

LEGISLATIVE COUNCIL

Tuesday, August 11, 1970

The PRESIDENT (Hon. Sir Lyell McEwin) took the Chair at 2.15 p.m. and read prayers.

DEATH OF HON. C. D. ROWE

The Hon. A. J. SHARD (Chief Secretary):
I move:

That this Council express its deep regret at the death of the Hon. Colin Davies Rowe, LL.B., a former Attorney-General and Minister of Labour and Industry and member for Midland District, and place on record its appreciation of his public service; and that, as a mark of respect to the memory of the deceased honourable member, the sitting of the Council be suspended until the ringing of the bells.

I am sure that all honourable members of the Council share with me grief at the untimely death of the late honourable member. Irrespective of politics in this place there is a friendship prevailing amongst us, particularly in the case of honourable members who have been here as long as most of us and the late honourable member have. The shock of his death was unsettling to all of us. His family felt his passing deeply, which was no more of a shock to us than it was to them.

The Hon. Mr. Colin Rowe was first elected as a member for Midland District on November 1, 1948. He made his mark in this place, and from 1955 to 1965 was Attorney-General. Also, he was Minister of Works and Marine from May 15 to June 25, 1958. He was the first Minister of Labour and Industry, from 1960 to 1965, during which period he was also Minister of Employment. He played his part on committees: he was a member of the Industries Development Committee from 1965 to 1968, being Chairman of that committee from 1968 to March 11, 1970. He also played a prominent part on the Australian Council of the Commonwealth Parliamentary Association, representing all Australian States at the Canadian Conference in 1966 and representing the South Australian Branch at the 1961 area conference in Perth.

He did not confine his activities to Parliamentary duties. He had a number of outside interests, among which were the following. He was admitted to the Bar in 1934 and began practising law in Ardrossan and Maitland in 1942. He took a keen interest in hospital affairs, both in the country and in the metropolitan area. He was Chairman of the Maitland Hospital Board and a member of the Northern Community Hospital Board. Also,

he was Secretary of the Ardrossan Hospital Board and played a prominent part in combating the disease of asthma, being President of the Asthma Foundation of South Australia Inc. in the later years of his life. He also played a prominent part in the establishment of and the collection of moneys needed for Westminster School, being on the council of that school.

I am sure that all honourable members, in the light of what I have just said, will realize the wealth of wisdom and wide knowledge that the late honourable member had. Although he was on a different side of politics from me, I always admired him. We discussed many things together. He carried out his duties in a most unassuming manner; he had an intelligent brain and a wealth of knowledge. He was always prepared to help other honourable members who needed information for the benefit of themselves and the State. On behalf of my colleagues, I conclude by saying this, which I know has already been said in this Parliament: we extend to Mrs. Rowe, her son and her daughter our sincere sympathy in their sad loss at such an early age of a very good husband and a magnificent father.

The Hon. R. C. DeGARIS (Leader of the Opposition): I support the Chief Secretary in the motion before the Council, in the extension of our sympathy to Mrs. Rowe and the late Colin Rowe's family. As the Chief Secretary has said, the late Mr. Rowe represented Midland District with distinction for a period of 22 years. He was very well known to me, before I came into this Council as a member, as a man of outstanding ability and dedication to his task while representing his district in this Chamber. As the Chief Secretary has said, the late Colin Rowe filled a most important post in the previous Playford Government as Attorney-General and, I believe, as the first Minister of Labour and Industry in South Australia.

When I first came into this Chamber in 1962, the late Colin Rowe was of great assistance to me, as I am certain he was to every new honourable member coming here, irrespective of his Party affiliations. He was always helpful and free with his advice, which was always worth taking. In 1967 I had the honour of assuming the job of Leader in this Council, and the late Colin Rowe always gave me his support and advice in a position I found rather difficult to fill. Not only did he fulfil his duties as a member for Midland District and as a leading Parliamentarian in

South Australia, but he also involved himself in many other worthwhile activities in the life of this State. The Chief Secretary has recounted many of them. The late Colin Rowe was Chairman of the Maitland Hospital Board and a member of the Northern Community Hospital Board; he was Secretary of the Ardrossan Hospital Board and President of the Asthma Foundation of South Australia Inc.

He also played a leading part in the establishment of Westminster School. But, further than that, he played an important part in the work of the Central Methodist Mission in South Australia and an organization known as Lentara, which cares for neglected children. As the Chief Secretary has said, he played a leading part in the establishment and work of the Asthma Foundation of South Australia. He was a man who had a deep love of his home State, South Australia, and an abiding loyalty to it. I join with the Chief Secretary in expressing my sympathies to Mrs. Rowe and the son and daughter of the late Colin Rowe.

The Hon. C. R. STORY (Midland): I rise with deep regret to support this motion. I knew the Hon. Colin Rowe for a considerable time both in and out of politics. He was a person whom many of us could very well emulate. He was unassuming and possessed of a quick and ready wit. The Hon. Mr. Rowe had a nimble and active mind. In his public life he was able to render great service in the Midland District to his constituents, who would best know the extent of his service. I regret very much his passing at such an early age. He was an extremely good Christian and a fine family man. He came from good stock on Yorke Peninsula that is well thought of not only in that area but throughout the State. I, too, should like to be associated with the motion expressing to Mrs. Elsie Rowe, her son John and daughter Barbara our deepest sympathy.

The Hon. L. R. HART (Midland): I, too, wish to add my tribute to my colleague, the late Hon. Colin D. Rowe. He greatly assisted me when I first contested a by-election to become a member of this Council. He had a very wide knowledge of the Midland District and its people. He was a very fluent orator, always easy to listen to and easy to understand, mainly because he used common language that the ordinary man could understand. I think this typified the man himself, because in all his activities he never lost the common touch. He was always willing to

help people in need of assistance from someone in a position to help. He placed great value on moral standards and always closely followed the dictates of his conscience. I, too, extend my sympathy to his wife and family.

The Hon. M. B. DAWKINS (Midland): I, too, cannot let this occasion pass without paying my tribute to the late Hon. Colin D. Rowe. He was my colleague in this Council for eight and a half years and for a considerable time before that I knew him as a man to admire. He was very helpful to me, as he was to other honourable members. I think every honourable member would be ready to admit that the Hon. Mr. Rowe had a very keen mind and held very high principles. He was a diligent worker for his church. Many good works associated with that church, some of which have been mentioned this afternoon, were fostered by the late Mr. Rowe. He was a tireless worker, a clear thinker and always ready to help his colleagues and constituents. With my colleagues, I lament his untimely death and I pay a tribute to his memory. I extend my condolences to his sorrowing widow and family.

The PRESIDENT: Before putting the motion I should like to add briefly my own personal tribute to the late honourable member. As has been stated, the Hon. Colin Rowe was a member of this Council for 22 years; for 10 years of that period he served as a Cabinet Minister. It was my privilege to serve with him during the whole of that period and I had a great respect for his high qualities. He was a very capable and loyal colleague and a conscientious worker, whether in Cabinet, in Parliament, or in the Midland District.

A powerful, forthright and hard-hitting debater, he left no doubt as to what he wanted and the direction of his objective. He gave unstinting service (which has previously been mentioned) to several civic, educational and charitable organizations, one of which received detailed reference in his last speech in this Council. We have lost a worthy colleague, citizen, personality and friend who will be missed by us all. I join in expressing sympathy to Mrs. Rowe and the family in their bereavement. I ask honourable members to rise and carry the motion in silence.

Motion carried by honourable members standing in their places in silence.

[Sitting suspended from 2.32 to 3 p.m.]

QUESTIONS

NATIONAL SERVICE

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to my question of July 28 regarding the Premier's statement on National Service?

The Hon. A. J. SHARD: I am happy to be able to reply to the Leader's question. I have obtained a complete transcript of the *Four Corners* programme referred to, and, as it is lengthy, I seek leave to have it incorporated in *Hansard* without my reading it.

Leave granted.

MILITARY SERVICE

Michael Willesee (Reporter): There have been very few issues which have divided Australian opinion so sharply as conscription for military service. During the First World War conscription was twice rejected by referendum after emotional and divisive campaigns. In the Second World War, Prime Minister John Curtin just managed to push it through, but there were limitations on his use and deployment of conscripts. Over the last five years Australia has, of course, again had conscription.

This time it's not such a clear issue because the lines between conscription as an issue and the Vietnam war as an issue are blurred. But this has served only to strengthen the feelings of those in opposition. In recent years we have become accustomed to demonstrations. And while a handful of young men have actually been gaol'd for refusing to register for National Service gaol sentences now hang over the heads of approximately another 50. The latest form of opposition to conscription has been to publicly urge eligible young men to defy the National Service Act by refusing to register.

This in itself is believed to be a breach of the law, and in fact, 110 people have already been successfully prosecuted under the Crimes Act for this offence. More than 8,000 other people have signed what they call the statement in defiance of the National Service Act in what appears to be a deliberate attempt to invite prosecution. The Prime Minister, Mr. Gorton, is reluctant to take the bait, because among other things that's how he sees it, a deliberate political bait. Last week yet another person urged young men to defy the National Service Act, but this person was rather different. He was the headmaster of an old established private college, Sydney's Methodist G.P.S. school, Newington. By his action the headmaster, the Reverend D. A. Trathen, injected a lot more controversy into the debate, much of it surrounding his future at the school. But more importantly he brought into focus several very serious and very much unresolved questions. One, the morality if you like, of stepping outside the law to express dissent. Another, the right to use such a position of prestige. To examine these questions and others arising from them I talked in Canberra with the Federal Attorney-General, Mr. Tom Hughes, and the Labor Premier of South Australia, Mr. Don

Dunstan. Gentlemen, I think people may disagree with this headmaster on one of three grounds. Firstly, his political stance. Secondly, his stand against the law; and thirdly, as a headmaster he did one or both of these things. Now, Mr. Hughes could I have your reaction to that first?

Mr. Hughes: Well, I take no objection to, nor would I be entitled to take any objection to, the political beliefs of this headmaster. That's a matter for him, and it is his God-given right to go where he wants to in politics.

Mr. Willesee: I think we're talking about the expression of the belief rather than the holding.

Mr. Hughes: Yes, and I don't see why in general terms a headmaster should not only hold political beliefs but express them. The point at which I do take objection to this headmaster is that he used his undoubted prestige, because he's been regarded as a very fine headmaster, his undoubted authority, and his standing to counsel young, and possibly impressionable people, who would be all the more impressed by him perhaps because of his standing in his school, to break a law made by democratically elected Parliament. That's the sticking point as far as I'm concerned and I think it's very unfortunate for the democratic process generally that he felt impelled, as he obviously did, to say the things he did by way, if he's reported correctly, of counselling young men to defy the law.

Mr. Willesee: Mr. Dunstan how do you see this?

Mr. Dunstan: Well, I think the fact that he's a headmaster or somebody of standing in the community doesn't really make him different from anybody else.

Mr. Hughes: I thought I tried to concede that point in substance, except on the one matter of whether he should use his position and his standing to advocate breaches of the law.

Mr. Dunstan: Well, again, if somebody's going to advocate a breach of the law the fact that he does it as a prominent citizen with standing I think doesn't really make terribly much difference. It's still his right as a citizen to do it, and in fact, it may be important to the community that somebody of standing feels that the law is so wrong that he ought to say I don't believe it ought to be obeyed. After all, we don't take the position, it seems to me, in the community that every law that we make is going to be obeyed in detail or to the letter. Many of our laws will be disobeyed because the community's view is generally different from the law as it stands. This often happens with things like liquor laws, raffles and things of that kind. I find that members of the police force in South Australia sell raffle tickets. You know they think that the law, and the general community attitude to the law, is that this is not a good law. And again you may get one where the view of people in the community is that it is so wrong that they ought to speak out, and they ought to say we ought to object, we ought to resist.

Mr. Hughes: I think the real point of difference between you and me probably is this, that I hold very firmly to the view that it does no service to democratic Government

to attempt to alter the law by defying it or encouraging defiance of it.

Mr. Willesee: I wonder if I could just interrupt you there and we'll come back to that point of breaking the law. Could we firstly clarify this position of in this case this man being a headmaster? Now you did say that you don't mind him having a political influence, but then you seemed to hold it against him that he broke the law, or urged the breaking of the law as a headmaster.

Mr. Hughes: Well, look I'm not, please don't think that I'm passing any judgment, final judgment, on the question of whether he broke the law. Questions of inciting breach of the law are not easy ones to determine, I know that because I'm living with the question now. But anything I say is not intended personally to denigrate this headmaster, please let that be understood.

Mr. Willesee: Let's take the case of the position, a man of influence doing this, now are you prepared to throw his position aside altogether and say, O.K. he is just a man perhaps breaking the law?

Mr. Hughes: Now I, I say well here is a man who has perhaps broken the law, because there is a section of the Crimes Act which makes it an offence to encourage people to disobey any Commonwealth law, that's why I can't agree with Don Dunstan when he said that people have a right to make statements such as this headmaster made. He may not have that, he may have exceeded any right given to him by the law in making this statement. But what I say is that there are ways in our society, a democratic society, of changing the law.

Mr. Willesee: I'm sorry. I just want to clear up the point of this man, or any man in similar position being a headmaster or a man in a position of influence. Now you've said he should have political influence if he wants to exercise it, or have a political expression, but then you seem to hold it against him that what he did he did as a headmaster.

Mr. Hughes: Well, I think it's serious enough for anyone to engage in activity which is, or could be regarded as being a breach of a definite law. It's serious enough for anyone to break the law. I think it's all the more serious looked at from the viewpoint of the community's interest when the man who does it, we're making the assumption that he has and I emphasize it's an assumption, occupies in relation to young people, impressionable people and I'm not saying impressionable because I think they are stupid or easily influenced necessarily, but people who may admire him and who therefore has a position of special influence. I think it's unfortunate from a community standpoint when such a person uses that influence to counsel young people to defy the law in the context of a democratic society when there are recognized and proper means of effecting changes in the law other than defiance of the law. Do I make myself clear?

Mr. Willesee: You wouldn't, well just to further one point, you wouldn't then mind him exercising that political influence over those people as long as it was within the law?

Mr. Hughes: Within, I can't see why not. Some people may take the view that it's the role of a headmaster to be politically neutral. I couldn't properly accept that as a general and universal proposition. I think that not all headmasters are. After all, most intelligent human beings are in some part of their being political animals, and I think that a headmaster who influences his charges to turn their minds towards political questions probably performs a very great public service in so doing, and you can't talk about politics without having or expressing a view. So I don't see anything harmful in a headmaster putting a political creed to his students. They may agree with him or disagree with him. They may be influenced by him. That's all right, but I stick at this defiance or suggested incitement to defiance of the law.

Mr. Willesee: Would you like to add to that point before we come back to this question of breaking the law?

Mr. Dunstan: I think that it's necessary for headmasters to be committed people and to indicate to their charges that commitment is important. Not that they expect every pupil to follow their point of view, but that having a point of view and being committed to something that is important to them. The job of schools is not necessarily to teach by rote a particular point of view, but to stimulate people to have a point of view and to make up their minds about not only orthodox but heterodox opinions.

Mr. Hughes: Yes, I'd agree with that.

Mr. Willesee: Well back to breaking the law to express or further a political point of view. Hasn't the person got a right to do this if he's prepared to take the consequences?

Mr. Hughes: Nobody. That's a very pointed question. I don't regard it as a right talking in terms that I understand, nobody has a right to break the law, but you can't prevent somebody from breaking the law. No Government can prevent breaches of the law. I think Don Dunstan said that a few minutes ago. What a Government can do, of course, is to impose a penalty in case of breach, and a person who breaks the law has to take the consequences if the Government decides to exact, or endeavour to exact the penalty. So probably the answer to your question is no, a person doesn't have a right in *juris prudential* terms to break the law, but he may break the law taking the consequences of doing so.

Mr. Dunstan: I think every citizen has to make up his mind about laws which he considers either trivial and absurd, or very wrong, whether he is going to obey and in this particular case I think everybody has to face the question of whether he thinks that it is proper to register for National Service at the moment. I must say that my own opinion, I've stated this plenty of times, is that if my own son asked me for my opinion and I said to him, I'd say to him well look you've got to make up your mind about whether you're prepared to take the consequences, but if I were in your position I wouldn't register, and I'd take the consequences. And having said that to my own son I think I've got to be prepared, as

somebody in public life, to say it to other people too.

Mr. Willesee: Do you take the point that this appears to be trivial at all?

Mr. Hughes: Well, I wouldn't, I wouldn't. What, the National Service Act?

Mr. Dunstan: Oh, I'm not suggesting it's trivial.

Mr. Hughes: No, no.

Mr. Willesee: Well, I was wondering if your Government didn't in some way suggest it may be trivial by being reluctant to prosecute?

Mr. Hughes: No, not at all. Well, you seem to be making an assumption there, and I'm not going to, if I may say this, I'm not going to reveal what is precisely in my mind about prosecuting or not prosecuting, but I think a lot of people may fall into error in assuming that just because the law has been, or appears to have been broken a Government must automatically prosecute. There is no recognized principle that a prosecution follows automatically just because a law has been infringed. It's one of the questions that I have to determine sometimes from week to week, whether, although there may be evidence of an offence, the broad public interest is best served by prosecuting. Sometimes it may be said that the broad public interest isn't best served by prosecuting even though the law is an important one, because by prosecuting some people, and this is a principle recognized by a very fine Labor Attorney-General in the United Kingdom, a former Attorney-General Sir Hartley Shawcross, he pointed to the fact that in some instances prosecution for an offence may not serve the public interest because it would make the accused into a martyr and promote the possibility of further public disorder than the disorder which is involved in the commission of the offence. This sort of question is the type of, is a dilemma type of question which I have to resolve as best I can, and I've no doubt whichever way I resolve it I'll be criticized by someone, but that's something I have to live with.

Mr. Willesee: As a final point, Mr. Dunstan, don't you see any dangers in the breaking of this sort of law?

Mr. Dunstan: I think it's a serious step for anybody to take to break it, but at the same time I personally think that there are a very large number of people who feel that the war in Vietnam is one in which we should not be involved and would feel it a matter of conscience that they could not put themselves in a position of supporting it, and would therefore refuse to register for National Service. This is an attitude that's been taken for years by people who have felt that some action by their Government, democratically elected though it be, is wrong and that their duty as a citizen is not to say my country right or wrong, that my duty as a citizen is to say my country right.

Mr. Hughes: I think the prime duty of a citizen, however, is to obey the laws made by a democratically elected Parliament. Civil disobedience may well be thought to be justifiable but in circumstances very different from those which attain in this country today. Ghandi practised civil disobedience, he prac-

tised civil disobedience because his country at the time was governed by a foreign imperial power.

Mr. Dunstan: But I think he'd refuse to register for National Service here.

Mr. Hughes: Well, I rather I rather think that's a peripheral question and not really relevant to the point of principle, if I may venture to suggest so.

Mr. Willesee: I'd like to venture to suggest that we've run out of time. Mr. Hughes, Mr. Dunstan, thank you very much.

DRUGS

The Hon. L. R. HART: I seek leave to make a short statement prior to asking a question of the Minister of Health.

Leave granted.

The Hon. L. R. HART: On Sunday night, Senator Buttfeld, who is a member of the Senate Select Committee on Drug Trafficking and Drug Abuse, told a meeting at Elizabeth that she was horrified at the number of young people involved in drug use, that a large group of drug dependents were aged between 15 years and 25 years of age, and that some Australian children of 12 were known to be hooked on drugs. As there have been several conflicting reports lately regarding the use of drugs in South Australia, as well as in Australia as a whole, will the Minister of Health bring down a report setting out the official view on the use and abuse of drugs in South Australia?

The Hon. A. J. SHARD: Although the question is a rather involved one, I am prepared to discuss this matter with both the Police Department and the Health Department, but I do not know whether the answer I could obtain would be a completely satisfactory one as I am afraid no complete or sound records are kept of what is taking place. However, I will do my best to comply with the honourable member's request.

The Hon. R. A. GEDDES: I ask leave to make a short statement before asking a question of the Minister of Health.

Leave granted.

The Hon. R. A. GEDDES: A report in today's *Advertiser* says that Sergeant Silverblade of the police drug squad has warned parents to be on the alert for signs of drug taking among their children. As a humble parent, I do not know what to look for in this connection. Will the Minister issue to the press and Parliament a statement detailing the signs that indicate that children are taking drugs?

The Hon. A. J. SHARD: I shall be happy to refer the honourable member's question to the police officer and bring down a reply.

SALISBURY TEACHERS COLLEGE

The Hon. M. B. DAWKINS: Has the Minister of Agriculture, representing the Minister of Education, a reply to my question of July 29 regarding the completion of the building of Salisbury Teachers College?

The Hon. T. M. CASEY: I am advised by my colleague that the estimated date of completion of Salisbury Teachers College is December, 1970.

ADELAIDE HIGH SCHOOL

The Hon. C. M. HILL: Has the Chief Secretary a reply to my question of July 30 concerning the proposed buildings to be erected on the site of the Adelaide Boys High School and the Government's attitude regarding the principle of building on park lands?

The Hon. A. J. SHARD: The policy of the Government regarding buildings and car parking on park lands is unchanged, in that any proposal must be examined. The buildings for the Adelaide Boys High School will be erected on land which was previously the Weather Bureau, and the encroachment on park lands is not involved.

CIGARETTES

The Hon. V. G. SPRINGETT: I seek leave to make a short statement prior to asking a question of the Minister of Health.

Leave granted.

The Hon. V. G. SPRINGETT: There is ever-increasing evidence of a relationship between the incidence of lung cancer and heavy cigarette smoking. On July 31, 1969, I asked a question of the then Minister of Health about how soon a warning would be placed on cigarette packets, such as is now done in certain overseas countries, warning people of the risks involved in heavy cigarette smoking. It is obvious that such a measure would have to be taken on a Commonwealth-wide basis. The Minister said then that it was hoped that legislation would be introduced in the third session of the Thirty-ninth Parliament, but obviously nothing has so far happened. Can the Minister tell me the present position regarding how soon, or whether, this country will introduce uniform legislation on the marking of cigarette packets; if this measure is not introduced, does the Government intend introducing any other measure of warning to the general public?

The Hon. A. J. SHARD: The present position is that we cannot agree to this course unless something is done on a Commonwealth-wide basis. It would be useless for any one

State to introduce a warning. As I understand the present position, three States of the Commonwealth have decided not to ask that a warning be placed on cigarette packets, and this Government has no intention of doing this alone. I am unable to say when any warning is likely to be introduced, but this matter will be raised again at the next conference of the Ministers of Health, when I hope that something of a uniform nature can be achieved.

WOMEN'S REHABILITATION CENTRE

The Hon. JESSIE COOPER: I seek leave to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. JESSIE COOPER: Last week, by courtesy of the Chief Secretary, I inspected the new women's rehabilitation centre and saw the excellent work being done to rehabilitate women prisoners in modern well-planned buildings. Incorporated in the buildings is a well-equipped four-bed sick bay—a sort of miniature hospital. A request has been made for a nurse, but so far no nurse has been appointed. Will the Chief Secretary expedite this matter as the situation at the moment is both uneconomic and potentially dangerous?

The Hon. A. J. SHARD: Yes. I visited the place with my wife and the honourable member, and I agree that the rehabilitation centre is a credit to all concerned. I, too, noted the sick bay and I know that the request for a nurse in that section of the rehabilitation centre has not been granted. However, I shall be pleased to take up the matter as I understand that the present method of looking after women who unfortunately become ill there is uneconomical from the point of view of the Prisons Department. I do not know why the request was refused but I shall be pleased to take up the matter with the Government and see whether something can be done to have a nurse put in charge of what I would say is a very nice, modern sick bay within the rehabilitation centre.

INTEREST RATES

The Hon. M. B. DAWKINS: Has the Chief Secretary a reply to a question I asked on July 30 about interest rates?

The Hon. A. J. SHARD: The section of the Rural Advances Guarantee Act that has been quoted does not preclude the bank from taking such action to vary the rate of interest as is permitted by the mortgage document signed by the mortgagor. I understand that prior

to August, 1969, all mortgages given to the Savings Bank of South Australia under the Rural Advances Guarantee Act had a clause included that prevented the bank from varying the rate of interest for a period of five years, so that many mortgagors will go on enjoying the benefit of lower interest rates until this five-year period has expired. The person mentioned in the honourable member's question would have had the benefit of a rate of interest of 5½ per cent during a period when all commercial rates of interest had been rising. He will now be required to pay 6½ per cent, which is the rate allowed by the Reserve Bank for "carry-on" rural loans and is much less than the rate presently allowed by the Reserve Bank for other bank loans, including rural development loans or loans for acquisition.

After August, 1969, the bank's mortgages were amended to permit the bank to vary the rate of interest after one year and since April of this year, following the example of the State Savings Bank of Victoria and of the Commonwealth Savings Bank, the mortgages permit the bank to vary the rate of interest without waiting any specified period. The honourable member asks whether it is wise for the rate to be increased, having regard to the circumstances in which the primary producers find themselves at the present time. I think the answer to that is that the savings bank's responsibility is to place its funds, within the limits set by its Act, to the best advantage, within reason, of its depositors. Plainly, then, in times when interest rates are rising it must review the rates it is charging so that it may pay interest to its depositors that is in line with interest payable by similar institutions.

SHEEP PRICES

The Hon. A. M. WHYTE: I ask leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. A. M. WHYTE: In this morning's news I heard that people in the drought-stricken area of western Queensland have the right to kill stock for the processing of pet food. I am not too sure of the economics of this, but has the Minister power to implement the necessary machinery should a similar request be made to him to alleviate the position in South Australia?

The Hon. T. M. CASEY: I think the present situation in South Australia is quite different from that in Queensland, where stock are dying from lack of feed. I do not know of any areas in South Australia that are suffering from this

lack of feed at the present time, but I know that the stock market has fallen to very low figures. Stock are selling at 5c and 10c a sheep. Of course, this is not unusual for South Australia. I remember stock being sold at these prices many years ago. There are many sheep in South Australia, close to 19,000,000, which is the greatest number of sheep we have ever had in this State. If and when the time does come when sheep are suffering the same disability that the sheep in Queensland are, I shall be prepared to take this matter up with the department to see what can be done.

UNLEY ROAD

The Hon. C. M. HILL: Has the Chief Secretary a reply to a question I asked on July 30 about plans for the creation of a clearway along Unley Road?

The Hon. A. J. SHARD: The Government is aware of the need to introduce clearways on certain arterial roads, such as Unley Road. The Corporation of Unley has not, so far, made the details of its recent parking survey available, nor is the recommendation of the council in this regard known to the Government. This matter will be the subject of discussions between the Road Traffic Board and the council although, should clearway operations be recommended, it may be desirable to allow a six-month period for alternative parking arrangements to be made prior to the introduction of actual clearway operations.

BENLATE

The Hon. C. R. STORY: Has the Minister of Agriculture a reply to my recent question about Benlate?

The Hon. T. M. CASEY: The Director of Agriculture reports that Benlate is registered for use on non-fruit-bearing trees. This has been interpreted as being on fruit trees after harvest and before blossoming and, therefore, its use is permitted on dormant apricot trees. The value of Benlate as a control measure against apricot gummosis is distinctly limited and the Agriculture Department is not recommending that apricots can now be pruned with immunity from gummosis if a Benlate spray is applied after pruning. Benlate is about as effective as grafting mastic in protecting pruning wounds from gummosis infection.

The recommendation of the Agriculture Department is that losses from gummosis can be virtually totally avoided by adopting a non-pruning management of trees. This requires crop thinning to control fruit size, and research by the department has developed chemical means of fruit thinning that make

this a relatively simple operation. Should trees need to be pruned for reasons of thinning out branches or shaping them, it is recommended that all such cuts be protected by a Benlate swab and coating of grafting mastic. This could apply to trees in the nursery and during initial training.

ELLISTON POLICE RESIDENCE

The Hon. A. M. WHYTE: Has the Chief Secretary a reply to my question of July 28 about up-grading the accommodation at the Elliston police station?

The Hon. A. J. SHARD: Work will commence in about three weeks on the erection of a new police station and residence building at Elliston. It is expected that the building will be ready for occupation in April, 1971. Arrangements will be made to undertake any maintenance work considered necessary to keep the existing premises in habitable condition until the new building can be occupied.

GOVERNMENT INSURANCE OFFICE

The Hon. Sir ARTHUR RYMILL: Has the Chief Secretary a reply to my recent question about a feasibility study in connection with the proposed Government insurance office?

The Hon. A. J. SHARD: A study was made of the operation of other Government insurance offices before the Government took office. Material was also supplied from university sources as to the profitability of insurance offices of medium size doing business of the kind proposed for the Government insurance office. The policy secretariat in the Premier's Department is preparing recommendations on setting up the proposed commission.

ROYAL SOCIETY FOR ANIMALS

The Hon. L. R. HART: Has the Chief Secretary a reply to my question of July 30 about Government subsidies to the Royal Society for the Prevention of Cruelty to Animals?

The Hon. A. J. SHARD: No application for an increased grant has been received since a request on November 26, 1965. At that time, following an investigation by the Auditor-General, the grant was fixed at \$600 a year; this sum has been placed on the preliminary Estimates for 1970-71.

SWAN REACH AREA SCHOOL

The Hon. C. R. STORY: Has the Minister of Agriculture obtained from the Minister of Education a reply to my recent question about the Swan Reach Area School?

The Hon. T. M. CASEY: My colleague reports:

The question of the replacement of the Swan Reach Area School was last before the Public Works Committee on July 16 this year. It is understood that the committee has completed its hearing and its decision is at present awaited. While it cannot be anticipated, nothing has transpired that might give grounds for apprehension by the Swan Reach Area School Committee.

COPLEY ROADWORKS

The Hon. A. M. WHYTE: Has the Chief Secretary a reply to my question of July 29 about the eastern approach to Copley?

The Hon. A. J. SHARD: The Commonwealth Railways has not approved the opening of a new railway crossing at Copley which would have eased the curve on the approach to Copley from the Arkaroola direction. Accordingly, the Highways Department is considering an improved alignment utilizing the existing location of the railway crossing. At this stage, the design of the new alignment has not been completed and, although the work of road construction will be expedited as soon as construction resources are available in the area, it cannot accurately be stated when the actual work will be carried out. It appears, however, that the present conditions will be improved within six months.

SEAT BELTS

The Hon. C. M. HILL: On July 29 I quoted from a newspaper report that suggested that some taxi drivers were removing seat belts from new taxis and thereby preventing passengers from obtaining the safety benefits that seat belts afford. I asked the Chief Secretary whether the matter could be referred to the Metropolitan Taxi-cab Board. Has he a report?

The Hon. A. J. SHARD: My colleague, the Minister of Roads and Transport, reports:

Section 162a of the Road Traffic Act, 1961-1967, provides for the compulsory fitting of seat belts in motor vehicles manufactured on or after January 1, 1967. It also provides that they be maintained in sound condition and good working order. Of the 833 taxi-cabs and hire cars licensed by the Metropolitan Taxi-cab Board, at least 307 were manufactured before January 1, 1967, and are therefore not compulsorily required to have seat belts fitted.

Checks have been made and it has been found that six vehicles manufactured after January 1, 1967, have had seat belts removed. The owners have been instructed to replace them and have done so. In each of these cases the belts were removed after the vehicle had been examined for roadworthiness as required

by the board. All taxi-cab companies have been requested to acquaint licensees with their responsibilities under the Road Traffic Act with respect to safety belts, and taxi-cab board inspectors have been directed to report offenders. All taxi-cabs are inspected four times a year for either roadworthiness checks or brake efficiency, and seat belt fittings will also be checked on these occasions.

FILTRATION PLANT

The Hon. A. M. WHYTE: On July 29 I asked the Minister of Agriculture, representing the Minister of Works, a question about the replacement of filtration modules in the reverse osmosis system at Coober Pedy. I hope his colleague's reply will be more direct than the last one he gave. Has the Minister obtained a reply?

The Hon. T. M. CASEY: My colleague reports:

Havens International, a firm with headquarters in California, United States of America, supplied and installed a reverse osmosis plant at Coober Pedy in May, 1969. The plant consisted of 234 modules, each module being a bundle of 18 fibre glass tubes each 9ft. in length. Raw bore water with a salinity of 17,000 parts per million is pumped at 600 lb. per square inch into these modules, and a better quality water is obtained as a product. As is inevitable with new developmental processes, difficulties have been experienced.

The fibre glass tubes in some cases have been unable to stand up to the continued high pressure and have developed pin-hole ruptures. These cause membranes to break, allowing the saline raw water to leak through into the product water. The net result is a lower quality and more saline product. When these ruptures occur the damaged module is removed from the plant and a new or repaired one inserted in its place.

This difficulty with the modules has been experienced by Havens International in its plants in other parts of the world, and new and improved modules have been developed. The South Australian Manager for Havens International confirmed yesterday that his firm would replace all of the modules supplied for this plant with new modules of the improved design at no cost to the department. Unfortunately, because of internal reorganizations that are taking place within the company, these cannot now be made in South Australia (as it was recently hoped would be the case) but must be manufactured and supplied from the parent company in California. This may take several months. In the meantime modules that have become damaged are being repaired at the Salisbury factory of Havens International.

At present there are about 70 modules undergoing repair at Salisbury, and a further 53 are to be sent back from Coober Pedy. It is expected that some modules will be repaired and ready for consigning back to Coober Pedy by August 17. It can be expected that an improvement in the quality of the water

supplied will occur when the batch of repaired modules is received from Salisbury, and this will improve further when the new and improved modules are received in a few months time from the United States.

GEORGE'S CORNER

The Hon. R. A. GEDDES: Has the Minister of Lands, representing the Minister of Roads and Transport, a reply to my question of July 21 about the redesigning of George's Corner, near Port Pirie?

The Hon. A. F. KNEEBONE: Extensive alterations to Engineering and Water Supply Department water supply mains at George's Corner are necessary before road alterations are carried out. Negotiations are currently in hand with the department and, depending on the ability of that department to effect mains alterations, roadwork is expected to commence late this year or early next year. Roadwork will take about six months to complete after commencement.

RAILWAYS INSTITUTE

The Hon. C. M. HILL: I seek leave to make a short statement prior to asking a question of the Minister of Lands, representing the Minister of Roads and Transport.

Leave granted.

The Hon. C. M. HILL: South Australian Railways employees are expressing some concern regarding the proposal to build a new Railways Institute. The present temporary accommodation that has been provided since the demolition of the old building is, apparently, not satisfying them, as it was hoped it would. Prior to the change of Government the site for the new Railways Institute building facing the Torrens Lake was decided on. This allowed for considerable open space between the festival theatre and the new Railways Institute building to allow for additional cultural centre buildings (when they were needed by the South Australian community) which would front and overlook the lake and would, indeed, provide a magnificent complex in the future. The authority to proceed to build the institute building to an upper limit of \$500,000 was approved and forwarded to the Railways Commissioner. Architects were retained by the Railways Department and, I believe, plans were completed. The Director, Public Buildings Department, and the Railways Commissioner are aware of detailed arrangements, including site choice and clearance. Can the Minister say what progress has been made since May 30 to call tenders and commence construction?

The Hon. A. F. KNEEBONE: I will convey the honourable member's question to my colleague and bring down a reply as soon as one is available.

PRESS OFFICERS

The Hon. R. A. GEDDES: Has the Chief Secretary a reply to my question of July 21 regarding the release of press items by Ministerial officers?

The Hon. A. J. SHARD: Press releases are made available to media to which they are of interest and also to members of Parliament who have expressed an interest in a particular matter. It is beyond the resources of press staff to provide copies of each press release to each member of Parliament. However, if there is a particular matter on which the honourable member would like a copy of a press release which he cites, I will endeavour to see that he gets it.

DOMICILIARY CARE

The Hon. R. C. DeGARIS: Has the Minister of Health a reply to my recent question about the establishment of domiciliary care units in South Australia?

The Hon. A. J. SHARD: A pilot scheme has been structured for Murray Bridge. This will be based at the hospital and will involve the following services:

- (1) Meals services.
- (2) Home nursing services (to be arranged by the Royal District and Bush Nursing Society).
- (3) Housekeeping services.
- (4) Linen services.
- (5) Physiotherapy services.

A local committee has been formed at Murray Bridge to operate and administer the project and the scheme is ready to commence. The main reservations by the Commonwealth Government as far as this particular scheme is concerned are that the home nursing service can be subsidized under the Home Nursing Subsidy Act and the Commonwealth has adopted the view that capital expenditure on the provision of accommodation at hospitals is a State responsibility.

Public meetings have been held at Port Lincoln and officers of the Hospitals Department and Public Health Department are to discuss details of the services required and to formulate a project for submission to the Commonwealth for consideration. It is intended to base a further scheme at the Queen Elizabeth Hospital to serve a community of about 70,000 people, and details

of this scheme have been formulated and discussed with officers of the Commonwealth. There is a fourth pilot project, which it is hoped to base at a senior citizens centre. Under all these home care schemes, the State Government and the Commonwealth will share the cost equally as far as domiciliary services as specified in the Home Care and Paramedical Services Act are concerned. This State is well to the forefront in developing domiciliary care services, and once the principles of the various types of domiciliary care projects have been established and approved, it is expected that several other schemes, particularly for country areas, will be structured along the same lines and submitted to the Commonwealth.

TRANSPORTATION STUDY

The Hon. C. M. HILL: Has the Minister of Lands, representing the Minister of Roads and Transport, a reply to my question of July 28 regarding whether any Australian transportation planning engineer will be retained to work with Dr. Breuning in his investigations into future transport trends in Adelaide?

The Hon. A. F. KNEEBONE: My colleague has supplied the following report, which will provide the honourable member with more information than he had sought. The terms of reference given to Dr. Breuning and approved by the Government state:

The Government has engaged Dr. S. M. Breuning, Executive Vice-President of Social Technology Systems Incorporated, Massachusetts, United States of America, to carry out the following work:

1. Conduct a preliminary inquiry into what work needs to be done for revision of the Metropolitan Adelaide Transportation Study to ensure adequate movement within the projected development of the city, leaving the way open for the maximum use (within the financial competence of the State) of developing flexible systems of public transit.

2. Report on what work needs to be done to provide that South Australia will develop experiments in new systems of public transit with the aim of providing an additional base for industry in this State.

To facilitate the work involved, Dr. Breuning and his associate, Mr. Kettaneh, will be working in close co-operation with the Metropolitan Transportation Committee, which consists of representatives of the State Planning Authority, the Municipal Tramways Trust, the South Australian Railways, the Highways Department, the Adelaide City Council and local government.

In addition, the Doctor has been advised that the Government would be grateful for his consideration of the involvement of local

traffic engineers and researchers. His attention has been drawn to the function and purpose of the South Australian Committee on Environment and the Community Values Committee and he has been told that the services of both committees are at his disposal, as also are the services of any other committee, Government department, etc. The Government has stressed to Dr. Breuning that the most important factor in revising the M.A.T.S. plan is that all the proposals recommended in the revision must be within the financial competence of the State and that the well-being of the people be adequately and properly catered for. The Doctor has been provided with a copy of the policy speech delivered prior to the last State election by the Premier to make him aware of the attitude of the Government.

PUBLIC WORKS COMMITTEE REPORTS

The PRESIDENT laid on the table the following interim reports by the Parliamentary Standing Committee on Public Works:

- Berri Divisional Headquarters and Police Station,
- Chaffey Irrigation Area (Rehabilitation of Irrigation Headworks),
- Glenelg Treatment Works (Reticulation of Reclaimed Water),
- Panorama Technical College Additions.

The PRESIDENT laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

- Re-establishment of Swan Reach Area School,
- Tod River Trunk Main between Minnipa and Thevenard (Replacement and Enlargement).

ADVANCES FOR HOMES ACT AMENDMENT BILL

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

ADVANCES TO SETTLERS ACT AMENDMENT BILL

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

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL

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

STATE GOVERNMENT INSURANCE COMMISSION BILL

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

EUDUNDA AND MORGAN RAILWAY (DISCONTINUANCE) BILL

Second reading.

The Hon. A. F. KNEEBONE (Minister of Lands): I move:

That this Bill be now read a second time.

This short Bill authorizes the Railways Commissioner to take up or otherwise dispose of the railway line between Eudunda and Morgan and is introduced in consequence of the decision to close the line. The line to be taken up is delineated on the Parliamentary plan referred to in clause 2 of the Bill; a copy of the plan is available on the notice board in the Chamber for perusal by honourable members. This line runs from the Robertstown junction on the Morgan side of Eudunda to Morgan itself. In substance, the Bill follows similar measures that have from time to time been introduced into this Council.

Clause 1 is formal. Clause 2 provides appropriate definitions for the purposes of the measure, including a reference to the 1876 Act that originally authorized the construction of the railway. Clause 3 enables the Commissioner to take up portion of the railway authorized by the 1876 Act and to alter its terminus to the point of commencement of the Robertstown branch line. Clause 4 incorporates this Act with the South Australian Railways Commissioner's Act, to which it is complementary.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL

Second reading.

The Hon. A. F. KNEEBONE (Minister of Lands): I move:

That this Bill be now read a second time.

It repeals section 118 of the principal Act and enacts a new provision in its place. Section 118 was enacted to overcome a problem arising from principles of common law. The development of the common law was to some extent influenced by a passage from St. Matthew's gospel in which husband and wife are said to be "one flesh". The result of this was that the law would not countenance an action in tort between a husband and his wife because they were not recognized as two separate persons; hence, such an action would be equivalent to an action by a man against himself. This principle was to some extent overcome by the existing section 118 of the principal Act which provides that, where an insured person injures his spouse by negligence in the

use of a motor vehicle, the spouse may recover damages by direct action against the insurer.

The present difficulty is that this remedy is available only where the insured person is insured by a policy of insurance issued under our own Act; it does not relate to a person who is insured pursuant to the Act of some other State and who is temporarily within the State. From time to time cases arise in which a husband or wife, who is insured outside this State, injures his or her spouse by negligence in the use of a motor vehicle. The present Bill is designed to overcome the problems arising from such a case.

The provisions of the Bill are as follows: clause 1 is formal, and clause 2 repeals the present section 118 of the principal Act and enacts a new section in its place. New subsection (1) provides that, where a person injures his spouse by negligence in the use of a motor vehicle, there may be a direct action between the spouses in negligence. New subsection (2) is enacted to make it clear that, where an injury results in death, a claim may be instituted under the Wrongs Act for compensation to the dependants. New subsection (3) declares the extent of the application of the new law. An action may be maintained under the new section if the injury was caused within

the State, or if the parties were at the time of the injury domiciled or resident within the State, or if the defendant was at the time of the injury insured by a policy of insurance issued under our Act.

New subsection (4) gives the new provision a limited retroactive effect. It provides that an injury shall, subject to the law of the State, be actionable notwithstanding that it was suffered before the commencement of the Act. Thus, if a person was injured within the normal three-year limitation period for actions in tort, he should be able to commence an action under the new provision notwithstanding that the injury was sustained before the commencement of the amending Act. New subsection (5) provides that any third party policy of insurance must be deemed to include an indemnity against claims under the new section. New subsection (6) makes it clear that the right of action conferred by the new provision is exercisable whether the parties were married before or after the time of the injury.

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

ADJOURNMENT

At 3.54 p.m. the Council adjourned until Wednesday, August 12, at 2.15 p.m.