the Constitution which we have been fighting since 1910 to use on this very issue were refused. Obviously, we could not accept the amendment. What is more, we could not accept a condition that would delay adult franchise for the Upper House. There is no reason for it to be delayed. The question of adult franchise for the Upper House is paramount, and adult franchise should exist for the Upper House, whatever the electoral distribution of the Upper House. The Legislative Council cannot complain about the existing electoral distribution of the Upper House because that Council is responsible for it. It was not produced by this Government: it was produced by a Liberal

and Country League Government to support L.C.L. domination of the Legislative Council. Whatever the electoral distribution for the Upper House, adult suffrage should obtain, and we will not depart from that principle one jot. This Bill is paramount. If it is not passed we will go to the people. That is the position that is now faced. I therefore ask the Committee to reject the amendment.

Mr. HALL: The subject of adult franchise, as the Premier has clearly put, stands alone, and a Party cannot say, "We will give you, the public, the right to vote, on the condition that you put the life of this important Bill in the hands of another Bill, which is not subject to the same political disciplines." That is exactly what the Leader of the Opposition is saying. There is no telling what will happen to the proportional representation Bill; it may never pass. Of course, if this Bill is made contingent on the proportional representation Bill, it is easy to wreck them both. It is a very detestable way in which to approach the democratic rights of South Australians; what is really being said is this: "You give me the sort of basis of election that I want for the Council, and then I will give you the right to vote for it." There is nothing more unfair: it is despicable. Every member who votes for this amendment will devalue the people's rights. It will be an insult to have to say that someone on this side of the Committee has demanded a conditional type of representation before the people get their basic rights and before they can have a say in their representation. This amendment cannot be allowed to pass.

The Hon. HUGH HUDSON (Minister of Education): This is the first sign of an amendment that will be moved in another place. I wonder who thought it up. We can lay London to a brick that this is one of the amendments that will be made to this Bill by the Upper House as a ploy to try to water down the issue to some extent.

Clause passed.

Remaining clauses (3 and 4) and title passed.

Bill reported without amendment.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That this Bill be now read a third time.

I hope that this will be the first occasion that this House has unanimously passed a measure for adult suffrage for the Legislative Council.

The SPEAKER: As this is a Bill to amend the Constitution Act and provides for an alteration to the constitution of the Parliament, its third reading requires to be carried by an absolute majority, and in accordance with Standing Order 298, I now count the House. There being an absolute majority of the whole number of members of the House, I now put the question "That this Bill be now read a third time". There being no dissentient voice and there being present an absolute majority of the whole number of members of the House, the motion is agreed to.

Bill read a third time and passed.

CONSTITUTION AND ELECTORAL ACTS AMENDMENT BILL (COUNCIL ELECTIONS)

Adjourned debate on second reading.

(Continued from June 19. Page 21.)

Dr. EASTICK (Leader of the Opposition): The following were the first words that the Premier uttered after moving that this Bill be read a second time:

The Bill carries out the policy of the Government announced at the elections of providing one vote one value in elections in the Legislative Council.

Whilst this concept has been totally agreed to by my colleagues in public pronouncements over a long period and in debate with members of the Labor Party, this Bill does

not carry out that promise. The major issue we take with the Premier is that his announcement that this Bill will give electors of the Legislative Council one vote one value is clearly incorrect. One of the major issues in this Bill is that individual candidates or groups of candidates who fail to get 4 per cent of the total vote will not be elected, and thus the people who have voted for those candidates will have their votes cast aside and not considered. The final figure for determining a quota for a candidate to be elected will be the actual number of votes that have not been discarded, divided by the number of candidates, plus one. The figure that is reached will determine the actual quota for the purpose of election.

Dr. Tonkin: That could be as many as 30,000 people ignored.

Dr. EASTICK: Many people could be ignored. Under the terms of the Bill, many individuals who exercised their right to put their name before the electors of the State, who paid a deposit, and who undertook an election campaign would receive no benefit whatever from the votes they received; nor would the people who voted for them benefit from the votes they cast on behalf of those candidates. Such candidates could stand as individuals or in a group, and this could involve several individuals or groups.

Under the Bill, not only might there be many votes cast whose value would be lost altogether but also there would be two classes of candidate. This legislation clearly indicates that candidates who are grouped together will occupy the first positions on the ballot-paper. Where more than one person represents an organization or Party, the names of the candidates concerned will be put into the ballot, and then it will be determined which of the various groups of candidates will occupy position A, B, C, D, and so on, on the ballot-paper. After that, those who have exercised their right and taken the opportunity to enter the ballot individually will be considered for a position on the ballot-paper. They will follow whatever is the last position occupied by a group of candidates on the paper. Surely this is another area where the system of equal voting value will not operate, despite what the Premier would have us believe is the purpose of this Bill.

The Hon. D. A. Dunstan: All the votes are counted and are the same in value.

Dr. EASTICK: The votes are not really counted. They are counted in the sense that they are considered to determine whether the candidate concerned will remain in the vote for possible election to the Upper House, but such candidates do not get the benefit of what is commonly called the donkey vote, since they are denied the opportunity of drawing the top position on the ballot-paper. Therefore, individual candidates are denied the same opportunity that is afforded to a group of candidates.

The Premier will recognize the legal maxim that justice must not only be done but must be seen to be done. In this case, putting that maxim in a slightly different way, we can say that a vote must not only be subscribed but must be seen to have effect. Under the Bill, with regard to the two matters to which I have referred, a vote will not necessarily have the same effect. I highlight the fact that single candidates and groups of candidates who receive 4 per cent of the vote or less (I think that is the figure referred to by the Premier in his second reading explanation) will be denied any further consideration whatever; votes cast for those candidates will not be considered in the final distribution of votes to determine who will be members of the Upper House. In these areas, members of my Party find that they cannot accept that the Premier has effectively offered a means of putting into operation the

concept he has proposed over a long period. However, as we agree with the general concept put forward, in due course I will attempt to correct the situation in Committee.

In addition, an elector's preference of groups or candidates is completely lost because, under the Bill, it is possible that a ballot-paper marked with a figure 1 in one of the boxes will be regarded as valid. Therefore, the group nominated will receive that vote. Even if a person takes the opportunity, as the ballot-paper will provide, to fill out the additional squares on the paper, indicating clearly that after group A he prefers group C or, after group E, group A, no consideration whatever will be given to his indicated preferences. Therefore, I suggest that in Committee members consider an amendment to allow votes to be transferable, not between candidates who appear in one group, but from one individual or group to another individual or group, so that when the membership of the Upper House is finally determined those candidates who collectively or singularly have the quota will be elected.

The provisions of the Bill do not give an opportunity at all for minority groups to be truly represented. We believe that those who see fit to put up their names in minority groups should have the opportunity to gain the necessary quota to be elected or to transfer their votes to other groups. Whether those preferred groups are minor or major groups should depend entirely on the person who casts the vote. By this means, people voting for minority groups would have an opportunity of having their vote considered when the final count was made of those who would be elected. Many of the aspects of the Bill are based on measures that have been introduced in overseas countries. I have no doubt that, in the ensuing discussion on this measure, the origins of the various aspects of the Bill will be clearly identified and an opportunity will be given to the Premier and to Government members to indicate to us whether, in fact, a certain issue has been introduced because of some benefit which we do not currently appreciate or which has been clearly defined to the Government as a better method of approach than any other. Certainly, we can accept the basic issues, but we cannot accept the implementation of those measures that deny the true principle of an equal value to each vote.

It is not my intention to go through each of the clauses now. As was indicated by the Premier in his second reading explanation, there are several provisions consequential on either the Constitution Act or the Electoral Act, the two of them being combined in this one measure. Consequential alterations present no difficulty. An increase in the size of the Council is something which I believe any person who has studied proportional representation will accept as necessary. It does, however, destroy an argument that the Government has consistently put forward in this House and elsewhere, namely, that an increase in the size of the Council is unwarranted. I accept the challenge the Government has made and the fact that it recognizes the need to increase the size eventually to a 22-member House.

However, I point out that, whilst this increase in numbers was necessary and will be to the advantage of the people of this State in the long term, because it will give them two additional representatives, it is contrary to all of the attitudes the Government has previously expressed. I recognize that to go beyond this point and increase it so that it represents about half the size of the Lower House (a proposition that is current in many areas of the Commonwealth and overseas) would not be necessarily in the best interests of the State. I believe that we could see

in the future a need to increase the numbers so that there would be the type of representation that is understood and accepted overseas as being necessary for the House of Review in proportion to the Lower House.

One can then immediately foresee the situation that, if the increase in number becomes necessary at a later stage (subject, that is, to the Labor Party's not completely abolishing or attempting to abolish the Upper House, as it has often said it would do), some other configuration will be necessary, with the possible extension of the period of appointment or election, so that there will be no more than 11 at one election. To get beyond this point would create problems and split into minor groups the opportunity of representation. This is probably not against the general principles of total representation across the State, but it has practical difficulties that have not been accepted elsewhere, and I cannot see their being accepted here in the foreseeable future.

Whether an alteration affects the number of people who will stand each time alone or whether their length of service will be increased so that fewer will stand each time is not being considered now, but I believe that we should note the fact that it is recognized as a measure for later consideration. Much has been said about how many units or districts should be involved in this measure. I have had the opportunity of speaking to and promoting a measure to divide the electorate of South Australia, concerning the Upper House, into two districts. Although it was promoted on the basis of a division, which was well defined at that time, of country and city, the Government was invited to suggest ways and means of an alteration of this kind, or either allowing the two districts to be divided according to the total number of electors in the State or eliminating the idea of two districts and even considering the State as a whole.

These matters have been discussed in this House previously. As they are now accepted by the Government in this Bill, they are acceptable to the Opposition. It truly gives the opportunity, as in the case of the Senate, for people right throughout the State to have their views considered in electing members of the House of Review. There is no argument from me nor, I believe, from any member of my Party, on this issue. It is a position we could have advanced to (similar to the position we reached only a matter of minutes ago regarding another measure), had there been a determination, will or acceptance by the Government to give adult consideration to all of these matters. As I have indicated, there are several areas where questions will arise.

I shall advance in due course some measures that will alter the measure now before us to allow not only for proportional representation but for the preferential voting system within a group basis. I also indicate that there are, I believe, other measures we will need to discuss before determining an attitude that will lead to further amendments. So as to enable further debate to take place, I support the Bill.

Mr. CUMBE (Torrens): Now that we have got out of our hair the adult franchise Bill, which has just passed the House and to which I must not refer, this accompanying Bill is extremely vital. We must consider the Bill before us now as being complementary to the other Bill, and I do not think that any member would argue with that. The basis of the measure we are now considering gives full effect to principles and suggestions made by the Liberal and Country League Party for some time now and on several occasions; this matter was referred to only a few minutes ago in the debate on another measure. Let us

make quite clear, so that there can be no disputation on the point (and a reference to *Hansard* will make this perfectly clear), that the Liberal and Country League has supported adult franchise for some time, and I have made several speeches in support of this principle from both sides of this House. However, our Party has requested merely that the methods of election of the two Houses be different so that one House will not be a mirror image of the other, just as the method of electing the Commonwealth House of Representatives is different from that of electing the Australian Senate.

Therefore, we have said that we support adult franchise but that we consider that the methods of electing the two Houses should be different. I remember that, when this matter was debated in the last session of the Fortieth Parliament, this idea was put forward and the opportunity was given to the Government at that time to separate the measures so that these matters could be argued on that basis. At present we are arguing this measure, quite rightly, as a measure separated from an adult franchise Bill, so our remarks on this measure should be confined to how members of the other place are to be elected. That is the nub of the whole question.

This Bill provides for voluntary enrolment: that is quite clear. It also provides for a system of proportional representation, which has been promoted by my Party in this and the other House for some time. I repeat that reference to *Hansard* will show this. I welcome the Government's acceptance and acknowledgment of the responsible suggestions that we made last year. In effect, we are getting close to the system adopted for representation in the Australian Senate, but there are some major differences between this Bill and, on the one hand, the Australian Senate system and, on the other, the method suggested by my Party in the past.

Several matters in this measure raise little disputation but there are also several extremely important and vital matters. I would refer to them as major clauses that require improvement, in our opinion, by amendment, and these amendments will be introduced in due course. Although there is no cavil about several matters, we consider that several fundamental features and clauses could be improved, in the interests not of any Party but in the interests of and for the benefit of the people of South Australia who will be the electors for the Legislative Council.

It is quite apparent from reading this Bill and, particularly, from the Premier's second reading explanation that there is one thing that the Bill does not do. Above all other things, it fails particularly in that it does not fulfil the promise that we have heard the Premier make so many times about one vote one value. I invite members opposite to scrutinize the Bill and to read the Premier's explanation. We have heard the Premier make that promise on every possible occasion on every platform throughout the State, in this House and in the media.

The clause regarding the disqualification or removal of some of the votes illustrates this point. That clause provides that the votes for any group that does not receive the prescribed number of votes as defined are totally excluded from further scrutiny. That means immediately that the votes of about 4 per cent of the people at an election for the Legislative Council are entirely and automatically excluded from further scrutiny. The votes of those people are discarded and are not considered further. In other words, those people are disfranchised.

Although 4 per cent is a small percentage, the votes cast by 30,000 Legislative Council electors could be discarded. In terms of the Bill, if they vote for a certain

group their votes will be totally discarded. I suggest seriously that this is an immediate negation of the Australian Labor Party catch-cry of one vote one value. In view of that provision, how can any member opposite justify his action and say that he stands for that principle? I remind the House that not only the Premier but also other members opposite have advocated that principle. I suggest that the clause to which I have referred deprives electors of their fundamental rights, because a Bill that we have just passed confers on the electors of South Australia the right to vote for the Legislative Council in terms of adult franchise, whilst the Bill we are now considering takes away part of that right. We are getting to the very thing that the Australian Labor Party has been hammering for many years and using as a whipping horse, namely, a restricted franchise for the Legislative Council.

Mr. McAnaney: They're going backwards, aren't they?

Mr. COUMBE: They are taking one step forward and then three backwards. This measure introduces a type of restricted franchise whereby some people in this State who want to exercise their votes democratically will have their votes discarded. The votes will not count for anything. The position of the people offering for election to the Legislative Council is dealt with in the body of the Bill, in the schedule, and in the Premier's explanation. What is the position of people who want to offer as individual candidates, as against those who offer as members of groups? Surely it is the democratic right of anyone who is entitled to vote in South Australia to have the right to stand for Parliament, just as, when the vote was given to women back in the time of Kingston, they were also automatically given the right to stand for Parliament. When anyone gets the right to vote he automatically has the right to stand for Parliament. However, this Bill spells out specifically that those who are to stand as individuals (and everyone should have that democratic right) are to be put on the right-hand side of the ballot-paper. Those in groups are to go on the left. The position, of course, is to be determined by lot. Members in this House and many members of the public know that a certain amount of donkey voting goes on in any election and that a person whose name starts with "C", as mine does, usually has an advantage over a person whose name starts with "W".

Mr. Hopgood: Now we know!

Mr. COUMBE: In the elections I have contested only once did the Democratic Labor Party not get ahead of me alphabetically. Once that Party had a gentleman named Corcoran, and it was necessary to go to the third letter of the name before he got ahead of me alphabetically. Is this system of putting an individual at a disadvantage compared to a group a democratic system? I heard the Minister very quietly, almost mutely, say "Yes". I suggest it is not democratic; it means that the right of the individual is immediately submerged to the interests of the larger groups. That is the effect of the Bill. Is this one vote one value? I came back again to the catch-cry we hear so much about. I suggest it is not one vote one value, and that it puts at a great disadvantage the individual who wishes to stand for Parliament. I submit most strongly that in the ultimate it is a form of restricted franchise, because, although the individual elector may vote without restriction, his vote can be discarded and ignored.

Mr. Hopgood: What about Mr. Corcoran who stood against you and the people who voted for him?

Mr. COUMBE: Over 90 per cent of his preferences came to me.

Mr. Hopgood: That is O.K., but were they distributed?

Mr. COUMBE: The second choice happened to be Coumbe—a very wise choice in the case of the D.L.P. This Bill gives no opportunity for preferences to be counted. The very point raised by the learned member for Mawson is dashed to the ground, because preferences are not counted under this Bill. This is a complete restriction.

After the exclusion of the votes to which I have just referred, only the remaining votes are counted. When the scrutiny and the counting takes place, the votes of those who do not get the prescribed quota are tossed away in the waste paper basket, and only the rest count. We will take not all the votes cast in this State but only some of them, and therefore people will be elected to the Legislative Council on only some of the votes cast. Apparently some of those votes are to be worth more than others, so we have the absurd position that the Government has put up a plan that is a complete negation of its statement, heard so often, of one vote one value. That is sometimes hard to deline. The Government has found a brand new way of presenting a restricted franchise for election of members to the Legislative Council.

The preferences are completely lost under this Bill. In the system of election for the Australian Senate, the votes spill over when we have a quota system, but there is nothing of this in the Bill. I am not sure what happens to the surplus votes. We have a quota system without preferences and with no spilling over of surplus votes. I believe that what the Government proposes to do here is to ignore completely the rights of minorities—and this from a Party supposedly espousing the rights of the common man.

Dr. Tonkin: We have had inconsistencies before.

The Hon. L. I. King: The member for Goyder made that point very well.

Mr. COUMBE: If a person stands for Parliament and does not get the quota the votes of everyone supporting him are thrown out. Any system of voting for the election of members of Parliament should be completely fair, and any electoral system should provide an opportunity for minorities to be represented; minority groups should have the same rights as others, and individuals should have the same rights as groups in order to gain representation in this Parliament. I was most interested in the various comments of the Attorney-General and his friends behind him.

Mr. Payne: He can have friends behind him and not worry.

Mr. COUMBE: What the honourable member is forgetting is that, by trying to be a bit too clever, his Government has put itself in rather a queer position because this measure ignores the rights of minorities. These are my main points. Some features of this measure are acceptable, but many will have to be heavily amended. This Bill is based on adult franchise and on a system of proportional representation, a list system which has been borrowed from systems used in parts of Europe. For the sake of this Parliament and of the State I hope that we never reach the stage of some European countries that have innumerable Parties, as this inevitably leads to unstable Government.

Mr. Hopgood: You were supporting the rights of minorities!

Mr. COUMBE: My statement is not inconsistent. The rights of minorities must always be protected and opportunities given, but I said I hoped that we would never reach the position where we would have a plethora of groups as they have in some European countries, such as France. In any electoral system minorities should have the right of representation, but I doubt very much in the

circumstances of this Bill that those minorities will have the right to get into Parliament. That is an important point to remember.

The other matter is that those members who are to be elected to Parliament (I will not say whether they are fortunate or unfortunate to be elected) will be elected only on part of the votes cast by the people. Can anyone sustain that that is a fair system? I submit it is not fair, and that only some of those entitled to vote will be electing 11 members at a time. In other words, the A.L.P. is introducing a new system of restricted franchise and a new method of election to the Legislative Council. The Leader of the Opposition has foreshadowed several amendments to be introduced later to improve some of the sections of the Bill to which I have referred. I have selected only a few items in this measure, because other speakers will refer to specific matters. I indicate my support for the measure but, in the Committee stage, I will support a certain number of amendments.

The Hon. L. J. KING (Attorney-General): It has been gratifying to hear the support that the Bill has received from the Leader of the Opposition and his Deputy Leader. The Bill embodies the principle of proportional representation, and I acknowledge that that system has its drawbacks. In some ways I approach it with misgivings but I recognize that, in theory, it represents the purest form of one vote one value, and the Opposition in this House and in another place has claimed that proportional representation is the desirable system for electing members of the Upper House. We have tried to go as far as is consistent with the principle of one vote one value in order to meet the views of the Opposition, because we wish to make it crystal clear that the issue before this Parliament is one vote one value, namely, that not only should everyone have a vote for the Legislative Council but also each vote should count equally.

By conceding the principle that the Opposition claims to be devoted to, that is, the principle of proportional representation for the Upper House, we need only provide a different means of electing members to the Upper House from that which is used in the House of Assembly, but we make clear to the Opposition, to Parliament, and to the people that there is only one issue, the issue of one vote one value. I confess that whilst experiencing pleasure at the support given to the Bill by the Opposition, I am more than a little surprised to learn that it accords with the views the Opposition has held, according to the Deputy Leader, for a considerable time. Both he and his Leader claimed that in the last Parliament they introduced a Bill based on proportional representation.

Mr. Coumbe: It came from another place.

The Hon. L. J. KING: Well, the proposal emanated from another place but was supported here and was based on proportional representation, and, in the words of the Deputy Leader, it afforded the chance for the Government to come to the point that he says has now been reached. I remind the House of the true position: the measure which came here and which was supported by the Opposition was a measure that permitted adult franchise for the Legislative Council on certain conditions. One of the conditions (and the member for Mitcham has rightly described it as a ridiculous condition: I have no doubt he was referring to this) was that the election for the Legislative Council should be held on a day different from the day of the House of Assembly election, although no-one explained why that situation should be desirable.

The member for Mitcham has characterized correctly the conditions that were attached to the proposal as being

ridiculous. What was put forward as a system of proportional representation simply defied description, and it defied any attempt to reconcile it with the system of proportional representation as it has always been understood. What was put forward was that this State should be divided into two divisions, one consisting of a country area comprising about 30 per cent of the electorate and the other, the metropolitan area, comprising about 70 per cent of the electorate. How was the proportional representation to be applied? Each division was to have equal numbers: the 30 per cent were to elect half the members, and the other 70 per cent were to elect the other half, and hey presto, we would have proportional representation!

We are told that the Government then had the chance of accepting that situation and of being at the stage at which we are now! I believe that the Deputy Leader of the Opposition has a far more logical mind than to believe that, but he is suffering (as the members for Goyder and Mitcham have pointed out) from acute embarrassment, and he has my sympathy. I would not care to be in his position this afternoon, and I realize he has to say something to try somehow to disguise the record of the L.C.L. on this matter. As the member for Goyder has correctly said, the record of the L.C.L. on this matter has been a consistent process of trying to side-track, by one means or another, all efforts to secure adult franchise and one vote one value for the people of this State.

The effort in the last Parliament was the last desperate throw, and an attempt to say that they would accept proportional representation, provided we were willing to accept a system that was weighted two to one against the metropolitan voter. It is not too strong to say that it was a hypocritical attempt to represent to the people of South Australia that the L.C.L. had undergone a conversion and believed that everyone in the State should have an equal say. The truth of the matter is that the L.C.L. fought as hard and as long as it could, not only in another place but in this place, right up to the present moment, to preserve the privileges of those members of the Upper House who depended for their places on a distorted electoral system, and they would continue to this very moment to support that system if they did not realize at long last that the writing was on the wall and they had painted themselves into a corner and, as the member for Goyder said, there was just nowhere to go. Now, they come around saying, "This is great, this is fine. We accept this system of proportional representation on a State-wide basis." Goodness me—that is what we have been trying to achieve for years!

The Hon. J. D. Corcoran: They have suddenly become democratic.

The Hon. L. J. KING: Several points have been made by the Deputy Leader, and I do not intend to go into them in detail because there will be an opportunity during the Committee stage when the foreshadowed amendments come to be moved; but I point out that one matter which he criticized, namely, the proposal in the Bill that those candidates or groups which do not obtain more than half of the quota will have their votes disregarded as far as the further scrutiny is concerned, does not deserve the criticism that the Deputy Leader attaches to it. He says this means disfranchising a section of the electorate. Why does it have that consequence? It simply means that those people have voted for a candidate or group which has failed to succeed because it has not got a sufficient number of votes to have any prospect of obtaining a quota for the election of a member; it has no prospect of ever having a fraction of sufficient size to enable it to elect a member, so those voters disfranchise themselves by voting for a group that

has failed to succeed, in the same way as the opponents of the Deputy Leader of the Opposition disfranchised themselves by voting for a loser. It is the inevitable consequence.

Mr. Coumbe: But they had a second chance.

The Hon. L. J. KING: Where did they get a second chance?

Mr. Coumbe: By the distribution of preferences.

The Hon. L. J. KING: The Deputy Leader knows more about the electoral system than that; he knows perfectly well that, if he polls more votes than his opponent in a two-man contest, the voter for his opponent disfranchises himself by voting for a loser, even though the opponent's vote could be 49.9 per cent of the total vote.

Mr. Coumbe: Actually, they voted for a winner.

The Hon. L. J. KING: The position under proportional representation is simply that a person votes for a candidate or a group and that person, if he votes for a group, gets the number of members in proportion to the number of votes cast for that group. Of course, if that person voted for a loser, his vote would have no value. That applies everywhere if one votes for a loser. If a person obtains a sufficient number of votes, those votes are of value. The electors vote for a group. If the group secures either the quota or more than half the quota, it remains in because it has either a member or some prospect of electing a member as a fraction at the end of the process when all the full quotas have elected their members: but, if a group obtains less than half of the quota, it does not have any such prospect: those votes are disregarded for the purposes of the further scrutiny, as they cannot succeed. It is the necessary consequence of a proportional representation system. If we have a proportional representation system, the voters elect the number of members proportional to the number of votes cast for them.

There is no reason for preferential voting or leaving in the ballot groups that have not secured enough votes to have any chance of electing a member. Indeed, to leave them in would simply tend to distort the calculation of the final quota that determines the election of candidates, because a quantity of votes is left in for the purpose of determining the voting, although those votes cannot possibly elect a member. It is a rational approach to begin by saying, "Are there, in these votes, votes for less than half the quota which cannot succeed in electing a member?" If we decide that and if a person does not get half the quota and those votes cannot elect him as a member, we simply disregard those votes. That is the system.

Mr. Mathwin: Put out the minority!

The Hon. L. J. KING: The minority puts itself out because it does not have enough votes to elect a member; it has not polled enough votes. No-one puts it out. This system has been recognized in most parts of Europe, where the list system is used. The percentage in most parts of Europe is 5 per cent. For instance, in the Federal Republic of Germany it is 5 per cent. Although I have not checked the actual percentages in every country, I think this is the pattern in the countries that use the list system. The Federal Republic of Germany recognizes that, if a Party or a group does not secure 5 per cent of the votes, it cannot have an effect on the ultimate composition of the Parliament; that it is wrong that those votes should be included in a scrutiny; and that it is wrong that they should remain in at the time of the calculation of the ultimate quota on which candidates are elected.

Mr. Coumbe: Well, all the votes are counted.

The Hon. L. J. KING: All the votes are counted. The only purpose for which, in practical terms, those who get

less than half the total votes, which are then disregarded, have their votes kept in is to determine the final quota. That is the rational approach to the situation.

Mr. Coumbe: But someone with half the quota could get in.

The Hon. L. J. KING: Nobody can deny that it is theoretically possible for someone with half the quota to get in, but it is very unlikely. It is a possibility that can reasonably be disregarded for the purpose of obtaining a realistic quota in order to determine the election of candidates. Something has been said about preferential voting. I make the point that preferential voting is really irrelevant to this type of system, because in this system we have true proportional representation as between groups in which every group if it obtains the quota gets its member elected, and for the final quota for the election of the member it is the group which has the highest fraction that counts. Preferential voting would therefore be unreal and, I think, undesirable. I am not at all sure that preferential voting is not undesirable in any circumstances, but in these circumstances the undesirability is greatly intensified.

Mr. Mathwin: You need a rule book.

The Hon. L. J. KING: Does the honourable member look at his rule book?

Mr. Mathwin: Quite often.

The Hon. L. J. KING: What about the pledge? Have you had a look at that?

Mr. Mathwin: Yes.

The Hon. L. J. KING: I have never opposed the pledge. I have been the strongest advocate of the pledge. I made a speech in this House during the life of the previous Parliament and I gave my reasons, but I was heckled horribly by the member for Glenelg. However, members have now lined up and signed a pledge. The members for Goyder and Mitcham must be laughing so loudly that I am surprised they can contain themselves. The only consolation I have is that my eloquence was such that I managed to convert every member except the members for Goyder and Mitcham.

We see strange developments in political life. It gives me enormous pleasure today to welcome into the camp of democracy all my friends, full of faith in democracy, full of faith in adult franchise, full of faith in one vote one value! Actually, the legislation was described by the Deputy Leader as one man one vote, but that went out in about 1918, when women got the vote. We have converted all our friends into the camp of democracy, and lo, by next week, we may be able to welcome into our camp our good friends in another place who have also been striving for many years to attain adult franchise! Now, their efforts over a lifetime of endeavour are likely to be rewarded and we can all join together in rejoicing that the Hon. Mr. DeGaris and our many friends in another place are, with many friends here, at last attaining the objects that the Deputy Leader has said they have been striving for all their political life!

Mr. GOLDSWORTHY (Kavel): It is easy to rise and speak after such a welcome. At one stage it was said that we were embarrassed by various speakers, and the Attorney-General has said that we should be overjoyed. I do not know whether I have experienced either of those emotions during this afternoon's debates, but I am pleased to support this Bill. Perhaps there would have been reservations about other matters if this Bill had not been introduced.

Much has been said today about principles. The Premier has waxed eloquent in saying, "The fundamental principle stands alone." It has recently been stated that the principle

of one vote one value must stand alone, and then the Attorney-General began to dilute the principle, because it does not work in practice. I see a principle in the existence of the Upper House, but the Labor Party believes in the principle of abolishing that House and Upper Houses in general. Principles rarely stand alone: they have to be seen in the light of other principles. I say this for the benefit not only of the Attorney-General and his Leader but also for others who thump the tub about their principles and what they stand for. It must be remembered that other people hold to principles strongly; a principle that I hold to is that the Upper House has served this State well. Also, we believe there is merit in the bicameral system of Parliament. We have approached the question of the franchise for the Upper House in the light of Labor Party policy; it has been clear over the years what that policy has been in connection with the bicameral system and State Governments. It is all very well to say that the principle stands alone, but it would not have stood alone this afternoon if this Bill had not been introduced. The Attorney-General says that he believes in one vote one value; someone has referred to one man one vote.

The Hon. L. J. King: It was your Deputy Leader.

Mr. GOLDSWORTHY: I thought that in the policy speech it was one man one vote one value. Then, the Attorney-General immediately proceeds to demolish his own point; it does not work in practice. Minorities are represented overseas; in proportional representation, if there is a House of 100 members and a candidate gets 1 per cent of the vote, he has a right to be elected. That principle is certainly denied under the terms of this Bill. The Attorney-General also said that what was proposed during the last session was a travesty. He said that we were proposing two electoral districts; this is not a new idea.

In the Senate the States are electoral districts and they enjoy equal representation, but the Labor Party is willing to sell it out. The Labor Party does not believe in the Senate; it does not believe that South Australia should have 10 senators. It believes that this State has too many senators, because it has only one-fifth of the population of New South Wales. So, according to the Labor Party, we should reduce our Senate representation to two members. West Germany has now become the Labor Party's model. Members should look at the Labor Party proposal for regional councils and its belief in the artificiality of State borders. West Germany does not resemble this State in geography or population density, but it has become the Labor Party's model. There are some weaknesses in this Bill. If the Labor Party had not introduced this Bill, I have no doubt that it could have pulled the trigger and taken the matter to the people. The Attorney-General then dealt with the question of how far we should take proportional representation. Under that system, if there is a House of 100 members and a candidate gets 1 per cent of the votes, he has a right to be elected.

The Hon. Hugh Hudson: That does not happen in Europe.

Mr. GOLDSWORTHY: I shall not repeat what I have already said. We do not believe that what happens in Europe is necessarily advantageous for this State. How many members have had a first-hand look at what happens there? Some Labor Party members have read some academic theories about democracy, but do they work? Should we take the Attorney-General's word for it? I certainly do not take his word for it. In the Australian Senate, a House constituted to protect the rights of the smaller States, South Australia has equal representation to that of New South Wales, and I am jolly glad it has.

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

Mr. GOLDSWORTHY: The Deputy Leader referred to the principle espoused by the Labor Party of one man one vote one value. The Attorney-General said that he did not know about this. It appears that the Deputy Leader and I know more about the Labor Party's policy speech than the Attorney knows about it, because at the start of that speech the following appears:

Our firm policy for all elections is that there must be one man one vote, and one vote one value.

The Hon. L. J. King: The Deputy Leader omitted the part about one vote one value.

Mr. GOLDSWORTHY: I thought it was clearly understood that he was referring to that principle. I thought the Attorney was saying that the reference to one man had not been made in the policy speech, meaning that women had been included in the franchise. It is all very well for the Premier and the Attorney-General to wax eloquent about how sacred they hold this principle of one man one vote one value. As I have pointed out, principles rarely stand alone. Another principle that members on this side support in this case is the survival of the second Chamber. We approach all these matters in the light of that principle.

The Attorney said that the reason why the Government had not seen fit even to consider a Bill on this subject that came to this House from the Legislative Council last session was that that Bill provided that elections for the two Houses be held on separate days. It so happens that my Party sees a principle in this: we believe in voluntary voting. However, the Labor Party does not recognize this principle. It is all a question of what one calls a principle and whether one principle can stand alone, having some sanctity that other principles do not have. I think the Attorney has a valid point when he says that some things do not work in practice. He raised this democratic principle of one vote one value and immediately started to detract from that principle by saying that those who received 4 per cent or less of the vote would be excluded. What a thoroughly democratic system that is! No-one knows what electoral support a group or Party has before one votes for it and, if one is unlucky enough to support a group that receives less support than this magic figure of 4 per cent, one's vote is wiped off. It needs 4 per cent of the vote before there is the one value. In the past, we have heard much about the restricted franchise of the Legislative Council with only 85 per cent eligible to vote, 15 per cent of South Australian adults being disfranchised. It is conceivable that under this proposal of the Labor Party, with one group being put on the ballot-paper alongside another and with perhaps many groups standing, that 20 per cent of the population could have a worthless vote.

The Hon. L. J. King: What happened to Liberal and Country League members in Davenport who didn't vote for Dean Brown? What were their votes worth?

Mr. GOLDSWORTHY: I do not take the point.

The Hon. L. J. King: You'd better think about it.

Mr. GOLDSWORTHY: I think I follow the drift of the Attorney's mind. The third major point he made was in connection with what we call first past the post voting. He did not call it that, but that was the principle to which he was subscribing, saying there was little value in preferential voting. I will come to that in a moment. However, returning to our principle of voluntary voting, the fact that the Bill last session provided that elections for the two Houses be held on separate days was designed to put into effect this Party's belief in the principle of voluntary voting. If one believes in that principle, it is worth having the elections on a separate day. Obviously the Labor Party does not espouse that principle, as it laughed our Bill out of court, but I do not think such a democratic principle as voluntary voting should be laughed out of court.

We have seen in the past week the Premier's gyrations when an article on the front page of the *Advertiser* suggested that it was intended to tie the vote of the Upper House to the vote obtained in House of Assembly elections. Apparently that proposal did not gain the necessary acclaim that was hoped for, so the Government has now come up with another proposition. That indicates that the Labor Party will mess around a little on this matter. The fact is that if it had not messed around with it, I do not doubt that we would have faced an election on the matter, and we would not have been frightened to go to the people on it.

The Hon. G. T. Virgo: You might still have to, if you can't get the characters up there to change their minds.

Mr. GOLDSWORTHY: We do not resile from that situation.

The Hon. G. T. Virgo: You could be tested out.

Mr. GOLDSWORTHY: We will test the Government; we have called its bluff. We are talking about one vote one value, and this can be referred to in a hundred ways. Let us consider it in relation to the redistribution of boundaries for this House. The Attorney admits that proportional representation is indeed the only way that one vote one value can be approximated.

Mr. Rodda: But not all the way.

Mr. GOLDSWORTHY: No, because it is not practicable. Referring to this House, over the years the Premier made much play of the fact that the Labor Party received more than 50 per cent of the vote but was not in Government. However, even if the State were divided into seats with equal numbers of electors a perfect mathematical result would not follow. At the Commonwealth House of Representatives elections, with only 50 per cent of the vote the Commonwealth Labor Party received 67 per cent of the seats. How is that one man one value?

Mr. Langley: What about the State sphere, where you didn't get the votes?

Mr. GOLDSWORTHY: In the State sphere the Labor Party won 57 per cent of the seats with only 50 per cent of the vote.

Mr. Langley: What about when we had 57 per cent of the vote and only 19 seats?

Mr. GOLDSWORTHY: I am pointing out the absurdity of using this argument in all situations. If one vote one value is desired, the only system that will achieve it is proportional representation, as the Attorney agrees, except that he says that it does not work in practice, so that some changes have to be made.

The Hon. G. T. Virgo: That is what you've got in front of you.

Mr. GOLDSWORTHY: We see the principle as one of equality of representation. What the Government proposes in its electoral Bill, we are told by the Attorney, approximates what has happened in West Germany and Europe. He is very vague about the rest of Europe. As I pointed out before, this country bears little resemblance in size, population distribution and other factors to those small compact European countries to which the Attorney referred.

Mr. Payne: They've both got people.

Mr. GOLDSWORTHY: We have people in Australia scattered more sparsely over this continent than anywhere else in the world except, perhaps, Siberia.

Mr. Payne: What about—

Mr. GOLDSWORTHY: I am talking about a major principle—equality of representation. What principle would the member for Mitchell have if he lived near the Western Australian border and his district extended to the Victorian border?

The Hon. G. T. Virgo: It would be no different from that of members opposite now.

Members interjecting:

Mr. GOLDSWORTHY: There is no doubt—

The Hon. L. J. King: I know the principle to which you refer.

Mr. GOLDSWORTHY: The question of equality concerns equality of representation. True, it is difficult to get equality of representation if the member of Parliament is not good, but that is the fault of the party which selected him. Of course population density and population sparsity must be considered, because in Australia and South Australia, in the sea board towns, we have the majority of the population. What type of equality of representation will be obtained by chopping the State up according to the new concept of one vote one value? The other point raised by the Attorney was the matter of first past the post representation.

Mr. Payne: When are you going to talk about the Bill?

Mr. GOLDSWORTHY: The Attorney spoke about the Bill and I am referring to one of the points he raised. If the honourable member had listened to what he said and to what I am saying about it, he might be able to appreciate this fact.

Mr. Payne: All that you can raise in the world has nothing to do with what your mob has to do with this Bill, and that is to swallow it.

Mr. GOLDSWORTHY: The member for Mitchell seems to be in the mood for gloating over the fact—

Mr. Payne: That is a statement, a fact.

Mr. GOLDSWORTHY: I do not see it that way. If the honourable member is happy with his situation I am happy with mine. The third matter raised by the Attorney was that of first past the post voting. He referred to the district of Torrens in his example and asked what value is the vote to those people whose candidate loses. The reply is that at least under the preferential system of voting the candidate whoever eventually wins the election knows that he has the support of the majority of voters in the district.

Members interjecting:

Mr. GOLDSWORTHY: That the Australian Labor Party will accept proportional representation—

The Hon. G. T. Virgo: Which Party introduced that system for the Senate? Be honest for a change.

Mr. GOLDSWORTHY: From the interjection, I should think the Labor Party introduced it.

The Hon. G. T. Virgo: You haven't done enough homework to know.

Mr. GOLDSWORTHY: The Minister may know something I do not know and I may know one or two things he does not know. The fact is that the Labor Party has done several acrobatic exercises and proportional representation is one of them. True, the preferential system does give new groups and others who have something to offer a chance to nominate but, if they are not successful, at least under the preferential system when a candidate is finally elected he enjoys the support of the majority of the voters in the electorate.

The Hon. G. T. Virgo: That's rubbish and you know it.

Mr. GOLDSWORTHY: If the Minister believes that, let him say it at the appropriate time. With first past the post voting 10 candidates can nominate and one can win with as little as 20 per cent of the vote or even less, and I fail to see how that person can be said to enjoy the support of the majority of voters. We do not oppose the Bill. This Bill has been introduced after some other proposals which the Premier was reported to have advocated. We now have the Bill in its present form and the Labor

Party cannot possibly say that this Bill is the last word, for it is something it has come up with in the last three or four days. This is different from what was proposed last week. Surely the Labor Party will be receptive in these circumstances to some sensible amendments—

The Hon. G. T. Virgo: When we get them.

Mr. GOLDSWORTHY: —which the Opposition will move. We do not quarrel with most of the clauses in this Bill. I find strange the idea of enlarging the Upper House to 22 members, coming as it does from the Labor Party which has frequently in this place expressed its sentiments about the Upper House. Nevertheless, I support this. It is generally accepted that the Upper House, the House of Review, should be about half the size of the lower House. As has been pointed out, it is difficult to elect members effectively to the Upper House with proportional representation when the number of candidates up for election is even and when two major parties attracting major support are involved. In these circumstances it is difficult to avoid a complete deadlock. If the House remains composed of only 20 members, the chances are that the A.L.P. and the L.C.L. would each have 10 members and that is a valid point.

Mr. Simmons: What about the Liberal Movement?

Mr. GOLDSWORTHY: That is not pertinent at this time. There is no argument on the size of the House. Criticism has been levelled at the Legislative Council by Government members from time to time when they have talked about abolishing the other Chamber; this has been largely ill-founded, but it is pleasing to see that, notwithstanding their criticisms, Government members are now willing to enlarge the size of the House. I have referred to the Attorney-General's remarks on one vote one value, but this principle can be bent by the Labor Party to suit any situation or electoral system, whether it be the multiple system or the single-member system. However, I shall not pursue that point any further.

One other area I must canvass is the status of the Speaker of this House and of the President of the Legislative Council. Clauses 11 and 12 of the Bill seek to change the concept that has been held, I believe, universally and widely of the office of Speaker and the office of President. There are, for the benefit of the member for Mitchell and the member for Stuart, one or two exceptions to which I shall refer, but the office of Speaker and the office of President are positions where impartiality is the very keynote of the office. This Bill seeks to have two bob each way, because the Speaker and President could behave as a Party man in some circumstances. They could, if they chose, have a deliberative vote at their discretion. Clause 11 states:

Section 26 of the principal Act is amended by inserting after subsection (2) the following subsection:

(3) Where a question arises with respect to the passing of the second or third reading of any Bill, and in relation to that question the President, or person chosen as aforesaid, has not exercised his casting vote, the President, or person chosen as aforesaid, may indicate his concurrence or non-concurrence in the passing of the second or third reading of that Bill.

That is giving him a deliberative vote. The only time in which the Speaker of the House (from a perusal of the Standing Orders of every other Parliament except the Senate) can cast a vote is in the case of an equality of votes. If there is an equality of votes in the House, the Speaker or President can exercise a casting vote. Although not required to do so, he may enter the reason for his vote and record it in the journals of his House. Standing Order No. 190 of the Tasmanian Legislative Council provides:

In the case of an equality of votes, the President shall give a casting vote, and may state the reasons for his vote, which shall be entered in the journals of the Council. The provision for recording his reasons has been made because it is essential that the impartiality of the office be maintained. Indeed, it is more than convention that the Speaker and President in these situations will vote for the *status quo*.

The Hon. G. T. Virgo: Didn't Tom Stott do that when he propped up your minority Government?

Mr. GOLDSWORTHY: This Bill seeks to give the Speaker and the President a deliberative vote in a case where there is no equality of votes, and that is a complete negation of the idea of the impartiality of the Chair. This is not supported by a perusal of the Standing Orders of the other States. No doubt, the Attorney-General will again refer to West Germany. The Labor Party is more familiar with what happens there than we are, but we are more familiar with what happens here and in the British system on which our Parliaments have been modelled. The following is a quote from *An Encyclopaedia of Parliament*, by N. Wilding:

In the House of Commons the Speaker has a casting vote when the voting in a division is equal, but the impartiality—that is the key-word—attached to his office obliges him when possible to vote in such a manner as not to make the decision of the House final.

There is no deliberative vote in the House of Commons. The Bill before us seeks to completely negate that principle. There must be more compelling reasons for destroying the impartiality of the Speaker of this Chamber and the President of another place than have been advanced by some fleeting reference to West Germany or some other unnamed European country.

The Bill contains other matters, one of which is of fundamental importance and which I believe would destroy the basic principle on which the idea of the impartial conduct of affairs in this Chamber and in another place is founded. As I have already pointed out, the Opposition has no grave objection to most of the contents of the Bill. The first past the post or variation of the first past the post system of voting included in the schedule is completely undesirable, as it is undemocratic to exclude 4 per cent of the population from having a say merely because they happen to back the wrong candidate initially. That is undemocratic. The Attorney-General said that we have this magnificent principle of one vote one value; we cannot carry it too far; it does not work in practice, as is amply demonstrated by the operation of preferential voting throughout Australia.

The Hon. G. T. Virgo: You aren't going as far as to say preferential voting is more democratic?

Mr. GOLDSWORTHY: The preferential system of voting is preferable to first past the post. I say exactly that.

The Hon. G. T. Virgo: You'd better go to a psychiatrist.

Mr. GOLDSWORTHY: Tell me who yours is? Even though he has not done much for you, I might consult him. If we want to elect someone who has majority support, use the preferential system of voting. With those remarks, I indicate that the Opposition and I are willing to support the Bill, but we have grave reservations on one or two of its facets.

Mr. McANANEY (Heysen): I rise with pleasure to speak, knowing that at last some members of our Party support the Government regarding adult franchise for the Legislative Council, but I am disappointed that Government members have got away from the principle of democracy by supporting the form of voting proposed in this Bill. I

do not know why I could not get my colleagues to follow me previously and whether it was because of fear of something, such as of losing votes instead of gaining them. However, I welcome the fact that they are getting back to this principle of democracy and we may be able to go ahead as a Party if we adopt it fully in this Bill.

I know that the Government believes in the first past the post system and does not believe that a voter should have a second choice. The Australian Labor Party has strong feelings about this matter and I think that in New South Wales the Party is having a fight about a change to the preferential system. The A.L.P. should modernize and adopt preferential voting. Surely a person elected should know that he has the support of most of the people in that district. We should not have the position where three candidates contest an election and one candidate can be elected with the support of about 33 per cent of the voters.

Australia, as a comparatively new country, has adopted many practices that are different from the practices overseas. I do not think we should be doing what is done in West Germany or Red China, but the tendency seems to be to consider that they are the countries to follow. I cannot understand that tendency. Although I have much respect for the Attorney-General's debating ability in the House, today he could not say one thing that was logical or reasonable.

The Hon. J. D. Corcoran: There's no question about your logic!

Mr. McANANEY: The general principle of the Labor Party is that we must do everything by compulsion. That Party does not accept a different approach to a subject or an expression of a different opinion by a person who is anti-Socialist or against the A.L.P. Members of the A.L.P. are moulded and told what to do. They must sign a pledge that they support every principle in the A.L.P. platform. On the other hand, I have not been asked to sign a pledge that I support everything in the Liberal and Country League platform or policy. All that I have stated is that I am not a member of the Liberal Movement Party. I used to have respect for members of that Party, but they did not know when they were on the winning end. The system of voting provided in this Bill will disfranchise a person who votes for a group that does not obtain about 4 per cent of the votes, because the vote cast by such a person will not be considered. We can get the situation in which, after 10 quotas have been allocated and when there are two quotas left —

The Hon. J. D. Corcoran: One quota.

Mr. McANANEY: There may be two quotas left and there may be four groups. If preferential voting did not apply in that case, a person could be elected with perhaps half a quota. The Attorney-General has said that this is unlikely to happen, but surely the law must deal justly with everyone in any circumstance. I do not understand why the one quota is added on.

If we have preferential voting for the House of Assembly, we should also have it for the Legislative Council. We must be consistent in our laws, and what is right for one House is right for the other. Honourable members on this side who have spoken in the debate have shown the weaknesses in the Bill and other speakers will do likewise. I am sure that the Government will not be able to show that we are not advocating a fairer method. I am having second thoughts about giving the President of the Legislative Council and the Speaker of the House of Assembly the right to vote. I think there is justice in providing that a Party that wins a majority in the Legislative Council at

two elections should be able to change the laws of the land. I know that some of my colleagues disagree with this and I am not bound to my opinion. If the majority of my Party wants it another way, I will go along with that, but I think that in this circumstance the Speaker and the President should have a vote. I do not know how it happened that the Speaker had a vote yesterday in the election to positions on the Standing Orders Committee. He registered a deliberate vote yesterday when we were electing the House committees.

The Hon. Hugh Hudson: What about Tommy Stott?

Mr. McANANEY: All I am saying is that we have created a precedent. I have always considered adult franchise to be democratic and I had sufficient faith in my own Party. If we did not have liabilities attached to us, we would have won an election before now.

Members interjecting:

Mr. McANANEY: When members are quiet, I will continue.

The Hon. Hugh Hudson: Have you or have you not, as a Party, blown out your brains?

Mr. McANANEY: fudging by what I have seen of the Minister in the House, he would not be a fit person to say whether we have blown out our brains, although I am pleased that he admits that we on this side have brains. We will compete more than favourably with Government members. We have lost a certain fragment that did not quite believe in democracy, so in a way we are pleased to be rid of them. They would not accept a majority vote, so they are not much good to anyone. One of those members claimed loyalty to his Party, and there are only one or two of them in the Party. I assume that he may be loyal to himself, although at times I doubt that.

I believe what I have said is correct, because if a Party could win two consecutive elections it would have a mandate to carry out its policy. This is the benefit of having such a House of Review; it gives a sense of stability to the Parliament. Where there is only one House and where the Government has a majority it can change every law in the land virtually overnight. With only one House a Government could scarcely claim a mandate when people have voted for a number of different matters of policy, and I do not think a Party should have the right to overturn everything simply by winning one election.

The A.L.P. fights an election on certain policy matters which are widely advertised and given a great deal of publicity, but it does not mention every plank in its platform. With a House of Review, and where two consecutive elections must be won, the Government has earned the right to alter the law and the people have accepted that it should be able to do so. A House of Review is tremendously valuable. Unfortunately, some members of the Legislative Council are always out in public announcing policy before decisions have been made in this House, and by this attitude they have weakened the value of the House of Review in the community. The Lower House should introduce policy and legislation; the Upper House should review it. Coming back again to my own Party, we have had problems here. Where there is more than one spokesman for a Party it leads to trouble and that has been one of our problems.

The Hon. Hugh Hudson: What does it feel like to take orders from the Legislative Council?

Mr. McANANEY: The day I take an order or any suggestion from a member in the other House I will resign from Parliament.

Members interjecting:

Mr. McANANEY: I believe in the bicameral system of government, which gives stability to politics and is of tremendous value in providing a period of time in which legislation can be reviewed and in which people concerned can raise any necessary objections. The Labor Government brought in a transport measure in the middle of the night, and if we had not had a House of Review it would have become law by the following Thursday. However, everyone in South Australia rose up in opposition to the Bill and it has never come into effect. It is good to have a House of Review.

The Hon. J. D. Corcoran: It was like an Electricity Trust Bill on one occasion, too.

Mr. McANANEY: And we have still got it after a period of review, with time to get around and ascertain the feelings of the people in South Australia.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr. McANANEY: This merely emphasizes what I have said. We must have of House of Review and, provided it carries out its legitimate duty, it is tremendously valuable. However, it has been so only while the House has a greater number of members from a Party that allows its members freedom to vote as they wish. It would not be a House of Review if this legislation could go through and if the A.L.P. had a majority, because there would be at least equal numbers, if not a majority, of people who must jump when the trade unions say that is what they must do. In that case it would not be a House of Review, but simply a Party House, and possibly then it would not be of much value.

The Hon. J. D. Corcoran: It is only when the Liberal Party has a majority up there that it is a House of Review—is that right?

Mr. McANANEY: That is the point I made. We do not have to sign any pledge.

Members interjecting:

The DEPUTY SPEAKER: The House should come back to discussing the subject matter of the Bill and the member for Heysen should not pursue the line he has been pursuing, otherwise I will be taking action. The honourable member for Heysen.

Mr. McANANEY: I have voted against my Party rules on adult franchise. Had I been in the A.L.P. I would have been planting potatoes along the lake by now, no longer a member of Parliament. We on this side have freedom and those on the other side vote solidly, in a block—and in a rather solid manner in more way than one, with not much imagination for looking into the future. The Bill needs a great deal of amendment, but I have sufficient confidence in the Attorney-General, the Minister of Education, and the Minister of Works to think that they will readily accept such amendments. Surely it is far below their standard of democracy and reason to expect this to become the law of the land if people are deprived of their right to vote and to elect a member without a quota. It is an impossible situation.

South Australia was the first State to bring in voting for women, and that was a good thing, but now we are going backwards with a measure such as that now before us. This is sheer stupidity, and far below the standard and the general attitude of people on the other side of the House. We have proved undoubtedly that this is not a good Bill and needs amending. When the chips are down the Government will agree to a sensible democratic way of voting.

Mr. MILLHOUSE (Mitcham): I support the second reading. If I gauge the temper of the L.C.L. correctly, I do it with rather more enthusiasm than members of that Party, although I still see one imperfection in the Bill that should be cured. I believe that proportional representation is the appropriate system of electing members of an Upper House. Normally, under the system of proportional representation the Parties in any Parliamentary assembly are fairly evenly balanced. In a Lower House that is not desirable as a permanent feature, because it means the stability of government is threatened. In an Upper House, where Governments do not rise or fall, this does not matter, and I am quite happy to see us move to a system of proportional representation for the Upper House. However, there is one ironical aspect of the scheme, particularly for members on this side, and it is an aspect that so far has not been referred to, that is, that on this side of politics we have in the past gloried in the fact that there were no Party politics in the Upper House, that it was a House of individuals, and that people could express their point of view untrammelled by consideration of Party.

The Hon. G. R. Broomhill: You have never believed that!

Mr. MILLHOUSE: No, but this is what has been said at times. I do not think that the Minister will find I have said it, although I have never denied it. It has often been said that the House of Review should not be a House of Parties and that members should be free to make up their minds. The scheme to be introduced by this Bill will go in an opposite way and will recognize, as does no other measure on the Statute Book and no other provision in the Constitution, the existence of Parties. The whole thing will be based on Parties in future and not on individuals. From claiming that the Upper House is a non-Party House (at least when one has a majority oneself)—

The Hon. D. H. McKee: Look over your shoulder.

Mr. MILLHOUSE: At least I am free of that at last. From a position in which those in the L.C.L., anyway, glory in the claim that there are no Party politics in the Upper House, we will go to a position where that House is dominated by Parties, because it is through the list system that members will be elected. The fact that the whole nature of the Upper House is to be changed is something that has either escaped the notice of L.C.L. members or, if they have realized it, they have preferred to say nothing about it because of the dilemma in which they find themselves. Systems of proportional representation are, of necessity, complex and I do not pretend to understand all the details of voting procedures set out in the Bill.

One thing is quite clear: the Premier admitted it last evening and it has been canvassed during the present debate, and that is that the system proposed in this Bill is not a system of preferential voting at all. There may be an element of proportional representation in it, but it is not a preferential system; it is a system of first past the post, and the Premier has said as much, without using the words in his speech, when he said:

Clause 20 amends section 113 of the Electoral Act and provides for the method of voting at an election for the Legislative Council. At this stage, I would draw the attention of members to the fact that, although on the face of it, it appears that a system of preferential voting is to be used, it is really a system of allotting proportion, that is, quotas without preferences, since preference counting will be pointless. It is not the "winner-take-all" system, which is what the preferential guise of present voting for the Upper House really is. I make no apology for the provision in this form, since it appears to the Government that the

marking of ballot-papers for the Legislative Council by a cross would only serve to confuse the electors who, in this State, are well used to voting by numbers—

I have heard the honourable gentleman advocating a cross system, but he did not then say that it would confuse the electors. However, for the purpose of his argument concerning this Bill he has said that it would confuse the electors.

The Hon. G. R. Broomhill: And it would.

Mr. MILLHOUSE: I hope that interjection gets into *Hansard*, because we will be able to use that against the Minister in future. The Premier continued:

but voting by numbers does not indicate preferences; it means an outright vote for a Party group to obtain a quota. I cannot understand what the confusion was amongst members of the L.C.L. as reported in the newspaper today about whether or not this was a first past the post system. It is first past the post in every way, except that a number is used instead of a cross. One could argue endlessly whether the first past the post system or a preferential system was more democratic, and one could use examples to back up either argument. Both systems have elements of democracy in them and have their good points and their weaknesses. The real point, and one that has escaped no-one in this House, is that a first past the post system, whatever its theoretical merits may be, does weight the scales against smaller Parties. This is a practical outcome of it, and we have seen what has happened in the United Kingdom with the Liberal Party as a result of a first past the post system. No other example is necessary. We know, and this is a matter of practical politics, that the Labor Party likes a first past the post system because, on the whole, it favours that Party. That Party is on one side of politics—

The Hon. Hugh Hudson: Do you think it favours the Liberal Movement or the L.C.L.?

Mr. MILLHOUSE: —and leaving aside such unfortunate historical events as the split of the Democratic Labor Party, the Labor Party is a unified Party and occupies most of the field to the left of centre of politics. Therefore, it is to this Party's advantage to have a first past the post system. The Labor Party sees several Parties on the right of the centre of politics in this State, in other States and at the Commonwealth level, and if it can introduce first past the post voting the Labor Party will prejudice the chance of those Parties to its benefit. This is what will happen here if the system is introduced. Let no-one be deluded about it, and that is why there can be at present a good degree of unanimity under, if not on, the surface between the A.L.P. and the L.C.L. about this matter. Because of the situation in which I find myself and because of my convictions, I do not like that system.

As the Premier had to admit in his speech last evening, it will mean that an individual or a group that receive less than 4 per cent of the vote will be irrevocably out under this system. It is strange to hear spokesmen for the L.C.L. decrying this system, when a few months ago the apology for the present franchise of the Legislative Council was that only about 15 per cent were disfranchised under it. Now we get the position that 4 per cent will be disfranchised. It is extraordinary how one's views change when circumstances change. That is my objection to the Bill and, even though it may not be expressed by some members of the Liberal and Country League, they too will have to object. Apart from that, I am happy to say that the Bill conforms almost exactly to the policy of the Liberal Movement. I propose to read out an extract from that policy to show that that is the position.

The Hon. D. H. McKee: Can I have a copy of that?

Mr. MILLHOUSE: I shall be happy to make available copies of this to the Minister in due course. This is the policy on this matter:

Legislative Council.

1. Voting rights shall be available to all citizens who are enrolled to vote at House of Assembly elections.
2. Enrolment and voting shall be voluntary.
3. There will be a single State-wide electorate.
4. The system of election of members used shall be proportional representation.

Down to there the Labor Party, because of what the Bill provides, would surely be in agreement. Then:

5. Voting shall be the preferential system.

This is where we part company because, as I have said, this system of voting is not a preferential system, as is admitted. I shall be interested to know whether the L.C.L. can produce any policy on this now. It strikes me that its policy is a reaction to what other people put up.

The Hon. L. J. King: There is nothing new about that.

Mr. MILLHOUSE: Yes, there is nothing new about that. There is one good thing about my situation: I no longer have to apologize for, try to support, or excuse the actions of my former colleagues. From time to time I found that tedious, difficult, and sometimes even distasteful. That is one of the good things about my present situation.

The Hon. L. J. King: We fell sorry for you, anyway.

Mr. MILLHOUSE: I know you did, and I did my best. By golly, I feel sorry for those still in the L.C.L., some of whom are sitting right in front of me now. My view is that, despite the difficulties that the Premier raised last night in his speech about the multiplicity of candidates under the system used in the Senate, this is a more desirable system to use. Despite that weakness and the difficulty of the number of candidates and the necessity to mark a preference for each one of them, at least it gets over the difficulty that has been pointed out by me and by other speakers; and it means, I believe, that everyone will have an equal chance. It will certainly give the smaller Parties a better chance than they get under the present system.

It is incomprehensible to me that members opposite can argue against that. It was the system if not devised at least adopted by the late Commonwealth Leader of the Australian Labor Party when he was Attorney-General, the late Dr. Evatt, and introduced in 1940 as an alternative to the far less satisfactory system of electing senators. It is a system which, on a double dissolution, is used to elect 10 senators from each State. Here, under the proposal that will increase the Upper House slightly, it will be used to elect 11 Councillors. We argue or complain sometimes about the size of the ballot-paper at Senate elections but, by and large, we cope with it and, while the informal vote at the Senate election is higher, for a House of Representatives election it is not so high as to discredit the system. That will be so with voluntary enrolment and voluntary voting and, as for the Senate, there is compulsion on both counts. That is the system we should use; it is a practicable system and, in due course, I hope to be able to test the feeling of the House on that matter; but, apart from that aspect, which is a serious one, I support the Bill. I am not really happy about increasing the size of the Upper House at all, but the increase is not very great and therefore I think we can accept it. The fact that the President or whoever it may be may have a deliberative vote on some occasions is such a trifle as not to be worth mentioning.

The Hon. G. T. VIRGO (Minister of Transport): I find myself in the unique position of agreeing with

much of the criticism levelled by the member for Mitcham at the rather "holier than thou" attitude of members opposite. There is no-one more truthful than someone who has deserted a sinking ship: then we get the truth. I think the situation has been made abundantly clear by the member for Mitcham that he has been a member of a Party in this House that has cheated the electorate for years and years, but the day of reckoning has today arrived and I think historians will write up today as one of the greatest days for democracy that South Australia has seen for many years. One member opposite waxed eloquent about the suggestion that the Australian Labor Party was a Party based principally on compulsion.

Mr. McAnaney: Hear, hear!

The Hon. G. T. VIRGO: I thank the member for Heysen for his interjection, because he is the member who made the allegation. What he obviously is ignoring is the fact that at a meeting of the State Council of the Liberal and Country League held on Friday, March 23, 1973, at 2.15 p.m. in the hall at the Liberal Club building (there is no reference to the member for Goyder) at 175 North Terrace, Adelaide, the President, Mr. Ian McLachlan, was in the chair, and 51 women and 121 men were present, so obviously they still believe in segregation. This is the resolution that was carried:

That the council make the following rules relating to membership: That on and after April 1, 1973, no person who is a member of or owes allegiance to any other political Party or organization declared by the council—

Mr. Rodda: I am not interested.

The Hon. G. T. VIRGO: You should be interested.

Again, the resolution states:

On and after April 1, 1973, no person who is a member of or owes allegiance to any other political Party or organization—

Mr. McANANEY: On a point of order, Mr. Speaker, I point out that the Minister is repeating what he has already said.

The SPEAKER: There is no point of order involved.

The Hon. G. T. VIRGO: I shall start the resolution again; it is as follows:

On and after April 1, 1973, no person who is a member of or owes allegiance to any other political Party or organization declared by the council to be an outside political body shall be eligible to be appointed or elected to any office in or be endorsed as a Parliamentary candidate by the Liberal and Country League.

Dr. Tonkin: What's wrong with that?

The Hon. G. T. VIRGO: I do not see anything wrong with that, as long as people acknowledge it.

Dr. TONKIN: On a point of order, Mr. Speaker, will you inquire whether the Minister knows to which Bill he is speaking?

The Hon. L. J. King: Do you know to which Party you belong?

The SPEAKER: I, too, am waiting for the Minister to Jink his remarks to the Bill.

Members interjecting:

The SPEAKER: Order! Honourable members on both sides should show respect when the Speaker is on his feet dealing with a point of order; I expect that from all members. In this debate the policies of political Parties have been freely mentioned by most members, because the Bill affects political Parties. I do not intend to allow the debate to get out of hand and I expect all members to relate their remarks to the Bill under discussion. Because of its importance and because it involves the policies of all political Parties, I have allowed a certain amount of freedom up to the present, and I shall continue

to allow that latitude, but within bounds. The honourable Minister of Transport.

The Hon. G. T. VIRGO: I think I have made the point that this is the pledge that members opposite must sign, but the member for Heysen denied that they signed it. Let me turn to another document that was also circulated to members and branch secretaries of the L.C.L.; it is headed "One Man One Vote One Value". This is the explanation of one man one vote one value given by the Hon. R. C. DeGaris on behalf of the L.C.L. He said:

It is impossible to produce any system to ensure the concept of one man one vote one value in single-member electorates.

Yet the L.C.L. for many years has perpetuated the system of individual electoral districts, with four members representing each of five electoral districts.

Dr. Eastick: What is individual about that?

The Hon. G. T. VIRGO: Perhaps the Leader would like to refer to the number of electors there were at the last election in each of the five electoral districts for the Legislative Council. He would find that there has been the greatest gerrymander that the world has ever known, and it was initiated and perpetuated by the Party that he has the rather dubious honour to lead. I think we have now reached the stage where some people have their backs to the wall and they are now attempting to whitewash the the situation by saying, "We have been trying to get democracy in the Upper House for years. Thank goodness the Labor Party has come along to help us out. We could not do it by ourselves." I have been amazed by the hypocritical statements made by members opposite in connection with fair elections and one vote one value. Those members should consult *Hansard* to see what they said in this House when the electoral Bill was before Parliament and when the number of Assembly members was increased from 39 to 47; at that time members opposite insisted on a loading for country electoral districts. There was no one vote one value then. Where have these attitudes suddenly disappeared?

Mr. Mathwin: Tell us what "one vote one value" means.

The Hon. G. T. VIRGO: If the honourable member does not know, I shall be happy to do my best to explain it to him. It means that the vote of an elector in Glenelg shall have exactly the same value as the vote on an elector in Ascot Park, Brighton, Rocky River, or the Southern District of the Legislative Council. However, such votes do not have the same value today. One vote one value is something that the Opposition about 12 months ago, in its attempt to cloud the issue, failed to give the people of South Australia. If one looks critically at the Bill that provided for the Legislative Council a metropolitan district with 14 members and a rural district with 10 members, one realizes that a metropolitan member would represent 35,500 electors whilst a country member would represent 19,900 electors. Where is the democracy in that?

Dr. Eastick: Which Bill are you talking about?

The Hon. G. T. VIRGO: I am referring to the Bill that the Leader's own Party introduced, but he does not know which one it is.

Dr. Eastick: The 14-10 Bill was never introduced in this House.

The Hon. G. T. VIRGO: The 14-10 Bill was introduced by the Leader of the Opposition in the other place, who gave the Leader of the Opposition in this place the amendment that he had to move here today, and he knows it. Members opposite have a very short memory. They should have a very good look at the situation.

Dr. Eastick: It was a 12-12 Bill.

The Hon. G. T. VIRGO: If it was a 12-12 Bill, it makes it even worse. If members did their homework, they would find it was 14-10. We know these provisions are the right ones. Members opposite are attempting to make excuses by referring to minor aspects of the Bill, trying to justify their stand so that they can stick with the rotten system in the Legislative Council that has been perpetuated by continuing L.C.L. Governments over the years. I will refer to some of the weak excuses that members opposite have made. About three or four of the members opposite who have spoken have said that the candidates who will be eliminated from the final count are disadvantaged, as are the people who vote for them.

Mr. Rodda: That's true.

The Hon. G. T. VIRGO: I am delighted to hear the honourable member say so. The member for Kavel was the most recent Opposition member to refer to this, and he complained bitterly about it. If he looks at the result of the last election, he will see that in his district 2,619 people voted for Mr. Eckerman, who did not get anywhere, and 1,550 voted for Mr. Schulz, who also did not get anywhere. Those voters were disfranchised in the same way as the member for Kavel is hollowly arguing people will be disfranchised under this Bill.

Mr. Goldsworthy: It makes nonsense of one vote one value because when you support a losing candidate your vote isn't worth anything.

The Hon. G. T. VIRGO: I cannot follow that statement. If one votes for a losing candidate, one does not get him in. Surely the honourable member can understand that.

Mr. Goldsworthy: You should give him a chance.

The Hon. G. T. VIRGO: He has the chance if he gains the necessary quota, and the quota under this Bill provides for minor Parties in a way that no other system provides for them. If the honourable member looked at the position in the Senate and had done his homework he would know that a quota of 12½ per cent was necessary to win a seat in a 5-member Senate team. Apparently Opposition members, who are silent, agree with that, at least. Under the system provided in the Bill, a quota of only 8½ per cent will be required. Honourable members should forget this hooey about the Bill's not providing for minor Parties. That is so much hogwash. If members did their arithmetic and understood the provisions of the Bill, they would know that what is being said is untrue.

I think it was the Deputy Leader who said that it was unfair that individual candidates would be disadvantaged by the allocation of positions on the ballot-paper. I was amazed when I heard that. Although the Deputy Leader has been a member of this Parliament for years and a Minister, he has never introduced an amendment to the existing Act, which includes exactly that provision. Does the honourable member not know these things? This is an illustration of the hypocrisy behind so many of the claims made by members opposite. In fact, that claim is as hypocritical as the argument put forward with regard to the impartiality of the Speaker. Already, the Standing Orders provide that, in the case of an equal vote, the Speaker shall have a casting vote.

Mr. Mathwin: Not a deliberative vote, though.

The Hon. G. T. VIRGO: Perhaps the Leader could tell the member for Glenelg to shut up. In the case of an equality of votes, the Speaker has the right to cast a vote. The Standing Orders do not require that he shall vote a certain way. Most members in the House this evening will be able to remember the casting votes of past Speakers. As I do not want to reflect on those Speakers, I will leave it to members to decide for themselves the partiality or

impartiality of those votes. It is a lot of rubbish to say that, because a person has entrusted on him the high office of Speaker or President, he should cease to represent his electors. Is that what Opposition members believe when they say that the Speaker should not have a vote, or a say in what is taking place? That is so much rubbish and typical of the general tenor of the argument. I suspect strongly that the Opposition Parties generally wholeheartedly support the parts of the Bill that they understand; they are attempting to criticize the parts that they do not understand. I suggest that if they did their homework they would find that, with the passage of this Bill, for the first time ever democracy would rule in the Legislative Council of South Australia.

Mr. HALL (Goyder): The Minister has been heard, but I am not so sure he has been understood. He has been very wide of the mark in his claims mathematically. He dealt at some length with a proposal, which he said came from this side of the House, for a Legislative Council comprised of 14 members from the metropolitan area and 10 from the country. That is not true, as the system that was proposed from this side of the House was for 12 metropolitan members and 12 country members. The Minister also said that a 12½ per cent quota would be sufficient to elect a Commonwealth Senator. I challenge him on that statement, as I believe the quota necessary is more than 16 per cent. I think that a simple mathematical calculation shows that, if 100 per cent is divided by six, the result will be 16.6 per cent recurring. Therefore, the Minister has made two rather grave mathematical errors in dealing with this matter. This only makes more disastrous his decision to venture into mathematics instead of dwelling a little on principle. The argument the Minister used is reminiscent of some of the decrees that I understand he issues to councils in this State. The councils wonder where the other half of the sum has gone, after the Minister has put his blue pencil through a submission. However, I must not wander into the Minister's dereliction of duty in other areas.

The Minister is not only bad at his mathematics but also bad tactically. He has entered into an argument with the L.C.L. part of the Opposition on the scrabble and detail part of the matter. Those members are willing to argue about that throughout the evening, because that is a retreat from the principle involved. We have seen the failure of members of that Opposition Party to debate the principle of an unrestricted franchise; they have entered into the other side of this debate because it contains less of principle. The Minister is a poor tactician to descend from the level of principle, allowing himself to get into an argument on figures and mathematics. This is what one part of the Opposition wants to argue about. The Leader of the Opposition in the Upper House and the phantom Leader here have said—

Mr. McAnaney: Rubbish!

Mr. HALL: The member for Heysen has interjected from out of his seat. He and I have been muzzled in the past by the phantom Leader. I have shared with the member for Heysen the ambition to see full adult franchise in the Upper House.

Mr. McAnaney: Name the time.

The SPEAKER: Order! As the honourable member for Heysen has been a member of this House for many years, he should understand the Standing Orders. However, he has disregarded those Standing Orders on this occasion. I warn him that in future I will deal with him in accordance with those Standing Orders. The honourable member for Goyder.

Mr. HALL: I do not want to enter into an argument with the member for Heysen, because he and I have had similar thoughts on this matter and it would be wrong in this hour of victory for us to divide on it. However, if the Minister wants to involve himself in mathematics, he will involve himself in endless argument, because the Leader of the Opposition in another place has already said in an L.C.L. publication that one vote one value is emotional and senseless. Yet, within three months he has retreated from that statement (still obtainable for those who want to read it) to a statement published in our media favouring one vote one value. If the Minister enters into an argument with the Leader in another place on that shifting ground, they would go on arguing forever.

The simple fact is that the Liberal Movement has proposed a basic solution presented here before the acceptance of the same solution by either of the bigger Parties in this House. I refer to a feature article published in the *Advertiser* of April 2, headed "Upper House siege will be effective". I do not suppose that I knew how soon that prophesy was to be fulfilled, but any student of South Australian politics could have seen long before this article was written that the siege of the Upper House would be effective. Indeed, it is to be effective this week. Among the points I wrote in that article I stated:

The general electorate should not be divided into complicated boundary divisions of country or city or any particular configurations within those general definitions. There should be one State electorate, with elections every three years conducted on a proportional representation system.

At that time, the Premier rejected that proposal, saying that he did not like proportional representation, and it was not the policy of the L.C.L. I now refer to a somewhat incredible statement of July 15 attributed to the Leader of the Opposition in this House. The report, which has never been denied, under the heading "Franchise Bill not the main issue—Eastick" states:

The Leader of the Opposition (Dr. Eastick) said last night he did not consider the controversial adult franchise Bill the main issue for the opening of Parliament on Tuesday.

No-one believed that, and I believe the Leader knew that statement to be untrue. The Premier had said that there would be an election if it was not agreed to and, if that does not make it the main issue, I do not know what does. The report continues:

"To achieve this equality of voting power the only system that can be used is proportional representation on a single State-wide electorate, and this is the system my Party has been advocating for more than six months," he said.

That is untrue.

The Hon. D. A. Dunstan: I'll say it is!

Mr. HALL: It is deliberately untrue, and every member sitting here knows it to be untrue. When the L.C.L. went to the last State election, it went with a policy of a divided electorate, but it did not say that in its policy speech. Nevertheless, that is what it went to the election with. It was untrue to make that statement. I wonder how effective was the article written on behalf of the Liberal Movement that it made L.C.L. members stutter and it made the Premier, who did not agree in Parliament with proportional representation, accept it this week. We are not complaining: we are just pleased to be part of the general movement forward, and we would be silly to overstate our case. Nevertheless, we are very pleased to be part of the general movement that has taken place over a long period of time. I am pleased to be associated with that move forward which has so quickly spread to all Parties of this House.

The member for Kavel made one of the best speeches for the L.C.L. (although I am not saying it is a good speech). He said that principles did not stand alone and that they must be examined in the light of other beliefs of Parties or people. However, he did say (and this is one of the crucial points in the blockage of L.C.L. thinking) that the L.C.L. was afraid that the Upper House would be abolished. Throughout the rejection of the call for the full franchise for the Upper House the L.C.L. has used that catch-cry, that the A.L.P. wants to abolish the Upper House.

The L.C.L. has given no greater cause to abolish the Upper House than by its action. No greater damage has been caused to the Upper House in South Australia than that done by those who have had the majority within it and who have sickened the South Australian population by their behaviour. I have never seen such poor tacticians in my 14 or 15 years in this House; they will take no advice and will continue to destroy their own basis of operation. We have gone through years of double talk until we have had this Bill, which brings about a simple and sensible solution to what used to be an intricate problem, made intricate by an L.C.L. attitude. The L.C.L. has been so supine both yesterday and today that I wonder whether there has been any communication that this House does not know of between the L.C.L. and the Government.

Mr. Jennings: We know nothing of it.

Mr. HALL: The quick acceptance by the Leader of the Opposition in the Upper House, followed by the Leader here (I say deliberately "followed by the Leader here"), makes me wonder what communications there may have been between the Leader of the Opposition in the Upper House and the Premier or some of his Ministers or someone else.

The Hon. D. A. Dunstan: I can assure you that if there was it could have been only by osmosis or ectoplasm.

Mr. HALL: I accept the Premier's word about that. However, I have wondered. I know that I have called members of the L.C.L. in the Upper House ossified in the past, but I do now know that they are now petrified. I have dealt with the call for one vote one value (and how quickly some people, particularly the Leader of the Opposition in the Upper House, have changed their minds). I heard the call this evening from one speaker that justice must not only be done but must be seen to be done. Nevertheless, the cry against this Bill is that it does not give a full weighting to every vote. This point intrigued me, because I have heard some complaints about this matter, too, and I now foreshadow some amendments I will later move.

I am intrigued by the people who say that the South Australian population does not get a full weighting for its vote when that Party has waited until the next election to give 25 per cent or 50 per cent of the vote any weight whatever. Yet it is now important to them that the last 4 per cent (even though it was emotional and senseless three months ago) should have a say now. As my colleague (the other half of my Party) says, it is extraordinary, and he would say that word better than I would. I appreciate and support the Bill, based as it is on Liberal Movement policy, promoted publicly long before either Party accepted it. However, there are defects, which have been referred to by other speakers. As the member for Mitcham has outlined, there are difficulties with having a Senate-type of election with numbers 1 to 50. We must be practical. However, I believe that, if we are

to take this enormous leap forward from the darkness to the light, we must do it properly.

I do not take to an extreme the disfranchising of people whose votes are no longer brought back for a second count. I am concerned first and foremost about the initial exclusion. I believe it is unarguable that many candidates will be excluded because they do not reach the part of the required initial quota. The Attorney-General dealt with this matter, and there were interjections about it, but I think that he conceded that it would happen so seldom that it would not be worth amending the legislation to cover it. I believe he was wrong in that assumption. What could easily happen and might often happen (depending on as much as the throw of a dice) is that smaller Parties could be excluded because they did not reach a full quota.

I do not speak "because of a personal Party interest": I believe we will have no difficulty in getting our quota. I say that with conviction. I speak generally on behalf of the smaller groups, and all of us have often given lip service at least to the intention that the Upper House should be somewhere where minorities can have their say. Surely proportional representation must be aimed at giving more than just the major Parties representation in it. One can do examples on results of past elections in South Australia to show that individuals or smaller Parties would be excluded at close to .5 of the quota: let us say .45. The remaining votes would be divided by the new reduced quota, and the members would be elected. The final seat is not filled, but it must be filled by the residual quotas of the main Parties. It is conceivable that the residual quotas from as many as three Parties could all be under .5 of a quota.

The Hon. Hugh Hudson: Not if there are—

Mr. HALL: I should like the Minister to explain that.

The SPEAKER: Order! The Minister must not explain. The honourable member for Goyder.

Mr. HALL: I know that it is not my generosity to offer. I shall question the Minister at a later and more propitious time. I believe, as a result of my study of past figures, that it is possible that at some election there will be a residual quota which, divided among three, would be no higher than the quota of an already excluded minor Party or group. That being the case, I believe that, until it is mathematically proved that it cannot happen, that is a real flaw in the system. Regarding the fractions, there should be some kind of preferential system to arrange the selection of 11 persons. This is an extremely important position, because the normal result of a proportional representation election is that both Parties are relatively equal, and the selection of the last person in each election will be vital to the control of the Council.

I hope the Government has not looked at this matter in a deliberate attempt to exclude minority Parties: I believe that the Government can prove that it is not the case by making it possible for those having less than half a quota to be still in the count. There is no need to exclude them. Why exclude them? Why give the slightest chance of the system miscarrying in this way? Why not simply have the number of formal votes divided by the divisor and treat everyone accordingly as under that figure? Why exclude anyone? There is no need. We would still get a thoroughly democratic result by the standards set for the first past the post system, a far better result than that under the Bill, which is a further complicated step and which could exclude some one unjustly I prefer the Senate election system, which my colleague has proposed. However, I foreshadow (and I can do no more than that) that, if that is not successful, I will move amendments to accomplish what I have already outlined.

This would in no way detract from the principle of this system, but it would ensure that there could be no miscarriage by which a minority group would be excluded. I should like that to be considered, because it is a genuine attempt to make it a more democratic system. I hope that the Government will study this matter, if it has not already done so. Doubtless there will be more to say about this matter in Committee. I again say that the L.M. was happy to leave the bigger Parties to this solution and I hope that Government members will not be drawn into detail but will stand on a principle where others do not like to follow.

The Hon. HUGH HUDSON (Minister of Education): I support the Bill with considerable pleasure. Before canvassing some of the arguments that have been made, I congratulate the member for Goyder on his performance in this debate and in an earlier debate today. I say that quite genuinely, because I have not heard him to better effect in the time I have been in Parliament. True, he was somewhat indignant in his attitude towards some of his former colleagues, but I think anyone who has taken any kind of independent view of the situation in which the member for Goyder found himself, both in Government and in Opposition, would forgive him for his indignation and say that he had plenty of reasons for it. I do not think that anyone on this side regards the system of proportional representation as ideal. However, the proposal contained in this Bill has been put forward in a genuine spirit of compromise. The Government has come a long way in trying to seek a solution to this overall problem. We regard with a considerable and justifiable degree of suspicion the attitudes of members of the L.C.L. opposite who have, I believe, been so successfully exposed this afternoon and this evening by the member for Goyder: their conversion to the principle of one vote one value has come just a little too late in the piece to convince anyone.

The arguments they used this evening in relation to this Bill have to be regarded with considerable suspicion, because the L.C.L.'s record in electoral matters in this State has been one of association with gerrymander, and gerrymander, and gerrymander—first, the boundaries of this House and then of the boundaries of the Upper House. It is only in the last few weeks that they have departed, at least in their public pronouncements, from arguing for a gerrymander of Upper House boundaries. Every member of the L.C.L. opposite who was in the previous Parliament only as recently as last October or November was arguing for a gerrymander of Upper House boundaries.

I think the member for Mitcham made it clear how embarrassed he was at having to support the compromise that existed within his Party at that time. The weighting in favour of country areas of the State that was in the proposition put forward originally by the puppeteer in the Upper House and then supported by the puppet in the Lower House involved a weighting in favour of country electors against city electors of about two to one, and it was a straight gerrymander, so it should not surprise anyone if members on this side are a little hesitant about accepting the recent conversion of certain Opposition members to the principle of one vote one value.

In this connection, I exempt the member for Mitcham and the member for Goyder, because I consider that both those gentlemen, within the confines in which they have had to operate for many years, basically have been in favour of democracy in South Australia and have, to the best of their ability in their past Party affiliation, tried to move in that direction. If one takes the system of proportional

representation on an individual basis, with about 11 members to be elected and with the possibility of there being five, seven or eight groups, one can easily get a ballot-paper containing as many as 50 candidates. Unless we have a list system, if we insist on preferential voting we will have the electors of the State required to fill in from No. 1 to No. 40, from No. 1 to No. 50, or as the case may be.

Mr. Millhouse: How does it work out?

The Hon. HUGH HUDSON: I will develop my argument first, and then I shall be willing to answer any questions.

Mr. Millhouse: Aren't you willing to answer it now?

The Hon. HUGH HUDSON: I want to develop my argument now. I am not in the witness box subject to cross-examination, and I have a right to argue my case in my way. I should be pleased if the honourable member would permit me to do that. I do not think one can claim great efficacy for the system that applies to elections for the Australian Senate. The system is supposedly fair, combining a version of proportional representation with preferential voting, but it is not understood by the average person in the electorate and it results in great delays and a high percentage of informal votes.

As a consequence of those informal votes, many people are disfranchised. Many of those informal votes are votes by which people are trying to express a preference and, because for one reason or another they cannot fill the ballot-paper out in full, their votes are not counted. The system leads to long delays before the result is known and, generally speaking, it is not held by the average person in Australia in any high regard. The system is not respected, and it is complicated and not understood by many electors.

That fact needs to be understood, because any amendment that would depart from the list system proposed in this Bill inevitably would increase the process of filling in a ballot-paper and, with 11 members to be elected for the Legislative Council, instead of five members for the Senate, the delay in awaiting a result must be longer and the percentage of informal votes must be higher. I think this is relevant because, if we talk about disfranchising people, a complicated system that leads to high percentages of informal votes is as sure a way to disfranchise people as any other system. A system of proportional representation also has disadvantages, which I think anyone who is familiar with literature on the subject knows about and does not need to have rehashed this evening.

Nevertheless, I think members on this side recognize that the system of proportional representation proposed in the Bill is much fairer than the present method of electing members to the Upper House, and, in a spirit of compromise, knowing that the L.C.L. and the Liberal Movement Party have, by some miracle, become addicted to proportional representation, we are willing to make the compromise in the Bill. It is important for the public of South Australia to know that the Government, in putting forward this proposal, is taking a significant step to try to find a solution to the electoral problem in South Australia, and it is now up to the L.C.L. to come further our way. We have made a further advance in the way in which we are willing to approach this problem.

I shall now deal with the matter of preferential voting. We are strange people in our attitude. Yesterday every member of this House, almost without protest, voted for the election of members to the Council of the University of Adelaide and the Council of Flinders University, not by a preferential system but by the first past the post system.

Mr. Hall: That's a bit different, though.

The Hon. HUGH HUDSON: No. it is not, because I suggest to the member for Goyder that, the smaller the group and the better known the individuals in that group are, the more is a preferential system of voting justified. The larger the electorate is and the less well known the individuals to be elected are, the less can a preferential system be justified, because a preferential system assumes above all that a voter's second preference is in some sense almost of equal value to his first preference. If I am voting for members of this House to represent me on the Adelaide University Council, I can readily make a distinction between the member for Goyder and the member for Fisher as candidates and I can work out to whom to give my No. 1 vote and my No. 2 vote.

The Hon. J. D. Corcoran: Would you put the member for Goyder before the member for Fisher?

The Hon. HUGH HUDSON: I do not want to indicate that, because I do not want to insult the member for Fisher so obviously. Nevertheless, I know both gentlemen, and they are both honourable men. I know where my preferences lie, and I can make a sensible allocation of them. However, in an extremely large district most voters vote because they want to express a first preference and they have no second or third preference to express. They express those further preferences only because by law they must do it to make their vote formal.

Mr. Goldsworthy: How do you know?

The Hon. HUGH HUDSON: I know that this argument is a little above the honourable member's head and I am sorry that he left the education profession, because if he was still in that profession I would have some hope that I might be able to convince him. However, now that he is in the L.C.L., I have given up. The general point that I think can be established is that, in a relatively small group within a political Party when an executive must be elected, or in this House when representatives of the Parliament must be elected to a university council, the preferential system makes sense. It also makes sense when a Party Caucus is electing a Cabinet, because everyone knows everyone else and everyone can express preferences.

However, that system does not apply when the average person goes to the polling booth and exercises his right at the ballot box. He goes to express a solid preference one way, and in most cases he is not concerned about second or third preferences. When we are dealing with the election of members for the Upper House, it is hard to think who they are apart from "Permanent will of the people" DeGaris.

The Hon. J. D. Corcoran: Did he say that?

The Hon. HUGH HUDSON: I would bet that only about 15 per cent or 20 per cent of the people have heard of Mr. DeGaris, and if we did a survey of the extent to which other members of the Upper House were known in South Australia we would not find even 2 per cent or 3 per cent who could identify more than one or two of those members of the Upper House. They are simply faceless, nameless men to most people in South Australia (and I say this with all due respect to certain of my colleagues). They are simply not known, and political surveys indicate that. So what does it mean to ask any elector to express a preference as between Mr. DeGaris and Mr. Potter, or Mr. DeGaris and Mr. Cameron? They have never heard of them.

The Hon. L. J. King: They should not be put in that position anyway.

The Hon. HUGH HUDSON: I was trying to look at it from the point of view of the average elector, not from that of the sophisticated member on this side or on the

cross benches who does know these people and who is capable of distinguishing between them. The case for the preferential system in this circumstance does not exist.

The SPEAKER: Order! The honourable member should address the Chair.

The Hon. HUGH HUDSON: I am addressing the Chair, Mr. Speaker, even though you are not always seeing me from quite the right point of view.

The SPEAKER: I can only see the back of the Minister.

The Hon. HUGH HUDSON: I do apologize, and I shall endeavour not to offend again. It is only because members opposite in general seem to have some addiction to the preferential system that they are disturbed about the so-called exclusion of groups which score less than half a quota. Even if they were not excluded and we had the first past the post system, they could not get elected. They have had it. If they cannot get at least half a quota there is no way in which they can get elected.

The only reason why certain honourable members opposite are disturbed about this is that they want their second preferences to be counted, because they know that they are capable, by providing finance through their advertising agents, of ensuring that how-to-vote tickets are put out and that people who vote for the D.L.P., for example, will follow quite blindly in order to have their main vote counted formally, and through the financial tie-ups between the L.C.L. and the D.L.P. the second preference can be passed on with full value to the L.C.L., even though the people expressing that initial vote to the D.L.P. probably have much the same opinion of the L.C.L. as have certain other members in this House.

That is the first general point to be made. There is no question of candidates who get less than half a quota being elected. The next point that needs to be made, in reply to the member for Goyder, is that after certain groups have been excluded, the remainder have votes allocated between 11.9 quotas, and the position is that after the first 10 candidates have been elected almost two quotas remain and only one group could actually get a whole quota in those circumstances. It is not possible for two groups to get a whole quota.

Mr. Hall: What about where there are five groups?

The Hon. HUGH HUDSON: If there are five it is conceivable that someone could be elected on half a quota, but in all practical circumstances there would not be five groups. In the instance cited by the member for Goyder, where there were three groups left, then .67 of a quota would be the lowest conceivable fraction on which the candidate could be elected.

Mr. Hall: I don't think so.

The Hon. HUGH HUDSON: I am sorry. I really ask the honourable member to trust me on this.

Mr. Hall: No, thanks. I don't go that far.

The Hon. HUGH HUDSON: The .67 can be converted into a fraction—67/100ths; that is a simple matter. The actual quota is determined by taking the number of positions to be filled, plus one. The number of positions is 11, plus one, which is 12, and divided into the total number of votes and the quotient plus one is the actual quota.

Mr. Hall: Why do you want to exclude one quota in the first place?

The Hon. HUGH HUDSON: May I come back to that argument, and for the moment deal with the slight arithmetical problem. There are almost 12 quotas and 11 candidates to be elected. It is not possible for people to get more than the 11 whole quotas. You will always be left with one final fraction. After 10 candidates have been elected you are still left, divided up in some way or another,

with 1.9 quotas. If there are still three candidates, the lowest fraction or decimal that any candidate could have had and still get elected would be .6 recurring. If four were left, the highest would be .501.

Mr. Hall: No, it would be .4999.

The Hon. HUGH HUDSON: No, they must all be plus. If they all had .4999 they would all end up having an equal number of votes, and one must score at least .5. I could probably use differential calculus to prove this, but never mind, that is the general position, and if he thinks about it I think the honourable member will realize that what I am saying is correct. In normal circumstances one would not expect more than four groups in South Australian politics to remain in the count.

Let us come to the kind of situation in which this system is used, and this comes down to the nub of the argument. Honourable members have referred to the fact that this kind of proportional representation system has been used in years gone by in Western European countries in circumstances where perhaps a couple of hundred candidates have had to be elected and where almost an exact proportional representation system could have been used. With so many candidates it is possible simply to say, "If you get .5 of 1 per cent of the vote you get a member" and you could get almost an exact reflection between the percentage of votes and the number of members. Even there, the principle has been long established that proportional representation encourages fragmentation, and that complete fragmentation of Parties makes good government difficult and even impossible. Witness the history of France—

The Hon. L. J. King: There was the disastrous experience of the Third Republic.

The Hon. HUGH HUDSON: Quite. If ever proportional representation for a Lower House has been called into question it has been in consequence of the history of the Third Republic. Even in that situation the argument about the fragmentation of Parties and groups was recognized to the extent of saying, "If you are not good enough to get 5 per cent of the vote you do not get a single member". That has been the general precedent established in a large number of democratic countries of the world which have used this system. They have said that unless a certain minimum percentage of votes was obtained and unless the Party was good enough to do that, it would not qualify. That is still the position relating to elections of some members of the Houses in West Germany. Not all members of the Lower House are elected by proportional representation in West Germany, but some are, but for the Party to get members in that way they have to obtain a minimum percentage of votes. We are not introducing anything in the Bill which is without precedent or without example or which is regarded as undemocratic elsewhere in the world. Let honourable members recognize that in most democracies of the world preferential voting is not regarded as an essential feature.

Mr. Evans: Nor is compulsory voting.

The Hon. HUGH HUDSON: That is true, and there could be arguments about that.

Mr. Evans: You take the ones that suit you.

The Hon. HUGH HUDSON: As the honourable member would appreciate, as compulsory voting is not covered in this Bill in any way we would be completely out of order in referring to it. Obviously, this is another concession the Government has made. The Government has not stated that there must be compulsory voting for the Upper House. This is another compromise. What about members of the L.C.L., that recently converted Party to democracy, making

some compromise so that we can obtain a real solution to this problem? Remember that the L.C.L. in this State has to show its credentials and good faith in the matter because, as the member for Goyder explained so eloquently this afternoon, the L.C.L. is the Party in disgrace in democratic matters: it is the Party of gerrymander, the Party of anti-democracy, and the Party that has to establish its credentials.

It is about time that members of the L.C.L., in putting up arguments in this House, put up decent and proper points of view and not a point of view designed, as the member for Heysen so eloquently admitted, to preserve a situation in the Upper House where it could be a House of Review because the L.C.L. had a majority. The honourable member said that he believed we must have a House of Review, an Upper House, and that the only way we could have it was to have the L.C.L. with a majority. I suggest strongly that the onus in this debate is on members of the L.C.L. in Opposition: To exempt members of the Liberal Movement, because they have demonstrated the honesty of their political purpose in this matter for some years. It is the responsibility of other members to demonstrate their credentials and political honesty and show that their sudden conversion to democracy is genuine and not a piece of disguise, camouflage, or window-dressing to try to confuse the electors of South Australia still again.

I support the Bill, and ask members of the L.C.L. not to argue their case from the point of view of trying to preserve their own interests. Their own interests in controlling the Upper House are under attack, and will not be accepted by the people of South Australia in circumstances where the L.C.L. cannot command a majority of votes. What this Bill must establish is a situation where the L.C.L. gains a majority of numbers in the Upper House only when it has the support of most people. The sooner the Leader of the Opposition stops acting as a puppet and comes out genuinely with his own point of view, the better.

Dr. Eastick: What about being original: you are voicing someone else's words.

The Hon. HUGH HUDSON: Who put up the gerrymander for Upper House boundaries in this House last year? The Leader had the gall to do it, and went to the election on the same policy. He now is in favour of one vote one value, and he says, "I am all pure, fellows, believe me." We do not trust him, and he will have to demonstrate his credentials much more than he has done so far before we will. I support the Bill.

Mr. EVANS (Fisher): Generally, I support the Bill, and I do not blame the Minister of Education for taking the opportunity to stir on a political basis on this issue and making use of statements made by a minority group, the Liberal Movement. I am glad the member for Goyder is present, because he and Mr. Sharley will remember that in 1969 I made a public statement and strongly supported proportional representation at a time when an electoral redistribution Bill was before this House, or on its way, promoted by my Party, but containing different details from those on which we had gone to the election. We had gone to the election and won (if that can be called winning) with a 45-seat plan, but we introduced a 47-seat plan.

At that time I had the unfortunate experience of my then Leader telling me an untruth as I walked up the steps of the Legislative Council into this building. He told me I was the last man to change my mind, and asked me to support the move. I spoke to my Whip, the member for Victoria, and he told me there was one other member,

the member for Rocky River. Later my Leader came to my room and apologized for making the statement. I refer to that time because this is when proportional representation was introduced into the Party room in discussions, but it seems that the Liberal Movement is now claiming the credit for it. To my knowledge that was the first time it was suggested that there should be one district in the State, but the person and the two people who supported him were wiped off by the then Leader of the Party, the then Premier of the State, and now the member for Goyder. If people are to speak about past history, they should speak the whole truth and not refer to the part that suits their argument.

I have never wanted to stand up in this place and go over past history of Party discussions or any other discussions that should remain a secret to those who were involved. Other people, and members of the Liberal Movement in particular, have said things denigrating people they had supported and a Party they promoted within the community, in order to gain political support. I think it is a pretty poor show, and before one speaks about principles, as has happened this evening, one should really think about what are the principles of individuals. The member for Goyder said that adult franchise was the major issue, and criticized my Leader for saying that it was not.

I believe that the Leader of the Opposition was factual in the statement he made in the press that the franchise issue was no longer the major issue, nor has it been during the last few months. The members for Goyder and Mitcham know, as everyone else knows, that adult franchise was accepted as a principle by the L.C.L. more than 12 months ago. There were other strings attached as to the basis on which it would be accepted at that time, because all members here realize, as the member for Kavel has said, that one principle does not stand on its own. I do not deny that I have always been conscious of the fact that the A.L.P. has one direct intention. It is stated in the written policy in its great book that it must abide by—the abolition of the Upper House. People in my Party, not just Parliamentary members but people belonging to branches who have attended meetings of the Party throughout the years, did not have the right to direct Parliamentarians, but they gave them a guide on what should be done. In the main, the Party that put us here as individuals asked us, generally speaking, not to accept full adult franchise until we were sure of getting a better basis for the election of members to the Upper House, so that there was at least some chance of democracy.

Yet here tonight the Minister of Education stands up and says that by this Bill the Government does not intend to wipe out the minority Parties. Whom are he and his colleagues trying to kid? Why are those who constitute a group of two or more put on the left-hand side of the ballot-paper and why do we make those people who wish to stand as individuals have their names on the right-hand side of the ballot-paper and take a subsidiary position? If the Minister of Education is honest in his statement about major Parties having the money to produce how-to-vote cards and to go out and con people into voting in a certain way, if he really believes that, why does he not say, "I believe in those circumstances we should favour the minority Parties, which do not have the finance, the organization, the structure, or the support of people in the community handing out how-to-vote cards, and give them a chance. We believe in democracy. If there is a benefit in being on the left-hand side of the paper and getting the donkey vote, give it to the minority group."

If the Minister is not prepared to accept that, he should put all the names in the hat at once and, if Joe Blow wants to stand on his own as an Independent, if he wants to stand in his own name, he is A if he is in the first group on the left-hand side. If the A.L.P. comes out first, it has A; and, if the L.C.L. comes out last and there are so many people in the ballot that it would take up the whole alphabet, it will take Z. That is where the L.C.L. stands. If the Minister of Education and his colleagues are genuine in their remarks, I ask them to accept that system because that will show some consideration for democracy; but we know that members opposite will not do that. They want to do away with minority Parties and we know that in the main the only minority Parties that support the A.L.P. are the Communist Party and the Social Credit Party. Yet, on the other side, in the centre or right of centre we have a greater fragmentation of people; we have a greater split up of political Parties on the right-hand side perhaps because they show more initiative and more individuality. Maybe that is one of the problems of the right of centre

Party in keeping its members together. In the run down, they should be given the opportunity of at least to nominate with a fair chance and not to be dis-

advantaged at every opportunity. Every opportunity has been taken in this Bill by the Government to disadvantage the minority Parties, and no-one can deny that.

Another area of concern involves the Speaker in this House and the President in the Upper House. By this Bill the Government intends to give each of those persons a vote on constitutional measures because, as the Premier says, they have been elected by the people and he sees no reason why they should not be given a deliberative vote. I will accept the Premier's argument, and he should accept the argument that the Speaker and the President should be appointed from the community and not tied to a political Party; he should be completely independent from politics. I will accept the provision if the Premier will accept that basis, but of course he will not accept it. The only reason he wants the provision in the Bill is that his Party believes it will be a political advantage to it at this point in history, and for no other reason. If the position were reversed at the moment and the L.C.L. were in the position of the A.L.P., the Premier would be standing here and saying, "It is not democratic." It is a political move. When congratulating you, Mr. Speaker, on your appointment and when paying his respects to the immediate past Speaker of this House, the Premier referred to your impar-

tiality. How can a Speaker be impartial when he is given a deliberative vote on a constitutional matter inside the Chamber? It is just not possible; it is not on, and no-one here can support it with honesty; it cannot be justified.

I want now to make a point that I missed earlier on the franchise. There is no conversion to my attitude. I said I supported full adult franchise when an honest approach was made to the matter by the A.L.P. I supported it thinking that the A.L.P. was prepared to compromise in this Bill where there is an area for compromise. The Minister of Education made the point about the ballot papers, saying that for preferential voting it is a different thing when the individual is known, and known well, because one can give preferences in order of priority to a person or persons of one's own political thinking. The

Minister of Education knows that, with a vote such as for the Legislative Council for the whole State, we are not really looking at the individual, except in the case of Independents.

The member for Mitcham made the point about there being A group, B group and C group when one looks at

the ballot-paper. I support the honourable member's statement in that respect: one is looking at the Party. An individual comes along and casts a vote on a preferential basis with this form of voting, which is voting for a political philosophy and, if he has a preference for the political philosophy of a minority group and does not want to vote for the political philosophy of a major group, he can offer a second preference to his next choice if he thinks there is a chance of his winning. If the Minister of Education states that preferential voting is not democratic, I am prepared to sit down with pencil and paper or with a blackboard in front of any group of young people in a Matriculation class or at tertiary level and explain the situation to them impartially, with the Minister of Education present; and in the main those young people would support preferential voting. It is only because it is not understood in the community that there are doubts about it.

Let me take the case of 100 people voting for 10 candidates. If one candidate received 12 votes and the first past the post system of voting operated, he had the greatest number of votes. Between them, the other nine candidates would have 88 votes, but none would have more than 12 votes. Under this system of voting, the person with 12 votes would be elected. Can members opposite say that is democratic? The position is that 12 people want that candidate and 88 do not, but he is elected. Where is the democracy in that? All that this system will do is push the small Parties out. We know that in the Commonwealth sphere as well as the State sphere the A.L.P. wants control, and it is using this means to achieve its ends. It wants to abolish Upper Houses and eventually Slate Houses so that there will be one central Parliament, and we could have virtually a dictatorship.

The SPEAKER: Order! The honourable member should bring his comments more into line with the provisions of the Bill.

Mr. EVANS: I will do so. As you said earlier, Sir, when the Minister of Transport spoke about L.C.L. matters at council meetings, we are speaking about Party philosophy. I was just referring to the philosophy of the A.L.P. If the Bill as it stands is passed, the very thing that the A.L.P. has accused the L.C.L. of allowing in the past will be permitted by the A.L.P.

Mr. Payne: Did you do that in the past?

Mr. EVANS: The honourable member is saying that our Party supported a system that could be classed as unfair. I point out that ever since I have been a member I have said that I support full adult franchise. The member for Mitchell should take a look at the members of the L.C.L. team in this House and ask himself whether it is possible, with a change of personnel in a Party, to get a change of philosophy and attitude without our having to suffer the condemnation of the honourable member and his colleagues and some of the Liberal Movement people. Perhaps that condemnation should be directed at former members of this Party.

There are only four L.C.L. Opposition members that have been in this House for over five years. For two of the past five years the leader of the Liberal Movement Party was the Leader of our Party, and he had the opportunity to lead. For the last three years my Party has had problems, as no-one would deny, but the personnel has changed. I hope that honourable members can understand that, with this change of personnel not only within the Parliamentary structure but also right through the organization back to the rank and file members, there can be a change in philosophy. Regarding a change in philosophy with people

accepting something they have not accepted in the past, I hope members opposite can understand that it takes great men, sometimes, to change their minds; pigheadedness and stubbornness do not always indicate a great man. We must remember that in a democratic country people have a right to change their minds. In conclusion—

Mr. Keneally: What, already?

Mr. EVANS: If the honourable member wishes me to do so, I can speak for a further 25 minutes, but I do not want to suffer his laughter for that time. In conclusion, I point out that the Minister of Education became a little jumpy when the word "compulsion" was used. Let us be honest: we are comparing methods of electing members.

Mr. Payne: Don't forget your own pledge was mentioned.

Mr. EVANS: I have been re-endorsed, and I have not signed a pledge.

Mr. Payne: You have refused.

Mr. EVANS: I did not have to sign it, and I have not signed a pledge. The Minister of Education referred to compulsory voting. Will members believe that only two other countries in the world have voting for 18-year-olds and compulsory voting?

Mr. Payne: Obviously they are two other enlightened countries.

Mr. EVANS: I do not know if they are enlightened—they are Turkey and Russia.

Mr. Payne: That's not bad.

Mr. EVANS: I thought the member for Mitchell would agree in the case of one of those at least.

Mr. Payne: Turkey.

Mr. EVANS: The only other point I want to make is that my Party has been accused of cheating. If ever a Party set out to cheat the minorities in our society it is the A.L.P. in moving this Bill. The Government set out deliberately to cheat. It has used its chief spokesmen (the Minister of Education, the Minister of Transport, and the Attorney-General) to try to justify the Bill. Not even one back-bench member has attempted to justify it, because they know it is deliberate cheating. I will support the Bill at the second reading stage.

Dr. TONKIN (Bragg): I support the Bill because I believe in the principle of proportional representation. The debate this evening has been conducted in many varying atmospheres. It has been conducted in an atmosphere of levity (I might even say controlled disorder), and many Government members have taken advantage of your leniency, Mr. Speaker, in allowing them a wide-ranging debate.

The SPEAKER: Is the honourable member reflecting on decisions of the Chair?

Dr. TONKIN: Mr. Speaker, if you had been listening you would have realized I was paying you a compliment.

The SPEAKER: I appreciate compliments, although they are subject to fluctuation.

Dr. TONKIN: We have listened to the rantings and ravings of one Minister and to the pious self-justification (almost self-glorification) of another. We have heard expressions of disappointment coming from some quarters. However, the main exercise on the part of Government speakers has been basically to obscure the real issue here, which is the 'Labormander' that is being imposed by the Government, from what it believes to be a position of strength, on the people of South Australia with regard to the Legislative Council.

The past has been dredged up. It could be said that the 'Labormander' is the successor of the gerrymander. I believe it does a previous L.C.L. Government great credit that it sorted out the gerrymander, but now we are having

a Labormander. The Minister of Education said that the A.L.P. was understandably reticent about accepting the idea that the L.C.L. now believed in adult franchise and proportional representation. Why should he and his colleagues be reticent about accepting this? The passage of an earlier Bill today and the fact that we are supporting this Bill and hope to improve it surely is evidence of our attitude. The only reason the Minister says he is reticent about accepting what he calls our change of heart is that he does not want to accept it very much and he is disappointed.

Other speakers have dealt with the position of candidates on the ballot-paper and I will not refer to that point. I cannot see any reason why the major parties should have an advantage over minority groups, but this is something the Labor Party cannot understand. Apparently, minorities are not to be considered: minorities are not to be listened to in any circumstances. Indeed, according to the Labor Party, minority groups do not matter. I will refer to several other examples where this has been clearly demonstrated this evening by statements from members opposite who could not care less about anything other than their own skin. Indeed, I am going to tell members opposite a few things they may not want to hear, and I will not be sidetracked from telling them these things.

There is no doubt in my mind that the votes for minority groups from people who see fit to vote for minority groups will be wasted under this system. There is a two-stage voting system clearly laid down in the Bill, and it is high time that the Minister in charge of the Bill and members opposite sat down and looked at it. The first stage is called finding, not the quota, but the prescribed number (the sorting out process), and it is here that I take issue with members opposite on figures from the last election based on the returns to this House where as many as 30,000 people who cast votes would have had their votes cast aside before they were ever considered when it comes to allotting the seats in the Upper House. Is this one vote one value? Can members opposite talk their way out of that? It is impossible to do so. Members opposite cannot justify throwing away 30,000 votes of people who happen to think differently from their way of thinking. One of the basic principles of Liberalism is that we always listen to minority groups and we will fight for the rights of minority groups, even though sometimes they may hurt us.

The Hon. D. H. McKee: What about the minority group there now?

Dr. TONKIN: The Bill is a flagrant 'Labormander'. I am glad the Attorney-General has come into the House because, during the course of his speech, he made it clear that minorities are not wanted: he does not care about minorities. He said that minorities lock themselves out. He says that voting for a minority group is a waste of time and that a supporter of a minority group has no right to express any form of preference or to make any comment electorally as to who his member should be. I refer to the situation that could have arisen in 1938 when several independent members were in this House. Under that scheme we would be lucky, indeed, if we returned an Upper House which represented more than half the votes cast. Whatever is said in attempted justification (and however much the member for Unley may bray across the Chamber) does not alter the fact that people will cast votes that will be put aside in the first stage of an election before the votes are allocated to seats. The Attorney-General said that proportional representation was the purest form of one vote one value obtainable: in this case, that is, the total electorate of the State less 30,000. Is that one vote one value, each vote counting equally? I cannot see how it

can be, and I should like the Attorney to explain this when he discounts the votes of up to 30,000 people.

The Attorney was trying to justify his own 'Labormander'. He referred to the past and hoped that he would draw red herrings over what is being proposed now. The Attorney does not care about minorities at all. In fact, the A.L.P. is bringing in its own form of restrictive franchise. The member for Mitchell says that we have to swallow this Bill regardless of people. That remark, I submit, sums up the Labor Party's attitude on this Bill. Members opposite could not care less about people.

Mr. Keneally: Do you really—

Dr. TONKIN: I am pleased to hear the honourable member confirming what I have said. It was the Minister of Transport who said that this legislation does more for the electors than any other system of proportional representation in Australia. True, it certainly does: it is more restrictive than any other form of proportional representation in Australia, and I am sorry that the Minister of Transport is not here, because I would have liked to explain to him the method of preferential voting.

Members interjecting:

Dr. TONKIN: I think the Attorney understands this principle but it does not suit him to accept it and, as it does not suit the Labor Party (because it is not the type of legislation it wants), members opposite do not bother to understand it. There are two approaches to any legislation dealing with the election or representatives to Parliament, the first attitude being purely political and involving the taking of every possible advantage that can be taken to further the interests of the Party regardless of the rights of the people, especially the rights of minority groups. This is the practical political approach.

Secondly, we have the democratically fair and neutral approach. For some time (and it would be foolish to deny this: no-one will) my Party has been attacked as being a Party having a purely political attitude to the electoral system for the Upper House, and our accusers on the other side of this House have painted themselves as lilywhites. No-one has done that better than the Minister of Education. The change in attitude by our Party as a whole may have been relatively recent but we are thoroughly content and pleased that this change has occurred. Surely any democratic process and democratic attitude must prevail.

Members of the Labor Party, by introducing proportional representation in this form that I am discussing, have shown themselves in their true colours because, far from being lilywhite, they are introducing, or trying to introduce, their own brand of gerrymander and are qualifying, I think, for the term "Labormander". Members opposite are sitting there trying to look as though their haloes have not slipped down around their necks. This matter shows up the real worth of the so-called democratic ideals of the A.L.P. as nothing else could have done. Members opposite have been so much the champions of democracy until now and yet, as soon as an opportunity presents itself, they immediately take the other point of view: members opposite have adopted a gerrymander attitude, a purely political attitude. They take every possible advantage from the system of proportional representation. Members opposite have deliberately avoided the points that are fundamental to this argument. Is this measure fully democratic as it is proposed? Can it be more fair and more democratic than it is?

I suggest that the Minister of Education do further work on this matter, because I believe that this legislation could be more fair and more democratic, thereby being less open to criticism. As this is so, I cannot believe that Labor Party members do not know it and do not recognize it.

The point is that they do not admit that this is the situation; they will not agree and, from their attitude, it is apparent that they will not agree to any of the suggestions that will be made to make this a better Bill. It is a purely political attitude that shows up members opposite to the people of this State for what they really are—people who are not interested in minority groups. In fact, they are actively discouraging such groups and they aim to prevent the voices of minority groups from being heard in this Parliament. The Bill robs a significant number of electors of the full value of their votes and it is blatantly designed to favour the A.L.P. in elections for the Upper House. If the Government is really sincere, it will agree to a more equitable system of proportional representation, and we and the people of South Australia will look with much interest to find out what the Government does with the system that it now proposes.

Mr. BLACKER (Flinders): I rise to speak in this debate with disappointment. This is the first measure that has been debated at any length since I have been in this House and I am disappointed because the standard of debate leaves much to be desired. I say that in the context that I consider that this Bill is being pushed through too quickly. Members have not had the opportunity to take the Bill back to their districts to find out what the people think about it. Further, many members in the House this evening will not be speaking in the debate on the Bill.

Basically, my Party accepts the idea of full franchise as contained in the Bill passed earlier today. We all agree fully with proportional representation. However, I question the explanation given by the Minister of Education on the allocation of the final quota and I hope he will be able to explain that to me further before the Bill is passed. Naturally, my greatest concern is for the minor Parties. I consider that everyone has a right to stand for election to Parliament and that everyone has a right to select the person that he would like to have as his member of Parliament.

The first past the post system causes some concern and the idea presented this evening of a block vote for Party affiliation takes away from the whole context of voting the personal and individual approach. People would be voting just for a fictitious name, probably for a person completely unknown to most voters. I will refer to what would happen in the case of an election for the House of Assembly on the first past the post system and will point out the frightening situation that could arise.

Assuming that five candidates were contesting each district, it is theoretically possible that 10.4 per cent of the total vote would be sufficient to elect a Government. Any first past the post system must be treated with suspicion, because in many cases a majority of the electors could have voted against the candidate who was elected. I ask the House what one vote one value means. Do we take this to mean equal representation, so that everyone contributes equally to the State?

We can carry this idea through in its entirety to the stage where everyone receives the same wage and contributes to the State in exactly the same proportion. That is a completely impracticable and impossible proposition. The full extent of the principle of one vote one value must flow through. I do not agree with this principle, because I consider that certain sections of the community and certain individuals are entitled to be compensated for their additional qualities. The Premier is not in the House at present, but I sincerely believe that he should be the

highest-paid man in the State, because he has the qualifications and the responsibilities to administer the State's legislation.

What I have said proves that one vote one value, unless carried through in its entirety, is impracticable. The Country Party policy on this matter is well known to the House. It is a policy of having 14 representatives from the metropolitan area and 10 representatives from the country area. I gather from the speeches that have been made this evening that other members oppose a two-district system, but the reason for our policy is reasonable and elementary. There is a slight weighting towards the country, but let us take the matter further and find out whether this section of the community pays its way. Due consideration must be given to that matter.

The *Quarterly Abstract of South Australian Statistics* for March, 1973, shows the proportion of taxation paid by the individual. In South Australia, on a per capita basis, each individual pays to Commonwealth and State revenue \$548.69 a year. That is the average figure for every man, woman and child. A family of four, comprising a man, wife and two children, contributes in direct or indirect taxation an amount of \$2,194.76 a year, or about \$44 a week. That is what the average family contributes to Commonwealth and State revenue.

Mr. Simmons: They would not be the ordinary wage earners.

Mr. BLACKER: That is rightly so. The average weekly earnings, as contained in the same publication, are \$96.10. When we consider that figure together with the fact that each family that would be receiving that amount is contributing to revenue the sum of \$44 a week, we start to think about where this money is coming from. The income tax instalment deduction sheet shows that in direct taxation the wage earner in receipt of \$96.10 pays \$11.55 a week. Admittedly some revenue would be gained from sales tax on his motor vehicle and from rates and taxes on his home and land, but it is a long way short of \$44. It is with this thought in mind that I put to you, Sir, that the Country Party's policy of giving a slight addition to the country areas and to the rural areas is fully justified.

Mr. Keneally: You say that is where the high income comes in, but I thought you told us they were going broke.

Mr. BLACKER: That is where the highest revenue is handled, I will agree. The turnover of a primary producer is considerably more than most workers would ever see in a lifetime, but the percentage he earns on the amount invested is, to say the best, less than 4 per cent.

Mr. Venning: How about capital taxation?

Mr. BLACKER: I do not think there would be any books that would prove it was 4 per cent.

Mr. Venning: Succession duties, and all the rest of it.

Mr. Payne: Are you advocating a voting system based on wealth?

Mr. BLACKER: I am referring to the taxation collected and contributed to by a group of people, a family unit.

Mr. Payne: Are you going to allot votes on how much tax is paid?

Mr. Keneally: Are you going to give the member for Rocky River five votes?

Mr. Jennings: Five informals!

Mr. BLACKER: I am not saying I would give the member for Rocky River five votes. Although I believe in the principle of proportional representation, I am concerned at the possibility of first past the post voting. The Country Party believes in voluntary voting and voluntary enrolment. I believe that at this late hour the forcing of

the passage of this Bill is in contempt of proper Parliamentary procedure in that it cannot be referred back to the people we aim to represent. To me, this is a deliberate attempt to solicit votes under the catch cry of one man one vote one value. It is an attempt to get votes by playing on the sympathy of the ill informed.

Mr. GUNN (Eyre): I rise to support the remarks of my colleagues on this side of the House, particularly the Leader, who clearly outlined our policy. I want to say at the outset that I am proud to stand here as a member of the L.C.L.

Mr. Jennings: That's a surprise.

Mr. GUNN: I am not surprised, because I am confident that we will grow in strength and that the vicious personal attacks of a bitter man on this Party will only strengthen our resolve and that of the people of this State to show that the action we have taken is correct and in the best interests of all.

The Hon. Hugh Hudson: Who is this bitter man?

Mr. GUNN: Just give me time.

The Hon. Hugh Hudson: Perhaps you could develop that point.

Mr. GUNN: While we are discussing a matter connected with the Legislative Council, I, like the member for Fisher, can recall an occasion in the L.C.L. Party room following the Vietnam moratorium when that person occupied the highest position the L.C.L. could confer on one of its members at that time, the Leader of the Parliamentary Party, when he suggested that we, as a Party, should get our colleagues in the Upper House to throw out the Budget so that he could have a State election. This very same person stood here tonight and personally denigrated members on this side and members of our Party in another place.

I am proud to be a member of the L.C.L. because we stand for the basic principles fundamental to the democratic freedom of this country and they have not been developed upon emotional issues completely unrelated to matters under discussion. Basically I support the principles of this Bill, but there are one or two matters about which I have some reservations. I, like my good friend, the member for Kavel—

Mr. Keneally: I like him, too.

Mr. GUNN:—do not believe that supporters of minority parties should be disenfranchised. I believe that, in a democratic system, every political Party should have the right to put up any person or group of people for any election it wishes. Those people should have an equal right to be elected; they should not be deliberately discriminated against by legislation of the kind before the House at present. If one carries through the policy laid down in the A.L.P. platform and rules, both Commonwealth and State, one sees that it is designed to make a deliberate attack on the fundamental democratic system in this country. I want to explain that. If one follows through the policy of abolition of the Upper House—

The Hon. Hugh Hudson: The Liberals abolished the Upper House in New Zealand, you know.

Mr. GUNN: We are not discussing New Zealand.

The SPEAKER: Order!

Mr. GUNN: I was making the point that, if one follows through the policy of the A.L.P., it could well lead to a one-Party system in this country. That is its aim. The policy was set up in Canberra by a small group of bureaucrats headed by our great friend Gough, with whom the people of Australia will deal at the first opportunity. The people of Victoria have already done so. I want to get back to the provisions of the Bill. I intend to support

strongly the amendments suggested by the Leader and I reject the amendments tabled by the member for Mitcham, because I think they are rather like the member—rather unrealistic on this occasion. He is trying to put forward suggestions that I do not think are feasible. If the Government is sincere, if it wants to see all the people in this State represented in the Upper House, and if it is not engaging in a political stunt, it will accept the amendments we have suggested. They are realistic, fair, and just, and would be in the best interests of the people of South Australia; above all, they are democratic. The Bill is not a democratic measure. The member for Unley has been screeching like a parrot all night. If he wants to get on his feet we shall be interested to hear what he has to say, because we know it is rare for him to make a contribution in this Chamber. With these reservations, I support the Bill.

Mr. RODDA (Victoria): I support the Bill generally, and as a stodgy, country conservative, and a member of what is humourously referred to as the ostrich club in this House—

Mr. Millhouse: Are you against the Bill, and why?

Mr. RODDA: I am against you, and you are responsible for that. This afternoon we have had a bashing from our ex-colleagues on the action the L.C.L. has taken. I do not blame Ministers opposite for stirring, and no doubt I would do the same thing if I were in their shoes. Perhaps I could say that it has been done to take advantage of our position, but, obviously, it has been done. It is distressing to have people on this side taking a bash on an issue that is good for South Australia. I commend the Government for coming this far on the question of proportional representation.

There has been much argument about minorities, and I do not wish to rehash them, but I concur with the arguments advanced by my colleagues. I have listened to the member for Goyder and, as a good Australian, perhaps I like him, but I dislike some of the political level that he has stooped to this afternoon. It seemed to me, because of his general personality, that this was completely uncharacteristic. The members for Goyder and Mitcham have decided to put up their tent with their flag on it, but that is their decision, and they will have to accept the consequences. It is with some sadness that we have seen them take the attitude they have taken this afternoon.

Mr. Langley: What about the two fellows on your left and right?

Mr. RODDA: It is useless criticizing the members on my left and right. They have made a decision, and they are loyal members of the L.C.L. I find no difficulty, in a Party that I am proud to serve, in giving a declaration in writing or by raising my right hand and saying that I pledge myself to the principles of the Party to which I belong.

Mr. Millhouse: You are not thinking of joining the Liberal Movement?

Mr. RODDA: No, although I have given much thought to that matter. I well remember the invasion into the District of Victoria last year, the taking over of the branches, and the report to the *Advertiser* of a gentleman becoming sick and making his way to the post office. We had headlines of branches being taken over in the District of Victoria, but recently we have seen that these branches are well and truly being recognized as strong L.C.L. branches. That is the situation obtaining in the District of Victoria, and it may be cold comfort to those people who made a decision, because they must live with their conscience. Referring to this Bill, we should not deny the

right of minority groups, and on this aspect I agree with the members for Goyder and Mitcham.

I hope that the Government, in its charitable disposition, will consider kindly the amendments that are to be debated. The ex-Leader of my Party knows that I have never opposed this franchise, but I will never agree with full franchise without the arrangements similar to those that the Premier has introduced in this Bill. When they were introduced we found no difficulty in agreeing to the proposition. Much has been said about a double dissolution and a new election, but I am sure that the people of this State are sick and tired of the bickering and arguments that have been indulged in at a political level in this State, and they want good government. We always reserve the right to criticize legislation that has been introduced by the Government, but I hope that this measure will come to fruition with terms that are agreeable to all Parties, including the Liberal Movement. I support the Bill.

The SPEAKER: As this is a Bill to amend the Constitution Act and to provide for an alteration of the constitution of the Parliament, its second reading requires to be carried by an absolute majority and, in accordance with Standing Order 298, I now count the House. There being an absolute majority of the whole number of members of the House, I put the question "That this Bill be now read a second time". I hear no dissentient voice, and there being present an absolute majority of the whole number of members, the motion is agreed to.

Bill read a second time.

Mr. HALL (Goyder) moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider a new clause relating to qualification of member of the Legislative Council.

Motion carried.

In Committee.

Clauses 1 to 5 passed.

New clause 5A—"Qualification of member of Legislative Council."

Mr. HALL: I move to insert the following new clause:

5A Section 12 of the principal Act is amended by striking out from paragraph (a) the passage "at least 30 years of age" and inserting in lieu thereof the passage "of the age at which he is entitled to vote at an election for a member or members of the House of Assembly".

I introduced last year a measure, which was then accepted by this Chamber, to remove the restriction on people under the age of 30 years standing as candidates for the Upper House. It is anomalous to allow members of the community who are entitled to vote for this House at the age of 18 years to stand as candidates for this House and yet not to be able to stand as candidates for the Upper House, when one considers that this House has far heavier duties to perform and more onerous decisions to make than the Upper House has. It is wrong that young people should not be able to stand for election to the Upper House until they reach the age of 30. The present position is anomalous. I recall that my proposal last year was unanimously supported. Although the position has altered slightly since then, I look forward to the same unanimous support, with a little trepidation, but the reasons behind this Bill are just as important now as they were last year. It is interesting to see what happened to the Bill of last year when it left this place. On that occasion it was introduced into another place by the Hon. Mr. Hill, and it was then debated for about three days, there being one speaker on each day. It is interesting to examine what the Upper House thought of the unanimous opinion of the Lower House about lowering the age at which people could stand as candidates for the Upper House. An ex-member of the

Upper House is now in this House and he will recall clearly the attitude of his former colleagues to this matter. At page 2576 of the 1972 *Hansard* we read:

I rise to speak to this Bill more in sorrow than in anger.

The Hon. Hugh Hudson: Who said that?

Mr. HALL: I will leave the name of the honourable member making this speech until after I have read it and then I will divulge his name. He continued:

I believe the Bill was born in cynicism, or perhaps worse, and sent to us in the hope that it would behave something like a letter bomb. To me, the Bill is totally illogical. Its author, whose main ambition in life, in my opinion, although he does not admit it, is to abolish this Chamber, is making a deliberate attempt to besmirch the Legislative Council.

I deny that I have any intention of besmirching the Upper House by giving citizens under the age of 30 an opportunity of entering it: in fact, that would greatly improve it. The honourable member went on to say:

What his motives are I know not. He reached the highest place his Party can offer, and even this did not apparently satisfy his ego, because he resigned from it, not with the intention of retiring, it seems, but for the purpose apparently of undermining the greater number of his former colleagues and supporters. I believe this Bill also to be an insult to the House of Assembly, but the Labor Party was prepared to accept the insult because it saw a means of furthering its acknowledged objective of abolishing this part of the Legislature.

I again refute the direct statement that there is any intention of furthering the abolition of the Legislative Council by removing the restriction on younger people wishing to enter it. Sir Arthur Rymill went on to say:

Why, you may ask, Mr. President, am I saying these things? The reason is simple. The author of this Bill has been preaching throughout the length and breadth of this State for three months or more that the sole role of this Council is as a House of Review, to review the solemnly considered legislation of the House of Assembly. Then, in the next breath, he produces this Bill which says that 18-year-olds are capable of doing this review.

He went on to say in another passage:

It may be that in these days the age of 30 years can be lowered, but to suggest that 18-year-olds are capable of reviewing the legislation of the House of Assembly is, to me, absolutely ridiculous . . .

When one considers the object of this legislation stretches up to the age of 30, that is really a silly argument; in fact, it is an asinine argument to use about the young people of this country. The Hon. Mr. Gilfillan, too, had something to say. He said:

It is most unfortunate that we have to consider a Bill of this kind now when so much important material remains before the Council. I agree with much of what the Hon. Sir Arthur Rymill has said, because I believe this is largely an irresponsible piece of legislation brought before Parliament as a public relations exercise rather than for deep consideration.

I am sure the Council found itself equipped to give deep consideration to this Bill. The honourable member went on to say:

Many of these things can be learnt only by the experience of life. In my capacity as Whip in this Council, I am well aware of the different specialities and knowledge that honourable members possess . . . To lower the minimum age of people eligible to become members of this Council would be completely irresponsible. I fully realize that it is unlikely that 18-year-olds would become members of this Council, because of the problems of pre-selection and election, but I agree with the Hon. Sir Arthur Rymill that it is largely an insult to the House of Assembly that the age of 18 years should be considered by some people to be a proper age for members who will have to review legislation coming from that House. I find it difficult to follow the reasoning of some people on measures like this.

He, too, found it difficult. The Hon. Mr. Dawkins was plainer in his speech. He said:

Considering whence it emanates, it is not at all surprising that it is a stupid Bill.

Later he said;

However, this Bill goes much further than that. By its provisions, young people will be able to become members of this Council at the age of 18 years. I believe this is a stupid provision. At that age, few young people have gained anything approximating wisdom or judgment, and one needs wisdom and judgment in this place, some people needing it far more than they realize.

In relation to another Bill, the Hon. Mr. Dawkins said that it was a naked Bill and, in the same speech, he said, "Last night we heard a great scream." This indicates the type of reception that the Bill had in the Upper House, and I believe that there is no greater reason standing behind the need to change some of its members than their opposition to that simple, democratic Bill of mine. Their remarks were insulting to every member of this Chamber. I wonder whether they will single out this new clause and again reject it, or whether they will change their minds on this issue, too, and now say it is a democratic provision. I guess that the Committee will accept this new clause, and I trust that, with all the ridicule of South Australia heaped on their heads, members of the Council will change their minds.

The Hon. D. A. DUNSTAN (Premier and Treasurer): On behalf of the Government, I accept the amendment. The policy of having adults able to stand as well as vote for the Legislative Council is one that this Party has constantly supported. The Labor Party has previously put forward measures of this kind in this Chamber, but we did not always have the good fortune to get them through. As our principles have remained the same, I am happy to enter into this Bill a principle that we support. Indeed, I think it is completely to the benefit of South Australia that in the Upper House the generation gap should be closed.

New clause inserted.

Clauses 6 to 10 passed.

Clause 11—"Quorum of Council."

Mr. GOLDSWORTHY: By this provision, the concept of the office of President of the Council will be altered, as the President will now be able to signify his concurrence or non-concurrence in the passing of the second or third reading of a Bill. Clause 12 also deals with this matter. The offices of President and Speaker are lauded and honoured because of the impartiality that must emanate from those offices. An examination of legislatures around the world, including that of the Republic of West Germany, shows that there is not much precedent for this type of provision. By this clause, the President, although he will be expected to be impartial in carrying out his duties, will also be able to vote on the second or third reading of a Bill, so to that extent his impartiality will be destroyed.

Earlier, the Minister of Transport said that this provision did not give the President a deliberative vote, but in fact that is what it amounts to. At present, the Standing Orders of Upper Houses throughout Australia cover only the case of a President's voting when there is an equality of votes, and that is an entirely different situation. By this provision, the President, if he chooses, will be able to vote, for instance, on matters concerned with alterations to the Constitution. When we consider that the Council complements the function of this Chamber, I believe that we must have an impartial President. I refer to the *Encyclopaedia of Parliament*, by N. Wilding, regarding the casting vote in the House of Commons (although this applies equally to the Upper House), as follows:

In the House of Commons the Speaker has a casting vote when the voting in a division is equal, but the impartiality attached to his office obliges him when possible to vote in such a manner as not to make the decision of the House final.

There the stress is on impartiality. Reference is made to the equality of votes. That situation is covered and has to be covered. Indeed, the legislative process cannot proceed if the House, on any measure, is in a situation involving an equality of votes. There is no compelling reason for the inclusion of this clause, which seeks to destroy the impartiality of the office of the President of the Upper House.

The Hon. D. A. DUNSTAN: This clause is essential to the Bill and, without it, the Government would consider the Bill defeated. Let me make quite clear what the situation is. There is only one class of Bill to which this clause refers, that is, Bills to amend the Constitution, because the concurrence of a President or a Speaker does not arise in other circumstances in normal internal proceedings. It arises only under section 8 of the Constitution Act, which requires that a Bill to alter the Constitution of either House be concurred in by an absolute majority of the whole number of the members of the House.

That means there must be, unless there is concurrence expressed by the person in the Chair, an absolute majority on the floor of the House, and anyone who has done his sums about proportional representation systems of election to the Upper House well knows that, unless the Chair is able to concur, it will be unlikely that any Party achieving a majority of votes in this State, apart from the President, will have an absolute majority on the floor of the House. We know very well that one of the reasons the Leader of the Opposition in the Upper House suggested a 20-member system of proportional representation for election to that House was that he intended that there should be produced a deadlocked Upper House, or a House in which it would be impossible to achieve an absolute majority on the floor to obtain constitutional change thereafter, and that, therefore, there would be a permanent veto on any future constitutional change by a minority of citizens represented by his particular fraction of the population.

Members opposite know that perfectly well. No-one here is kidded by this business of impartiality of the office. Anyone who has watched the impartiality of those Speakers who have kept Liberal Governments in office by their casting vote year after year knows how much nonsense there is in that statement.

Mr. Coumbe: That did not prevent your Party from staging a walkout once to prevent a constitutional vote being taken.

The Hon. D. A. DUNSTAN: Of course we did, and we are offering a situation under which that cannot occur again in the future. We did that to protect the people of this State from a proposed vicious gerrymander, which would have kept the majority Party out of office for the rest of this century, despite any majority we could have polled at the polls in this State.

Mr. Coumbe: That's not so.

The Hon. D. A. DUNSTAN: I am completely right. The honourable member knows this perfectly well. The member for Goyder proposed at the 1968 election a redistribution for the House of Assembly which was nothing like one vote one value and which did not profess to be so. He proposed a further gerrymander of this State along the Playford lines to keep the majority-supported Party out of office. What we propose here is clearly that,

if a majority of the people vote for change and have by their votes elected a majority of the Upper House, then the change can be carried into effect by that majority. With any amendment to that clause the Bill is not worth anything to us; we would consider it rejected and the other consequences will flow from these measures. I make clear that this clause is essential to the Bill and we are not accepting any of this sham talk about impartiality which honourable members opposite know means nothing. This clause stays or the Bill does not go through.

It will be essential for democracy in South Australia that the election of members to the Upper House can provide that the majority elected in that House can vote for constitutional change and can make that vote stick. Otherwise, a mandate given by the majority of the people in South Australia can never be put into effect. That is not democracy, that is, once again, minority dictatorship of the majority of the people.

Mr. HALL: I want to make clear that I support the clause on its merits and that I do not have to be frightened into it. Indeed, I have been in a number of tricky situations where this subject was important to the passage of legislation and eventually to the actual existence of a Government. The Premier has referred to various Speakers keeping Liberal Governments in office, and I hope he will not use that word "Liberal" too loosely in regard to members opposite him. I remind the Premier of an occasion when the Speaker turned out an L.C.L. Government.

In a most dramatic moment the Speaker left the Chair (the House being in Committee), and spoke from a place on the Government side. There was nothing impartial about his deliberation or his vote. Indeed, that was the most partial vote he had cast. The provisions of this House give the Speaker a casting vote. On quickly thinking the matter over, I believe that this clause would give the President or Speaker a chance to do something regarding the passage of ordinary legislation, as well as constitutional legislation, because it could help the Government negate legislation introduced by the Opposition. I can think of few instances when the Opposition would win on any issue, but it could happen, perhaps with a defection from the Government ranks.

If the Opposition was winning by one vote on the floor of the House, the Speaker could vote on the Government side, thereby negating an Opposition measure. That would be one of the added advantages to a Government. I am not saying it is wrong, but I think it should be considered. It is counter-balanced by the fact that a casting vote by a Speaker on constitutional issues can be easily prevented under the existing Constitution by a member on the Opposition side walking out, thereby creating an imbalance of numbers. Although there would be an ordinary majority, the measure would not achieve the constitutional majority required. I consider it quite fair that the person presiding in this House or the Upper House should be given a deliberative vote, without the pressures of this Bill dictating the reasons for it. The clause stands on its merits, regardless of other provisions in the Bill.

Mr. EVANS: I repeat that I consider to be fair comment the Premier's statement that we should give to a member elected to Parliament an opportunity to cast his vote, but we are mature enough to realize that a person elected by a political Party cannot be impartial, and we should change the system. Even if I was a member of a Liberal majority, I would support having someone from the community outside taking the job, to be independent of Party politics and impartial. I support the member for Kavel, because in this case there are double standards and hypocrisy.

The Hon. J. D. Corcoran: You have supported double standards.

Mr. EVANS: I have not. I am saying that, because the A.L.P. considers that the membership of the Upper House may be 12 against 10, it wants to make sure that the President has a vote. However, no-one knows what group may hold the balance of power. The Upper House might be better serving the people if we had six minority Parties there, without any particular Party having control. I consider that the Government's action is hypocritical. Members of my Party know what my attitude was when each Party here had 19 members and there was talk of our going into Government with a person considered to be an independent. I hope that one day we will have persons independent of Party politics presiding in both places. At present, we are trying to cover a position to meet a particular set of circumstances.

Mr. GOLDSWORTHY: The Premier, with the slenderest of majorities, thinks that a Government has a clear mandate to alter the Constitution of the State. Some organizations demand a majority of two-thirds before a constitution is changed. We are dealing not with the bread and butter issues that come before Parliament, where it is reasonable to expect an independent Chairman to give a casting vote, but with the Constitution of the State. I do not consider that the Premier has demolished the argument in favour of impartiality. He is saying that we are being unreasonable if we do not accept his proposal. He thinks that the Government cannot afford to give a member impartiality, because the Government may want to use him. He wants, for Party-political purposes, to use the President of the Legislative Council when he needs to use him to alter the Constitution of the State.

Mr. Duncan: The Liberal Party has altered the Constitution in the past when it has had minority support.

Mr. GOLDSWORTHY: The honourable member is trying to make the point that an elected Parliament is not consulted about the passage of Bills and we go back to the electors.

Mr. Duncan: In the past, the people of this State have elected the Liberal Party by a minority vote, and the Liberal Party has had the cheek to change the Constitution.

Mr. GOLDSWORTHY: Parliament operated according to the Constitution laid down for its operation. The majority that existed was not a slender majority.

The Hon. J. D. Corcoran: You were talking about slender majorities, and they were elected by a minority in the past. That is the point the honourable member is making.

Mr. GOLDSWORTHY: If we accept that, Parliament could not have operated.

The Hon. J. D. Corcoran: It should not have operated.

Mr. GOLDSWORTHY: Our election proposals and our idea of one vote one value are quite distinct from those of the Government. Having elected a Parliament, we must work to some ground rules, and the Legislative Council has never passed a constitutional Bill without there being a constitutional majority, which is one more than half the number of members in the House, where the President remains impartial. The Premier, with the slenderest of majorities, wants to use the President, who should normally be impartial, to see that the Premier's will prevails, even in tampering with the Constitution of the State.

Clause passed.

Clause 12—"Quorum, etc."

Mr. GOLDSWORTHY: I cannot let this clause pass without expressing my opposition to it. There is no precedent for such a clause, and I oppose it.

Clause passed.

Clauses 13 to 16 passed.

Clause 17—"Group of candidates."

Mr. MILLHOUSE: I have had circulated a set of amendments which begins, unusually, with "Clause 17—oppose this clause." I have had it drawn in this way because, if clause 17 is passed in its present form, my amendments cannot survive. I should like your permission to use this clause as a test of my whole set of amendments.

The CHAIRMAN: The honourable member has permission.

Mr. MILLHOUSE: During the second reading debate I canvassed the system of voting proposed in this Bill and pointed out that it was not a preferential system, but a system of proportional representation plus first past the post. I said I did not like it and gave the reasons; other members, in their own ways, have done the same thing. My amendment would import into the Bill the provisions which are now found in the Commonwealth Electoral Act for the election of Senators, and those provisions are a combination of proportional representation and preferential voting and do not provide for the list system, as does the scheme in the Bill at present.

I appreciate the difficulties of the system of voting for the Senate, the high number of informal votes because of the number of candidates usually (certainly at a double dissolution), and the complexity of the system, but it is a small price to pay for allowing (and being seen to allow) complete voting justice. It may be that the present system of voting is mathematically just, but the Government has not demonstrated, to me anyway, why it is necessary to cut out at the first count candidates who obtained a small number of votes. The system proposed in my set of amendments would not cut out anyone; the system would in fact allow for the transfer of the votes of the lowest candidates to their continuing preferences until a sufficient number had been elected.

It is a fair system which I believe, because of the drawbacks of the system set out in the Bill, we should prefer. I know members have made up their minds on how they will vote on this, and I do not think there is any point in labouring it or trying to explain the detail of my scheme. All of us who have voted at Senatorial elections have had experience of its working, and I believe it is an improvement on the scheme in the Bill.

The Hon. D. A. DUNSTAN: The honourable member is making a vote on this clause the test of his proposals. The effect of his proposals is to establish the Senate system of voting. The Government could not accept this. We examined this proposal when we were looking for a State-wide proportional representation system for the election of the Upper House, and the sheer impracticality of having a ballot-paper in which the preferences for every candidate must be marked and counted just makes it impossible to proceed with such a proposal. It is bad enough as it is with the Senate voting paper, given the number of votes which must be marked on the ballot-paper and the high proportion of informal votes arising for the large number of candidates. It would be impossibly greater with the number of candidates which would be on a ballot-paper for the election of 11 candidates, as the ballot-paper would have not less than 30 names and might have as many as 50.

Getting voters to vote from No. 1 to No. 50 on the ballot-paper is absurd. I should think, if this were explained

to the community, the honourable member would find almost no support, because the electors would not want to face the marking of such a ballot-paper. I think it is quite impractical and that another system needs to be devised. We set about devising a system, and the Party list system is the way in which that problem has been solved in the countries that use proportional representation widely. We think this is the only practical way to proceed.

Mr. EVANS: I have sympathy with the mover and with his thoughts on this issue. If we follow democracy to the last letter his argument is correct. However, those of us within the community who have had experience with ballot-papers containing a number of names know that people become confused. I have no doubt that the Government is right in its approach. With many names on the ballot-paper, people become confused and make an informal vote or simply follow the numbers from No. 1 to the final figure. Another proposition, which is to come before the Committee later, I believe to be a compromise between the two. I understand the principle, but I do not believe the community would support it. I oppose the amendment.

Mr. GOLDSWORTHY: I have much sympathy with what the honourable member seeks to do. In instances where there has been a large number of candidates on a Senate card the individuality of the candidates has been largely submerged in the Party block. If the amendment is carried, the card would be larger than the largest Senate card I can remember, and that card caused confusion. I cannot support the amendment.

Mr. MILLHOUSE: I know that the Government is against me, but I do not accept the reasons advanced by the Premier and others, because our experience from one Senate election in 1950, when there was a double dissolution, shows that what he has said is not correct.

The Committee divided on the clause:

Ayes (42)—Messrs. Allen, Arnold, Becker, Broomhill, Dean Brown, and Max Brown, Mrs. Byrne, Messrs. Chapman, Corcoran, Coumbe, Crimes, Duncan, Dunstan (teller), Eastick, Evans, Goldsworthy, Groth, Gunn, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, Mathwin, McAnaney, McKee, McRae, Nankivell, Olson, Payne, Rodda, Russack, Simmons, Slater, Tonkin, Venning, Virgo, Wardle, Wells, and Wright.

Noes (3)—Messrs. Blacker, Hall, and Millhouse (teller).

Majority of 39 for the Ayes.

Clause thus passed.

Clause 18—"Forfeiture of deposit."

Dr. EASTICK: I move:

In paragraph (a) to strike out "the prescribed number of votes ascertained by reference to subparagraph (b) of paragraph (9) of section 125 of this Act" and insert "4 per centum of the sum of preference votes cast at the election".

This is one of a series of amendments on this matter. We acknowledge that there should be a loss of deposit by a group or an individual who has failed to obtain a certain percentage of the total valid votes cast. In previous clauses that figure has been determined by what has been called a prescribed number of votes, about 4 per cent. The Premier earlier indicated a formula that would determine whether a person or group of persons had reached that percentage; and, if they had not, they would lose their deposit. Basically, these amendments provide for preferential voting and the acceptance of preferential votes so that each vote cast has a value. By this Bill, the Government seeks to remove from the election of people to the Upper House some votes that are cast, so that they

will have no value. If those votes are permitted to carry through preferentially, it is then necessary to determine a figure below which a deposit is forfeited. My colleagues and I believe that this amendment goes a long way towards achieving what the Premier says he wants for the people of this State. This is in the nature of a compromise. The voting system previously proposed by the member for Mitcham would be impracticable under most conditions.

The Hon. D. A. DUNSTAN: The Government cannot accept this amendment. The principle of one vote one value is to give the same effect, in counting ballots, to every ballot that is cast: that is, in order to take part in the election of a candidate by either a majority or a quota, in the counting the same weight is given to every vote. That is what the Government proposes. The position of the votes of people who do not vote for a candidate who gets half of the quota, and thereby loses his deposit, is that they are counted and are given exactly the same weight as are the votes cast for people who have the opportunity of getting to a quota. There is no difference in weight in the counting. If it is a State-wide vote, the same value is given to every vote cast. The Leader is asking us to count a second time, by way of preferences, the votes of those people who have voted for candidates who cannot conceivably reach a quota.

Dr. Eastick: That is their right.

The Hon. D. A. DUNSTAN: Why should they have their votes counted several times when other people do not? The argument used to justify this during the debate was that this was necessary in order to give rights to minority Parties. It does not: it merely counts a second time the ballot-papers of the least representative group in the community, which cannot get representation. It does not help it to get representation. The preferential system is completely inappropriate to a Party list system of proportional representation, and preferential systems do not exist in the countries using a Party list system of proportional representation. I do not think it is proper.

Dr. Tonkin: Why? Simply because it doesn't suit you?

The Hon. D. A. DUNSTAN: It is not proper, simply because it means counting a second time ballot-papers that have already been counted and giving them the same weight as other ballot-papers.

Mr. Goldsworthy: But you count the other lot again.

The Hon. D. A. DUNSTAN: How? We take only the largest fraction; we do not count the ballot-papers a second time. We have to determine the quota.

Dr. Eastick: The quota is different from double the preferential number.

The Hon. D. A. DUNSTAN: That is in counting the quota; we are not counting the ballot-papers again. The same value is given to every ballot-paper.

Mr. Goldsworthy: Not the second time around.

The Hon. D. A. DUNSTAN: There is not a second time around for the counting of the ballot-papers; there is only the determining of the quota, which is not a second counting of the ballot-papers.

Dr. Eastick: It gives them a second value.

The Hon. D. A. DUNSTAN: No second value is involved at any stage. This imports into the system the establishing of a proportion to elect a candidate in a preferential system which gives a second weighting to the ballot-papers of the least representative group in the community which cannot get representation for the candidate or group for which they have voted.

The Hon. Hugh Hudson: And most of whom have not a second preference, anyway.

The Hon. D. A. DUNSTAN: There is no way of ensuring that they are trying to establish a preference.

This is completely inappropriate to a proportional representation system on a Party list basis.

Mr. Goldsworthy: Yes, but we take their money.

The Hon. D. A. DUNSTAN: Of course we take their money. The purpose of requiring a deposit is to discourage people from standing frivolously, and that is the only purpose.

Mr. Goldsworthy: You aren't in favour of preferential voting.

The Hon. D. A. DUNSTAN: The honourable member must know that I am not in favour of it. At the same time, the attempt to impart some preferential hybrid into this system (because it is not straight preferential voting either) is not one vote one value; it is giving an additional quota to the last representative group on the ballot-paper. As that is not one vote one value at all, the Government cannot accept the amendment.

Mr. EVANS: We have reached the point of a difference in philosophy in the L.C.L. and the A.L.P. We do not accept first past the post voting. In the long term, that system eliminates minority Parties, and that is why the Government has introduced this provision. Under the amendment, the group or individual that polls the least number of votes is eliminated and, under the system of preferential voting, those votes are then distributed. It is possible after two or three counts, if there are 20 groups (and that is possible), for an individual or group to be elected by this preferential system that would never be elected under the first past the post system. Under the Government system, a minority group could never get a member in the Upper House.

The Hon. Hugh Hudson: It has only to get the quota.

Mr. EVANS: No minority group will achieve it, as the Government knows.

The Hon. Hugh Hudson: The L.M. could get a quota, and so could the Country Party.

Mr. EVANS: The L.M. and other minority Parties should be concerned about the Government's proposal.

The Hon. Hugh Hudson: Do you think that the L.M. couldn't get 8 per cent of the vote?

Mr. EVANS: In the short term, a minority group might get one member elected, but in the long term the two major Parties would prevail. However, with a preferential system, a minority group may finish up with two or three members.

The Hon. J. D. Corcoran: That it impossible; they are eliminated.

Mr. EVANS: I am not referring to groups that do not receive the required number of votes; I am talking about groups other than the two major Parties, such as the L.M., the D.L.P., and the A.C.P. If those groups were able to pass on their preferences, one of them could have more than one member elected. We do not know what the future holds, and we only govern the future by putting this type of restriction on minority Parties. If we want to help the smaller groups that are not as well off financially as the major Parties, we should pass the amendment, which provides for a democratic system that should be acceptable to the Government.

Dr. TONKIN: Whatever the Premier says, he cannot explain away that a significant proportion of votes cast at an election under the system he proposes will be ignored when quotas are allotted in the final count. This will deprive a significant number of people of their right to have their votes considered in the allocation of quotas to candidates.

Mr. HALL: I support the amendment, as I have an amendment that needs the initial provision to make sense.

I refer to the requirement that a candidate would lose his deposit. I do not believe in the first past the post system of voting. However, members voted against preferential voting when they voted against the proposal of the member for Mitcham; there is nothing they can do now to achieve preferential voting. They have rejected what may have been a somewhat difficult procedure, although it was thoroughly well tried, that was based on a quota but finished with preferences being distributed.

The amendment before the Chair is unworkable. Unfortunately, the members who support this amendment have voted against the only type of preferential voting that was available. Therefore, we are faced with a first past the post system, and the best way to improve that is to allow everyone to come into the last count. Earlier, the Minister of Education said that it was not possible to achieve quite two quotas to be distributed among all remaining candidate fractions in the count and therefore, with three teams involved, the lowest that could be obtained was .6 recurring.

The Hon. Hugh Hudson: That would be the lowest figure.

Mr. HALL: True. If we move into a theoretical four situation, we get to a possibility, although a great improbability. Moving to a five group, the possibility is greater, but the probability of there being five remaining teams is less. I believe there is enough confusion in this House, let alone among the 725,000 electors throughout the State. I should still like explained to me why we need have anyone excluded, apart from the normal count-down, on the quota system. I could take my argument to an extreme and say that it could happen that someone excluded with nearly half a quota could have beaten another candidate who had a smaller quota as a left-over fraction from a major Party. The electoral system is under enough criticism and for the first time in South Australia we are introducing a new system. It is therefore necessary to be extremely careful and ensure that it looks good as well as being good.

It is possible mathematically for one team to be excluded with just under half a quota, for example, 4.9 per cent. It is possible, if there are five teams left in the count with more than one quota, that five fractions can be handed down and that each of these could be less than 4.9 per cent of the quota. Therefore it is possible that an excluded person or team could have obtained more total votes than those who were successful. The proponents of this scheme should be able to tell us why we have to have any exclusion. With six teams all sharing a number of votes, the total number of valid votes is divided by the divisor, thereby giving the quota. Why must we have an exclusion at all? What purpose does it serve?

The Hon. D. A. DUNSTAN: The purpose it serves is that, as was found in proportional representation systems in Europe, in order to ensure that a majority of citizens could elect a majority of the candidates under the proportional representation system, one did not get a fragmentation such as occurred in Germany, the Third Republic in France, and in Israel, where it was necessary to eliminate the people who did not get the 5 per cent of the vote. We propose not 5 per cent but the equivalent of half a quota. That is why this was necessary. It is to obtain effective stability and see that the proportional representation system does not do what at times it otherwise could do, that is, lead to greater fragmentation and minimize differences between the major groupings. The result is based on the results of an examination of the

workings of proportional representation systems everywhere else. I hope the member for Goyder is not trying to introduce a hybrid of a preferential system into the proposal, because it is not actually counting the votes of the people any more than does our proposal. It does not count votes cast for people who get less than 4 per cent. It counts the votes of people who get close to a quota, in effect: it affects the fractions at the end. The Government does not believe that this is preferable to the proposal we put forward.

It has been said that the Government's proposal is a first past the post system. It is not. If it were such a system for the election of 11 candidates, one Party would take the whole 11 seats. That is the system in the Legislative Council now. It is disguised as proportional representation, but it is not. It gives no support to minority groups at all.

Mr. McAnaney: How do you say that?

The Hon. D. A. DUNSTAN: It is what the L.C.L. has advocated over the years. Members opposite have been vociferously defending a first past the post system for the Legislative Council year in and year out. It is only now that they are faced with the high jump that they are suddenly showing an interest in minority Parties, which their system has carefully excluded from the Legislative Council over the years. Our system allows the election of candidates who get a quota of $8\frac{1}{3}$ per cent of the votes.

Mr. Goldsworthy: One has to get 4 per cent.

The Hon. D. A. DUNSTAN: He would not get $8\frac{1}{3}$ per cent if he did not get 4 per cent. The proportional representation system allows representation to every substantial group of substantial support in the community, and to a less substantial group than is provided in the Senate voting pattern at present. In those circumstances, I cannot accept the suggestion that it is a first past the post system. It is proportional representation.

Mr. HALL: The Premier's reply means that he does not know why this is being done. His statement that it is being done here because it has been done in other schemes is not good enough. It will make the system more complicated, and there must be a reason for that. If it is not necessary for the scheme, it would be desirable to take it out.

Mr. MILLHOUSE: The real reason for this is to keep out minority Parties. The Premier has referred to fragmentation and to places that had had too great a spread of Parties. He wants to make sure that small groupings in the community do not get representation in the Upper House. We are dealing not with a Lower House, where Governments are made and unmade and where there must be stability if a Party is to govern, but with an Upper House that is a House of Review. It does not matter if every member of an Upper House is a member of a different Party. As I have said, members of the L.C.L. have boasted over the years that there are no Party politics in the Upper House. If we are to have a genuine attempt to have all shades of opinion represented in Parliament, there is no need for this provision.

Dr. EASTICK: Fortunately, in a democracy we are allowed to express our views without being forced to a position where we are told that, if we do not accept another view, we are wrong. Those who vote for the small groupings or minority Parties are being denied the opportunity to elect members to the Upper House if those small groupings or minority Parties do not get the prescribed number of votes. Those votes cast are thrown out, whereas they should be distributed so that they exercise an influence in electing

members of the Upper House. I ask the Premier to reconsider the matter.

Mr. GUNN: I support my Leader. The Premier has advanced a superficial argument. He claims that we have great democrats here, but his action this evening denies minority groups any right to be elected to a House of Parliament. A House of Review should give representation to minority groups, even though the Premier and my Party may oppose the views of those groups. It is part of our democratic system to have political Parties and any Party that can attract reasonable support should have the opportunity to gain representation. This is what the amendment of the Leader of the Opposition will do. I am rather disappointed that the Premier has rejected it out of hand after loudly lauding the policy of one vote one value in his policy speech and on other occasions and that he would take a deliberate act to disenfranchise many people.

Mr. HALL: I understand I am not going to get an answer. I want it placed on record that I have asked a question and that the Premier has not answered it, nor has any of his Ministers, except to say, "This is the way it is because that is the way we want it." I say again that I have asked why it is necessary to have exclusions and to come down to a second divider to fix the second quota. The Premier has not answered and I can only assume that he cannot. If it is more than that and if it is a plan (as the member for Mitcham believes) to exclude minorities, it is a despicable plan. However, I must put on record that my question has not been answered.

The Committee divided on the amendment:

Ayes (21)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick (teller), Evans, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Millhouse, Nankivell, Rodda, Russack, Tonkin, Venning, and Wardle.

Noes (24)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Majority of 3 for the Noes.

Amendment thus negatived.

Clause passed.

Clause 19—"Printing of ballot-papers."

Dr. EASTICK: I move:

In new paragraph (d)(i), after "the" first occurring to insert "name or"; after "in" first occurring to insert "or comprising"; to strike out "of two or more persons"; after "the" fifth occurring to insert "name or"; after "in" second occurring to insert "or comprising"; in new paragraph (d) (ii), after "shaken:" to insert "and"; in new paragraph (a) (ii), after "the" ninth occurring to insert "name or"; after "in" second occurring to insert "or comprising"; after "the" fourteenth occurring to insert "name or"; after "in" fourth occurring to insert "or comprising"; and to strike out new paragraph (d)(iv).

These amendments are free-standing amendments. They provide for the groups, whether single persons or multiple groups, to be all balloted for on the one occasion. It is in the best interests of true democracy, if that is what the Government is seeking, that the names of all groups are considered at the one time instead of some people being given an opportunity for a decision ahead of others. The schedule on the last page of the amendments clearly indicates my purpose in moving these amendments.

The Hon. D. A. DUNSTAN: The Government cannot accept these amendments. The provision in the Bill is the same as for the Senate and, in effect, it is the same as the provision already existing for the Legislative Council, because at present the candidates grouped together

are placed first on the ballot-paper and the ungrouped people thereafter.

Dr. Eastick: We do not have to stick to the past.

The Hon. D. A. DUNSTAN: I cannot see any reason for altering it. Perhaps one ungrouped candidate may obtain an advantage from the donkey vote, but I cannot see any point in that.

Mr. COUMBE: The amendments will give equal opportunity to all people who wish to nominate for the Legislative Council. I have heard the Premier and Government members state many times that we should do away with precedents and try something new. However, it seems to suit the Government now to retain the present rule. These amendments are an attempt by the Opposition to suggest a scheme whereby the Bill will be improved, not for the A.L.P. the L.C.L. or other major Parties but for the electors who wish to be candidates for the Legislative Council.

The Hon. HUGH HUDSON: At the last Senate election in South Australia, Bob Harris received, I think, 12½ per cent of the vote. It is not impossible for one candidate on his own on the top position of the ballot-paper to secure as much as 16 per cent. No provision exists for the transfer of surplus votes, and there could be additional problems if one quota is used in that way so that the final seat could go to a candidate receiving one-fifth or one-third of the quota. Harris ensured he was in the top position by having a running mate, and in these circumstances we have some insurance that a group in top position will include at least two members. They have to be good enough to secure about 24 per cent of the total vote before the number of quotas earned is significantly different from the number of candidates. If they receive 16 per cent there would be two quotas, but also there would be two candidates. If one person is well known and has strong support, there may be the embarrassing situation in which two quotas for the one person would follow, but he should have a running mate so that if he receives the extra quota there will be someone to elect.

Mr. EVANS: I have no doubt now what the purpose of this Bill is, because the Minister said that, if an individual wishes to stand as an Independent, he should take a running mate and pay another \$100.

The Hon. Hugh Hudson: He does not have to.

Mr. EVANS: The Minister is saying that he must do that if he wishes to have the same chance as any other person in the allocation.

The Hon. Hugh Hudson: We should not have to put up with this garbage at this time of the morning.

Mr. EVANS: It is not garbage. What does the Minister do for the person at the end of the line who gets 11 quotas? He has just the same problem. The Minister is attempting to put "What if he gets 11 quotas; what happens?" In other words, he is admitting that, if the person ends up on the left-hand side of the ballot paper, he has a greater chance of getting a bigger percentage of the votes. The Minister wants to make sure that a person does not get that opportunity if he stands on his own. Why should he not have the right to stand on his own? In the schedule we see what happens to the five groups that have been established. The first two groups, A and B, have more than one candidate and we consider them as the two major Parties. Groups C, D, and E each have one person. We do not give the person in group E an opportunity of getting the position of group A, which the Minister has admitted has a greater chance of getting a bigger percentage of the votes.

The Hon. Hugh Hudson: Any idiot knows that, and you know it, too.

Mr. EVANS: Any idiot knows that an honest person would want to give everyone an equal opportunity of being in that favourable position. The Minister is saying that, because his Party has drafted a provision making it difficult for the man at the end, we should make it more difficult for the man standing on his own with no money and no Party backing. If he does not quite get the quota and ends up in group E, the Minister says "Bad luck". But, if he ends up in group A, the Minister says, "It makes it difficult for us in the counting, so he should not be there." This Bill is designed to make it as difficult as possible for minority Parties to gain representation in the Upper House. We accept the principle that people can belong to Parties and follow their lines but democracy could still work if the Upper House was full of Independents, people of different political persuasions. They do not need Party affiliations and backing. We are going right away from the principle of democracy and I cannot support a Bill that makes it more difficult for the minorities to win a place in Parliament than it does for the major Parties. I support the amendments.

The Hon. HUGH HUDSON: There are several *non sequiturs* in what the honourable member has said. This provision does not make it more difficult for the minority Parties. The kind of individual that the honourable member is talking about, who runs on his own in a Quixotic fashion, has no organization or backing across the State and is unlikely to cause difficulty; but there are groups in the community who support certain issues. One reason why Mr. Harris polled so well in the Senate election was that he had a ready-made organization throughout the State which was able to man polling booths and put out literature. He stood as an individual on a personal platform and took the sensible precaution, because he wanted to get the top position on the ballot paper, of having a running mate with him; so he got it. The honourable member is trying to make a federal case out of nothing. It is incredible.

Mr. COUMBE: Several things have been postulated. The Minister of Education has really highlighted another aspect that my Party has been promoting—preferences—because the Minister is talking of one man running alone and having one quota or possibly two quotas, many votes being spilled over, wasted and not counted. We have previously talked about the desirability of the preferential system which is being denied by the Government.

The Committee divided on the amendments:

Ayes (19)—Messrs, Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick (teller), Evans, Goldsworthy, Gunn, Mathwin, McAnaney, Nankivell, Rodda, Russack, Tonkin, Venning, and Wardle.

Noes (26)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan (teller), Groth, Hall, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, McKee, McRae, Millhouse, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Majority of 7 for the Noes.

Amendments thus negatived.

Clause passed.

Remaining clauses (20 to 23) and title passed.

The Hon. D. A. DUNSTAN (Premier and Treasurer) moved:

That this Bill be now read a third time.

Mr. EVANS (Fisher): I wish to express my disapproval of the Bill. I realize that most members in the Chamber

will, in all probability, support the Bill at its third reading stage. I know that it is acceptable to the major Parties and that there is little fear of them from its provisions in the future. They can be assured that, if the Bill becomes law, the chance of continuing minority support in the Upper House is most remote. For whatever the reason this Bill is supported, whether because of the threat of a double dissolution or for some other reason, I believe any real thought of democracy has been sacrificed. I can support proportional representation on a preferential basis with every person wishing to stand for Parliament having the same opportunity to gain votes. This Bill does not give that opportunity. It does little credit to the Premier, who has espoused for years the forms of democracy in which he believes, and his colleagues to support the Bill.

The Hon. Hugh Hudson: You'd be the last one to know anything about it.

Mr. EVANS: There is no sense in calling for a division, as only a few members oppose the Bill, but I want to put my views on record. In future people will be able to look at what happened, if this Bill becomes law, and say that really it was a step towards removing minorities from the political sphere in the Upper House, and I suppose it is the first step towards removing them from this House. I oppose the third reading.

Mr. HALL (Goyder): I support the third reading. I am sorry that one or two amendments did not succeed. There was one effective amendment to establish at least in the first case the Senate system, and consequently the remedial system that the Premier could not explain to the House. However, I believe that is a small issue compared to the passage of the total Bill. I believe it should pass. If it is undemocratic and against minority groups, the public will turn against the Government for not amending it. My study of the electoral system in South Australia has shown how surely people do turn against Parties that maintain unjust electoral systems. I do not think the Government will get away for long if it tries to maintain a system that is unjust. I believe that is an

essential safeguard that the L.C.L. would do well to contemplate.

In voting against the Bill, I believe that the member for Fisher is exercising a luxury. If his vote were the one that would cause the double dissolution, he would vote for the Bill. His situation is that the gun is not pointed at his head at this time, and he does not have to worry about the double dissolution. The Bill has emerged so that an interesting situation arises with regard to the Electoral Act. As I understand the operation of that Act, at an election that followed the passing of this legislation, based on one electorate for the whole State, there would be over 700,000 voters, and that election would be cancelled if one candidate died during the election period, until the time the votes were finally cast. I do not wish that fate on even my severest opponent. However, looking at the probabilities in this case, it is almost certain that over a number of elections a candidate will die during the election period and the whole election will be void and have to be held on another day separate from a House of Assembly election. I wonder what will happen if this occurs whilst we still have a voluntary voting situation for the Upper House. It is an interesting thought that must be carried in the back of our minds. In the meantime, I support the third reading, while the member for Fisher opposes it.

The SPEAKER: As this is a Bill to amend the Constitution Act and provides for an alteration of the constitution of the Parliament, its third reading requires to be carried by an absolute majority and, in accordance with Standing Order 298, I now count the House. There being present an absolute majority of the whole number of members of the House, I put the question "That this Bill be now read a third time".

Bill read a third time and passed.

ADJOURNMENT

At 1.11 a.m. the House adjourned until Thursday, June 21, at 2 p.m.