

LEGISLATIVE COUNCIL.

Wednesday, August 20, 1952.

The PRESIDENT (Hon. Sir Walter Duncan) took the Chair at 2 p.m. and read prayers.

ELECTORAL ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from July 30. Page 196.)

The Hon. R. J. RUDALL (Attorney-General)—I am sure that every member was very interested in the speech with which the Leader of the Opposition introduced this Bill, and I confess that the respect I hold for him always makes me somewhat sorry when I have to differ with his conclusions. The Bill is very easily understood because it provides simply for the compulsory enrolment of Legislative Council electors and compulsory voting. The honourable member relied on one argument, namely, that if the principle were good enough as regards the House of Assembly it was equally good for the Legislative Council, but the more one considers the Bill the more one is driven to realize that what may be quite applicable to the House of Assembly is not necessarily applicable with regard to the Legislative Council for surely it is essential to any good legislation that it should be enforceable. This Bill, of course, provides penalties for those who do not enrol or, having enrolled, do not vote, but I ask members to consider how this Bill could be policed. The only entitlement demanded of a voter for the House of Assembly is attainment of the age of 21 years and there can be no difficulty in policing legislation of that kind because every individual can be traced and the only relevant question is whether the voter has attained the prescribed age. The Legislative Council, however, has a restricted franchise: whether it should be or not is something we need not discuss this afternoon because it has nothing to do with the Bill. I realize that, until quite recently, a provision such as the honourable member seeks existed in Victoria, but I am sure that it was found very difficult to police, and the reason is quite obvious.

The Hon. E. Anthoney—A voter may be eligible today and not tomorrow.

The Hon. R. J. RUDALL—Exactly. That is another point which I shall refer to later. How is it possible to ascertain whether a particular man or woman is eligible to vote under a restricted franchise? Let me give an example. A tremendous amount of land is sold annually under agreements for sale and

purchase; if I sell some land to the Leader of the Opposition under an agreement for sale and purchase he undoubtedly becomes the equitable owner of that land and therefore entitled to be registered as a Legislative Council voter, assuming that the land is of sufficient value. Although he owns that land what electoral officer or inspector is in a position to know that in those circumstances the Leader of the Opposition is entitled to vote? It is impossible to trace the transaction. The document does not have to be registered in the Lands Titles Office; it is simply stamped with a 1s. duty stamp and it remains as a contract between two individuals. In other words it is essentially a private document of which there is no public knowledge—and there must be thousands of such transactions annually. From this one immediately sees the fallacy of any argument which suggests that because something can be policed in respect of the House of Assembly it can be policed in respect of the Legislative Council. The result must be, if this Bill becomes law, that it would set the electoral office an impossible task to enforce it. Mr. Anthoney said that a man could be eligible today, but not tomorrow. Everybody knows that a person entitled to be enrolled as a Legislative Council elector may be registered today, but tomorrow he may have sold or given up the occupancy of some particular portion of land that entitled him to be registered, and thereby loses his qualification. Who is to know about that? Who is to know when an occupier of a house ceases occupation if there is no record of the occupancy? The more one thinks of that the more he is driven to realize how impossible it is to police legislation of this description.

The Hon. F. J. Condon—Do you say that that cannot be used as an argument for adult suffrage?

The Hon. R. J. RUDALL—We are not dealing with that matter. We are considering compulsory enrolment and voting under a restrictive franchise. I do not think any member will agree to pass legislation which it is obvious cannot be policed. My second point is entirely different; one which I do not think Mr. Condon has considered. Parliament gave to ex-servicemen the right to vote for the Legislative Council. That was done specifically as an appreciation of their services in the defence of their country. It was given to them as a privilege, a right, by way of gift, or whatever term we care to use. I contend that it was given to them as a privilege and if they like to exercise

it, all very well, but what does this legislation do? It turns what was given as a privilege into a penalty because it says to every returned man, "We gave you this as a reward for your services, but now we say that unless you exercise that right by enrolling we will fine you and unless you vote we will fine you again." It turns the whole conception of this privilege into something entirely different from what was intended by Parliament. It reminds me of that old familiar quotation which, translated, means "I fear the Greeks even when they bear gifts."

The Hon. F. J. Condon—There is a certain amount of fear about this Bill, too.

The Hon. R. J. RUDALL—There is no fear. We should not pass the Bill, firstly, because we cannot police it and, secondly, because we are turning what was given to people as a privilege into a penalty. I rather fancy that returned men will be somewhat interested in the grim humour that underlies the proposal in the Bill. In those circumstances I oppose the measure.

The Hon. K. E. J. BARDOLPH (Central No. 1)—I support the Bill, which emanated from Her Majesty's Opposition. Under our British system of Government we cannot have Government unless there is an official Opposition; in other words, the Opposition is, in effect, an alternative Government to that occupying the Treasury benches, and has what may be termed a "shadow Cabinet." Accordingly, any measures submitted by the Opposition should receive the same consideration by members as measures submitted by the Government, notwithstanding what Party is in power. In Great Britain Leaders of the Opposition are members of Her Majesty's Privy Council, indicating that the responsibility of the Opposition is as great to the British people of a democracy as is the responsibility of the Government. That is the primary purpose which activated the Opposition in submitting a measure to provide for compulsory enrolment and voting for the Legislative Council. The Bill does not alter the present franchise; it remains as it is.

It is interesting to note that since the Legislative Council was created in 1856 there have been no less than 10 amendments to the Constitution, all of which referred to the franchise for this Council. First of all the nominal strength of the Council was reduced to 18, but for many years it has remained constituted as it is today, with 20 members and five districts. Parliament should, in effect, be

a mirror of the views of the electors, and unless the electors are provided with an opportunity to record their desires through the ballot box, it could be said outside and, unfortunately, is said, that this Chamber does not reflect the true opinions of electors.

The Hon. C. R. Cudmore—You are not suggesting they are not afforded an opportunity of doing so?

The Hon. K. E. J. BARDOLPH—No. Mr. Cudmore knows that from our early days it has been necessary to make electors realize their responsibilities to representative Government. That can only be done by the proposal submitted by the Leader of the Opposition. The Attorney-General based his opposition to the Bill on two main points. The first was that it would not be possible to police such legislation, but the same circumstances arise as regards Assembly voters. It is true that an elector has to be 21 years of age. That is adult franchise, but if we cannot police land transactions, as the Attorney-General mentioned, what protection have we, with the present franchise and no compulsory enrolment, to see that people who enrol for the Legislative Council have every right to be so enrolled?

The Hon. R. J. Rudall—There would be greater difficulty in policing enrolments for the Legislative Council.

The Hon. K. E. J. BARDOLPH—Those enrolled for the Legislative Council must have the necessary qualifications. The next point raised by the Attorney-General concerned returned soldiers. No member, irrespective of his Party, is opposed to returned men receiving their just rights but I would like to know why they are prevented under our Constitution from seeking election to this House until they are 30 years of age. If they are entitled to vote for the Legislative Council they should be allowed to stand for election and the age limit should be eliminated. If we want democracy to work, notwithstanding all the propaganda disseminated against our Parliamentary institutions, we must progress with the times. This measure represents no departure from existing conditions except that it provides for compulsory enrolment and voting for the Legislative Council. The Bill conforms to all the principles of British democracy and there is no valid objection why the amendment should not be made law. In other States the franchise is not as liberal but South Australia has been in the forefront of liberalizing the franchise.

The PRESIDENT—Order. I am not going to allow a debate on the franchise for this State or any other State on this Bill.

The Hon. K. E. J. BARDOLPH—This was the first Parliament in the Commonwealth, and, I believe, the first Parliament in the British Empire to permit women to vote. When members carefully examine the Bill they will realize that it does not represent any radical departure from our present Legislative Council set-up and if we provide for compulsory enrolment and voting this House will then be a mirror representing the true opinions and desires of those persons enrolled for the Legislative Council. I support the measure.

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

MINISTER OF AGRICULTURE INCORPORATION BILL.

Received from the House of Assembly and read a first time.

STAMP DUTIES ACT AMENDMENT BILL.

Received from the House of Assembly and read a first time.

SUPPLY BILL (No. 2).

Received from the House of Assembly and read a first time.

The Hon. R. J. RUDALL (Attorney-General)—I move—

That this Bill be now read a second time.

Clause 2 provides for the further issue of £6,000,000 for the Public Service for the year ending June 30, 1953. The £5,500,000 provided by Supply Act No. 1 will have been expended within the next few days, and further supply is necessary pending the passing of the Appropriation Act. Clause 3 provides that any payments made shall not exceed last year's estimates, except that the Treasurer is authorized to pay increases in salaries and wages which are fixed by an appropriate tribunal. This is the usual form of Supply Bill and it is essential that it be passed quickly, therefore I am obliged to honourable members for allowing it to pass through its remaining stages without delay.

The Hon. F. J. CONDON (Leader of the Opposition)—As pointed out by the Attorney-General this Bill is absolutely necessary and, although it involves a sum of £6,000,000, such a vast amount has come to be considered in these days as not very much. I support the second reading.

The Hon. C. R. CUDMORE—This is a machinery measure; there must be supply to pay the Civil Service and to carry on the work of the State. The only difference between

this measure and a similar Supply Bill carried at this stage of proceedings last year is that the amount continues to increase. Last year the sum was not to exceed £5,000,000, whereas this year it is £6,000,000. In these days we cannot quibble about an increase of one-fifth for we all know the difficulties of the present financial situation. I support the second reading.

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

HEALTH ACT AMENDMENT BILL.

Having obtained leave, the Hon. R. J. RUDALL introduced a Bill for an Act to amend the Health Act, 1935-51.

Read a first time.

The Hon. R. J. RUDALL (Attorney-General)—I move—

That this Bill be now read a second time.

Section 128 of the Health Act provides that a medical practitioner who attends or who is consulted by a person suffering from any form of tuberculosis is to report the case to the Central Board of Health. Section 129 of the Act provides that the Central Board is to pay a fee of 2s. to any medical practitioner who makes a report under section 128. Heretofore all that has been required from the medical practitioner has been a mere notification setting out the name and address of the patient and the fact that he is suffering from tuberculosis in one of its forms.

The National Tuberculosis Advisory Council has recommended that additional basic information should be included in the notification form. The additional information sought relates to matters such as X-ray reports, bacteriological reports and an expression of medical opinion as to the extent of the disease. This additional information is of value in determining priorities for hospital admission, a guide in assessing what public health measures should be taken and a most convenient means of supplying initial medical information for the Central Tuberculosis Case Registry. It is also of great assistance in determining eligibility for tubercular allowances. As before mentioned, this new notification form constitutes an expression of medical opinion and amounts to a medical assessment and report. It goes much further than the mere notification contemplated by section 128 with the result that the existing fee of 2s. is inadequate for what is required to be done by the medical practitioner giving the notification.

The Bill accordingly makes the following amendments to the Health Act. Section 128 is amended by clause 2 to provide that the medical practitioner required to notify a case of tuberculosis is to give the notice in a form prescribed by regulation. It is intended that, if the Bill is passed, a regulation will be made prescribing the new form of notification. In addition, the section is amended to provide that, in the report, the medical practitioner is to supply to the Central Board of Health such of the particulars specified in the form as are known to him. He will thus be under a duty to supply the requisite information. Clause 3 amends section 129 to provide that where a medical practitioner supplies the information required by section 128 he is to be paid by the Central Board a fee of 10s. 6d. A fee, however, is only to be paid where the report is given in the course of private practice and thus a fee will not be paid where a report is made by a medical officer of an institution.

The Hon. F. J. CONDON secured the adjournment of the debate.

CORONERS ACT AMENDMENT BILL.

Having obtained leave, the Hon. R. J. RUDALL introduced a Bill for an Act to amend the Coroners Act, 1935, and to repeal subsection (6) of section 14 of the Criminal Law Consolidation Act, 1935-1940.

Read a first time.

The Hon. R. J. RUDALL (Attorney-General)
—I move—

That this Bill be now read a second time. The purpose of the Bill is to make some alterations in the jurisdiction and procedure of coroners. It is based upon suggestions made by the City Coroner (Mr. Cleland) which have been under consideration for some time and in its present form has the approval of both the coroner and the Government's legal advisers. The main amendment is to take away what might be called the criminal jurisdiction of coroners. Under the present law it is laid down that a coroner must, on an inquest into a death, decide how, when and where the deceased came by his death; and if the death was due to murder, manslaughter or negligent driving, who was guilty of that offence. Similarly, on an inquest into a fire the coroner must find the cause and origin of the fire, and if finds that any offence punishable in the Supreme Court was committed in connection with the fire, he must report whom he finds guilty of the offence.

On finding a person guilty of an offence the coroner has power, and is indeed required, to commit him for trial. These coronial powers have in recent years been much criticised, not only by the City Coroner and other persons in Australia, but also in England. The question has frequently been asked whether the practice and procedure of a coroner's court is appropriate for a criminal investigation in which a person is not only liable to be committed for trial, but also to be declared guilty of a serious crime.

The criticisms in England led to the appointment of a committee of inquiry under the chairmanship of Lord Wright. Some eminent criminal lawyers, including Sir Archibald Bodkin, who for many years was Director of Public Prosecutions, were on the committee. On the question of the jurisdiction of the coroner, the committee recommended:—

The coroner's jurisdiction should be limited to the question of how, when and where the death occurred, and this investigation of facts should be clearly distinguished from the trial of liability, whether civil or criminal. . . . The coroner should no longer have power to commit any person for trial on a charge of murder, manslaughter or infanticide and the inquisition should not name any person as guilty of one of these offences.

The reasons in support of these recommendations were set out in some detail. The committee pointed out the very great difference between the procedure before a magistrate or justice on the preliminary hearing of a criminal charge and the procedure of a coroner. Before the magistrate the only inquiry is whether there is sufficient evidence to commit the accused for trial. The accused knows what the charge against him is and attends the proceedings as a defendant. The laws of evidence are strictly observed. If the accused is committed for trial he knows in advance the full details of all the evidence against him and cannot be found guilty until he has had the fullest opportunity of putting forward his defence. On the other hand, in the coroner's court a person may be committed for trial and declared guilty of a criminal charge without having received any prior notice that there was any charge against him and notwithstanding that the legal rules of evidence have not been observed. The committee said:—

The power of coroners to commit (for trial) is out of accord with the modern administration of the criminal law.

It is proposed, therefore, in this Bill to take away what I have called the "criminal jurisdiction" of coroners so that they will not have power either to commit for trial or declare

any person guilty of any offence. This, of course, does not mean that there will be any gap or defect in the machinery for bringing offenders to justice. It merely means that proceedings for criminal offences arising from deaths and fires will be dealt with before justices or magistrates and in the Supreme Court in the same way as other offences.

There are a number of other amendments in the Bill, and I will explain them in the order of the clauses. Clause 3 sets out the circumstances in which the coroner can hold inquests in cases of death. Under the present law the coroner cannot hold an inquest unless the death occurred within the State. It is proposed to extend this jurisdiction in two ways. The first is to give the coroner power to hold an inquest whenever the body of the deceased is within the State. It sometimes occurs that though the body is in this State the death occurred elsewhere, *e.g.*, on shipboard, or there may be no evidence to show where the death occurred. In such cases it may often be expedient to hold the inquest here. Secondly, it is proposed to give the coroner power to hold an inquest if a person ordinarily resident in the State has died an unnatural or violent death outside the State. This would cover the case where a person usually resident here is drowned outside the territorial waters of South Australia. These, of course, are discretionary powers only and the coroner need not hold an inquest if he thinks that an inquest will be held or ought to be held in another State.

Clause 4 is related to clause 3 and provides that where the body of a person who died outside the State is within the State the coroner may order its removal to any other State where an inquest is to be held. Clauses 5 and 6 contain amendments of the principal Act carrying into effect the proposal which I previously explained—namely, that the coroner is to limit his inquests to the question of how, when and where a death or fire occurred without determining the guilt of any person or committing any person for trial. Clause 7 contains some further amendments for the same purpose. It states that if a coroner after commencing an inquest into a death or fire is informed that a person has been charged with an offence in connection with the death or fire, the coroner must adjourn the inquest until the criminal proceedings are finally disposed of and need not resume it unless he sees some sufficient cause for doing so. Further if, before an inquest on a death or fire is held, the coroner

is informed that a criminal charge has been laid, he shall not commence the inquest until the charge is finally disposed of.

Clause 8 enables the coroner to dispense with taking a written record of evidence where he deems such a record unnecessary. It also empowers him, if he thinks fit, to take a shorthand record only. Clause 9 enables a coroner to make arrangements for the evidence of a person able to give relevant evidence on the matter in issue in an inquest to be taken by a justice. It also provides that a coroner may accept affidavits as evidence, but in any case where an affidavit is received the witness may be called for oral examination or cross-examination. These provisions are inserted at the request of the City Coroner to avoid the trouble and expense of bringing witnesses from a distance to testify to formal or minor matters only. Clause 10 is an amendment consequential on the provision that the coroner is not to commit any person for trial.

Clause 11 enables the coroner to issue a warrant for the removal of any dead body to a place for a post-mortem examination. Under the present law a coroner has power to order a post-mortem examination, but nothing is said about removal of the body to a suitable place for that purpose. It is desirable that every post-mortem should be held in properly equipped premises and in order to ensure this, it is necessary that there should be power to remove the body to such premises. Clause 11 also contains a provision that a summons to a witness at an inquest may be served by post.

Clauses 12 and 13 deal with burial orders. Such an order is required under the Births and Deaths Registration Act for the burial of a body in respect of which an ordinary certificate of death is not given. The form of "warrant to bury" prescribed in the Coroners Act is of ancient origin and is not altogether in harmony with the language of the Births and Deaths Registration Act. Clauses 11 and 12 therefore substitute a form which more accurately complies with the requirements of this Act. Clause 14 repeals a provision of the Criminal Law Consolidation Act which enables a coroner to commit a person for trial on a charge of killing by negligent driving. This is a purely consequential amendment rendered necessary by the alterations in the coroner's jurisdiction which I have previously explained.

The Bill is important. Having investigated the matter at considerable length over a long

period I heartily commend the measure to members. For a long time I have not been satisfied that a coroner should not be compelled to exercise many of the powers he has under the Coroners Act. We should always be careful to envisage the principle of protecting what we understand to be British justice. Under the present law where evidence can be given before a coroner's court, quite independent of the ordinary rules of evidence in force in our courts, a person might find himself, because of publicity given to coroner's proceedings—and I think it should be given—in a most invidious position, either before or after a criminal charge is laid, through the public being in possession of evidence which ordinarily would not be admitted. The amendments in the Bill are worthy of the consideration of all members.

The Hon. C. R. CUDMORE secured the adjournment of the debate.

PUBLIC PURPOSES LOAN BILL.

Adjourned debate on second reading.

(Continued from August 19. Page 417.)

The Hon. F. J. CONDON (Leader of the Opposition)—It is customary that a Bill of this nature should be introduced by the Chief Secretary. I am sure that all regret his absence today through illness and sincerely trust he will benefit by the rest he is taking. I assure him that he will be welcomed back here by all members. It is natural that during the absence of the Chief Secretary much work devolves upon the Attorney-General. I hope that both he and the Chief Secretary will not overdo themselves, but will look after their health, because every public man, and especially Ministers of the Crown, have great responsibilities thrust on them. Notwithstanding that the Attorney-General opposes me in everything I do I hope that the time will come when I will be able to educate him to act differently.

When I addressed the Council on a similar measure last year I said I sincerely hoped that full employment would be found by means of our Loan programme for that year. I further expressed the opinion that things would not always be so rosy as they were then. I mentioned that we had a great responsibility in considering the Bill; we have an added responsibility today and I trust that the conditions through which we are passing will be only temporary. No member wants to see unemployment. Last year the Federal Government endeavoured to float a £40,000,000 loan, but it was undersubscribed by £7,700,000. That was a pointer to the public of

what to expect. The last Public Purposes Loan Bill was for £41,000,000, but on this occasion it has been reduced to £29,000,000.

Members will appreciate that we are facing a position which we have not experienced for years. The spectre of unemployment is before a great many people today. For years we have had periods of unemployment in this State, particularly on the waterfront. My friend, Senator McLeay, who deals with matters affecting waterside workers, went out of his way to unfairly criticize a worthy body of citizens. Moreover, he has been supported by many people who are not in a position to judge. We are being asked to provide extra money for improvements on the waterfront at Port Adelaide. Watersiders' work has always been looked upon as casual. They have always had a fear that, if too many men are admitted into the Waterside Workers' Federation, it would only be a matter of time before the majority of them would suffer.

The Hon. E. Anthoney—Isn't that the whole crux of the question?

The Hon. F. J. CONDON—That is the position today. With that fear in their minds the federation did what it thought was right to protect its members, but today large bodies of these men are looking for work. In Victoria 2,700 waterside workers were stood down for several days. The week before last nearly 1,000 men on the waterfront in South Australia did not receive a day's pay; all they got was appearance money.

The Hon. F. T. Perry—Didn't they receive some allowance by way of the basic wage increase?

The Hon. F. J. CONDON—On a 38-hour week, yes, but for five days when they sought work none was offering. What do those who were howling about the attitude adopted by watersiders have to say today? Adverse statements were made by responsible Ministers, supported by the press. Members should always look at both sides of a question and not jump to conclusions.

The Hon. E. Anthoney—What were the statements?

The Hon. F. J. CONDON—About the federation not opening its books to admit all and sundry to its ranks. I hope that the position will prove only temporary, but wonder what will be the result in view of reduced loan expenditure and increased prices for all commodities. Directly I shall deal with a number of items on the Loan programme which we will be unable to carry out. Seldom do I refer to statements that appear in the

press. This afternoon I shall depart from my usual procedure because statements attributed to Mr. W. M. Fowler, the chairman of Elder, Smith and Company Limited, who is a friend of mine, should be mentioned. I know that there are honourable members who will be able to defend him if anything I say is incorrect. The article appears in this morning's *Advertiser* under the heading of "Annual Meeting of Elder, Smith," and includes, among other things, the following statements:—

The result is that the net profit has fallen from £727,362 for the previous year to £419,095. This is a substantial fall, but when it is realized that, in addition to increased running costs, the average value of wool for the year under review was 50 per cent lower than for the previous year, it is a matter for congratulation that the result is as good as it is. Perhaps it would be as well in our calculations and comparisons altogether to discard the peak year 1951. . . . Despite all the difficulties mentioned, the board felt justified in declaring a final dividend of 6 per cent, making for the full year a 10 per cent distribution. . . . When speaking to you at this time last year, I expressed the opinion that the only sound method of attacking rising costs was to produce more goods by giving honest work, over longer hours if necessary. I venture to say that most, if not all, Australians engaged in industry could increase production and lessen costs by really working a full 40-hour week and, surely, even if a 44-hour week were again introduced, it would be better to expend this little additional energy than suffer a reduction of real wages. Opposition members of Parliament and their supporters are often heard to criticise the Government for "not putting more value back into the Australian pound." No Government of either party can do this unless the people themselves decide to do more work.

I do not admit that the people in general have not been endeavouring to do their best, although it may be that there is a certain section which has not done a fair job. I wonder if Mr. Fowler applies his remarks to the employees in his industry who have worked 12-hour shifts since the introduction of the 40-hour week? The workers realized that articles were required overseas and worked overtime in order to increase production. Our problems will not be solved by seeking a reduction of £2 7s. a week in the basic wage and an increase in the working week.

The Hon. E. Anthony—They will if prices come down.

The Hon. F. J. CONDON—The basic wage was increased on August 1 and the honourable member knows that prices which increased just before that rise will not be reflected until next quarter. Although we were told that this

Government would not appear before the Arbitration Court a representative has been sent. If a man is not pulling his weight he should be dealt with but I do not believe in continually decrying the worker. In the majority of cases he pulls his weight and it is my duty to defend him from being harassed and criticized. Notwithstanding the continual cry about reduced production Elder, Smith and Company Limited still made a substantial profit.

An amount of £3,883,000 is provided for uranium production which is of utmost importance. It has been suggested that we should be secretive about our uranium deposits and I agree that that is necessary but, as I have stated before, we have sought information and been denied it only to see it given in the press subsequently. An article appeared in the *Port Pirie Recorder* on Monday, July 28. It purported to be a cable from Washington and was to the effect that Australia would probably be paid between 12s. 6d. and 30s. a pound for uranium if she decided to export it. That was an opinion expressed by atomic experts. It is wrong that statements which may be detrimental to Australia should appear in the press.

I propose to deal with a number of Government projects with which I am familiar. It is impossible to put into operation immediately some of the recommendations of the Public Works Standing Committee. In 1950-51 the committee submitted 20 reports and 8 interim reports and for 1951-52 the figures were respectively 35 and 9. Ten further reports are pending, the committee having completed its inquiries. This includes the final reports on the electrification of suburban railways and four country sewerage schemes. Ten inquiries have not yet been completed.

The Hon. E. Anthony—How many works recommended by the committee have not been proceeded with?

The Hon. F. J. CONDON—Quite a number, and some of them made several years ago, too. This brings me to a question raised in the Glenelg Council last night, and statements by certain councillors. It is unfortunate that they do not know the position. Alderman Anderson said he felt confident that Glenelg's plight had not been considered by the Public Works Standing Committee and Alderman Newman said that the lack of information was inexcusable and that the council was at least entitled to a progress report. I point out to them that the Glenelg-Brighton Foreshore

Improvements First Progress Report was signed on March 31, 1952. The committee was of the opinion that the major projects could not be proceeded with while all available labour and materials were needed for essential and urgent work. The amount involved was £79,000, but it is more important to supply this country with water, public hospitals and schools than to build a jetty at Glenelg. No-one can deny that the committee works exceedingly hard in dealing with matters referred to it by the Government—

The Hon. E. Anthony—Is it not a case of love's labour lost? No-one gets on with the job.

The Hon. F. J. CONDON—That is a question for the Government which my friend supports. This Bill covers an amount of £3,580,000 for waterworks and sewers. The two major projects are the Adelaide-Mannum main and the South Para reservoir. Today reservoirs serving the metropolitan area are almost full, yet already there is talk of water restrictions. It is the misfortune of those residing in the western suburbs to have to use bore water almost throughout the year, even in the middle of winter.

The Hon. E. Anthony—Pretty awful stuff it is, too.

The Hon. F. J. CONDON—That is what they have to use for most of the year so members will realize how necessary it is to push on with the schemes which will provide Adelaide with an adequate supply of good water. The South Para reservoir is a very important work, but it is impossible to proceed with this and several other items in the Bill before us to any great extent, and it would be far better to complete one work before starting another. Last year there were 8,790 new water connections and 4,900 sewer connections in the metropolitan area—both all time records—but we must think not only of the metropolitan area. Provision is made in this measure for £258,000 for the Tod River water district, £325,000 for the Beetaloo, Bundaleer, and Baroota water districts, and various sums for many other items recommended by the Public Works Standing Committee. When is all this work to be started? We know what the situation is and it leads me to think that we are facing the problem of unemployment.

The Hon. E. H. Edmonds—Many of those items are in progress.

The Hon. F. J. CONDON—And some are not; schemes recommended four or five years

ago have not yet been started because other work has been found to be more urgent. Turning to the Education Department, it is shocking to find that it was required to pay £779 an acre for nine acres for land for a school at Mansfield Park north of Woodville—not in the best part of the metropolitan area. It also had to pay an exorbitant price to another department for land in the South-East. This should not be allowed, and the department should tighten up in this respect. Why should anybody take advantage of the Government in a land transaction?

The Hon. C. R. Cudmore—The Government has power to acquire land.

The Hon. F. J. CONDON—Why doesn't it do it? To June 30 last £85,000 was spent in the erection of portable classrooms which provide a wonderful service for school children. I do not think it was expected a few years ago that the school population would grow so quickly. Today the department is doing a wonderful job under adverse circumstances. Although I do not suggest that schools should be given first priority they should be given very high precedence. The Public Works Standing Committee has recommended the erection of many schools which cannot be built as it seems impossible for the money to be found, and therefore the department is faced with having to select which schools are most needed. In this respect the Government has not confined its activities to the metropolitan area, but has spread them over the State. New classrooms and workshops at Woodville high school are estimated to cost £75,150. Other works include Port Adelaide technical girls' school, new primary school at Mount Gambier East (£51,982), new primary school at Mansfield Park (£29,402), Minlaton high school (£51,472), Gepps Cross primary school (£91,929), Ridley Grove infant school (£38,525), Taperoo and Morphettville Park schools (£128,000), new accommodation block at Roseworthy College (£60,332), Nailsworth boys technical school (£88,243), Highgate infant school (£49,794), Hampstead school (£94,687), Salisbury North primary school (£43,100) and St. Leonards infant school (£40,198). These are only a few of the schools recommended by the Public Works Committee. Every attempt is being made to house our scholars, but almost as soon as one school is completed it is filled.

The Hon. E. Anthony—That applies to a lot.

The Hon. F. J. CONDON—Yes, mainly because of our increased population. The amount set out in the Loan Estimates for Government

buildings and land is £2,117,000, including £765,000 for hospital buildings. The Committee recommended additions to Parkside Mental Hospital, male tuberculosis block (£72,455), Royal Adelaide Hospital, Northfield wards, new nurses' quarters, Northfield Mental Hospital, additional wards for staff (£980,825), Port Lincoln Hospital (£257,998), Mount Gambier Hospital (£820,444), and Mount Gambier Hospital, new children's ward (£14,161). For years we have been advocating the construction of the Western Districts Hospital and I compliment the Government on the fast progress that has been made with this work which, when completed, will afford great relief to the Royal Adelaide Hospital.

Another matter is the provision of homes for the aged. Unfortunately, today, many elderly people cannot be cared for in their own homes and have to enter an institution for aged people, but few homes of that type are available. Many aged people in our mental institutions today could be better provided for elsewhere, but there is nowhere for them to go. Money would be well spent on any scheme to house people in their old age. It is a State responsibility and they are entitled to some comfort. A most laudable scheme has been launched in Adelaide to provide them with some comforts, joy and assistance at Christmas. I trust that the project will receive the assistance of every member here.

People engaged in our fishing industry should receive some encouragement. Those who catch fish for a livelihood are entitled to every penny they receive, but receive little when you compare prices charged for fish sold over the counter. There is no fixed price for fish and this matter should receive attention from the authorities. Members would be surprised if they knew the price that fishermen receive for fish compared with the prices the public is called upon to pay.

It is proposed to erect a new sawmill at Mount Gambier and a new boiler house at Mount Burr, as well as effecting other improvements for the Woods and Forests Department. All the things I have mentioned cannot be done for £29,000,000. Many people have an idea that all that is necessary to proceed with any project is to suggest it, but members of the Public Works Committee have a great responsibility. They work extremely hard and devote much time to numerous inquiries. The committee has proved of valuable assistance to the Government. When it came to the question of providing various works for the River Murray district it was found that certain people wanted a road constructed

from Budunda to Morgan and on to Baramera, another section a railway, and a third a bridge. The committee has given much consideration to these requests but it is most difficult, because of so many differences of opinion, to arrive at any conclusion.

The Hon. E. Anthoney—You cannot please everybody.

The Hon. F. J. CONDON—Exactly. What the committee has to consider is, "What is the best thing to do?" The committee has saved the Government hundreds of thousands of pounds by going into matters fully. That, perhaps at times, has caused some delay, but the committee's desire is to protect the State's finances. Wheat bulk handling has caused the committee a terrific amount of trouble. Schemes operating in seven other countries have been gone into and extensive inquiries made to see if anything could be evolved in the interests of the State. I support the Bill.

The Hon. E. ANTHONY (Central No. 2)—The House, as usual, has listened to a most interesting speech from the Leader of the Opposition, who always gives members something to think and speak about. Mr. Condon has had long experience in this House and has sat on most Parliamentary committees. I join with him in his regret at the absence of the Chief Secretary whom, I trust, will soon be restored to health. His absence has thrust extra burdens connected with other departments on the Attorney-General. Like Mr. Condon, I trust that we will not have a return to the conditions of 1930-31. We do not want to see those days again, in fact, we should not see them in this young country which has great potentialities. Many of its resources are hardly touched and there is no reason why any member should be pessimistic about it provided every citizen pulls his weight.

Mr. Condon referred to unemployment on the Port Adelaide waterfront. I commend him for defending his constituents and feel that many extravagant statements have been made about waterside workers. They cannot always be blamed for certain happenings. In this respect I refer to the excellent report by the Auditor-General, Mr. W. P. Bishop. He inquired into every possible angle of waterfront work, but he did not entirely excuse the workers. He said he thought much more effort could have been made by them, but he also referred to mechanical aids and the need for better co-operation between those who represent commerce and industry in getting cargoes cleared from the wharves more speedily to help in a better turn-round of shipping.

The Hon. K. E. J. Bardolph—You admit that the worker is not always wrong?

The Hon. E. ANTHONY—I do not think any member here would say that the worker is always wrong. I think Mr. Fowler's statements referred to one particular industry and did not place a stigma on all workers. Nobody can find fault with the Public Works Standing Committee which has done a particularly fine job for the State, not only in making recommendations to the Government on projects but also in carefully examining accounts and saving a considerable sum of money. The Leader of the Opposition referred to a debate at the Glenelg Council regarding the Glenelg jetty. We sympathize with the council but it cannot be suggested that nothing has been done. The matter has been referred to the Public Works Standing Committee and a recommendation concerning the restoration of the jetty is being prepared.

The Hon. F. J. Condon—The recommendation refers to the Glenelg-Brighton foreshore improvements.

The Hon. E. ANTHONY—No municipality can undertake all the work connected with its seashore. The care of seaside resorts is a matter for co-operation and if all metropolitan councils imposed a rate of $\frac{1}{2}$ d. in the pound a large amount would be available for the upkeep of seaside resorts.

The Hon. L. H. Densley—Do you think Glenelg could build a jetty that way?

The Hon. E. ANTHONY—Yes. People from all the metropolitan area visit the seaside many times a year and avail themselves of the facilities available and they should be asked to make some contribution.

The Hon. F. T. Perry—A number of country people visit the seaside.

The Hon. E. ANTHONY—Then a small levy should be placed on all taxpayers. The seaside is the playground of all people and is not restricted to metropolitan dwellers.

The Hon. W. W. Robinson—There are other seaside resorts.

The Hon. E. ANTHONY—Then the total amount received could be applied generally. The Minister referred to the drift of population to the city but many things are responsible for that drift, not only lack of amenities in the country but also the natural attractions of city life. One cannot blame young people for leaving rural areas for the more attractive metropolitan area. People come to the city to provide better facilities for their children and others come seeking better positions. The drift increases the difficulties of

administration and government and deprives the country areas of a proper percentage of the younger population which should be available to carry on rural industries. If we cannot stem the drift to the city we will ultimately not be able to feed the growing population of this country. I commend the Government for providing money to improve the amenities of country people by providing better roads and better facilities on farms for workers.

The Loan Council and the system of borrowing were referred to, but everyone knows that the Loan Council was established in order to reduce competition between States on the loan market and maintain a fairly stable rate of interest. We are faced with one of the biggest Loan programmes ever presented but we have not sufficient money to maintain our public works programme. While we are all anxious to prevent any increase in the army of unemployed we must remember that the Government cannot be expected to find work for all those who are unemployed. After all, the Government and local governing bodies in this State only employ 61,800 people whilst private enterprise employs 165,200 and rural industries about 44,100.

The Hon. K. E. J. Bardolph—Where did you get those figures?

The Hon. E. ANTHONY—They are taken from the State statistics. We should be aiming not so much at keeping people in Government employment but in making it possible for private enterprise, by way of reduced taxation, to retain their employees and to employ more.

The Hon. K. E. J. Bardolph—But you just advocated increasing taxation by levying another rate.

The Hon. E. ANTHONY—That is another matter.

The Hon. F. J. Condon—What about the high prices we are paying for land?

The Hon. E. ANTHONY—I endorse what the Leader of the Opposition said about the high price the Government is paying for land for house building purposes.

The Hon. K. E. J. Bardolph—Do you say that about soldier settlements?

The Hon. E. ANTHONY—I do not know how much is being paid for those blocks but I do know what is being paid for property in the metropolitan area. A large area of land at Marion has been sold to the Housing Trust and I believe some it was sold for between £500 and £600 an acre. If a business man had sought that property he would have purchased it more cheaply.

The Hon. K. E. J. Bardolph—That is pure supposition.

The Hon. E. ANTHONY—It is more than supposition because I know that the land was sold for much less than that before the Government purchased it.

The Hon. F. J. Condon—Was the land in production when it was sold?

The Hon. E. ANTHONY—Yes, and very heavily producing too. When we are crying for more rural production it is wrong to acquire valuable producing land for building purposes. To date about £4,500,000 has been spent on the reclaimed areas and irrigation settlements on the River Murray. I have no criticism to make of the settler engaged in those areas—he is doing a good job—but we propose to pour £115,000 into those settlements this year and Chaffey is the only one paying its working expenses. The Government should examine the position to see whether those settlements might not be better managed under a trust similar to the Renmark Irrigation Trust which not only pays its expenses but reaps some surplus each year.

The Hon. F. T. Perry—It has a community hotel.

The Hon. E. ANTHONY—It receives a grant from the profits of the community hotel which is spent in the town. I realize that pumping costs are high and that firewood, which is scarce along the river, has to be carted many miles.

The Hon. R. J. Rudall—The areas are to be electrified.

The Hon. E. ANTHONY—But pumping costs will still be high. Mounting costs have made the position difficult and I do not criticize Government management but what has been successful at Renmark might be worth trying elsewhere.

The Hon. C. R. Cudmore—We are to have another Bill this year to allow the Renmark Irrigation Trust to raise its rates.

The Hon. E. ANTHONY—They have already raised pumping and water rates and they are about bankrupt.

The Hon. C. R. Cudmore—But you want more trusts?

The Hon. E. ANTHONY—The Renmark Trust at least is not getting into debt whereas, with the exception of Chaffey, all the others are.

The Hon. C. R. Cudmore—Why do they keep coming to Parliament for more money?

The Hon. E. ANTHONY—They do pay it themselves whereas we have to find the

money for the others. No doubt other members have received the pamphlet from the Murray Valley Development League asking for support in pushing on with its objective of settling 1,000,000 people along the banks of the Murray. This is a fine ideal not incapable of achievement, I think. A great portion of the area has been subjected to a soil test and judging from Professor Prescott's report, the Murray Valley is capable of carrying 1,000,000 people.

The Hon. R. J. Rudall—You do not mean within our own State?

The Hon. E. ANTHONY—I am referring to the whole of the Murray Valley. In our own State, even with the settlements in view, the production can pretty well be doubled. The league suggests that savings could be made by the elimination of overlapping of State and Federal administration. Undoubtedly there is overlapping and it ought to be stopped. I understand, for example, that a considerable amount could be saved by eliminating double bookkeeping. Why not make district officers responsible for the collection of all rates in their districts? Why must they all be sent to the city thereby causing a double set of books to be kept? The league claims that it could increase our exports of food from the Murray if some financial assistance were given it, and so we come back to the question of finance in all these schemes. Although we are dealing with one of the largest Loan Bills ever to come before the Council we are still short of money for developing all the projects crying out for attention. It is all the more pleasing, therefore, to note that the Forestry Department is showing a profit.

The Hon. F. T. Perry—It is still on the Loan Estimates.

The Hon. E. ANTHONY—None of the departments seem to get off the Loan Estimates, but I suppose we must develop this young country and it cannot be done entirely by private enterprise; the Government has to tackle the tasks of water reticulation, railway services and all the rest.

The Hon. F. J. Condon—The Harbors Board and the Produce Department have shown profits.

The Hon. E. ANTHONY—There may be one or two, but they are few. I am in perfect agreement with the honourable member when he suggests that we should make more provision for the aged in our housing schemes. While I was in England I was impressed by the way the aged are housed there. I went

into one large settlement at Pimlico. I suppose a thousand people are housed in a community centre there which includes provision for aged couples; Darby and Joan cottages they call them; lovely little self-contained places of three or four rooms, fully equipped with modern amenities and let at a nominal rental. I suppose it is because of the limited areas available there that they have to resort to these large communities and that it is because we are accustomed to large open spaces that Australian people prefer detached houses, but I think that the English plan for housing elderly people well worthy of emulation. The Education Department is doing a very good job, under adverse circumstances, in trying to meet the pressure of the increasing school population on the limited accommodation available, and I pay a tribute to the Minister for the way in which portable schoolrooms are provided—generally fairly soon after the pressure becomes evident. They are fulfilling a long-felt want, being warm in winter and cool in summer, and both children and parents, as well as teachers, are pleased with them. I sympathize with the Minister in the great task he has in staffing schools and I suggest to him that he might be able to staff country schools much better if he were to set up a branch of the Teachers Training College somewhere in the country. A great cost need not be involved, but I am sure he would be able to attract to it country boys and girls who would be glad to join the department if they could train in the country instead of having to come to the city, and then be sent to some outback place after the completion of their training. Country boys and girls would be happier in the country and more likely to stay than city children when they are sent to outback parts where they have no relatives or friends and are not accustomed to country conditions. The Bill contains many items which could be discussed. We have problems with regard to our railways and tramways—

The Hon. K. E. J. Bardolph—The Government is granting the tramways a further loan.

The Hon. E. ANTHONY—That matter is still *sub-judice*, as they say in the courts, and we do not know how Parliament is going to deal with it.

The Hon. F. T. Perry—The trust is getting another £400,000 of loan money.

The Hon. E. ANTHONY—And it is helping itself a bit too, although I do not agree that the way to do it is by increasing fares.

The Hon. K. E. J. Bardolph—Now you are taking Labor's policy.

The Hon. E. ANTHONY—I do not think anyone feels that to increase fares is the way to overcome the difficulties, for a customer resistance is set up; fewer people travel and consequently the purpose of the increase is defeated. In this Bill we are asked to vote a huge sum of money. Every million pounds we borrow increases the public debt of the State and will leave a very big load for posterity to carry. Let us hope, therefore, that the money we are investing in public works will be soundly invested and will lead to such development of the State as to ensure some profit to those who will have to help to meet the debt.

The Hon. Sir WALLACE SANDFORD secured the adjournment of the debate.

HOSPITALS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 19. Page 412.)

The Hon. F. J. CONDON (Leader of the Opposition)—This Bill does not need much explanation. The amendment passed last year provided for extra revenue to the extent of £25,000 whereas costs have increased by about 150 per cent. The Act enables hospitals to recover from insurers costs incurred by the hospitals in treatment of patients injured in road accidents. Under the Act hospitals are divided into two categories—Government and private. All payments by insurers, etc., in treatment of patients in Government hospitals are made to the Director-General and in respect of treatment by private hospitals payments are made to the private hospitals. The Bill provides that subsidized hospitals are removed from the definition of Government hospitals in section 49 and will be dealt with as private hospitals. Clause 2 deals with the definition of "Government hospitals," and deletes "assurance" and inserts "insurance". I support the Bill.

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

PORT AUGUSTA SUB-BRANCH R.S.S. AND A.I.L.A. (PURCHASE OF LAND) BILL.

Adjourned debate on second reading.

(Continued from August 19. Page 412.)

The Hon. R. R. WILSON (Northern)—Early in 1948 the Port Augusta sub-branch of the R.S.S. and A.I.L.A. had considerable funds in hand to build a memorial hall for the benefit of its members. For years the sub-branch occupied what is known as the old

customs building adjoining on land commonly referred to as block No. 107. The sub-branch approached the State Government about the purchase of the land and was told that it would not be sold privately, but by public auction. It was advertised in the press and advice of the sale sent to all land agents in the State. In July, 1948, the land was bought by the sub-branch for £100. In August, 1948, a land grant was issued in the name of the registered proprietor, the Port Augusta sub-branch of the R.S.S. and A.I.L.A. Working bees were arranged to make cement bricks and other things to build the hall. This went on for more than two years when the Director of Lands advised the sub-branch that the Commonwealth Government had claimed the land and therefore the sale was invalid.

The Hon. K. E. J. Bardolph—On what grounds?

The Hon. R. R. WILSON—In 1908 certain lands were transferred to the Commonwealth Government, but through an error the transfer of this piece of land was not recorded in the Lands Department, which still thought it belonged to the State. The Government approached the Commonwealth Government which said that the block was worth between £700 and £800. It has been the practice of the State Government to sell any land which was required for building war memorials at a concession. The Commonwealth Government was notified of this and fixed a price of £360. The sub-branch, having paid £100, found the balance of £260. Thinking that the title deeds were correct it proceeded with the building but it was found that the transfer could not be effected until the State Government purchased the land from the Commonwealth and resold it to the sub-branch. There is another piece of land between block 107 and Commercial Road, vested in the town of Port Augusta. This area is of no use to the council and the Government has agreed to its attachment to block 107 when the title deeds are issued. I commend the Bill to members.

The Hon. C. R. CUDMORE (Central No. 2)—The Bill is an exception to the general rule that hard cases make bad laws. It is not our practice, generally speaking, to assist people if, by some mistake, they enter into a bargain which cannot be carried out and get into trouble, but in this case it is the Government which appears to be in error. We are justified in asking that the arrangement intended by all parties be carried out. Mr. Wilson has explained the position to members and the Minister gave full particulars in his second reading speech. In a nutshell, the Port Augusta sub-branch bought some land from the State Government and paid for it, later discovering that it did not belong to the Government. In the meantime the sub-branch erected a building and the people who financed the money for it want a title, but the State Government cannot give one until the Bill is passed. It is hybrid measure and if the second reading is carried it will be referred to a Select Committee which will make the necessary inquiries and report back to this Chamber. We should not encounter any difficulties and I support the second reading.

The Hon. W. W. ROBINSON (Northern)—I support the Bill, and regret that a mistake was made in the Lands Department. The R.S.L. has done the proper thing in making up the additional £260. I feel that in the interests of everybody we should pass the Bill to enable the transaction to be carried out as originally intended.

Bill read a second time and referred to a Select Committee consisting of the Honourables K. E. J. Bardolph, S. C. Bevan, W. W. Robinson, R. R. Wilson, and the Attorney-General; the Committee to have power to send for persons, papers and records and to report on Tuesday, September 23.

ADJOURNMENT.

At 4.27 p.m. the Council adjourned until Thursday, August 21, at 2 p.m.