LEGISLATIVE COUNCIL

Thursday, October 22, 1970

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

STATE GOVERNMENT INSURANCE COMMISSION BILL

His Excellency the Governor, by message, intimated his assent to the Bill.

QUESTIONS

FROST DAMAGE

The Hon. D. H. L. BANFIELD: Can the Minister of Agriculture say whether any assessment has been made of the frost damage that occurred last week to crops in the Karoonda area?

The Hon. T. M. CASEY: This frost, which was quite unexpected, was considered by some farmers to be the most severe one in the last 30 years. A report from my departmental officers, who made an assessment of the area, states:

A very severe frost occurred in the Mallee areas on the morning of Thursday, October 15, 1970. The frost was described by some farmers as the worst for 30 years. The full effects of this frost on crop yields has not yet been assessed, but preliminary reports have been obtained from three District Agricultural Advisers in the area, Messrs. K. G. Bicknell (Murray Bridge), A. E. Hincks (Loxton) and P. D. Fairbrother (Keith). Damage on barley has been more severe than on wheat. It is possible, however, that further checking by farmers will reveal heavy losses on wheat. Wheat damage is never as obvious in the early stages as is the damage caused on barley.

Two features of this particular frost are of note. Firstly, many crops were severely damaged in areas where the actual occurrence of frost was not noticed on the morning of October 15. Secondly, damage was not confined to crops which were in the "flowering" stage as is usually the case. Crop loss occurred at all stages of grain development from "flowering" right up to the "milky dough" stage. Preliminary estimates of the percentage loss of crops have been made and these are set out in the list below. These percentages refer to the apparent reduction in yield of barley crops. The losses of wheat crops have not been estimated but are expected to be much lower:

County Alfred: There were a few isolated reports of loss in the southern portion of the county. These were offset to some extent by the benefits from the weekend rains. The overall loss for the county is therefore assessed as negligible, but isolated properties have suffered severe loss.

County Albert: Some severe damage occurred in the south-west portion of the county. The losses in hundreds of Nildottie, Forster, Bandon and Chesson are estimated as 33 per cent.

County Chandos: Damage varied throughout the county from isolated patches to total loss of whole paddocks. The overall loss is estimated as 25 per cent.

County Buccleuch: Damage has been most severe in this county. Low-lying areas and flat land have suffered 80 per cent to 100 per cent loss, tapering off to little or no loss on rising ground. Little damage occurred along the Marmon-Jabuk Range. Severe damage (50 per cent to 80 per cent loss) is reported from the following hundreds: McPherson, Wilson, Hooper, Marmon-Jabuk, Sherlock, Peake, Roby, Bowhill, Vincent, part of Livingstone (low-lying areas), part of Coneybeer (low-lying areas), part of Kirkpatrick (low-lying areas).

County Russell: Severe damage (50 per cent to 80 per cent loss) is reported from the following hundreds: Seymour, Ettrick, Burdett, Younghusband, part of Coolinong (low-lying areas). It has not been possible to check the damage in the Meningie area.

County Buckingham: Some losses have been reported, mainly on wheat crops, on the sandy soil areas north of the railway line. There have been no reports of loss on the heavier soils.

County Cardwell: One barley grower in the far north of the county reported 50 per cent loss of late-sown barley. Crops sown in June suffered loss (10 per cent to 25 per cent), and crops sown before June escaped completely.

County Sturt: Moderate damage (30 per cent loss) has been reported in the following hundreds: Brinkley, part of Mobilong (low-lying areas), part of Monarto (low-lying areas), part of Finniss (low-lying areas), part of Ridley (low-lying areas), part of Angas (low-lying areas).

I have made arrangements for an officer of my department to accompany an officer of the Lands Department (as requested by the Hon. Mr. Story on Tuesday) into this area, and those officers will be going there tomorrow.

REPLIES TO QUESTIONS

The Hon. C. R. STORY: I seek leave to make a short explanation before directing a question to the Chief Secretary, the Leader of the Government in this Council.

Leave granted.

The Hon. C. R. STORY: The question that has just been asked was obviously a Dorothy Dixer. Is this to be a matter of policy? A few days ago I directed a question to the appropriate Minister, the Minister of Lands, because he is the Minister responsible for paying compensation to those people needing relief. In that question, I asked him to check the facts that I gave to this Council—which,

incidentally, are very close to those given by the Minister of Agriculture today in reply to another honourable member's question. Can the Chief Secretary say whether this policy will continue?

The Hon. A. J. SHARD: I do not know whether it is a matter of policy. It has not been discussed, but I take the view that, if an honourable member asks a question (and I always follow this pattern), he should receive an answer to that specific question. I do not know whether it was because two Ministers were involved, but that is a practice that has been followed and honoured in this Council for many years that, if an honourable member asks a particular question, he should get a specific answer.

FROST DAMAGE

The Hon. H. K. KEMP: I seek leave to make a short explanation before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. H. K. KEMP: In regard to the matter that has been the subject of the two previous questions, the position is that the only crop that the north-western sector of the Murray Mallee had any hope of gaining any income from was barley. This area has been designated a seriously drought-stricken area. Will there be recognition of the fact that the last remaining source of income has been removed from those people in respect of their crops in the drought relief that we hope will be extended to them?

The Hon. T. M. CASEY: Of course, I cannot make an assessment of the situation at the moment. That is why the officers from the department will be going into that area tomorrow to see what the position is. If some action is likely to be needed, from then on it will be up to the farmers to make representations to the Minister of Lands.

The Hon. R. C. DeGARIS: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. R. C. DeGARIS: I listened with much interest to the impromptu reply the Minister gave to a question asked by the Hon. Mr. Banfield regarding frost damage in certain parts of South Australia. During that reply, the Minister referred to the "milky dough" stage of crop growth. As I am quite certain that this term is rather confusing to many members, will the Minister check to see whether he quoted correctly from his statement? If he was quoting correctly, can he explain this term?

The Hon. T. M. CASEY: That was the terminology used in the prepared statement. If the Leader would like me to get for him an interpretation of that term, I should be only too happy to do so.

TRANSPORTATION STUDY

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

Leave granted.

The Hon. C. M. HILL: In regard to the Metropolitan Adelaide Transportation Study and the recent visit by the Americans, Dr. Breuning and his associate, I was given the following information in this Council on October 13: that the total amount of money paid to Dr. Breuning and his associate was $9,263, comprising $6,041 for consulting and travelling time and $3,222 for air travel and accommodation, that no payments were outstanding, and that the report had not then been received by the Government. First, has the report been received? Secondly, if not, on what date did Dr. Breuning leave Adelaide? Thirdly, when he was paid his total fees, by what date did he undertake to forward his report?

The Hon. A. F. KNEEBONE: I will refer the honourable member's questions to my colleague and bring him back a reply as soon as I can.

IRON ORE

The Hon. A. M. WHYTE: I seek leave to make a statement prior to asking a question of the Chief Secretary, representing the Minister of Development and Mines.

Leave granted.

The Hon. A. M. WHYTE: The current issue of the *Lincoln Times* carries an article stating that the Marcona Corporation, which is one of the world's largest iron ore exporters, is interested in the low-grade iron ore deposits at Warramboo, on Central Eyre Peninsula. Will the Chief Secretary ascertain from his colleague the name of the present holder of the mineral lease over these low-grade deposits? If a lease is held, when does it expire, and is there a deadline clause for commencement of development?

The Hon. A. J. SHARD: I shall be pleased to obtain this information from my colleague.

TOURISM

The Hon. E. K. RUSSACK: I seek leave to make a statement prior to asking a question of the Chief Secretary, representing the Minister in charge of tourism.

Leave granted.

The Hon. E. K. RUSSACK: An article appears in the *Advertiser* of October 10 to the effect that the public of South Australia can expect further announcements of plans to develop tourist potentialities in that part of the State enclosed in the arc from the Coorong to Kangaroo Island and the Cornish mining centres. I take it that the Moonta, Wallaroo and Kadina area is included in the plans. If this is so, will the Chief Secretary obtain an assurance that local government bodies and other local people who are interested in tourism in this area, for instance, the Chamber of Commerce, will be brought into discussions on the proposals?

The Hon. A. J. SHARD: I will refer the question to my colleague and obtain a reply as soon as possible.

MEAT STANDARDS

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

Leave granted.

The Hon. L. R. HART: Several weeks ago I asked the Minister a question on the cancellation by United States of America authorities of the export licence held by the Metropolitan and Export Abattoirs Board for the export of mutton to the U.S.A. I was given to understand by him that the Abattoirs Board was doing all in its power to put its works in order to regain its export licence. However, there is a rumour current that the board has not yet received an export licence for the export of meat to the U.S.A. Is the Minister able to clarify the situation with regard to the board and licences to export meat to the U.S.A.?

The Hon. T. M. CASEY: At the Agricultural Council meeting held in Canberra last Monday this very matter was discussed at length, together with the overall picture confronting abattoirs throughout Australia generally. It is quite a dull picture at present regarding the position of the Department of Primary Industry and it is causing the Minister for Primary Industry (Mr. Anthony) considerable concern. The situation is that there does not seem to be complete liaison between the American authorities in the U.S.A. and their veterinary boards, whose officers inspect the abattoirs. During the course of the discussions, it was mentioned that over 40 abattoirs had recently been struck off the list in the U.S.A. alone because of their unsatisfactory standards of hygiene. This may give the honourable member some idea of what the picture is in America today. It was also pointed out that some abattoirs in Australia are not doing the right thing: they are not helping the situation overall. Consequently, they are adding to the complete and utter frustration that is facing those concerned with exporting meat from Australia to America at present.

There are only a few licensed abattoirs in Australia at present: some are processing beef, but not mutton, for export, whilst some are processing both beef and mutton for export. I believe that an inspection was recently made of the Wyndham meatworks, but they were not passed as being up to standard. I can assure the honourable member that this matter is being very vigorously pursued by the Department of Primary Industry in Canberra, which is very anxious to see that we keep this American market. Suggestions have been made that it may be as well, since the standards required by the American authorities are so stringent, to disregard the American market as an outlet for our meat. However, this would not be to Australia's advantage, because we do rely on the American market as a very important outlet for our beef and mutton. I personally believe that if we disregarded the American market we would be acting contrary to the wishes of the Australian meat industry generally and it would be detrimental to the whole Australian economy.

The Hon. A. M. WHYTE: Can the Minister be more specific regarding our local abattoir's application for a licence to export meat to America? I fully appreciate what the Minister has told us about the overall picture and I entirely agree that we cannot afford to lose the American market but can he tell us something definite about the position in South Australia?

The Hon. T. M. CASEY: The Metropolitan and Export Abattoirs Board is doing its utmost to ensure that, when an application is made to the American Veterinary Department, which makes the inspections, the abattoir will get a licence. Of course, the Commonwealth Department of Primary Industry comes into the picture, too; officers of that department who are

stationed in South Australia are called in first to inspect the abattoir, because they can then say whether it would be in the abattoir's interests to call in the American authorities. The honourable member can rest assured that the Abattoirs Board is in close contact with the Department of Primary Industry in South Australia and I am sure that, when it is ready to make the move, it will do so. I cannot say specifically when this will occur, because I do not have a day-to-day check on the situation at the abattoir. However, I shall obtain a report for the honourable member on the present situation. Maybe the report will say exactly when the board will be able to apply for a licence.

The Hon. R. A. Geddes: We have no licence at present?

The Hon. T. M. CASEY: No.

The Hon. H. K. KEMP: Is it the position that we do not have a licence in South Australia at present to export meat to America and that there is no direct evidence that we will get such a licence in the immediate future?

The Hon. T. M. CASEY: It all depends on what the honourable member means by "the immediate future". It may be a week, three weeks, or a month: I cannot say.

The Hon. H. K. Kemp: But we have no licence now?

The Hon. T. M. CASEY: Of course, our abattoir is only one of many abattoirs in Australia that have no licence.

The Hon. H. K. Kemp: We were told—

The PRESIDENT: Order! I suggest that there should not be any conversation across the Chamber. I suggest that the Minister should reply through the Chair.

The Hon. T. M. CASEY: As I explained to the Hon. Mr. Whyte, the only way in which the abattoir can get a licence to export meat to America is to obtain a clearance from the American Veterinary Department, which makes the inspections. Abattoirs throughout Australia are subject to exactly the same conditions as ours are in South Australia: all export licences have to be granted by the American Veterinary Department.

The Hon. H. K. Kemp: And ours is cancelled at present?

The PRESIDENT: Order! The honourable member should allow the Minister to reply.

The Hon. T. M. CASEY: Not only was our licence cancelled in South Australia but also hundreds of licences were cancelled throughout Australia. Only a handful of abattoirs are exporting meat to America at present: I think I made that quite clear to the Hon. Mr. Hart, and I cannot be more specific than that. The situation throughout Australia is grave. As I said before, it may be that the Americans just do not want any more meat to be exported to their country at present, and it must be borne in mind that we do export much meat to that country. I think that, when the Americans are ready and want more of our meat, they will relax their standards and grant more licences. However, at present honourable members can rest assured that everything is being done to ensure that, when we ask the authorities to make an inspection, we will get a licence. On many occasions abattoirs have called in the American authorities only to be told that they are not up to standard. I think I quoted some time ago the example of what happened at the Homebush abattoir. The authorities went into the building where the men had their lunch, morning tea and afternoon tea; because there was no laminex on the table, the abattoir was delicensed. Just what standards the authorities require is difficult to understand. However, what I have said will give some idea of the problem.

The Hon. H. K. KEMP: The Minister has not said when he will be applying for a licence from the Department of Primary Industry to approach the Americans. Apparently he may do this in the future. Can the Minister say when he will be doing it?

The Hon. T. M. CASEY: I do not apply for the licence: the Abattoirs Board applies for it.

The Hon. V. G. SPRINGETT: On July 15 I asked the Minister a question about meat exports to America. In reply, he said:

> I draw the honourable member's attention to the fact that South Australian meatworks were not concerned in any way with the recent ban on the export of meat from Australia.

Can the Minister say whether what he said this afternoon makes that reply wrong? Or, can he correlate the two statements?

The Hon. T. M. CASEY: I would need to have a close look at that matter. Of course, we are allowed to export meat to the United Kingdom and other parts of the world.

The Hon. V. G. Springett: I was referring to exports to America.

The Hon. T. M. CASEY: At present we cannot export our meat to America but we can export it to any other part of the world.

The Hon. V. G. Springett: I accept that we can export meat to other parts of the world,

but I asked about exports to America, not other parts of the world.

The Hon. Sir ARTHUR RYMILL: Do the Minister's previous answers to questions this afternoon imply that the U.S.A. is adopting an indirect method of controlling imports by these abattoirs arrangements other than by direct ban?

The Hon. T. M. CASEY: I cannot answer that question. This is a matter for the Americans, who make their own decisions, and I am not responsible for them. I am not able to judge exactly what their real situation is and how they arrive at their decisions. In fact, I do not think anyone can answer that except the Americans.

The Hon. H. K. KEMP: In that case, will the Chief Secretary, representing the Premier, take up the matter with the Commonwealth Minister for Trade and Industry and ask whether this is not an evasion of the General Agreement on Tariffs and Trade?

The Hon. A. J. SHARD: Yes.

WELLINGTON ROAD

The Hon. R. C. DeGARIS: Will the Minister of Lands ascertain from the Minister of Roads and Transport what the priority is for the construction of a direct road from Cooke Plains to Wellington? If this road has any priority, will the Highways Department consider constructing a direct road from Hartley to Wellington, which would cut 23 miles off the road to Adelaide?

The Hon. A. F. KNEEBONE: I will get a report for the honourable member.

HIGHWAYS FUNDS

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: Recently in this Council I was told that in the Highways Department's road programme for 1969-70 a sum of $12,583,981 was spent on declared urban arterial roads that are part of the roads and routes shown in the Metropolitan Adelaide Transportation Study Report, and that this figure included Commonwealth funds totalling $7,780,000. I was also told that the corresponding expenditure for 1970-71 was estimated to be $12,896,850, including Commonwealth funds of $9,450,000. As the Commonwealth will be supplying the latter sum this year towards declared urban arterial roads that are part of the roads and routes shown in the M.A.T.S. Report, will the Minister say whether the State Government has informed the Commonwealth Government that the M.A.T.S. plan has been withdrawn and, if it has not, whether the Government feels morally bound to so inform it?

The Hon. A. F. KNEEBONE: I shall be happy to convey the question to my colleague and inform the honourable member when a reply is available.

WEEDS

The Hon. H. K. KEMP: As the Minister of Agriculture is well known as a flower lover—

The PRESIDENT: Does the honourable member seek leave to make a statement?

The Hon. H. K. KEMP: No, Mr. President. Is the fact that the Minister is a well-known flower lover the reason why a beautiful bed of white flowers on Greenhill Road has been left with no attempt whatever being made to bring that three-corner garlic under control among the cape tulip, the salvation jane and the African daisy that is already infesting the area?

The Hon. T. M. CASEY: The answer is "No."

VICTOR HARBOR SEWERAGE SCHEME

The PRESIDENT laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Victor Harbor Sewerage Scheme.

PINNAROO RAILWAY ACT AMENDMENT BILL

The Hon. A. F. KNEEBONE (Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Pinnaroo Railway Act; to repeal the Pinnaroo Railway Act Amendment Act, 1907, the Pinnaroo Railway Act Further Amendment Act, 1908, and the Pinnaroo Railway Act Further Amendment Act, 1914; and for other purposes. Read a first time.

BRANCH FROM SANDERGROVE TO MILANG RAILWAY (DISCONTINUANCE) BILL

Read a third time and passed.

CONSTITUTION ACT AMENDMENT BILL (ADULT FRANCHISE)

Second reading.

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

That this Bill be now read a second time.

It is designed to widen the field of Legislative Council electors from the narrow confines of land and leasehold owners and their spouses to the broad field of House of Assembly electors. Since its inception, the Constitution Act has provided that, irrespective of the vastly wider provisions of the Act embracing House of Assembly electors, no person shall be entitled to vote at a Legislative Council election unless he or she owns or leases land in the State or is the tenant of a dwellinghouse in this State. Apart from the addition, in 1943, of persons who are or have been actively engaged on war service, and the addition, in 1969, of electors' spouses, the field of Legislative Council electors has not been altered.

It is the opinion of this Government that property qualifications are artificial and outmoded as conditions attaching to any franchise and that it is desirable to amend the Constitution Act so as to entitle all House of Assembly electors to vote at a Legislative Council election. I believe that, in this day and age, it is scarcely necessary to address to this Council an argument in favour of the proposition that all of the adult residents of this State should have an equal say in the Government of the State and in the election of their Parliamentary representatives. This restricted franchise for the Legislative Council had its origin in a society in which there was a notion that ownership and occupancy of property gave to the owner and, in some limited instances, to the occupant a special stake in the country, so that those persons, it was said, had the right to determine the political control and policies of the Government. As the years have passed, the emphasis has shifted from property to persons. The tone and outlook of society has gradually altered to a more democratic outlook on society generally. That being the case, it is remarkable that we still have a franchise for one of the Houses of Parliament of this State that is restricted to persons who qualify in relation to property (that is, whether they be owners or occupants of property or the spouses of owners or occupants of property) and to those who qualify as servicemen or ex-servicemen.

Therefore, the Government submits that the only proper franchise and the only proper method of electing members of Parliament is by the vote of all the people of the State expressed in a way that gives to them an equal say in the make-up of the Parliament that makes the laws for them. I find it difficult to believe that any member of this Council who professes the democratic faith, which is the very basis of the society in which we live, could possibly support the continuance of a restricted and privileged franchise that has the effect of giving one section of citizens of the State political privileges that the rest do not enjoy.

Clause 1 is formal. Clause 2 fixes the commencement of the Act on a day to be proclaimed. Clause 3 repeals section 20 of the principal Act which deals with the qualifications of Legislative Council electors. The new section 20 enacted by this clause provides that a person who is entitled to vote at a House of Assembly election shall be qualified to have his name placed on the Legislative Council electoral roll and shall be entitled to vote at a Legislative Council election. Clause 4 repeals sections 20a, 21 and 22 of the principal Act. Section 20a includes persons who are or have been engaged on active service as Council electors. Sections 21 and 22 set out various disqualifications for Council voting. These three sections are redundant as they appear in almost identical form in sections 33 and 33a relating to House of Assembly elections.

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

CATTLE COMPENSATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 21. Page 1914.)

The Hon. C. R. STORY (Midland): I do not want to go into the matters covered by this Bill too deeply, but I wish to say a few things and I should be obliged if the Minister would take note of them. The Cattle Compensation Act of 1939 has played an important part in stabilizing the cattle industry in this State, although its emphasis originally was on the dairying side of the industry. We must compliment the departmental officers who have practically wiped out tuberculosis in this State's dairy herds. We must be equally generous to the industry itself, which has contributed over the years through the sale of its animals under the stamp duties legislation: those people, too, are to be complimented on the work they have done and the money they have provided.

In this Bill, we are being asked to increase the compensation available to those people who are directed by the Chief Inspector to have their animals slaughtered should any disease be encountered in them. If animals are offered for sale, their owners are entitled to three-quarters of the sale value of those animals if, after slaughter, they are found to have a particular disease. This Bill increases the compensation available to them. When a House of Parliament is asked to discuss and consider legislation involving the spending of public money, it is entitled to a fair amount of detail in order that it may properly consider that legislation. I can say only this about the second reading explanation of the Minister that, if brevity is the soul of wit, this is a huge joke, because I have never seen less explanation given where other people's money is involved than the one-page explanation provided here.

It is right for the Council to know, when it is about to debate something, that the fund in question stands at a certain figure and can stand the proposed increased payments. If I may put it rather crudely, a little more background music is needed. The second reading explanation does nothing but invite the Council to consider the Bill and approve it. That is my only complaint, and I think it is legitimate: the Minister is not obliged to provide honourable members with all the facts, but it makes it much easier for him to get his Bill through if he does provide the Council with some information about it. I have done some research and find that the fund at the end of September stood at $298,438. The fund was as high as $335,190 in 1969. I will not weary the Council with quoting figures *ad nauseam,* but this indicates that the fund has been drawn on fairly substantially in the last few months.

The reason for this is, of course, that the brucellosis and tuberculosis compaign is now extending far more widely than previously and, for the first time, the beef cattle in the South-East are being examined. The areas north of Port Augusta are being generally inspected and any tuberculosis reactors to be found in those herds under test are being weeded out. I compliment the department for doing this, because it is a good thing. We have heard much today about the export of meat, and one thing about which we must be very careful is tuberculosis. Under the arrangements in this legislation, the fund has provided the Government with $25,000 a year, not an inconsiderable amount of money. Once again, we can compliment the industry upon assisting in tuberculosis testing in this State. The $25,000 has been current now for four or five years, I think, and will continue while the industry has the same heart. I believe that it will have the same heart until it has cleaned up tuberculosis in the beef herds as satisfactorily as it has done in the dairy herds. The amount of $50,000 is raised annually in this State, with $25,000 coming from the industry out of the Cattle Compensation Fund, $9,500 direct grant from the State Government, and the balance out of the lines of animal industry, Agriculture Department, salaries and various things.

Under the terms of the tuberculosis-brucellosis eradication scheme that was negotiated over the last two years, the Commonwealth Government has come to the party at the rate of $1 for $1 subsidy, provided that we use our $1 first. The Commonwealth has exceeded that, and it is as a result of the prudent efforts of Dr. W. S. Smith, I think, that we have been able to get $90,000 from the fund to match our $50,000. That was very prudent planning on Dr. Smith's part because, when the big States get under way on this scheme, they will demand large sums of money from the Commonwealth.

We are well in front of any other State at present in the tuberculosis-brucellosis eradication scheme. The interesting thing, too, is that the Commonwealth is likely to assist further this year if the money can be used (and I think it can be used), but I shall leave it to the Minister to explain how much money might be obtained as a result of further Government representation to the Commonwealth authorities. Over the period to which I have been referring, the testing in the 12 months 1968-69 was conducted on 564 beef herds consisting of 67,476 head of cattle. In the year ended 1969-70, 1,012 herds, consisting of 111,500 cattle, were tested. Of the 67,476, 233 were tuberculosis reactors, and of the 111,500, 1,072 were tuberculosis reactors. So it can easily be seen that this fund will be called on to pay out much money now that the department has stepped up the testing of herds north of Port Augusta, in the South-East and in other areas of the State.

The Hon. T. M. Casey: Provided that the cattle are slaughtered. It does not mean that, if more are tested and more reaction is found, the fund will get more.

The Hon. C. R. STORY: I do not tell my grandmother how to suck eggs.

The Hon. T. M. Casey: That's the situation.

The Hon. C. R. STORY: If an inspector during testing finds that animals are disease reactors, he orders them to be slaughtered and, once they are slaughtered in an abattoir or outside at the inspector's request, the fund will pay. The whole object of getting the additional money from the Commonwealth is to ensure that testing will continue and that the fund will not be too severely dealt with in the matter of trying to do a quick clean-up eradication. If tuberculosis reactors are found, and if the cattle are ordered to be slaughtered, the fund will certainly pay.

The Hon. T. M. Casey: There's no doubt about that.

The Hon. C. R. STORY: Then, why are you arguing about it?

The Hon. T. M. Casey: I'm not arguing.

The Hon. C. R. STORY: It is apparently an illustration of a man arguing with himself. Regarding dairy cattle, the figures once again read extremely well: in 1968-69, 959 herds, totalling 31,486 head of cattle, were examined and only 23 reactors were found. In 1969-70, 989 herds, totalling 38,537 head of cattle, were examined and only 43 reactors were found. These figures include the new areas taken on at Loxton, some portions of the West Coast, some of the areas around Kapunda, and Yorke Peninsula.

When only 43 tuberculosis reactors are found in 30,000-odd dairy cattle, it is a good example of what is being done to clean up tuberculosis in our milk supply. I was pleased that the Subordinate Legislation Committee recommended to Parliament recently that no action should be taken on the regulations brought down under the Stock Diseases Act. These regulations prohibit the importation of beef cattle into northern areas for stocking purposes. People must provide a certificate that the cattle are tuberculosis and brucellosis-free before the animals can be used for restocking. This is another prudent measure.

The increase in the number of beef cattle in the State has been equally dramatic over the last few years. The total number of cattle in the State at present is about 1,260,000, although the number of dairy cattle has fallen considerably from 1967 to 1970. In 1966, there were 182,400 dairy cattle, whereas in 1970 the number had fallen to 167,700. So the trend towards beef cattle is obvious. In 1966, the number of beef cattle was 690,000, whereas it is now over 865,000.

Once again, this will help the fund because, while a number of these animals will be breeding stock, the fund will benefit as a result of the increased numbers of cattle in the State. I am satisfied that the cattle industry can afford to spend more of its own money; we are only the fund's custodians for those contributors. In his second reading explanation the Minister said:

> The position will be continually reviewed to ensure that the fund remains financially sound.

When these people came to see me and we negotiated on this basis, it was said that, if the fund fell below $200,000, it should be reviewed to ensure that it was not being milked too much by these amendments. I believe that the Minister likewise would want to have some sort of figure to work on, and I think that $200,000 is reasonable. As the present total is $298,000, there remains $98,000 for additional payments. I am in favour of this plan. If I could have had this information provided for me during the second reading stage, it would have saved me much time in research and obviated the dog-fights in the Committee stage.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

EVIDENCE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 20. Page 1842.)

The Hon. R. C. DeGARIS (Leader of the Opposition): This Bill inserts in the principal Act a new Part, which deals with the admissibility of computer output as evidence in courts of law. Although the Minister's second reading explanation tells us that the Bill has been drafted by the Parliamentary Draftsman in consultation with Professor Ovenstone and the Law Reform Committee, the Bill has remained on the Notice Paper of this Council since September 3. This shows that the Government has evidently been re-examining this Bill. This, in itself, is a demonstration of the valuable safeguards provided through the two-House system. Although no honourable members have criticized the Bill, they have pointed out the need for great caution. The Hon. Mr. Springett said:

> It is as an ordinary everyday layman that I speak to this Bill . . .. No doubt many honourable members who have given evidence from time to time when called on to appear before courts realize that the rules of evidence affect us all. Most of us accept the fact that the benefit of the doubt must be given

to the accused. As a layman, I am aware that my examination of the Bill must be lay and pedestrian.

This point was made by the Hon. Jessie Cooper, too. The Hon. Mr. Springett continued:

Hitherto, evidence has been given in court by personal or oral presentation, by personal handwriting, or by a signed document stating that the evidence is one's own. Very often exhibits are used that affect the evidence and the case. Anything which could not be proven or which left a reasonable doubt was not acceptable. It is by the use of these basic criteria that I have approached the Bill.

The Hon. Jessie Cooper referred to similar matters in the following way:

I have intentionally referred to the wide range of the application of computers so that I can suggest to honourable members what very serious implications there are in accepting evidence in this way.

I think we all accept that, in dealing with evidence before a court, much caution must be exercised in ensuring that this does not impinge upon any right of a person who may be accused. Computers have been with us for a relatively short time. I do not think anyone doubts that the scope and application of computers will be developed still further in our community. So, in accepting this legislation we must remember that it could have an entirely different application as computers grow in complexity and as their application is widened.

While this Bill has been in this Council for six weeks the Government, through the Chief Secretary, has put on file a series of amendments. The first set of amendments was on the file for some time but it has since been withdrawn, and we now have a second set of amendments. Also, the Hon. Jessie Cooper has foreshadowed an amendment. Whilst I am prepared to vote for the second reading of this Bill and allow it to go into Committee, I strongly believe that we have not seen the last of this Bill in this Council. Although I cannot find any way to fault the Bill or suggest any alteration, my intuition tells me that we are going to see the Bill back in the Council as time goes on.

The Hon. A. J. SHARD (Chief Secretary): I thank honourable members for their attention to this Bill and I join with the Leader and the Hon. Mr. Springett in their statements that they are laymen in this matter; I may say that I am the layman of laymen. However, I will do my best. The Leader may be correct in saying that amendments to this legislation will be needed in future.

The Hon. Mr. Springett asked whether the Bill required that the computer had to be used only for a certain kind of work. This is in fact not required. A computer must at least be used regularly in that kind of work. The Hon. Mr. Springett referred to new section 59b (2) (*c*) which states:

The court must be satisfied that, in the case of the output tendered in evidence, there is, upon the evidence before the court, no reasonable cause to suspect any departure from the system, or any error in the preparation of the data.

He asked how evidence of that kind could be challenged. The answer is that it will be competent for both the plaintiff and the defendant to call expert evidence from persons with scientific training in computer science as to what is a proper and foolproof system for the preparation of data. Evidence may also be called from the operator of the computer. The court will have to decide whether there is a reasonable possibility that some error could have been introduced in the case of the particular output tendered in evidence.

The Hon. Mr. Springett also referred to the provision in the Bill providing for a qualified person to give a certificate. It is always competent for the court to call oral evidence as to any of the matters included in the new section; thus it does not necessarily follow that the court will rely entirely on the certificate, and in fact it is inevitable that oral evidence will be given by experts called for each side.

I understand that the Hon. Mrs. Cooper and, I think, the Leader were waiting for a somewhat similar reply, and I hope my explanation answers their queries. If I have not replied to all the points fully, when we get into Committee I shall be happy to report progress in order to obtain any necessary information.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Enactment of Part VIA of principal Act."

The Hon. A. J. SHARD (Chief Secretary) moved:

In the definition of "computer output" or "output" in new section 59a to insert "accurately" before "translated".

Amendment carried.

The Hon. A. J. SHARD moved:

In the definition of "computer output" or "output" in new section 59a to strike out "by a person having prescribed qualifications in the operation of computers".

The Hon. V. G. SPRINGETT: I accept the insertion of the word "accurately". However, surely if we strike out these words, who, other than a person with prescribed qualifications, can carry out an accurate translation?

The Hon. F. J. POTTER: I think that with the addition of the word "accurately" we get over the difficulty, because the court must be satisfied that the translation is an accurate one: it does not necessarily require that evidence to be given by the person who actually operated the computer.

The Hon. A. J. SHARD: It might help if I read the explanation that I have been given. Representations have been received by the Government from organizations interested in the use of computers for the conduct of their businesses. These representations have been discussed with Professor Ovenstone, the Head of the Department of Computing Science at the University of Adelaide. The first two amendments relate to the definition of "computer output". The present amendment relates to the translation from the computer language, and it increases the flexibility of the definition by removing the requirement that a translation must be made by a person with prescribed qualifications in the operation of computers. It substitutes the simple requirement that the translation must be an accurate translation from the computer language.

Amendment carried.

The Hon. A. J. SHARD: I move:

In the definition of "data" in new section 59a to strike out "reduced into a prescribed form for introduction into a computer" and insert "transcribed by methods, the accuracy of which is verifiable, into the form appropriate to the computer into which it is, or is to be, introduced".

This amendment relates to the definition of "data", which is amended to read:

"data" means a statement or representation of fact that has been transcribed by methods, the accuracy of which is verifiable, into the form appropriate to the computer into which it is, or is to be, introduced.

This amendment tightens the definition by requiring that the accuracy of methods by which data is prepared should be capable of verification.

Amendment carried.

The Hon. JESSIE COOPER: I move:

In new section 59b (2) (*b*) after "output" to insert "and that all information from which the data has been prepared is available to all parties to the proceedings and that the parties have reasonable time to verify the accuracy of the computer output by duplicate computation or other reasonable process;".

What I am seeking to do in this amendment is to guarantee what the Government had in mind when producing this Bill but which seems to have been missed in this subsection. I am sure that the Government is trying to make the computerizing of evidence completely safe for all parties in any action. We all know that mistakes can happen in any sphere of human activity. I myself am very interested in the programming of computers. It is a field in which women are working very successfully and is one of the careers suggested by women graduate associations as a career for girls, requiring high intelligence, self-discipline and accuracy, as the Minister has already said today.

Some computing is done by hiring two programmers and, if there is any discrepancy in the two sets of information, the computer rejects the matter altogether. In other words, it will pick up a discrepancy straightaway in the two sets. However, this is not the universal practice. Mistakes can and do happen. For instance, we can get charged for telephone calls we have not made and be up for thousands of dollars, as some people have been; we can have charged to our shop accounts items which we have never purchased, especially if bearing the name of Smith, Jones or Cooper—and so I could go on. The computer would not be incorrect and a certificate of accuracy could well be given, but the error would have arisen in the original data. One could have had a fault in the dialling system of the telephone or there could have been a fault in an account with a person writing a dot in the wrong place.

Since making my second reading speech, I have found an editorial in *Punch*, of August 5 this year, which is very much to the point. The editor said:

It's impossible for us to express how delighted we all are at the introduction of computerized medicine to Britain, because we're not. The opening of the BUPA automated doctor at their new medical centre may well be, as its supporters claim, a great leap forward, but the trick in leaping forward is not to stumble and smash your teeth on the step. We're no Luddites, and we have all sorts of mottoes about the need for progress nailed up over our beds, but isn't a note of caution particularly called for here? The computer-doctor, after all, takes the patient's history, blood-sample, cervical smear, X-ray, ECG, chews it all over for a while, and, 48 hours later, spits out a complete report. So far, so good: but what about all those gas bills for

£0 0*s*. 0*d*., what about those bank statements showing the depositor to be nine million quid in credit, and all the other cybernetic cock-ups of the Surging 'Seventies? We have terrible visions of blokes walking into BUPA with a touch of 'flu and coming out the other end minus both legs and with their liver in a jam-jar. The caution we advise is to shelve, for the moment, this ultra-sophisticated tin quack and try the whole idea out at the GP level. Just programme the thing to say: "Good morning, sit down, take your vest off, how are we feeling, a little better, eh, that's good, ha-ha-ha, what about some brown medicine, just go to bed for a week, soon have you up and about, take this prescription round to the chemist, goodbye." And if it doesn't kill anybody for a couple of years, maybe we'll let it lance the odd boil or two. Let's not rush things, though.

In the future, the uses of computers, as the Hon. Mr. DeGaris has said today, will be much greater than we comprehend today. Every day there are new uses found for computers; every day computers are being used to produce evidence on new subjects. We, as legislators, must beware of producing laws which will be inapplicable in the near future. As 90 per cent or more of computerized evidence to the courts will currently deal with matters of bookkeeping and accountancy, any example of the type of thing that my amendment visualizes could be taken from this straightforward field.

I suggest that in the sphere of rendering accounts by a public authority, and rates and taxes, etc., it is essential that the parties to an action shall have available to them not only the outstanding figure or balance of an account but also all originating items which have subsequently been integrated by the computer in producing its output of evidence; for it must be perfectly clear that what is fed into a computer is a collection of factual material which itself should be subject to examination. When evidence is given in court by a witness, he is normally available for cross-examination for the purpose of checking the value of the evidence he has presented. When evidence is presented by the output of a computer, the computer, being an inanimate object, obviously cannot be checked for the truth of its assertions unless the original information and the original facts as they existed before they were fed into the computer are available on demand to the parties concerned. That is the reason for my amendment.

The Hon. A. J. SHARD: After the work that the Hon. Mrs. Cooper has put into this, I very much regret that her amendment is not acceptable to the Government. It is necessary to keep the general purpose of the Bill in mind. That purpose is to render computer output admissible as evidence so that computers may be used in place of conventional methods as repositories for accounts and for the commercial records of banks and other commercial undertakings. This amendment provides that, before computer output can be accepted as evidence, the information from which the data was prepared must be available to all parties to the proceedings. This, unfortunately, frustrates the whole purpose of the Bill because, if the information has to be preserved in order to be available to all parties to the proceedings, there is obviously no point in having a separate computer storage. I oppose the amendment.

The Hon. Sir ARTHUR RYMILL: I have examined this amendment with much interest, and, having at one stage been a practising barrister, I am familiar to some extent with the methods used in verifying evidence in a court of law. The problem the amendment is trying to overcome is that it is difficult for a mere mortal such as I to conceive of any method by which a computer could be cross-examined. This is the basis of the amendment. Mrs. Cooper is endeavouring to afford to the courts a method whereby the results of the computerization (a horrible word) can be checked in a court of law. If the amendment is defeated, it seems that, under the Bill as at present drawn, one must accept that what the computer says is right.

I have had considerable experience of computers in the business world, and I assure honourable members that they are by no means always right. I had a case the other day in which an authority presented some computer tapes for a very important purpose, and it cost no less than $9,000 to correct them because they were haywire. The amendment is a good and reasonable one. I listened intently to the Chief Secretary's comment and, although I agree to a certain extent that it will mean that other records must be kept to verify the information on which the computer has pronounced, I think the amendment is necessary. Otherwise, it will mean that, in effect, courts of law will be told that they must accept what the computer says as being gospel.

The computer can work only on the information fed into it, and the result of the computer's output is based on the information fed into it. Such information could be wrong, or the computer could be programmed

improperly, thus producing a wrong result. The amendment gets to the root of the problem, namely, that the information fed into the computer should be available to the court. In other words, the real basis of what the computer is pronouncing on should be made available to the court. This might have the practical disadvantage that the Chief Secretary has mentioned. Nevertheless, I think it is essential, in the interests of justice and of the court's being able to verify the evidence presented, that the material the computer has taken into account should be available to the court. Therefore, despite the practical difficulties the Chief Secretary has pointed out in ensuring that justice is available, the matters contained in the amendment should be retained for presentation to the court, if required. As the amendment is a very good one, I support it.

The Hon. H. K. KEMP: My only criticism of the amendment is that, possibly, it does not go far enough. Let us debunk the term "computer". Computers are only calculating machines that are as good as the material fed into them. The second fault arises in placing the material in the machine, and this has been given the term of "programming", which, purely and simply, means keying the information in mathematical form into a bank of information which is held in various ways. The very minimum of determination of the output's accuracy rests on being able to go back to the original data: this is what the amendment seeks. However, this may not be sufficient.

Much very good information could be completely upset if the processing of it went wrong at any step. Taken in its simplest terms, if the clause is accepted as drawn at present, it will not matter whether there is anything wrong with the original information or whether there is any mistyping in the transference of the material into a form acceptable to the machine. It simply means that the whole of the computer's output must be accepted as completely accurate by the court; this cannot be tolerated. I remember the present Chief Secretary turning on a very dramatic incident in the Council a year or two ago. He said that if there was one chance of injustice being done, the legislation was unacceptable.

In this case, there are very great chances of injustices being done because not only could the original material be faulty but there is also the mechanical manipulation, with the attendant human error, in placing it in mechanical form. There are grave chances of error in this whole chain of events. We have heard of cases recently of people being charged thousands and thousands of dollars for using subscriber trunk dialling (S.T.D.), some as the result of misuse and some as the result of computer faults in the recording of the data passed by the telephone exchanges.

These are laughable cases, but they have often been accepted as binding in the State's legal system. My feeling is that, possibly, the amendment is too weak. However, if it is accepted in its present form, at least the original data will be made available for checking and there will be a check on the processing of it. As a result, there will be a reasonable chance of justice being done. I support the amendment.

The Hon. V. G. SPRINGETT: I support the amendment because it will mean that, in any court action, both sides will have access to the information fed into a computer and will be afforded the opportunity to verify its accuracy or otherwise.

The Committee divided on the amendment:

Ayes (12)—The Hons. Jessie Cooper (teller), M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, L. R. Hart, H. K. Kemp, F. J. Potter, E. K. Russack, Sir Arthur Rymill, V. G. Springett, and A. M. Whyte.

Noes (6)—The Hons. D. H. L. Banfield, T. M. Casey, C. M. Hill, A. F. Kneebone, A. J. Shard (teller), and C. R. Story.

Majority of 6 for the Ayes.

Amendment thus carried.

The Hon. A. J. SHARD: I move:

In new section 59b (4) to strike out "operation" and insert "computer system operation or a person responsible for the management or operation of the computer system".

This amendment deals with the person by whom a certificate is to be given in connection with the proper operation of the computer system. New subsection (4) at present provides that the certificate is to be given by a person with prescribed qualifications in computer system analysis and operation. The amendment widens the class of person by whom a certificate may be given by including "a person responsible for the management or operation of the computer system". It is clear that some of the matters as to which the court will have to be satisfied will fall appropriately within the province of that person.

Amendment carried.

The Hon. A. J. SHARD: I move:

In new section 59c after "may" second occurring to insert "so far as may be necessary or expedient for the purposes of this Part".

This amendment makes it clear that the power to regulate computer operations is only to be a power referable to the use of those computers for the purpose of producing output capable of being used under the new Part.

Amendment carried.

The Hon. A. J. SHARD: I move:

In new section 59c to strike out paragraph (*a*) and insert the following new paragraph:

(*a*) make any provision with respect to the preparation, auditing or verification of data or the methods by which it is prepared:

This amendment inserts a new regulation-making power enabling the Governor to provide by regulation for the auditing and verification of data or the methods by which it is prepared.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendments. Committee's report adopted.

PROHIBITION OF DISCRIMINATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 13. Page 1664.)

The Hon. A. J. SHARD (Chief Secretary): I thank honourable members for their attention to this Bill, and I appreciate that different attitudes have been expressed to this matter on various occasions. I think the Bill has a reasonable chance of passing on this occasion. I think that the reply I shall make during the Committee stage to the amendment foreshadowed by the Hon. Mr. Whyte will cover the main points raised. However, I shall be pleased to deal with any questions to which honourable members particularly want replies.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

New clause 6.

The Hon. A. M. WHYTE: I move to insert the following new clause:

Section 9 of the principal Act is amended by inserting immediately after subsection (2) thereof the following subsection:

(3) The Attorney-General shall not give his certificate under this section unless he is satisfied after making or causing to be made such inquiries and investigations as he considers necessary, that, having regard to all the circumstances of the alleged offence, the objects of this Act cannot otherwise be attained.

As I pointed out during the second reading debate, I consider that prosecution is not the answer to discrimination, although I agree that in some cases prosecution may be necessary. All types of negotiation should be employed in the first instance to try to correct injustice, and both parties involved should be advised how injustice can be repaired and how it can be avoided in the future. Section 9 states:

(1) Proceedings for offences against this Act shall be disposed of summarily.

(2) Proceedings for offences against this Act shall be taken only on the certificate of the Attorney-General.

I think my amendment, which seeks to add a new subsection (3), is self-explanatory. The Attorney should use every means at his disposal to investigate the cause of a complaint before making a prosecution. In other words, a prosecution should be the last resort.

The Hon. A. J. SHARD (Chief Secretary): Even though the honourable member possibly knows more about this type of legislation than many other people, I regret that I cannot accept his amendment. The question seems to be whether the amendment really makes any substantial or useful addition to the powers already vested in the Attorney-General by the principal Act. The Act already provides that proceedings for offences against its provisions will be dealt with differently from proceedings for offences generally by providing that no prosecution will be undertaken except on the certificate of the Attorney-General.

A provision of this nature vests a considerable discretion in the Attorney-General, and there is little doubt that in the exercise of that discretion he would turn his mind to the matters set out in the Hon. Mr. Whyte's amendment. However, on one view at least it may be that the proposed specification of the matters to which the Attorney shall have regard could have the effect of reducing the area of discretion already vested in him. Accordingly, it is suggested that the proposed amendment is probably not necessary and that it may well circumscribe the discretion vested in the Attorney-General and thus achieve an effect contrary to that intended by the Bill.

The Hon. A. M. WHYTE: I am sorry that the amendment is not acceptable to the Attorney-General. Both fields, namely, the Aborigines concerned and also the licensees

of many of the establishments that are most likely to be concerned with discrimination, come under the jurisdiction of the Attorney-General. My intention was to help the Attorney.

The Hon. A. J. Shard: He says with the greatest respect that your amendment may work against your intention.

The Hon. A. M. WHYTE: No doubt the Attorney is more educated in the legal implications than I am, and I appreciate what he has said. I believe that what I want to achieve would be covered better by another Bill, because I consider that there should be some means of conciliation. I believe that prosecution at the slightest provocation will only widen the gap in negotiation and, indeed, increase discrimination, because the moment we start to prosecute people for what in actual fact is their privilege of selecting their clientele in the running of their business, we run the risk of creating a resistance.

It would be better if we had some means of adjustment and some means of conciliation between the two opposing factions. My intention in moving this amendment was to alert the Attorney-General to my objective. I believe that all facets of this Act come within the Attorney's province, and I would be the last to want to obstruct him in any way in his duty. Although this is a very small Act, it is a very important one. I will not insist on my amendment. Having alerted the Attorney to my intention, that is as far as I want to take the matter.

The CHAIRMAN: Is the honourable member seeking to withdraw his amendment?

The Hon. A. M. WHYTE: No, Mr. Chairman; I will let it go to a vote.

The Hon. R. C. DeGARIS (Leader of the Opposition): When the Chief Secretary replied to the second reading debate he did not indicate the views of the Government on the matters put forward by honourable members when speaking to this Bill. We believe that there is a better way to handle this problem than just to have legislation authorizing the launching of a prosecution. I agree with the Hon. Mr. Whyte that we shall not overcome any problem of discrimination by allowing a situation to exist in which anyone can set up somebody else to be prosecuted. This will only add to the problem rather than overcome it. I know what the honourable member has done: he has sought to put an amendment into this Bill that allows for conciliation, as far as he can go, and I believe, with the honourable member, that even his amendment does not go as far as we should go in this matter.

Every effort should be made to allow for conciliation before the question of prosecution ever arises. During the second reading debate, a comparison was made with the Race Relations Board in Great Britain, where the board investigates and tries to bring both parties together with a view to conciliation, and no prosecution is launched unless the board agrees that all other avenues have been exhausted and that a prosecution should be launched. This legislation will do nothing to improve race relations in South Australia: indeed, it will do the opposite.

I should like at this stage, now that the Chief Secretary has reported to us that this amendment may do exactly the opposite to what the Hon. Mr. Whyte thinks it will do (I cannot see that but what the Chief Secretary has said may be right) to ask the Chief Secretary whether he would report progress to enable us to look again at the Hon. Mr. Whyte's amendment and the Chief Secretary's reply because, if we can build into this Bill some conciliation before prosecution, I am certain the legislation will work in the interests of the community. As the Bill is at the moment, I do not think it will.

The Hon. Sir ARTHUR RYMILL: I agree with the Hon. Mr. DeGaris and hope the Chief Secretary will report progress.

The Hon. A. J. Shard: I am in a very receptive mood today.

The Hon. Sir ARTHUR RYMILL: I thought you were. Before that happens, let me say that on the face of it this is an eminently practical and sensible amendment; also, it will not tie the hands of the Attorney-General in any way: it still leaves him a full discretion but it asks him to make further inquiries and to try to conciliate, as it were, before he gets to the extreme step of launching a prosecution in respect of any of these very delicate matters, as they always are. On the face of it, I cannot see why this amendment should not be acceptable because, as I say, it does not seem to destroy any part of the Act: it merely sets out to try to make it more workable and more practical than it is at the moment.

At present, it seems that the only remedy suggested by the legislation is the institution of a prosecution. This amendment suggests that

all other avenues be explored before a prosecution is launched. After all, a prosecution is a fairly extreme thing in cases of this nature, and in particular it is more likely to make for further strife and misunderstanding, as I see it, than an attempt to conciliate the matter, which the Hon. Mr. Whyte is obviously wanting to do. So I hope that progress will be reported, as it appears it will be, to allow the Chief Secretary and his colleagues to take into account the object of this amendment, bearing in mind the fact that it seems not to tie down the Attorney-General in any way. As I see it, he will still be able to do what he can do at the moment. If the Government, on further consideration of this amendment, finds some better or other way of putting it, that will be fine; but the object of this amendment is excellent. As has been said, the Hon. Mr. Whyte knows a lot about this subject.

The Hon. A. J. SHARD: I do not want to stifle the debate. One reason why consideration of the Bill has been postponed from day to day is that the Attorney-General has been in other States on Government business and has not been able to get around to dealing with it. It is not my Bill. As all honourable members know, I am not a solicitor and do not know the legal rights and wrongs, but at least I have some knowledge of these things. The Attorney-General can look at the Bill again and, if he thinks that this amendment may prevent him from doing something, he can give his reasons why. I shall be happy to ask him to look at the amendment over the weekend. In the circumstances, I ask that progress be reported.

Progress reported; Committee to sit again.

ADJOURNMENT

At 4.23 p.m. the Council adjourned until Tuesday, October 27, at 2.15 p.m.