LEGISLATIVE COUNCIL

Tuesday, August 23, 1966.

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

QUESTIONS

RAILWAY FREIGHTS.

The Hon. C. C. D. OCTOMAN: I ask leave to make a statement prior to asking a question of the Minister of Transport.

Leave granted.

The Hon. C. C. D. OCTOMAN: In last Friday's *Advertiser* it was announced that the Government would charge higher rail freights and that the increases would range up to 33⅓ per cent above the present rates for the transport of grain by rail in South Australia. The article listed the increases as follows: up to 70 miles, up to 6 per cent; 71-100 miles, up to 18 per cent; 101-150, up to 30 per cent; 151-170, up to 33 per cent; and over 171, 33⅓ per cent. Can the Minister of Transport justify the steep increases in rail charges for the longer hauls which, to take an individual case, in Kimba will impose an additional freight cost of $40,000, or 4.25d. a bushel on wheat alone? Does the Minister believe that the railways will receive an additional annual revenue of $630,000 from these increases (as was announced) when they will allow road transport to compete more effectively with the railways, and does the Government intend to raise rail charges on other commodities?

The Hon. A. F. KNEEBONE: As these matters involve policy to a certain extent and pose queries regarding other freight charges, I ask the honourable member to put the question on notice.

HOUSING TRUST NOTES.

The Hon. L. R. HART: Has the Chief Secretary obtained a reply from the Minister of Housing to the question I asked on August 17 about the cost of printing the Housing Trust's quarterly notes?

The Hon. A. J. SHARD: The reply is as follows:

The actual cost of the paper used by the Housing Trust in the latest issue of its quarterly notes is very little in excess of that of the type previously used. Actually, the total cost of the new quarterly notes was less than previously issued because of slightly smaller type and the use of both sides of the paper. These notes have a fairly wide distribution, being made available not only to members of Parliament but to libraries and many institutions.

FISHING BOATS.

The Hon. R. C. DeGARIS: I ask leave to make a statement prior to asking a question of the Minister of Labour and Industry, representing the Minister of Marine.

Leave granted.

The Hon. R. C. DeGARIS: A few days ago I received a reply from the Minister regarding the surveying of fishing boats in South Australia. I have been informed that fishermen were given an undertaking that when the survey of fishing boats more than 25ft. in length was completed the department would begin surveying boats less than 25ft. in length. Can the Minister inform the Council whether any such undertaking was given and, secondly, whether the Government intends to have fishing boats less than 25ft. in length surveyed in the near future?

The Hon. A. F. KNEEBONE: The honourable member has asked whether an undertaking was given and I am not aware whether the Minister of Marine gave such an undertaking. The question has been asked of me as Minister representing the Minister of Marine and I shall convey the question to my colleague and bring back an informed reply as soon as possible.

MURRAY RIVER SALINITY.

The Hon. C. R. STORY: Has the Minister of Labour and Industry, representing the Minister of Works, a reply to my question of August 3 regarding Murray River salinity and whether the dangerous build-up indicated in the river would be improved by the Chowilla dam when it came into operation?

The Hon. A. F. KNEEBONE: The honourable member asked two questions, one following the other, in regard to salinity and the effect of the Chowilla dam. A similar question was asked in another place and a fairly complete report was given. The request was made the other day that, when an answer was to be given following a full report being given in another place, a similar reply should be given to the similar question asked in the Council. In view of that, I read the following report:

Regarding Murray River salinity, irrigators along the Murray River and their representative bodies have recently expressed concern at the relatively high salinity of the Murray water, accentuated by the unauthorized breaching of the embankment of the Block E (Renmark) seepage water evaporating basin. Fortunately, this did not occur at the height of the irrigation season, but, nonetheless, it has caused anxiety and inconvenience, as special winter irrigations have been in progress in certain areas. Following the dry winter and spring in the Upper Murray catchment area last

year Hume reservoir reached a maximum storage of 1,869,000 acre feet on December 15, compared with its capacity of 2,500,000 acre feet. After assessing the total water resources available for distribution between the three States the River Murray Commission decided that restrictions would be applied, involving a reduction in diversions by New South Wales and Victoria and a reduction in the monthly flow to South Australia. Despite this reduction in flow the maximum salinity (chlorides) recorded at Lock 6 was 205 parts per million, which was identical with the maximum in the previous year. This lock is above all of the South Australian irrigation areas.

Prior to the recent breaching of the Block E evaporation basin embankment the maximum reached at Berri this year was 333 parts per million (p.p.m.) compared with a maximum of 422 p.p.m. in the previous year. The maximum recorded at Morgan this year has been 416 p.p.m. compared with a maximum of 544 p.p.m. in the previous year.

Speaking generally, it may be stated that ever since the River Murray Commission locking and storage system was completed the salinity of the water entering South Australia has been satisfactory. However, natural drainback from land abutting the river coupled with some uncontrollable drainage from irrigation areas and towns causes a rise in salinity as the water passes through South Australia. The lower the flow the greater the rise in salinity as there is less fresh water to dilute the saline water entering the river. When the Block E embankment was breached a wave of highly-saline water passed down Ral Ral Creek into the Murray River, and some of this water has now reached Loxton. On Thursday, July 21, the salinity was 420 p.p.m. below Renmark and 620 p.p.m. at Berri. However, the position will progressively improve at Berri as the salt water passes downstream, although a temporary rise in salinity can be expected at Loxton, Cobdogla, Waikerie and places further downstream. South Australia's entitlement under the River Murray Waters Agreement is 47,000 acre feet in July and 94,000 in August. Therefore, the discharge from Lake Victoria will be increased as from August 1, and this will have the effect of reducing the salinity by the time general irrigations commence. However, it will be necessary to exercise care in the use of water as at this stage the prospects for the coming irrigation season are far from promising.

In answer to the second part of the honourable member's question, the following report by the Director and Engineer-in-Chief has come from my colleague, the Minister of Works:

The possible effect of Chowilla on the salinity of Murray River water was fully investigated by a technical committee appointed by the River Murray Commission. Under existing conditions, the quality of the water entering South Australia by direct flow in the river or aided by releases from Lake Victoria is satisfactory at all times. In South Australia, saline water seeps back into the river at many points from the high country abutting the river valley. While every care is exercised in controlling the saline water discharged by drainage systems in the irrigation areas, there is no doubt that some uncontrollable seepage from these areas also reaches the river. The quality of the water in the river depends almost entirely upon the amount of fresh water available to dilute this saline seepage. Past experience has shown that the quality remains satisfactory as long as South Australia receives the flow to which it is normally entitled in terms of the River Murray Waters Act. However, on occasions when the River Murray Commission has been obliged to restrict diversions in the upper States and reduce the flow to South Australia, there has been an appreciable rise in salinity. Without the aid of Chowilla, years of restricted supply would become more and more frequent and, therefore, salinity would become a problem of increasing gravity.

When Chowilla has been completed, about 20 per cent of the water stored will be lost by evaporation each year and this will increase to some extent the salinity of the water remaining in storage. However, this increase will not be serious and its effect will be more than offset by the fact that the controlled flow to South Australia will be increased, and, therefore, the effect of saline water seeping into the river in this State will not be as great. Restrictions will then only be necessary on very rare occasions, and when this is necessary South Australia will receive a greater share of available water than it does under present conditions.

When considering South Australia's position in terms of the 1963 amendment of the River Murray Waters Agreement, it is necessary to take other factors into consideration. This amendment established South Australia's right to a share of the water diverted from the Snowy River to the Murray River by the works of the Snowy Mountains Hydro-Electric Authority. South Australia is now entitled to only three-thirteenths of the water available in the Murray River during periods of restriction, but the amendment provides that when Chowilla has been completed this State will be entitled to one-third of the available water. Available water means water available from the Murray River itself that comprises the natural flow above Albury, the quantity stored in Hume Reservoir and Chowilla and any additional quantity that can be obtained by lowering any of the pools above the various weirs on the Murray River. New South Wales and Victoria are and always have been entitled to use all water available from the tributaries in the respective States below Albury. This is the main reason why Chowilla is vital to the interests of this State, for New South Wales and Victoria are continuing to harness the tributaries for their own use, thereby depriving South Australia of what may be termed fortuitous flows from these tributaries. Examples are Big Eildon dam on the Goulburn, Burrinjuk on the Murrumbidgee, and the Menindee Lakes storages on the Darling.

Summarizing the situation, it may be said that Chowilla dam will tend to average out the salinity by more effective regulation of the flow. While the salinity may be slightly

higher in times of good flow, it will eliminate the critical periods in which there is insufficient water under present conditions to dilute the saline water seeping into the river in South Australia. The original River Murray Waters Agreement made no mention whatsoever of salinity, but under the amended agreement the River Murray Commission is obliged to determine the quantity of water which is to be allowed for dilution in South Australia.

The final part of the honourable member's question was:

Will the Minister institute a full inquiry into the alternative methods of disposal, paying particular attention to deep under-strata research as an alternative to the present method?

The Minister of Works has informed me that he has received a report from the Director and Engineer-in-Chief, who has suggested that the Director of Mines be asked to give his comments on the problem. The Minister is now awaiting the report from the Mines Department in that regard.

The Hon. C. R. STORY: Following the replies given by the Minister of Labour and Industry about salinity and the disposal of salt effluent, I direct another question through him to the Minister of Works. Does he consider that, when the Block E salt evaporating basin was breached, quick enough action was taken to release water from Lake Victoria in order to keep to a minimum the salt in areas below Renmark?

The Hon. A. F. KNEEBONE: I shall direct the honourable member's question to my colleague and bring back a reply as soon as possible.

GUM TREES.

The Hon. C. M. HILL: Can the Chief Secretary say whether the Government intends to further consider alternative proposals to avoid the destruction of the well-known gum trees on Montacute Road, Campbelltown?

The Hon. A. J. SHARD: Since the Minister of Roads made the decision he has been out of the city, and the matter has not been discussed, but I will take it up with him when he returns to see what he has to say about it.

ABORIGINAL LANDS TRUST BILL.

Adjourned debate on second reading.

(Continued from August 18. Page 1187.)

The Hon. R. C. DeGARIS (Southern): When I asked on Thursday last for leave to continue my remarks, I had been trying to examine the powers the Government had at its disposal under the 1962 Aboriginal Affairs Act. I tried to point out that that Act was a significant development in the approach to this question not only in South Australia but for the whole of Australia. I tried to examine the influence that the International Labour Office Convention 107 had had on the drafting of the 1962 Act and tried to examine, compare and deduce the effect that this Bill would have on the matter.

I believe this Bill has some merits and that its intention and purposes are beyond reproach, but I have some doubt about whether this is the best way to reach the end for which we are aiming. The approach to this question under the 1962 Act and the approach opened up by this Bill seem to differ in a minor way, yet the differences may be of intense importance. The Bill seems to maintain a paternalistic approach to the matter. Indeed, it almost brings in a separatist approach in that there will be one massive trust to control all the lands that may be vested in Aboriginal people in this State. I realize that councils on the various reserves will have the right to decide whether their lands will come under the control of the trust, and if they do so decide they will have the right to elect representatives to the trust. However, I believe they will virtually have no option but to come under the control of the trust because, if they do not, I think it is certain that the mineral rights on the reserves will not belong to them.

The setting up of this trust may or may not be the correct approach. I believe the Bill will tend gradually to allow the trust to assume the present functions of the board and I think there will be a tendency to maintain the Aboriginal Affairs Department, thereby virtually maintaining Ministerial control. As I pointed out last week, if we are to succeed in integration or assimilation we should aim at the virtual abandonment of the department.

The Minister, in his second reading explanation, did not deal to any great extent with finance. From reading the Bill it appears to me that the trust intends to sell some of the Aboriginal reserves that are at present held and to use the finance so obtained for the development of other reserves, or for other purposes. I believe finance is vital to the success of any trust that may be set up, and I do not think the Government can be of much help, so it seems logical that the trust will sell reserves that are not needed. I hope the Government will ensure that the trust is provided with sufficient finance to repurchase reserves if reserves not needed are sold. I should like the Chief Secretary

to indicate whether, if the trust decides to realize on a reserve transferred to it, the mineral rights will revert to the Crown or remain with the trust. I should also like to know the trust's position in relation to taxation, both Commonwealth and State, and local government rating, and to know what responsibility local government will have for road construction and other things on lands owned by the trust.

On Thursday, the Hon. Sir Arthur Rymill asked what was the difference between assimilation and integration. In any policy adopted towards the Aboriginal people many terms have been used—protection, integration, assimilation and absorption. For many years criticism has been levelled at each concept of policy, whether it has been protection, integration, assimilation or absorption, yet I believe that each concept is valid in certain circumstances. Therefore, it is almost impossible for any policy to follow dogmatically one avenue. We must have a final goal, as we must attempt to obtain for these people equality and citizenship, and any policy must attempt to give them independence.

Various interpretations have been placed on the terms I have mentioned. "Protection" has always been interpreted to mean protecting Aboriginal people from the influence of Europeans. Protection is the policy that has been followed for many years in this State, and it has been roundly criticized by most theorists. However, I think we must agree that some protection is still needed for some Aboriginal people, particularly tribal people such as those who live in the North-West Reserve. However, I believe we should drop this policy of protection as soon as possible, and probably the quickest way to do it is to make sure that we spend more money and direct more of our activities towards education, from pre-school to adult. I think this Bill still carries the threads of protection. I should like to quote from the report of the Royal Commission on South Australian Aborigines of 1913. Until 1911 the policy followed in this State was one of complete protection, but there was a change of attitude as a result of the 1913 Royal Commission. One section of its report reads:

The problem of dealing with the Aboriginal population is not the same problem that it was in the early history of the State. There is no doubt that in the early days, and for many years afterwards, it was necessary for the Government to protect the native inhabitants; but, with the gradual disappearance of the full-bloods, the mingling of black and white races, and the great increase in the number of half-castes and quadroons, the problem is now one of assisting and training the native so that he may become a useful member of the community, dependent not upon charity but upon his own efforts.

As far as I can trace, this was the first turning away from the old ideas of a completely protective policy. I have not made a complete study of this, but from what I have read I consider that in this type of legislation there is a change in regard to the American Indian. Any comparison between the Aboriginal people of Australia and the American Indian is fraught with much difficulty, because the two sets of circumstances are entirely different. One of the differences is the special rights that Indians have over other members of the American community. This causes considerable resentment and has been a stumbling block in the way of assimilation or integration, from the points of view of both Indians and other American citizens. I shall quote from an article by Alexander Lesser entitled "Education and the future of tribalism in the United States: the case of the American Indian". This interesting article, which I recommend anyone to make a thorough study of, states:

How "Indian" is life in these communities? Measured by externals, by clothes and housing, by use of non-Indian technology and gadgets, or by ways in which many now make a living, it may appear that the people of these communities have on the whole adopted our ways. The San Carolos Apaches of New Mexico, for example, raise some of the finest American livestock for market. The Red Lake Chippewas of Minnesota ship fish by refrigerated trucks for sale in Chicago. The Sauk and Fox of Iowa make a living by working for wages among their non-Indian neighbours. Indian life has not been standing still. The Indians have been making accommodations and adjustments to our society and economy from early times, and they continue to do so.

But modern studies of Indian communities show that adoption of the externals of American life is not neatly correlated with accompanying changes in basic Indian attitudes, mind, and personality. Feelings and attitudes, the life of the inner man, change more slowly than utilitarian features of comfort and convenience. Studies among the Cherokees of North Carolina, for example—considered one of the Five Civilized Tribes for more than a century—and among the Navajos of the south-west reveal the same inner Indian feelings about the world and man's place in nature, the same non-competitive attitudes, the same disinterest in the American drive for progress and change.

The changes these community Indians have made over time, taken all in all, seem selective. Some inner man resisted complete annihilation of self and identity and held fast to values and attitudes acquired in a mother's arms and on a father's knee and chose from us some things of use but not others. They chose

principally what we call material culture and technology and little of our sentiments and values and our philosophy of life. I shall now deal with the matter of absorption, a term often used in connection with policy towards Aboriginal people. I consider that absorption in this context means the eventual disappearance by means of equality, intermarriage and other factors, and the merging of two communities by these processes. As far as the Aborigines in South Australia are concerned, this has happened and is still occurring. I consider that "assimilation" has a similar meaning to "absorption". However, regarding integration, I propose to give the Websters dictionary meanings of both "assimilation" and "integration". "Assimilation" means:

Sociocultural fusion wherein Indians and groups of differing ethnic heritages acquire basic habits, arts and mode of life of an embracing national culture.

"Integration" means:

An incorporation into society or an organization on the basis of common or equal membership of individuals differing in some group characteristic (i.e., race).

I take "assimilation" to mean the eventual absorption of individuals into acquiring the basic habits, arts, and mode of life of national culture, whereas "integration" means the coming in of a special group, still maintaining its basic habits, to the total structure. In this morning's *Advertiser* there was an interesting article by Professor Abbie on this matter. He said:

Aboriginal culture will by then have become largely a museum piece, preserved by Aborigines themselves, purely out of sentiment. The only possible future for the Aborigine lies with the world of the white man.

The Hon. C. R. Story: This is after two or three generations, I take it?

The Hon. R. C. DeGARIS: Yes. This Bill takes us away from the ideas of assimilation, which were contained in the 1962 Act, and more to a policy of integration. In other words, by creating an Aboriginal Lands Trust we seem to be setting up almost a State within a State. This trust will have some powers that are not possessed by the other people in the community. The history of the American Indians shows that the very fact that they possess certain powers not possessed by other people in America has caused a stumbling block to the integration and assimilation of the Indians.

It is easy to look back and criticize any one of these attitudes of policy, whether it be protection along the lines of assimilation or integration. I am sure that in future we shall be able to look back and criticize any action we take today regarding the assimilation or integration of Aborigines. Many of the attitudes taken in earlier days sprang from the best of intentions, yet these good intentions that our forefathers had tended in many ways to destroy independence of the Aboriginal people. I have mentioned this in the first part of my speech and still maintain that the 1962 Act was the major step taken in our attitude to this matter. What chance have we of developing this independence among our Aboriginal people when, with the best charitable intentions, we still go along with a policy of free clothing, passes, handouts and free meal tickets? This is a continuation of the philosophy we had toward them in the nineteenth and early twentieth centuries. This attitude of charity to Aboriginal people is just as soul-destroying and inhibitive to developing enterprise and independence when applied to our own society, but more so when applied to the Aboriginal people. Since the last war our attitude toward the Aboriginal people has made marked progress; it has not been spectacular, but if it is to be spectacular I have grave concern about the legislation.

If the Bill achieved a further step in developing independence among the Aboriginal people, it would have my unequivocal support. The Bill will have a deep psychological effect, but I am a little uncertain as to its practical effect. I consider that the powers under the Crown Lands Act and the powers under the 1962 legislation dealing with Aborigines could have been used without introducing a new Bill. I have followed the I.L.O. Convention closely and I am sure that in the drafting of the 1962 Act the then Minister (the Hon. G. G. Pearson) had the Convention in mind. I am sure also that under section 21 of that Act he had in mind land rights for Aborigines. The philosophy behind the 1962 Act was assimilation; the philosophy behind this Bill is integration. The Bill has merit and its intentions are good, but I issue the warning that good intentions are not the only ingredients required for success. I quote once again from the article by Alexander Lesser on the question of assimilation and integration:

Some Americans see assimilation, and ending Indian communities and special Indian status, as in the best interests of Indians.

These Indians have a special legal position—they are responsible to the Federal authority but not to any State authority. They pay no taxes to the State authority. In many respects they are not responsible to the laws of

any State, and they enjoy a peculiar legal status that sets them apart from the rest of the people. The article by Alexander Lesser further stated:

The legal forms which now safeguard the status of Indian communities are seen as restrictions or limitations of Indian activity and opportunity and not as marks of Indian freedom. The Indian rights of tax exemption on trust property are not ordinarily so characterized, of course; they are usually written off as peculiarities which set Indians apart from others, increasing social distance and the difficulties of inter-group relations. But such features of the trust situation as Government control over the use and disposition of trust-protected Indian lands and other tribal assets are seen as hampering and restrictive, as undue paternalism and overprotection which increase Indian dependency and destroy Indian initiative.

Along those lines I have certain doubts about this particular path being the right one along the road to assimilation.

Turning to the Bill, Part II sets up the Aboriginal Lands Trust. I do not wish to pass any comment on this, except to draw attention to clause 7 (*d*), which states that the seat of a member shall become vacant on:

his becoming bankrupt or making an assignment of his property for the benefit of his creditors or compounding with his creditors for less than twenty shillings in the pound.

We are now using decimal currency, and it is odd to see the term "twenty shillings in the pound" being used at this time. Although it may be an acceptable legal phrase at this stage, possibly dollars and cents would be more applicable. Clause 16 relates to provisions with respect to Aboriginal lands. Subclause (1), which gives power to transfer land to the Aboriginal Lands Trust, states:

Notwithstanding anything in the Aboriginal Affairs Act, 1962, or any other Act contained, the Governor may by proclamation transfer any Crown lands or any other lands for the time being reserved for Aborigines to the trust:

That is a simple straightforward statement. Then there are two provisos. The first is:

Provided that no such proclamation shall be made in respect of any lands reserved for Aborigines within the meaning of the said Aboriginal Affairs Act and in respect of which a reserve council pursuant to regulations under that Act has been constituted without the consent of such council.

The second proviso is:

Provided further that no such proclamation shall be made in respect of any Crown lands (not being lands reserved for Aborigines) except upon the recommendation of the Minister of Lands or the Minister of Irrigation as the case may require.

Earlier I pointed out that reserve councils have no other option but to transfer their lands to the Aboriginal Lands Trust, because only by doing so will the mineral rights in the reserves be vested in the Aboriginal people. Therefore, although this seems to give a reserve council an option, I consider it has no option at all, because it will be in its own interest to transfer its land to the trust. Subclause (2) of clause 16 reads:

Subject to subsection (5) of this section, upon the making of any such proclamation such lands shall, together with all metals, minerals and precious stones, coal, salt, gypsum, shale, oil and natural gas therein or thereon be vested free of all encumbrances in the trust . . .

Reverting to subclause (1), I pointed out that it alone will force all reserve councils to consent to land being transferred to the Aboriginal Lands Trust. I think this was the original idea of the Minister for Aboriginal Affairs —that all minerals be vested in the trust. Again we have two provisos in subclause (2). It almost appears that the Minister of Mines moved to amend the original idea. The first proviso reads:

. . . such lands shall, so long as they remain vested in the trust, be reserved from the operation of the Mining Act, 1930-1962, and the Mining (Petroleum) Act, 1940-1963, provided that the Governor may by proclamation declare that any portion of any such lands shall be brought under and be subject to either of the said Acts with or without modifications specified in the proclamation.

The second proviso states:

No such proclamation shall be made except upon the recommendation of the trust or the recommendation of both Houses of Parliament by resolution passed during the same or different sessions of the same Parliament.

In this the Minister may have had second thoughts. I think that vesting these minerals in the trust may be the dividing or separating point in the matter of assimilation or integration. Just as in America the special privileges enjoyed by the Indians placed a block in the way of their assimilation and integration, so I believe that this will tend to separate the Aborigines from the people of South Australia. They will enjoy those special privileges. I think the Minister had second thoughts on this; therefore the two provisos are included.

This position is rather foolish in that, first, we vest the control of minerals in the Aboriginal Lands Trust and, secondly, we provide that the Governor has the right to proclaim that it shall not apply; and, if the trust does not agree, the proclamation can be made with the agreement of both Houses of Parliament.

It would be simpler to leave the control of the minerals exactly where it is at present—under the Mining Act and the Mining (Petroleum) Act in relation to land held by the trust—and, if necessary, make a provision to pay to the trust any royalties received. This transfer of mineral rights to the trust has purely a psychological effect: in other words, things will remain exactly as they are, although I believe it will not be conducive to exploration on the reserves. These special privileges will hamper rather than assist assimilation and integration.

If a case can be made out for the transfer to the trust of mineral rights on the reserves themselves, just as good a case can be made out for handing over to the Aboriginal Lands Trust all mineral rights in South Australia, and not only the mineral rights on the actual reserves. To me, this is only a means of shifting revenue from one Government department to another. Would it not be a sounder policy, if it is thought that rights over minerals should be vested in the trust or if some money is owing to the Aboriginal people for the mineral wealth of this State, that immediately a proportion of all royalties should be transferred to the trust rather than put the trust in the position of being without any income from minerals for years and years and then suddenly finding itself in possession of large sums of money? Would it not be a saner policy, if indeed we owe this to the Aboriginal people, to pay a percentage of all mineral wealth at present to the trust for its use? If the Government is genuine in this matter, surely it would be fair to do it in this way.

I have certain doubts about the wisdom of vesting in the Aboriginal Lands Trust complete control over the mineral wealth of any reserves. In his second reading explanation the Chief Secretary said that the Department of Aboriginal Affairs was "shocked and horrified" (from memory, I think they were the words) to learn that a lease had been given of the North-West Reserve for petroleum search. It appears to be an odd state of affairs that a department is "shocked and horrified" to learn that a lease has been given over an area for petroleum search. Again, I have grave doubts about handing over completely the North-West Reserve to the control of the Aboriginal Lands Trust. After all, that reserve has an area of about 17,000,000 acres, in which Aborigines exist in completely tribal circumstances. I cannot see any advantage accruing to the Aborigines in that area by having the land under the control of the trust. Under clause 16 (7), although the trust cannot alienate any portion of the North-West Reserve, it can lease to any Aboriginal or person of Aboriginal blood any part of that reserve. I believe it will have the power to stock the area as a cattle station; that it can do a number of things that would not be in the best interests of the Aborigines there or of the future of the reserve.

Further, I point out to the Chief Secretary a small spelling error in the second line of clause 16 (7), where "alienate" is spelt incorrectly. In the North-West Reserve the only thing that the trust is restricted in doing is selling or leasing any part of the reserve to anyone other than of Aboriginal blood. Apart from that, it has complete and absolute powers over the reserve. In this legislation there appear to be many changes of thought. For instance, I refer to clause 16 (2). I believe that Parliament should have a complete understanding of the trust's position and the influences the trust can have on the reserves. I am sorry that the Government did not accept the suggestion for a Select Committee made in another place, so that much more information would be available to us on this important matter. It is impossible to assess the merits or otherwise of this Bill from the second reading explanation or from the Bill itself. I am not saying that it was not introduced with excellent motives and intentions or that it may not have merits, but I believe we need a greater understanding whether this Bill will achieve its purpose. I have doubts on this measure, doubts that could be resolved with more information. I am sorry the Government did not see fit to allow a Select Committee to make a full inquiry into the impact of this legislation. I have grave doubts about handing over mineral rights exclusively to the Aboriginal Lands Trust on the reserves that will be transferred to it. It seems reasonably certain, from a reading of the Bill, that some doubt did exist in the mind of the Government itself on this important matter. I trust that more information on the effect of this measure will be made available to this Chamber.

The Hon. L. R. HART (Midland): This Chamber is indebted to the Hon. Mr. DeGaris for the vast amount of research he has made on matters pertaining to this Bill. His contribution has been extremely valuable. This Bill should be discussed in a non-political atmosphere. It is a problem that is facing this country today, and it is the duty of each

and every one of us to do all we can to see that it is solved in a practical manner. In assessing the situation and looking for a remedy, we must take a realistic look for avenues for helping these unfortunate people. It is to be regretted that most of the publicity given to problems confronting the Aboriginal race is based on the sordid side, and the lack of material publicizing the virtues and achievements of this race makes one wonder to what extent these things are submerged by the acts of violence to which prominence is given and which do not endear them to the population of this country. Seeing that the Minister of Aboriginal Affairs has had a publicity officer available to him for a considerable time, it is a wonder that the other side of the picture has not been presented better than it has. When all this sordid material is published it is difficult for people to come to a rational decision on the basis on which assimilating and integrating the native population should be tackled.

This is entirely a State matter. The Commonwealth Government is not empowered to make legislation governing Aboriginal affairs, as section 51 (26) of the Commonwealth Constitution states that the Commonwealth shall not make special laws with respect to Aboriginal natives. There has been some discussion on whether there should be a referendum to give the Commonwealth powers to make such laws. I regret to say that I believe this Bill is one of the most over-rated pieces of legislation to be introduced in this Chamber in recent times. The publicity given to it is out of all proportion to its importance and particularly as against the effect that the 1962 Act has had on the welfare of the Aboriginal. The 1962 Act went a long way towards giving Aborigines the conditions and chances they had previously been denied. I have yet to be convinced that this Bill will confer any great and lasting benefit on the Aboriginal race. I do not deny that it is necessary that this legislation be introduced, but it will not overcome the very great problem of how we will assist the native population in years to come.

The cost of the Aboriginal Affairs Department has increased considerably in recent years: in the last 10 years it has more than doubled, and the cost of providing for the Aboriginal people has increased from about $24 to $180 a head. I do not begrude this expense, but I query whether we are getting value for our money and whether much money is not being wasted. In addition to the annual expenditure of over $1,000,000 on the welfare of the Aboriginal population there is the cost of the social service benefits provided by the Commonwealth Government. We must endeavour to find a way to get better value for this expenditure, how to look after these people, how to provide normal welfare for them and perhaps bring about a greater degree of betterment for them. I wonder whether we have not got too much centralized bureaucratic control and whether we would not be better off if we had more local control, under which the problems could be dealt with by the people on the spot, who probably understand the problems and who would be able to solve them quickly and effectively.

I think that, before we can come to any firm decisions on how we should attack this problem, we must decide where we are going. Are we going to assimilate or are we going to integrate the native population? If we are going to do either of these things, there is no virtue in continuing with segregation because, if we continue with it, we shall never bring about assimilation or integration. We must make up our minds whether we are going to retain a predominantly white hegemoneous population or whether over the years the Aboriginal population will be assimilated into our own. At present we have a two-fold problem—of dealing with tribal Aborigines and of dealing with the more civilized section. Each of these presents its own problems. I shall endeavour to deal with the Aborigines who have had considerable contact with white people: these are to be found on some of the reserves in the inhabited areas. Many of these people have lived on the reserves for many years; they have been trained and have worked on them, and their children are being schooled on them. I do not know what is intended in this Bill, but it appears to me that these reserves will no longer be retained in their present capacity, as it appears they will be opened up to people other than those whom I shall term inmates.

Dealing with the people who have had contact with the white race is probably the greatest problem we have. Many of these have become good citizens, and others show prospects of being able to deal with the social side of the civilization we now know. However, the problem is to protect these people from the dregs of their own civilization, the people who are failures and who are not able to stand up to the social life of our present civilization. It is inherent in these people that they seem to, shall I say, sponge on the more affluent section of their community and once a

native establishes himself and is able to maintain himself and his family it is not long before he has around him all his friends, who consider that he should assist them as well as his own family.

I am not sure how we are going to overcome the difficult problem. Possibly, we should be directing our attention to the failures in the Aboriginal population. At present, if an Aboriginal is not making the grade on a reserve he is expelled, more or less into the bush. When this happens he has little, if any, chance of being able to redeem himself. He and his family disappear and become probably a greater drain on the population than they were previously. That makes us wonder whether we should have some method of disciplining these people and of retaining them on the reserves until they are able to take their places in society.

If we are unable to do this, there should be some method of looking after the children of these nomads, and perhaps there should be hostels in the towns adjacent to these areas where the children can be cared for and schooled. I think it would be better if many of these children attended State schools, in the towns, that are well equipped to deal with them. These children would then have the opportunity of mixing with the white population and of becoming assimilated at an early age. They would be accepted by the whites and would accept our standards as the standards that they should attain. However, as soon as we take this better class of child from the school on the reserve we lower the standard of that school. The standard of schools on reserves is kept up because of the brighter children attending it and once a child is taken away the standard of the school suffers. Therefore, we should look closely at how we are going to deal with the children of the native population.

The future of this race lies in the assimilation of the children. It is interesting to note the discussion that took place on assimilation at the recent meeting in Adelaide of the Aboriginal Welfare Council. Regarding the meaning of "assimilation", the first official pronouncement on assimilation, made in 1951 and confirmed in 1961, said that Australian Governments expected that all Aborigines and part-Aborigines would "eventually attain the same manner of living as other Australians and live as members of a single Australian community enjoying the same rights and privileges, accepting the same responsibilities, observing the same customs and influenced by the same beliefs, hopes and loyalties as other Australians."

However, at the 1963 council meeting a somewhat more arbitrary note was included in the assimilation formula. The words "will attain" took the place of the original phrase "are expected eventually to attain." There were also other amendments at last year's discussion. The Governments agreed that the policy approved by them "seeks that all persons of Aboriginal descent will choose to attain a similar manner of living, etc." So, whereas we previously had the situation where the native peoples were "expected to attain", the emphasis is now on "will attain".

Another problem exists, in that after the children leave school they are more or less left to their own devices. They probably have not trades, or jobs to go to. They have no callings, and there is a great need for them to be given technical training immediately on completion of their early schooling. I consider that the Aboriginal Affairs Department is endeavouring to supply this need. When the Government took over the Koonibba Reserve about three years ago at the request of the church, it agreed to install technical training facilities, and I understand that this was done at great cost and that good facilities were provided.

However, there seems to be a lack of native population on that reserve at present. The natives have left the reserve and the matter should be looked at in order to find the reason for their leaving, whether the discipline is too strict, whether there is not the right amount of supervision, or whether there is some other reason. I understand that there are vacant houses on the reserve, while natives are living in primitive conditions in the bush nearby. If a native is asked to leave a reserve he is not allowed to come back to it without a permit. At times this means hardship on the natives, and it certainly means great hardship on their wives and families.

The matter of drink has been raised many times and is being continually raised in the press. I do not think anyone denies that the natives should have access to drink: this is accepted in this day and age. However, if the native is to have access he should have it in such a way that he is able to learn to drink in a sophisticated manner. It is of no use letting him have access in unlimited quantities, particularly to certain types of drink. The problem today is that if a native goes to a hotel and the hotelkeeper, in his wisdom,

suggests that the native should not drink in such a quantity the native immediately goes and gets what he wants somewhere else. He may even take a taxi 50 or 60 miles to another hotel.

In order to overcome this difficulty wet canteens could be established on the reserves, even under the control of the natives themselves but under strict supervision. There would then be an inducement for the Aboriginal to return to the reserve to his wife and family. He could obtain the drink he required in quantities he could handle, and would gradually learn to become a better citizen. I emphasize again that care of the children is all important; they need to be taught hygiene, which is something that is seriously lacking in the native population at present, and which is one of the main reasons why natives, perhaps, are unacceptable to the white races. It is not because of their colour but because of their standards of ethics as regards hygiene, cleanliness and general behaviour. The only way this can be done is through hostels. The hostels need not be run by the Government; it would possibly be better if they were run by the churches, which are better equipped to do it. The hostels would cost money, and it would possibly be better to subsidize the churches to run them rather than for the department to run them.

The great need is to provide suitable schools so that the coming generation of Aborigines will be able to become suitable members of society. I have some doubts about the value of this legislation. I wonder whether it has any great value in promoting the welfare of the native community. It is stressed in the Bill that there shall be a trust and that each member of that trust shall be an Aborigine or person of Aboriginal blood within the meaning of the Aboriginal Affairs Act, 1962. The Bill also states that the trust shall consist of a chairman and at least two other members appointed by the Governor, provided that the Governor may, whenever he thinks fit so to do, appoint additional members not exceeding nine upon the recommendation of the Aborigines Reserve Councils constituted pursuant to regulations under the Aboriginal Affairs Act, 1962. As far as I know there are no regulations at present to set up these councils, but no doubt that will be overcome.

The Minister is not bound to accept the nominations of the Aborigines Reserve Councils. He may, if he is not satisfied with the nominations, appoint someone else, which means that the councils may have none of their nominees appointed to the trust. The trust may be entirely a Government-appointed trust. In clause 16 of the Bill, which was dealt with at some length by the Hon. Mr. DeGaris, there is provision that Crown lands may be transferred to the trust upon the recommendation of the Minister of Lands or the Minister of Irrigation, as the case may be. Assuming that such Crown lands are transferred to the trust, can the Minister say whether they are still reserved from the operations of the Mining Act? It would appear that all lands under the control of the trust are reserved from the operations of the Mining Act.

Clause 18 deals with the matter of the trust having power to grant assistance. In the case of its purchasing land, can the Minister say whether land so purchased is reserved from the operations of the Mining Act, and whether the trust would have the full mineral rights on the land purchased? This is a big subject, and one that could be studied for hours and hours. As the Hon. Mr. DeGaris said, the Bill is not particularly explanatory or clear in its intentions. Although it may have some merit, more information should be supplied as to what the eventual position will be in relation to the Aboriginal Lands Trust. Mostly, it is an emotional Bill; the main emphasis on it is emotional, but it is something that should not be discussed in an emotional way but in a rational manner. I trust that when the Bill reaches the Committee stage honourable members will be given further information on the matters that concern them at this stage. I support the second reading.

The Hon. C. M. HILL secured the adjournment of the debate.

ADJOURNMENT.

At 3.44 p.m. the Council adjourned until Wednesday, August 24, at 2.15 p.m.