

LEGISLATIVE COUNCIL.

Wednesday, July 18, 1962.

The **PRESIDENT** (Hon. L. H. Densley) took the Chair at 2.15 p.m. and read prayers.

ASSENT TO BILLS.

His Excellency the Governor, by message, intimated his assent to the following Bills:

Supply (No. 1),
Appropriation (No. 1).

QUESTIONS.**UNION MEMBERSHIP LISTS.**

The **Hon. A. J. SHARD**: I wish to ask a question of the Minister of Industry, but seek leave to make a brief statement prior to asking the question.

The **PRESIDENT**: I have given some thought to the procedure adopted in the past in respect of the granting of leave to members for various purposes, particularly in respect of explanations of questions as required by Standing Order No. 110. As honourable members know, the Standing Orders provide that the leave of the Council must be unanimous.

The method of ascertaining whether it is the unanimous wish of the Council that leave be granted has varied from time to time, but, with the approval of honourable members, I propose in future to adopt the form of asking, "Is it the pleasure of the Council that the honourable member have leave?" Should there be a dissentient voice, I shall announce, "Leave not granted", but if there be no dissentient voice, I shall announce, "Leave granted".

There being no dissentient voice in this case, leave is granted.

The **Hon. A. J. SHARD**: Section 80 of the Industrial Code which apparently has been in the legislation since its inception provides, among other things, that each January all unions registered with the State Industrial Court must supply a full list of the names of members of their organization together with a list of officers, including trustees. In the month of July an organization registered with the Industrial Court must supply a full list of the names of persons who have ceased to be members of the organization and those who have, during the six months ending on the preceding 30th of June, become members of the organization. Subsection (5) of that section, which provides for a penalty that is rather severe, reads as follows:

An association making default in forwarding any such list shall be liable to a penalty not

exceeding £2 for every week during which such default continues; and every member of the committee of management of any association who permits such default shall be liable to a penalty not exceeding 5s. for every week during which he permits such default.

I understand that the lists supplied to the Industrial Registrar are never looked at, and serve no useful purpose. In addition, it takes considerable time to comply with the Act. I believe it takes one union, to whom I spoke this morning, about a fortnight to prepare its list, and it costs much time and worry. The Commonwealth Arbitration Court, however, is satisfied with a list of the officers. According to the Governor's Speech, the Government intends to amend the Industrial Code. Will the Minister favourably consider deleting that part of Section 80 which refers to organizations supplying a list of members to the Industrial Registrar?

The **Hon. C. D. ROWE**: I am aware of the requirements of Section 80 and also share the opinion expressed by the honourable member that it does ask for details of names and so on which, in many cases, would appear not to serve any useful purpose and which, on the other hand, involve much time and effort by officers of unions. I think I can safely say that the Government would be prepared to consider an amendment of the section in regard to the supply of lists of officers of unions which would meet the case mentioned, and to provide that if circumstances arose that made it necessary to require a union to supply a list of names, that could be done. Generally, I am prepared to give favourable consideration to the Leader of the Opposition's request.

SALES TAX ON SCHOOL BOOKS.

The **Hon. K. E. J. BARDOLPH**: I ask leave to make a statement prior to asking a question.

Leave granted.

The **Hon. K. E. J. BARDOLPH**: The Commonwealth Government still imposes a sales tax on certain school books and school equipment, apart from the free issue of some books. Some parents find it an imposition and a burden to pay this sales tax. Will the Attorney-General, representing the Minister of Education, take up with the Commonwealth Government the question of abolishing the sales tax on school books and school equipment, and, failing a satisfactory answer, will the State Government subsidize the parents of those children who are compelled to pay sales tax?

The **Hon. C. D. ROWE**: There are several facets to the question asked. As to whether

consideration can be given to the removal of the sales tax on school books, I am prepared to communicate with the Commonwealth Government to see what its views are, and when I know the position there, I shall be prepared to refer to Cabinet the second part of the question.

COUNCIL ELECTIONS.

The Hon. S. C. BEVAN: I ask leave to make a brief statement prior to asking a question.

Leave granted.

The Hon. S. C. BEVAN: In view of the chaotic conditions created at the last council elections by opinions given about the distribution of how-to-vote cards, does the Minister of Local Government intend to amend the Local Government Act to legalize the distribution of how-to-vote cards at those elections on a similar basis to that applying under the Acts relating to both Commonwealth and State Parliamentary elections?

The Hon. N. L. JUDE: I was not aware of the chaos indicated by the honourable member, but I inform him that the matter is under consideration.

MAINTENANCE ORDERS.

The Hon. F. J. POTTER: I ask leave to make a brief statement prior to asking a question.

Leave granted.

The Hon. F. J. POTTER: Can the Attorney-General tell the Council what progress is being made in the discussions between the States concerning some uniformity in the summary jurisdiction procedures for the enforcement of maintenance orders and for the adoption of children?

The Hon. C. D. ROWE: This matter has been discussed, I think, at two separate conferences by the Attorneys-General of Australia and we are working closely on it at present. However, it will be some time before we can submit draft legislation. There are some difficulties to be overcome, and we are actively working on them.

PETROL TAX.

The Hon. K. E. J. BARDOLPH: I ask leave to make a brief statement prior to asking a question.

Leave granted.

The Hon. K. E. J. BARDOLPH: Recently the Minister of Roads attended a conference of Ministers of Roads, and following on that

a Premiers' Conference and a Loan Council meeting were held in Canberra. It is understood there was a proposal by the Victorian Premier that an imposition of 3d. a gallon be placed on petrol for the purpose of providing a nucleus for a fund to carry out road construction throughout the States. Did the Minister express an opinion in favour of that proposal on behalf of the South Australian Government?

The Hon. N. L. JUDE: That is a matter of Government policy, and I will obtain a reply for the honourable member.

MATRIMONIAL CAUSES ACT.

The Hon. F. J. POTTER: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. F. J. POTTER: The Commonwealth Matrimonial Causes Act provides that where an order for a divorce is made there is no jurisdiction to make any maintenance orders respecting children of the marriage except in the Supreme Court where the order for the divorce is made or registered. This provision not only concerns proceedings under the new Act, but it is retrospective in operation, which to my knowledge causes difficulty and hardship in some instances. In one case I have in mind, the mother of infant children had been granted a divorce in Melbourne some years ago but had not sought maintenance for the children at the time, and she could not be helped by the Welfare Department here to obtain any order against the former husband, based on the paternal relationship, and was forced to go back to the old proceedings in the Victorian Supreme Court for some relief. Is the Attorney-General aware of this difficulty and, if so, would he consider taking up the matter with a view to restoring summary jurisdiction in these cases?

The Hon. C. D. ROWE: I am aware of the difficulty that arises in that matter and I am prepared to take it up with the appropriate authorities to see if it can be overcome. Whilst talking on the question of matrimonial causes, may I say that I recently arranged with the Master of the Supreme Court of this State to attend a conference, at which there will be the Masters of the Supreme Courts of the other States, to consider the working of the new Matrimonial Causes Act and its ramifications and to see whether some improvements can be made to make it work more efficiently and effectively than is the case at present.

JOINT COMMITTEE ON SUBORDINATE LEGISLATION.

The Hon. C. R. STORY: Mr. President, I bring up the report of the Eighth Joint Committee on Subordinate Legislation, 1959-1962, and ask that, by leave, the necessity of reading it be dispensed with, and that it be recorded in *Hansard*.

Leave granted.

JOINT COMMITTEE ON SUBORDINATE LEGISLATION.

Report of the Eighth Committee, 1959-1962.

Personnel of Committee.—The Eighth Committee was appointed on the 9th and 10th June, 1959, and consisted of:

Members of the Legislative Council:

The Hon. A. J. Shard, M.L.C.

The Hon. C. R. Story, M.L.C.

The Hon. R. E. Wilson, M.L.C.

Members of the House of Assembly:

Mr. G. B. Bockelberg, M.P.

Mr. J. S. Clark, M.P.

Mr. R. R. Millhouse, M.P.

Mr. Robin Millhouse, M.P., was elected Chairman on 18th June, 1959.

Mr. J. J. Jennings was appointed on 3rd May, 1960, in place of Mr. J. S. Clark, discharged.

The Hon. A. F. Kneebone was appointed on 24th October, 1961, in place of the Hon.

A. J. Shard, discharged.

Meetings.—The Eighth Committee met on 48 occasions. The total number of meetings held since the formation of the Committee in 1938 is 368.

Work of the Committee.—The number of by-laws, regulations or rules examined by the Eighth Committee was 426, and the total since the inception of the Committee in 1938 is 2,648. The distribution of papers over the eight committees is as follows:—

First Committee	300
Second Committee	278
Third Committee	251
Fourth Committee	371
Fifth Committee	396
Sixth Committee	291
Seventh Committee	335
Eighth Committee	426
	2,648

The Eighth Committee recommended the disallowance of 18 papers.

The total number of reports furnished to both Houses since 1938 is 87, made up as follows:—

Committees.	Reports submitted.	Disallowed by Parliament.	Revoked or substitute provided.	Resolution for amendment agreed to.	Motion to disallow negated or discharged.
First	20	16	4	—	—
Second	6	6	—	—	—
Third	10	6	1	1	2
Fourth	6	4	2	—	—
Fifth	1	1	—	—	—
Sixth	2	2	—	—	—
Seventh	24	16	1	—	7
Eighth	18	16	—	—	2
Totals	87	67	8	1	11

Evidence was taken by the Eighth Committee on 33 subjects, making a total of 130 to date. The number of witnesses examined was 91, making a total of 355 examined since the inception of the Committee in 1938. The Eighth Committee made an inspection of two areas in the course of its consideration of two by-laws.

ROBIN MILLHOUSE, Chairman,
Joint Committee on Subordinate Legislation.
18th July, 1962.

ADDRESS IN REPLY.

Adjourned debate on motion for adoption.

(Continued from July 17. Page 124.)

The Hon. A. J. SHARD (Leader of the Opposition): I support the motion for the adoption of the Address in Reply. I am happy to be associated with the congratulations that you, Mr. President, conveyed to His Excellency the Governor following on his recent elevation

to the Most Distinguished Order of Saint Michael and Saint George. Since Sir Edric has arrived in South Australia he and his good lady have applied themselves to their task with great vigour, and to the complete satisfaction of the South Australian people. They have not spared themselves in any way and have endeavoured to obtain a complete knowledge not only of the metropolitan area, but of our country districts. On behalf of the people I represent I wish them well during the remainder of their stay in this State, and feel sure that they will continue to endear themselves to all people in South Australia.

I was, with other members, pleased to read of the proposed visit of Her Majesty the Queen and the Duke of Edinburgh to South Australia next year. The people I represent, with the rest of the people in the State, welcome these visits because they can do nothing but

good. The system under which we live in Australia is equal to, if not better than, any other form in the world. The visits of Her Majesty the Queen to the different countries must have a lasting effect, particularly on school children, and the forthcoming visit will be no exception to those which have preceded it.

I now refer to the passing of a former member of Parliament, the late Mr. James Ernest Stephens. Mr. Stephens was an old friend of mine and a person whom no-one could help but like and admire. He was sincere, and an excellent example of what an Australian father should be. He had a remarkable record in the trade union movement, and became secretary of the Transport Workers Union of Australia in 1907 and remained so until 1938. He had the unique record of conducting the first wage arbitration case in South Australia on behalf of that organization. During the years I knew him his administration of the union left nothing to be desired, and in his Parliamentary activities he did more for the supply of free milk to schoolchildren than did anyone else. Year after year he tried to have a motion passed in the House of Assembly that free milk be supplied to schoolchildren, and finally, after many defeats, he succeeded. On behalf of my colleagues I express sincere regret to his wife and family on his passing.

On behalf of Labor members I extend a welcome to the Hon. Mr. Gilfillan and the Hon. Mr. Dawkins following on their election to the Council. I congratulate them both, as mover and seconder of the motion, on their contributions yesterday, and on the able way in which they delivered their speeches. They must have given much thought to the subjects they brought forward. Both members showed that they know what they want. They appear to have a vast knowledge of the State, which is welcome, and they expressed themselves well. They will find that I and my colleagues in this place may not always agree with what they say, but irrespective of Party politics we shall grow fond of one another. Despite what may be said to the contrary, the friendships made outside this Chamber are always retained. They may be disillusioned sometimes when, although on the Government side and no matter how right they may be in what they want, they do not succeed. They may succeed sometimes, but we on this side, no matter how right we are, never succeed unless the Government wants what we suggest. I wish both the new members success during their time here.

I am sure that the thoughts they bring forward will not only be beneficial to this Council but to the people of the State as a whole.

Referring to the Adelaide Festival of Arts, I congratulate the executive officers who were responsible for that function's outstanding success. I thank the business people and guarantors who supplied the money which made it possible for many people to hear and see some of the best artists in the world. I pay a particular tribute to Mr. C. C. Wicks, the Chief Executive Officer, who did a magnificent job in an honorary capacity. No person should be asked to occupy this position in an honorary capacity and I was pleased to see that applications have been called for the position. I understand that 70 applications have been received, so that there will be ample opportunity to choose the right person. As festivals will be held every two years something should be done to build a festival hall. Although our Centennial Hall may be suitable for some occasions, it leaves a lot to be desired when used as a venue for the Festival of Arts.

Early this year salary increases were granted to teachers in this State. I make it clear that I do not oppose the increase granted to school teachers, because that is one section of the community which deserves all the increases that are possible to be paid to them. I also have a high regard for the Police Force, and I do not oppose any increases to these people. However, there is an aspect of this matter which causes me concern, and as it affects people in industry, it should be brought to the Government's notice. An article appearing in *The Advertiser* of May 4, 1962, states:

Salary rises ranging from a few shillings to more than £5 a week are granted to S.A. School teachers under an Award by the Teachers Salaries Board. The chairman of the Board (Sir Edgar Bean) delivered the award to the Minister of Education (Mr. Pattinson) yesterday.

The headmasters of the larger metropolitan high schools will receive an increase of £279 to bring their salary to £2,950.

Only the principal of the Adelaide Teachers College will receive a salary exceeding £3,000.

A headmaster of a large primary school will receive £2,650, an increase of £219. The increases range roughly from about 3 per cent to 10 per cent.

Nearly 8,000 full and part-time teachers employed by the Education Department will benefit from the rises which are back-dated to February 12.

The previous ratios between men's and women's salaries have been approximately maintained, a statement issued by the Salaries Board says.

In fixing retrospectivity, the Board noted that the claim was lodged on October 18 last year and there were some unusual, though unavoidable delays in the hearing.

The cost of the increases granted by the award will be about £670,000 in a full financial year.

The increases will bring the salaries of South Australian teachers into line with the general level applying in other States.

The previous award was made as recently as June, 1960, but increases since granted in New South Wales and followed in other States have set a new standard.

One reason why the salaries had to be brought into line with other States was that in New South Wales particularly the basic wage for State employees had been increased in accordance with the C series index figures. I have ascertained what that increase represents in these salaries alone. In August 1953 the New South Wales basic wage was £12 3s. and that was the year in which the C series index figures were abandoned in this State for wage fixing purposes. The basic wage in Adelaide then was £11 11s. The difference between the two basic wages was 12s. The basic wage in New South Wales in February 1962 was £15 and in Adelaide it was £14 3s., or a difference between the two States of 17s. Because of this Government's wage policy the difference in the basic wages of Adelaide and Sydney had increased by 5s. since 1953.

If it has been found desirable to bring one section of the community up to the standard of other States it must, at least, be desirable to bring people in industry up to the same standard as in other States. In other words, industry in this State should be brought to the same level, compared with Sydney, as it was in 1953, and that would result in an increase of 5s. a week in our basic wage. That would not result in an advantage over the people of New South Wales, but merely maintain the 1953 ratio based on the C series index figures.

The Hon. Sir Lyell McEwin: You mean the equivalent purchasing standard?

The Hon. A. J. SHARD: Yes. The difference in 1953 was 12s.; now it is 17s. That means that the multitude of our workers are down 5s. a week in their purchasing power compared with people in New South Wales.

The Hon. Sir Lyell McEwin: That is how you work it out in money?

The Hon. A. J. SHARD: Yes, perhaps another way could be found in which to do it, but that is the only way we can work it out and it is the only way to argue the matter before the Arbitration Commission. I think the Attorney-General will agree with that. I

know what the Chief Secretary has at the back of his mind—that it is dearer to live in Sydney.

The Hon. Sir Lyell McEwin: I wanted you to clarify the position.

The Hon. A. J. SHARD: I hope that I am not misconstrued as saying that the teachers are not worthy of their pay, but though they have gained that increase the multitude of our workers are that much worse off.

The Hon. S. C. Bevan: How do the gross salaries of our teachers compare with those of teachers in New South Wales?

The Hon. A. J. SHARD: I do not know. I have only dealt with this one aspect of the matter. I now wish to talk mainly of what has taken place in the political world in South Australia since March last. We had an election on March 3 after a very keen and interesting campaign, one in which more interest was shown by the South Australian public than in any previous election that I can remember. No punches were pulled in the campaign, no quarter was given, and none was asked, but it was conducted in a good fighting spirit. I believe that will be accepted by all members.

We came to election day and when the final state of another place was determined the Australian Labor Party had scored 19 seats and the Liberal and Country League Party had 18, with the Independents holding 2. That resulted in two things. It exploded the bogey that the Australian Labor Party could not govern because of the gerrymander and that it could not get more seats than the Liberal and Country Party.

The Hon. C. R. Story: The Labor Party's theory of the gerrymander was exploded.

The Hon. A. J. SHARD: No, it exploded the theory that despite the gerrymander Labor could not govern.

The Hon. G. O'H. Giles: Isn't a gerrymander a position in which one Party cannot win?

The Hon. A. J. SHARD: We have not been able to win for many years, but I will have something to say about the gerrymander later. The election did something further. It created an interest in the public mind and people are now thinking of politics more than ever before. As a result of one of my tours abroad, when I was fortunate enough to go through America during a Presidential election when everyone took their politics seriously, I believe that the increased interest is good for the country because if our people take more interest in their politics the Labor Party will not have to

endure another 33 years with another Party in power. If people had taken the same interest previously that they are now taking the gerrymander theory would have been exploded long ago.

Figures have been taken out to indicate the numbers of electors represented by the Parties in this Parliament. People who do not think we have a gerrymander should examine these figures. The number of electors in the 19 districts held by the Australian Labor Party members in another place total 313,219; in other words, 58.9 per cent of the total enrolment. The number of electors in the 18 districts held by the Liberal and Country League members in another place total 205,134, or 38.6 per cent. The number of electors in the two districts held by the Independent members total 12,875, or 2.5 per cent. That will show members how difficult it is for Labor to achieve office and how the position has been gerrymandered by the drawing of lines.

The Hon. C. D. Rowe: Are those the total figures in electorates represented by each member?

The Hon. A. J. SHARD: Yes, and I think that is fair.

The Hon. Sir Arthur Rymill: Assuming that 100 per cent voted for the successful candidate.

The Hon. A. J. SHARD: I did not say that.

The Hon. Sir Arthur Rymill: You assumed that.

The Hon. A. J. SHARD: I referred to the number of people represented by Labor Party members and the number of people represented by Liberal and Country League members. If anyone should say that that is a fair distribution, with the greatest respect I consider that he has not much idea of the meaning of the word "fair". It may be said that some of the Ministers a week or so after the election did not know what was going to happen. On Thursday, March 8, the Premier made his momentous statement over the radio and T.V. that despite his Party's being in a minority in the House of Assembly he intended to continue in office and test the position on the floor of the House. The public reaction was spontaneous. On that particular night I was enjoying one of my pleasures of life at a game of bowls. One of the men there said to me, "Have you a tommyhawk at home?" and I answered, "Why?" He said, "If you have not one, I will lend you one to cut the Premier's head off. That will be the only way you will get rid of him." He also said, "And

you know that I do not vote Labor." There was a reaction on March 9, and it is worth recording in *Hansard* what appeared in the press on that occasion. Everyone will agree that the Australian press as a whole is not very sympathetic to the Australian Labor Party.

The Hon. G. O'H. Giles: Like last night's *News*.

The Hon. A. J. SHARD: I have my own opinion on that.

The Hon. G. O'H. Giles: Did you write it?

The Hon. A. J. SHARD: No. I could not have written a much better article myself from our point of view. On March 9, the morning after the Premier's statement, the following appeared in the *Advertiser* leader under the heading "For Parliament to Decide":

South Australia's period of political uncertainty has ended its acute stage with the Premier's announcement that the Government does not intend to resign. There will still be some suspense as developments in the new Parliament are awaited.

In resolving to stay in office and allow Parliament to make the final decision on his Government's future, Sir Thomas Playford may have surprised those who considered the best course for the Liberal and Country Party would have been to go into active opposition against a precariously balanced Australian Labor Party Government, and either defeat it in the House or organize for a win at the next election. This reasoning, however, does not take sufficient account of the vital necessity for stable government in the immediate future; and it is on this very point that the Premier has made his decision.

During the election campaign he stressed his hope that the Parliament elected would have a strong majority, whether Liberal or Labor, in order to maintain the stability necessary for economic development. The result, of course, nullified this hope. The Premier's determination to preserve as great a measure of continuity as possible is therefore justified in the present state of the Parties.

It went on to say that the position in Chaffey was not clear. In a leader in the *News* of March 9 under the heading "Vote System is Wrong" appeared the following:

The Premier, Sir Thomas Playford, has made his bold decision, and now it rests with Parliament itself whether the L.C.L. Government is to continue in office.

In his dramatic telecast last night, the Premier made it perfectly clear that his Government would not quit because Labor had 19 members to his Government's 18.

There will be mixed feelings whether a Government should cling to office on constitutional grounds regardless of any moral issues involved.

But it is obvious the Premier is taking the opportunity of making the first test of strength in the present extraordinary position.

It is a matter of either the L.C.L., or Labor, governing with the support of Independents. Neither Party can govern with simply its own numbers.

Therefore, it becomes more a question of opportunity. Has the Government the right to have first chance to try its strength on the floor of the Assembly?

If the Playford Government fails to gain the support of the Independents—say, in the passage of the Supply Bill—then the Premier must resign immediately and inform the Governor that he cannot continue.

Labor would then be invited to form a Government and test its strength.

Morally, the Opposition Leader, Mr. Frank Walsh, is quite right when he says the Premier should get out because he has no mandate from the people to continue to govern.

No party with only 34 per cent of the total votes cast in an election, to another party's 54 per cent, has a moral right to be in office.

But the net result of the L.C.L.'s 34 per cent to Labor's 54 per cent was the loss of only two seats to make the respective numbers in the Assembly 18 and 19.

The Hon. C. E. Story: Are you quoting from the *Truth* or the *News*?

The Hon. A. J. SHARD: The *News*.

The Hon. G. O'H. Giles: That is hardly a conservative attitude.

The Hon. A. J. SHARD: It is an expression of public opinion through the press. The Lord only knows they have enough goes at us. Then we come to the *Truth*.

The Hon. C. D. Rowe: Are those papers being quoted from in order of merit?

The Hon. A. J. SHARD: I should not like to commit them as to the order of merit. The *Truth* of March 10, under the heading "This Wicked System" had this to say:

South Australia's electoral system is the most iniquitous in the world.

This has now been proved beyond doubt. Our State is in the fantastic position where the Premier, Sir Thomas Playford, will govern the State whether he is in power in the House of Assembly or not.

He has the Legislative Council sewn up. If he is in opposition the Liberals controlling the Council will see that any legislation which is not acceptable to the Premier and his Party is not passed.

If they reject any measure twice it could mean Parliament would be dissolved.

What a stupid situation to have! Nowhere in the world, but dear old Adelaide, would this be allowed to happen. Labor has tried six times to get the restrictive franchise for the Council abolished and to make voting for that House compulsory. They have failed. And they will fail as long as Sir Thomas Playford and his band of Liberal men stick to their guns. Indications are that they are sticking harder and faster. In Saturday's elections, Labor polled 54.39 of the formal votes cast and the Liberals 34.23. Yet Labor is unlikely

to govern. Sir Thomas evidently is not going to step down. What a lot of bunkum Government is becoming in Adelaide. What can be done to alter the situation? If some Liberal members rebelled perhaps something could be altered. But that seems a pipe dream. The electorates are gerrymandered. Anyone with half a brain knows that.

The Hon. Sir Lyell McEwin: Was that gerrymander a unanimous Parliamentary decision?

The Hon. A. J. SHARD: Not to my knowledge.

The Hon. Sir Lyell McEwin: I would be glad if the honourable member would inform me. I am not aware of any vote against it. It was carried unanimously.

The Hon. A. J. SHARD: The newspaper report continued:

If Parliament is dissolved and goes to the people again Labor could increase its majority. But what is the use! Back they would go to a still hostile Legislative Council, controlled by the Liberals. If Sir Thomas has the welfare of South Australia at heart as much as he says, he should see that something is done to let the wishes of the people be implemented.

On March 9 it did not apply only to the Adelaide newspapers for it was Australia-wide. I do not think anyone would say that the *Sydney Morning Herald* is a friend of the Labor Party.

The Hon. Sir Lyell McEwin: It is the particular friend of the Prime Minister, isn't it?

The Hon. A. J. SHARD: Yes, and that is one point on which we can agree. The following is an extract from the *Sydney Morning Herald* under the heading "Sir Thomas Stays Put":

Now that the South Australian Liberal and Country League has quite clearly lost its precarious but obviously workable majority, what of the future? Knowing Sir Thomas Playford, few people will be wholly surprised that the tenacious South Australian Premier has decided that his Government will stay in office. It remains to be seen how long this will be. Sir Thomas and his colleagues, with 18 seats will govern by courtesy (if it is accorded to them) of two Independents, but facing the Australian Labor Party's 19 members. It is a desperate situation.

The Hon. Sir Lyell McEwin: Could the 19 have done any better without the two Independents?

The Hon. A. J. SHARD: We might have done as well. The report continued:

To be sure of remaining in power, Sir Thomas must persuade one of the Independents to give general support to the Government, and the other not only to accept the Speakership but to exercise his casting vote, when required in favour of the Liberal and Country League. Can he do so? If the answer is yes, it will be

the neatest political trick of the year. But these are problems of sheer survival, which do not touch on the underlying principles. One of these is that Sir Thomas' Party has had its narrow majority converted into a narrow minority. Should it, therefore, cling to office? Many people would say no. It is clear that the shift in South Australian political opinion is a reflection of the unpopularity of the Menzies Government in Canberra. But there is also the fact that the Australian Labor Party has been out of power in South Australia since 1933 and that Sir Thomas Playford has been in office for the past 23 years. Now the pendulum has swung—though not decisively—to the Australian Labor Party. Should not this frustrated and stultified Opposition be given a chance on the Treasury benches?

That was the reaction of the Adelaide press, and one Sydney newspaper.

The Hon. Sir Lyell McEwin: Have you any additional views?

The Hon. A. J. SHARD: Yes, and they will come. This matter must be dealt with in its proper sequence. That was the spontaneous reaction. I do not think any of the newspaper people put their heads together, in 20 hours at the most. When the result of the Chaffey election became known about a week later there was much speculation as to what would happen. One gentleman in another place went all over the State before he could make up his mind on what he should do, and how people in the South-East could guide the honourable member who represents a country district farther north is beyond comprehension. It was rumoured that certain things would happen. On the opening day of Parliament we had conclusive proof of what would take place. I always thought that any conspiracy to defeat the ends of public justice was a serious offence. Indeed, earlier this year the Government prosecuted two well-known citizens for conspiring to defeat the ends of public justice. In sentencing the men the Supreme Court judge in the strongest terms told them how serious was their offence. Then we had the Government on the one hand and the member for Ridley on the other conspiring to defeat the ends of political justice. The prize offered was the Speakership of the House of Assembly, with an added salary of £1,050 a year, and other "perks" or advantages for doing the job. Why was it necessary to put the honourable member for Ridley in the Speaker's Chair? Most of us knew that there would have to be something to keep the honourable gentleman in the Chamber because if his other interests clashed with his Parliamentary attendance, and he saw fit to do it, he would look after his other interests. Therefore, it was not sufficient to do other than,

from the Liberal and Country League point of view, put him in a position where he would be in the House when the time came, with the possibility of securing the casting vote when necessary.

The Hon. S. C. Bevan: Was there not a prize?

The Hon. A. J. SHARD: I said there was a prize.

The Hon. C. D. Rowe: What you are saying is that the Labor Party would not appoint an Independent Speaker?

The Hon. A. J. SHARD: Not in my mind. When and if the Labor Party governs in this State we, and I think I can speak for my colleagues, will not agree to govern except under our own right. If we could not do that, we would not do what the Liberal and Country League Party did and put an Independent in the Chair, when he would not have had an earthly chance of recognition by the L.C.L. Party unless it was essential to give it, at the same time dumping a member who had done a good job.

The Hon. G. O'H. GILES: Mr. President, is the honourable member able to make derogatory remarks about the holder of the office of Speaker in another place?

The PRESIDENT: The Standing Orders say that the use of objectionable or offensive words shall be considered highly disorderly; and no injurious reflections shall be permitted upon the Governor or the Parliament of this State, or of the Commonwealth, or any member thereof, nor upon any of Her Majesty's judges or courts of law, unless it be upon a specific charge on a substantive motion after notice. I ask the honourable member not to continue in that way.

The Hon. A. J. SHARD: I have not said anything uncomplimentary or in un-parliamentary language, nor have I said anything that is not true. If I keep to that I consider that I am within Standing Orders.

The PRESIDENT: That will be for me to decide.

The Hon. A. J. SHARD: I know that Mr. President, and I shall accept your decision. I would be the last to dispute your ruling. What I said was in common language and a factual report of what took place.

The PRESIDENT: Will the honourable member proceed?

The Hon. A. J. SHARD: Yes. I do not wish to debate it, but that is what happened. On the opening day in another place the Leader of the Opposition, Mr. Frank Walsh, introduced a Bill for electoral reform.

The Hon. C. R. Story: The honourable member missed a bit about going to Government House.

The Hon. A. J. SHARD: My colleagues and I went to Government House.

The Hon. C. R. Story: I thought the honourable member was dealing with another place.

The Hon. A. J. SHARD: If the honourable member wants to raise that question I will deal with it. Again it is the truth and cannot be denied, and I have no desire to do so. I can honestly say that my colleagues and I went to Government House.

The Hon. Sir Lyell McEwin: The declaration was unanimous.

The Hon. A. J. SHARD: I do not think so. However, returning to what I was talking about, I do not think the public realize the procedure that will have to be adopted in another place when dealing with the legislation. The Leader, Mr. Frank Walsh, introduced a Bill for electoral reform, and it was defeated, after the Premier quite rightly declared it a vital measure and a vote of no confidence. What will happen in the future when the Australian Labor Party opposes a Bill on this subject introduced by the Government? The policies of the two Parties are totally different. The Liberal and Country League is entitled to its own policy as is the Australian Labor Party, but when the gulf is so wide between them, it will be impossible for members of either Party to vote against their policy. It is then that the significance of the narrow Government majority will become obvious.

A Bill will be introduced which, having passed the first reading, will go through the normal procedure to the second reading. It reaches the Committee stage, and that is where it will be shown what the Government has to do to cling to office. The Chairman of Committees, who will take the Chair in place of the Speaker, will take no part in the Committee discussion. There will be 17 Government members on the floor of the House, plus the Independent member for Burra, making a total of 18, as opposed to the Australian Labor Party total of 19. For the Government to succeed—

The Hon. W. W. Robinson: How do they manage in Tasmania in similar circumstances?

The Hon. A. J. SHARD: The Speaker must vote as the member for Ridley, making the total 19 for each Party. The Bill will be carried on the casting vote of the Chairman of Committees, who will then report to the

Speaker. A vote will be taken on the third reading with 19 votes all on the floor of the House, assuming that everyone is present, and the Bill will be carried on the casting vote of the Speaker. Mr. President, I wonder for how long the public of South Australia and the Government are prepared to accept that position.

The Hon. C. R. Story: Has the honourable member ever heard of a Mr. Rosevear?

The Hon. A. J. SHARD: I believe Mr. Rosevear used to return to the Chamber if the numbers were close.

The Hon. G. O'H. Giles: To which Party did he belong?

The Hon. A. J. SHARD: He was a very good member of the Australian Labor Party, and he always took his place in Parliament. I have been talking about the South Australian Parliament, and Mr. Rosevear's attitude would not have any effect on what happens in this State.

The Hon. Sir Lyell McEwin: I have some information from Tasmania which may help you.

The Hon. A. J. SHARD: The honourable member happens to be sitting in the box seat, as he has the right of reply, but I will listen intently to him. Despite what may have been said, many people are still expecting this Parliament to introduce electoral reform that will measure up to their requirements, and give justice to everyone. They are hoping for electoral reform which will give people the right, which they have been denied for so long, to elect a Government of their choice, and not a situation that we have at present, when no matter what percentage of votes is cast against the Government, the Australian Labor Party has no hope of getting into office.

My next point on electoral reform relates to what has happened in the last few weeks. On April 16 I first received some indication of what might happen.

The *News* political writer stated:

State Cabinet may this afternoon discuss the possible introduction into Parliament tomorrow of a Government measure to provide three electoral zones for House of Assembly seats. The zones would be metropolitan, country industrial, and rural. Some Government members see such a measure as one of the few ways the Government could achieve electoral reform and yet still retain control of the Assembly. Political observers are tipping that the Premier, Sir Thomas Playford, could introduce the Government's plans for electoral reform in the form of an amendment to the Labor Party's electoral re-distribution Bill.

Sir Thomas could move that the clause of any Bill he has should replace in whole the

details of the Labor Bill presented last Thursday afternoon by Mr. Frank Walsh. Any move for a three-zone system in South Australia would bring the Assembly partly into line with multiple-zone systems which already operate in Western Australia and Queensland. Western Australia has three zones—north-west, country, and metropolitan. Queensland has four—metropolitan, south-eastern (agriculture and dairying), northern (sugar and mining), and western (pastoral).

That was the first I had heard of that and I did not appreciate it because one does not have to be over-intelligent to know what that could lead to. We are not in conference any longer because our discussions have broken down, but we were asked, as a Party, if we were prepared to meet the Premier and some of his Ministers to discuss the question of electoral reform. We agreed and our Party, in its wisdom, appointed certain officers to confer with the Government. Our Party met the Premier about a month ago and he advanced a proposition similar to that set out in the newspaper report I just read.

The Premier suggested metropolitan, rural country, and industrial country seats, although he said he had no authority from his Party for the proposition. Generally, if I want something done and the Premier says "Yes", that is good enough for me. The Premier said the State would be divided into three areas and the metropolitan area would have 20 seats and the country area would have 20. The metropolitan area was to be extended from Gawler in the north, to Tea Tree Gully in the east, and to Christie's Beach or Port Noarlunga in the south. That area would comprise 20 seats. The rural area would comprise 17 seats and there would be three country industrial seats. We listened to what was said in good faith and were prepared to examine the proposition and reply as soon as possible. I make this point particularly. The Premier asked us to treat the matter in confidence and I believe that not one of us talked about the matter publicly or made any statement about it.

The Hon. C. R. Story: I thought the statement was that no approach had been made a month ago.

The Hon. A. J. SHARD: People are sometimes required to do things in confidence, but other people are not prepared to do that. We had the Premier's suggestion examined by a prominent and qualified person in this State. We find that the metropolitan seats would, under the suggestion, each have approximately 18,300 electors and the country industrial electorates would each have 11,580, whilst the

country rural electorates would each have 7,668 electors. If we adopted the 20 per cent variation usual in electoral Acts we would find plenty of room, even under these proposals, for the drawing of lines to suit one Party.

It is true that our Leader said there was no discussion and that was done in good faith and in keeping with our promise to the Premier, but what happened before we met the Premier again? I suggest that no newspaper would attribute statements to the Premier of this State unless the Premier made such statements. Before we met the Premier on the second occasion—last Monday—the *News*, of Saturday, July 14, stated:

One of the first steps for new South Australian electoral boundaries would have to be a redefinition of the metropolitan area, the Premier, Sir Thomas Playford, said. The second step would be to give some country seats an intermediate quota. Sir Thomas made the statement in a Channel 9 interview last night.

At that time the Premier knew we had agreed to meet him on Monday of this week. Whilst certain people may attempt to throw stones at our Leader and suggest that he may be telling untruths or failing to keep confidences the real position is that the person who asked us to keep the confidence exploded everything before we met him again.

The Hon. C. D. Rowe: That does not take the matter any further than the article of April 4.

The Hon. A. J. SHARD: The later article further explains the position. The Premier was upset when we told him what we thought of it and I said to him, "Whether you meant to say it, whether they drew it out of you, or whether you just got caught on the hop, the whole thing, to say the least, is not nice." The onus in these matters should not be thrown on to one particular section. The public and the press are particularly interested in the proposal for electoral reform, whether it comes forward this session or in following years. Under a decent democratic system this Parliament would give the people the right to defeat a Government if they so desired. Such reform would have a far-reaching effect upon the development of this State and the livelihood and standard of living of the people.

Last week the press published a report regarding the proposed redistribution of Federal districts in South Australia. Both our daily newspapers came out with cartoons and leading articles, and also letters written by members of the public concerning what was proposed to be done in this State. It was

stated in this morning's press that there was no obligation on the Government to bring down a Bill for electoral reform this session, and I agree. If the Government does not provide for a reasonable electoral reform in accordance with the views of the public, it will fall. I have taken out some figures dealing with Senate elections over recent years, and I did not go back any further in case someone should say that I started from the double dissolution of 1951. In 1949 the Australian Labor Party was defeated at the Federal election, South Australia retaining the odd seat in the Senate. The Senate figures for elections since the double dissolution in 1951 make interesting reading. Of the 10 seats in the Senate the Labor Party won five and the Liberal and Country Party five. At the voting on May 9, 1953, Group A comprised members of the L.C.L. and the late Senator Rex Pearson was its No. 1 candidate. He received 185,263 votes and the total for the group was 189,105. The Communist Party comprised Group B and won 4,903 votes. The Labor Party was at the bottom of the list and Senator J. Critchley, its No. 1 candidate, received 215,404 votes, and the Party a total of 219,628. The election resulted in the Australian Labor Party securing three seats and the Liberal and Country League two seats. At the Senate election on December 10, 1955, the Democratic Labor Party was Group A and Mr. Boylan, its No. 1 candidate, received 32,756 votes and the group 36,098. The Liberal and Country League was Group B, and Senator Mattner, its No. 1 candidate, received 180,738 votes and the group total was 189,512. Senator O'Flaherty was the Labor Party's No. 1 candidate and he received 172,935 and the total for the group was 176,323. Group D comprised the Communist Party and its candidates received 4,092 votes. The result was that the Liberal and Country League obtained three seats and the Australian Labor Party two seats.

At the election held on November 22, 1958, the Communist Party was Group A and received a total of 12,536 votes. The D.L.P. was Group B and received a total of 23,310 votes. In Group C Senator Toohy was No. 1 candidate for the A.L.P. He received 202,773 votes and the group 205,380. The L.C.L. was Group D and Senator Pearson, the No. 1 candidate, received 188,472 votes and the group a total of

195,929. The result of the election was that the A.L.P. gained three seats and the L.C.L. two. At the last election Senator Mattner was the L.C.L. No. 1 candidate and he received 195,781 votes and the group a total of 205,653. The Communist Party, in Group B, received a total of 5,000 votes and the D.L.P. in Group C a total of 25,849. The A.L.P. was in the worst position with Group D and Senator Nicholls, its No. 1 candidate, received 230,707 votes and the total for the group was 236,526. Six members were wanted on that occasion. Mr. Cavanagh was the fifth elected and Senator Buttfield the sixth. If only five had been wanted Senator Buttfield would not be in Canberra today. After distribution of preferences, the Labor Party had a surplus of 32,989 votes. That shows that the people in South Australia wanted a Labor Government on that occasion. Had Senator Cavanagh secured approximately 5,000 or 6,000 more votes and Senator Buttfield had received 5,000 or 6,000 fewer votes, Senator Cavanagh's overflow more than likely would have elected Mr. Moran. Ever since 1951 most people in South Australia have wanted a Labor Government. I do not think there could be anything fairer than the Senate voting where everybody on the roll votes on a State basis. Yet, in this State the A.L.P. cannot get enough seats to form a Government, although we did get close to it at the last elections. It is a responsibility of the present Government to introduce legislation for electoral reform, something that is reasonably fair, so that the people can vote out the Government if they are not satisfied with it. Nobody can quarrel with that. If Labor were in office and the people were not satisfied with what we were doing we would have no complaints if put out. In South Australia the people have said more than once by the number of votes cast against the Government that they want a change, but they have not been able to get it because of the gerrymander. I will say no more on the subject now.

The Hon. A. C. HOOKINGS secured the adjournment of the debate.

ADJOURNMENT.

At 3.52 p.m. the Council adjourned until Tuesday, July 24, at 2.15 p.m.