

LEGISLATIVE COUNCIL

Thursday, September 13, 1973

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

ASSENT TO BILLS

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

Aged and Infirm Persons' Property Act Amendment,
Crown Lands Act Amendment,
Lottery and Gaming Act Amendment,
Police Pensions Act Amendment,
Prohibited Areas (Application of State Laws) Act
Amendment.

QUESTIONS**ESCAPED PRISONERS**

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation prior to directing a question to the Chief Secretary.

Leave granted.

The Hon. R. C. DeGARIS: On Tuesday last I directed a question to the Chief Secretary about the escape from the Wayville showgrounds of two convicted murderers, Farnsworth and MacDonald. In his prepared reply to that question, the Chief Secretary said:

I point out, however, that the statement is not the complete answer to what I requested, as those concerned in the Prisons Department could not supply me with the reports I have been seeking in the time allotted to them. I will be receiving a much fuller report from the department in addition to this statement.

Following my question of last Tuesday, the Hon. Mr. Geddes directed a question to the Chief Secretary in relation to the amplification of the Chief Secretary's statement. Has the Chief Secretary received from the department a further report on the incident?

The Hon. A. F. KNEEBONE: I have received a further report, but I want further details. Because the report I have received does not give me the whole answer, I am asking for further information in regard to it. I have been informed by the Comptroller of Prisons (Mr. Gard) that the Classification Committee and other officers of his department are looking closely at the classification system that has operated and at security; they have come to some decisions in relation to the matter. The Classification Committee will be looking at all classifications in the future to reassess the system that has been operating. That is what is happening. I cannot give the Council much more information than that today. I repeat that I have received a further interim report, and I am asking for further details.

The Hon. C. M. HILL: I seek leave to make a short explanation before asking a question of the Chief Secretary on this matter.

Leave granted.

The Hon. C. M. HILL: This morning's newspaper carries a leader and several letters to the editor on this very important matter. Also, the media generally, since the weekend, have been full of expressions of public concern about the escapes. I believe the public is seeking and is entitled to more explanations than it is getting on the subject. Accordingly, I ask the following questions: first, does the Chief Secretary accept full responsibility, as Minister in charge of prisons, for what has happened; secondly, what are the reasons for the delays in the reports that he is seeking; and, thirdly, other than the statement he made a moment ago about a possible change in

the future, what clear assurance can he give to this Council and to the people of this State about action that has been taken or will be taken forthwith to reduce the likelihood of a repetition of such escapes?

The Hon. A. F. KNEEBONE: First, I am the Minister in charge and I take full responsibility for what happens in regard to any department under my control; yet there be no argument about that. I do not know whether the honourable member, when he was a Minister, assumed that kind of responsibility. Any Minister worth his salt would take responsibility for the actions of his department, and I do so.

The Hon. A. J. Shard: A Minister must do that, whether he likes it or not.

The Hon. A. F. KNEEBONE: As a result of the possibility of people over-reacting regarding rehabilitation, the matter is being approached with caution. I am not going to scrap the whole rehabilitation programme just because two prisoners escaped.

The Hon. C. M. Hill: I do not suggest that you should.

The Hon. A. F. KNEEBONE: I am sure the previous Chief Secretary, who was also in charge of prisons, would not have done so, either. Let us get this down to the proper level, and let us not attempt to make political capital out of it, as is being done. I compliment one section of the media on its approach to the matter; the television channels have been less destructive in this matter regarding rehabilitation than has the press. Everyone is trying to make capital from the fact that two prisoners got away. Surely enough, they were "lifers"; they had committed capital crimes. However, let us not forget that other "lifers" have got out of Yatala prison itself, not on an operation such as the one at the showgrounds, and have been caught. Many escapes have occurred. We are conducting a rehabilitation programme and we will not have it scrapped completely because of occurrences such as this.

One has only to look at prisons in some of the other countries (and some not outside this country either, but in some of the other States) where enlightened programmes of rehabilitation are not carried out, with the result that there have been riots, burning down of gaols, and so on. Thank God, we have not got that in South Australia. So let us not kill the rehabilitation programme in an effort to make political capital. Every effort has been made on my part, and, I am sure, on the part of the Comptroller under my direction, to see that such a thing does not occur again, but who can guarantee, as some people ask me to do, that someone will not escape under an enlightened rehabilitation programme? Of course there will be other escapes if we proceed with rehabilitation. The only way to stop escapes is to lock up people as animals until the time of their release, regardless of what the Mitchell report has said—lock them up until their time comes to be released and then open the doors and let them go, without any rehabilitation or training for their return to the community. Surely, this is not what honourable members are asking. I cannot add a great deal more to what I have said. We are doing everything in our power to see that we conduct a proper rehabilitation programme and that we minimize any mistakes that can be made. I can say no more than that.

The Hon. A. M. WHYTE: I seek leave to make a statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. A. M. WHYTE: The Chief Secretary has given an excellent explanation about the procedures taking place with regard to the escaped prisoners. I believe that

his departments would appreciate his loyalty to them. We do not ask him to let down anyone under his jurisdiction. As this escape could have serious consequences, we have an obligation, as politicians, to those people who contact us asking what we are doing to rectify the problem. Will the investigations that are carried out include a consideration not only of the rehabilitation scheme but also of the people that are administering it?

The Hon. A. F. KNEEBONE: I have said before that the Classification Committee comprises highly skilled persons who have been performing this task for many years, during which they have assessed the many prisoners that have been reclassified. I said the other day that 1 000 classifications a year had been performed, but some prisoners could have been assessed more than once a year. However, the committee makes more than 1 000 classifications a year, and in six years it has made an error of judgment regarding the classification of prisoners only four times. Yet the honourable member now wants an examination made of those who have made these assessments and perhaps the lot to be sacked, solely because they have made only four mistakes in more than six years. They have been reclassifying prisoners for more than six years: it could be 10 years.

I have told the honourable member and the Council generally that I have requested a reassessment of the classification system. This aspect is being closely examined, as are the classifications that have been made. Surely, we will not gain anything by replacing these people with others who have not had the same experience, solely because of these four errors of judgment. It is unfortunate that this incident has occurred. As I have said, no-one is more disappointed or upset about this matter than I am. Surely honourable members have sufficient confidence in me to realize I will not let them down and that I will ensure that the correct thing is done in this respect.

All the questions and arguments in the world regarding independent inquiries will not undo this error of judgment. One of the prisoners was entitled, if he so desired, to ask the Parole Board to examine his situation, he having been in prison for five years, the period stipulated by the previous Government in its amendment to the Act that a prisoner must serve before being able to seek parole. The other prisoner convicted of murder had only two years to serve before he could seek parole. I cannot therefore understand why, on the spur of the moment, two prisoners in this situation would want to make a break and, as a result, jeopardize their future chances of being released on parole, as has happened.

It is impossible for one to be sure in the rehabilitation and reclassification programme that what one does is absolutely correct. If a certain amount of risk was not taken with prisoners, our rehabilitation programme would not work at all. This is the problem. The answer to whether we are going to look at the personnel of the Classification Committee and have a witch-hunt to see who should be replaced is "No".

FRUIT CO-OPERATIVES

The Hon. R. A. GEDDES: I wish to direct a question to the Chief Secretary, representing the Premier, and I seek leave of the Council to make a short statement prior to asking it.

Leave granted.

The Hon. R. A. GEDDES: It has come to my notice that fruitgrowers in the Riverland irrigation area are owed more than \$500,000 by several co-operatives for fruit delivered in the 1971-72 season. These co-operatives are

in financial difficulties owing to currency devaluation problems, and the growers—

The Hon. A. I. Shard: According to what I have read in the newspaper that is not correct.

The Hon. R. A. GEDDES: The growers are in financial difficulties owing to the lack of credit facilities with their banks.

The Hon. A. J. Shard: That is right, but not through the devaluation since the Labor Government has been in office.

The PRESIDENT: Order!

The Hon. R. A. GEDDES: I understand that the Industrial Development Division of the Department of the Premier and of Development is in close touch with the Commonwealth Government on similar devaluation problems. As a matter of great urgency, will the Premier instruct this division to look at the problem in the Riverland area and to give every possible assistance toward resolving it?

The Hon. T. M. CASEY: This matter comes under my department. I have discussed it with the Premier. One of the problems confronting the canning industry on the Murray River for some years is well known.

The Hon. A. J. Shard: It's nothing to do with the Commonwealth Government.

The PRESIDENT: Order! Interjections are out of order during Question Time. The honourable the Minister of Agriculture.

The Hon. T. M. CASEY: The whole trouble with the canning fruit industry, as I see it, is not the result of revaluation wholly and solely but of the credit facilities that are made available. I point out that, as late as a little over two years ago, the Commonwealth Government, together with the State Government, provided over \$3,000,000 to wipe off debts that had been incurred over the years by Riverland Fruit Products Co-operative Limited and Jon Preserving Co-operative Limited. I was instrumental in bringing the Jon co-operative into this scheme, even though the Commonwealth was willing to overlook the co-operative's financial position at that time. I cannot give the honourable member any guarantee now that the State Government is willing to give financial assistance, because that matter must be discussed with the Commonwealth authorities. However, I will convey the honourable member's question to the Premier and ascertain what has transpired between the Commonwealth and the State.

The Hon. R. A. GEDDES: I seek leave to make a statement before asking a question of the Chief Secretary, representing the Premier.

Leave granted.

The Hon. R. A. GEDDES: When I asked a question of the Chief Secretary relating to the problems of the Riverland the Minister of Agriculture replied. Relative to that question is a previous question I asked on August 14 (page 287 of *Hansard*) in which the Chief Secretary, in giving a reply from the Premier's Department, stated:

Cases of hardship in industry resulting from the Commonwealth Government's tariff cuts should be referred to the Industrial Development Division of the Department of the Premier and of Development, which is in close contact with the Commonwealth in this regard.

That is why I directed my question to the Chief Secretary today. I believe this matter is urgent and I ask him whether he will refer the matter to the Premier?

The Hon. A. F. KNEEBONE: I will refer the honourable member's question to the Premier, but I wish to indicate, as was mentioned in the *Advertiser* this morning, that \$500,000 (the amount the co-operatives are indebted to the settlers) was mentioned as being a result of the South

African Government devaluing its currency. I do not know how this topic is related to the honourable member's question, but I will refer his question to the Premier. However, I am not optimistic that the honourable member will get a different answer because of the way he framed the question and the answer I gave him. The honourable member should frame his question in a different manner if he wishes action to be taken.

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

Leave granted.

The Hon. C. R. STORY: I listened with much interest to the replies given by the Chief Secretary regarding fruit-growers in the Riverland and the indebtedness to them as a result of the South African Government's currency devaluation. However, this is merely a sprat in the ocean compared with other things that have happened to this industry in the last few months. As there will be many people with expert knowledge attending the meeting to be held this evening at Berri I should like to know whom the Government is sending so they can be informed properly of the information that will come from the meeting.

The Hon. T. M. CASEY: I was rather intrigued by the honourable member's question, because he implied that in the last few months the canning fruit industry has got into much trouble. The Australian canning fruit industry has been in much trouble for many years, as the honourable member knows, and I wish to make that explicit. As I said to the Hon. Mr. Hill, the Commonwealth and South Australian Governments put more than \$3,000,000 into this industry more than two years ago. So do not think for one moment that the canning fruit industry has been in trouble only in the last few months: it has been in trouble for a long time. That applies in most countries in the world that are large producers of canned fruit. At the moment (and the honourable member knows this, too) the canning fruit industry is rather buoyant in sales but the long-term future for the industry is very dull. That is the attitude that has been expressed by other countries, and particularly South Africa. I think I made this point yesterday in answer to a question. I assure the honourable member that I shall be completely informed of the outcome of that meeting. My departmental officers have already been contacted by me and I assure the honourable member that this matter will be referred to me, with a complete and unbiased report.

HARDWICKE BAY

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture, representing the Minister of Works.

Leave granted.

The Hon. M. B. DAWKINS: My question refers to the fishing village of Hardwicke Bay, on the coast of Yorke Peninsula, which might be described as being on the instep of the peninsula. Hardwicke Bay is well populated during weekends and a number of people live there permanently, but no reticulated water supply has been provided for that area. Some of my constituents in the area have approached me about the provision of a water supply for it. As there is no provision there for septic tanks, there is also something of a health hazard. Although I believe that water is available only two miles away, it may be necessary to construct a new main from Brentwood to provide the necessary quantity of reticulated water for the area. Will the Minister of Agriculture ask his

colleague to give this matter his urgent attention and to indicate what can be done to relieve the situation?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague and bring down a reply when it is available.

CONSTITUTION CONVENTION

The Hon. C. M. HILL: I seek leave to make a short explanation prior to directing a question to the Chief Secretary as Leader of the Government in this Council.

Leave granted.

The Hon. C. M. HILL: My question concerns the recent Constitution Convention held in Sydney. The South Australian delegation attended that convention last week, and that delegation represented different political Parties in this State and both Houses of the South Australian Parliament. The delegates were appointed by Parliament. Will the delegation, through its leader, the Premier, now that it has returned, make any report to the South Australian Parliament and therefore to the people of the State on what transpired officially at that convention and what the future convention planning entails?

The Hon. A. F. KNEEBONE: As I was not at the convention and do not know what occurred there, other than what has been reported to me by my colleagues who were there, I will take the honourable member's question to my colleague the Premier, who was the leader of the delegation, and bring down a reply as soon as possible.

ABATTOIRS

The Hon. R. A. GEDDES: Can the Minister of Agriculture say how many companies in the last 24 months have approached the Government or the Minister for permission to set up killing works or abattoirs in South Australia?

The Hon. T. M. CASEY: There has been no concrete proposal to build abattoirs in South Australia, but, over the last two years, several people have been interested in setting up some type of killing works. However, I have informed them that it would be advisable to carry out a feasibility study in their area to see whether it would be in their interests to set up such an organization, because the amount of money involved today in the establishing of an abattoir (and naturally, of necessity, an export abattoir) is considerable. I have had no definite application to me personally about setting up abattoirs in the State.

ANTI-CANCER FOUNDATION

The Hon. C. M. HILL: I seek leave to make a short explanation prior to directing a question to the Minister of Health.

Leave granted.

The Hon. C. M. HILL: I have received the annual report of the Anti-Cancer Foundation of the University of Adelaide. It has been circulated under the name of the Chairman, Sir Roderic Chamberlain. In the report, under the heading "Finance and Fund-raising Committee", is the following paragraph:

Negotiations with the South Australian Government for an additional grant continued on a more detailed basis and there are good prospects that financial help will be forthcoming as much of the work which the foundation is carrying out is really a Government responsibility.

I assume that representations would have been made to the Minister of Health, if they had been made, and not to the Premier direct or any other Minister, so I appreciate that the Minister of Health may not be informed on this point. Were representations made to the Minister of Health and, if so, was he able to assist this foundation with the finance that was requested?

The Hon. D. H. L. BANFIELD: No; representations were not made direct to me, but I am sympathetic to the proposal. As representations were not made direct to me, I will find out what the position is, and bring down a reply as soon as possible.

REHABILITATION AND COMPENSATION SCHEME

The Hon. C. M. HILL: I seek leave to make an explanation prior to directing a question to the Chief Secretary as Leader of the Government in this Council.

Leave granted.

The Hon. C. M. HILL: Recently, I received a letter and enclosure from the Council of Fire and Accident Underwriters of Australia. A paragraph from the letter reads as follows:

The Australian Government has announced its intention of introducing a national rehabilitation and compensation scheme, and has set up a committee of inquiry to advise it on the best way of implementing such a scheme. The insurance industry as a whole believes that such a scheme is not only contrary to its own interests but would prove detrimental to this nation's people and its economy.

In the enclosure, which is in the form of a booklet, appears the following paragraph:

We have been advised that the Australian Government would require a considerable transfer of legislative powers from all States to enable it to introduce a national scheme of rehabilitation and compensation which it controlled and administered directly. We believe that such a transfer of powers is undesirable, unnecessary and unacceptable to the Australian people.

First, what is the State Government's attitude towards this inquiry, which has taken evidence in South Australia within the last few weeks, in regard to the transfer of legislative power as suggested? Secondly, what is the view of the State Government Insurance Commission on this whole matter?

The Hon. A. F. KNEEBONE: As this is a policy matter, I will take it to my Cabinet colleagues and bring down a reply as soon as it is available.

PUBLIC WORKS COMMITTEE REPORTS

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

Craigmore High School (Additions),
Glossop High School (Replacement),
Whyalla Technical College (Major Additions, Stage II).

SUPPLY BILL (No. 2)

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

The Hon. A. F. KNEEBONE (Chief Secretary): I move:

That this Bill be now read a second time.

It has been customary for the Government to present two Supply Bills to Parliament each year, one prior to the commencement of the financial year and the second during August. Honourable members will remember from previous explanations that Supply is necessary to enable the Public Service of the State to be carried on between the beginning of the financial year and the date upon which the Appropriation Bill receives assent. The Supply Act approved by Parliament in June last authorized expenditure up to \$110,000,000. This is a higher amount than would have been provided in the normal course but, because of unusual circumstances which the Government thought might arise to delay the consideration by Parlia-

ment of the second Supply Bill, it was considered prudent to provide this sum.

The Bill now before honourable members provides a further \$50,000,000 which, together with the \$110,000,000 previously authorized, is expected to be sufficient to carry on the continuing operations of the Public Service until the debate on the Appropriation Bill is completed and the Bill becomes law. Clause 2 provides for the issue and application of \$50,000,000. Clause 3 prevents the Government and individual departments from spending moneys for purposes other than those examined and previously approved by Parliament. Until the Appropriation Bill, currently under debate, receives assent, the Government must use the amounts made available by Supply Acts within the limits of individual lines set out in the Estimates and Supplementary Estimates for 1972-73 and other appropriation authorities granted by Parliament.

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

STATUTES AMENDMENT (PUBLIC SALARIES) BILL

Read a third time and passed.

ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Read a third time and passed.

PAY-ROLL TAX ACT AMENDMENT BILL

Read a third time and passed.

ART GALLERY ACT AMENDMENT BILL

In Committee.

(Continued from September 12. Page 699.)

Clause 3—"Power of board to lend exhibits."

The Hon. C. M. HILL: I move:

After "or" to insert "and", with the consent of the Minister".

The amendment varies slightly from the amendment I canvassed yesterday; it ensures that the Minister's consent will be needed for loans made to donors as well as for loans made to people who are not donors and not in any way connected with donors. The reason for the slight change is that the present wording of the amendment is better. I firmly believe that the amendment will make the legislation better than it was previously. I have raised this important matter in the interests of the people whom we serve and to whom we are answerable.

The Hon. T. M. CASEY (Minister of Agriculture): The Government does not see anything wrong with the amendment, which throws the onus on to the Minister if paintings are lost. I personally believe that the members of the Art Gallery Board are very competent people and that future members of the board will be equally competent; they should be able to assess whether paintings should be lent to people. However, the honourable member has suggested that the onus should be on the Minister.

The Hon. R. C. DeGARIS (Leader of the Opposition): This may seem to be a very small matter, but I am certain that there is no ground for suggesting that the Hon. Mr. Hill does not have complete confidence in the Art Gallery Board. As was pointed out yesterday, other matters must be considered in a situation such as this. The Bill passed the second reading stage and was at the third reading stage when the Hon. Mr. Hill rightly drew attention to what could be an anomaly in the legislation. I think the amendment is eminently suitable for the purpose. It does place the responsibility of consent on the Minister when works of art which belong to the people of South Australia are lent to individual persons. It is only right and proper

that that should be so, that there should be Ministerial responsibility, some person responsible for an action such as this. I know that the object of the Bill is to enable works of art to be given to the Art Gallery before a person does so under a will. We all appreciate that there are advantages in doing it this way. However, I believe the safeguard contained in the amendment of the Hon. Mr. Hill is well worth while.

Amendment carried; clause as amended passed.

Bill read a third time and passed.

PRICES ACT AMENDMENT BILL

(Second reading debate adjourned on September 12. Page 701.)

Bill read a second time.

The Hon. R. C. DeGARIS (Leader of the Opposition) moved:

That it be an instruction to the Committee of the Whole on the Bill that it have power to consider a new clause to

amend section 19 of the principal Act relating to the power of the Governor to declare goods and services, and to make consequential amendments.

Motion carried.

In Committee

Clause 1—"Short titles."

The Hon. R. C. DeGARIS (Leader of the Opposition): The printed copy of the amendments I proposed to move, commencing at clause 1a, have just reached my desk. Perhaps the Chief Secretary will agree that progress be reported.

The Hon. A. F. KNEEBONE (Chief Secretary): Yes, I agree.

Progress reported: Committee to sit again.

ADJOURNMENT

At 3.20 p.m. the Council adjourned until Tuesday, September 18, at 2.15 p.m.