

LEGISLATIVE COUNCIL

Wednesday, March 30, 1977

The PRESIDENT (Hon. F. J. Potter) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS**PRAWNS**

The Hon. R. C. DeGARIS: Can the Minister of Fisheries say whether the decision of the Raptis organisation to transfer a large part of its operation to the Eastern States was a consequence of the State Government's refusal to issue a licence to that organisation for a processing vessel?

The Hon. B. A. CHATTERTON: No, it was not as a result of the State Government's refusal to issue a prawn licence to that organisation. The reason why the company will transfer its operations (if it does transfer its operations, and there is some speculation on that), although it has not yet done so, is completely a commercial reason of the Raptis organisation. The issuing of a single prawn authority to the Raptis organisation would not have given sufficient throughput on its own to keep a complete processing plant in operation, but that aspect somewhat begs the question anyway regarding the management of the prawn resource. Regarding the exploitation of prawns, we can issue licences only when we consider that the resource is able to withstand such increased exploitation. We have done this recently and have invited people to apply for two new prawn authorities in the gulf. We have received applications and the final decision on who will receive the authority will be decided by ballot.

PONIES

The Hon. A. M. WHYTE: I seek leave to make a brief statement prior to asking a question of the Minister representing the Minister for the Environment.

Leave granted.

The Hon. A. M. WHYTE: Coffin Bay Peninsula is now part of the National Parks and Wildlife Division under the control of the Minister for the Environment. This area was settled in about 1851 and, although I am not sure of the year, ponies were released about that time on the peninsula and over the past 100 years they have inhabited the area. The ponies are peculiar to that area and the community generally has come to accept them as part of the environment. Current rumour is that, because they are not natural fauna, the ponies will be removed or exterminated by whatever action is necessary to take them off the peninsula. There is much local concern about this rumour. Therefore, will the Minister confer with his colleague and give an assurance that the ponies will be left in this area in their present state, or declare what his department's intention is with regard to these animals?

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

AUSTRAL-ASIA DEVELOPMENT CORPORATION

The Hon. D. H. LAIDLAW: I seek leave to make a short statement before asking a question of the Minister of Health, representing the Premier.

Leave granted.

The Hon. D. H. LAIDLAW: I refer to the South Australian Government's proposals to enter directly or indirectly into joint manufacturing ventures with Penang, Kedah and Perlis in North Malaysia. I am informed that, due to inflation in that region, wages for trained labour have recently increased from A\$11 to A\$12 a week and that the workforce is now demanding fringe benefits such as one week's annual leave a year. Will these conditions of wage instability affect the Premier's attitude in continuing to invest South Australian Government funds or offering South Australian Government guarantees for bank loans in connection with projects in North Malaysia, whether directly or through the Austral-Asia Development Corporation?

The Hon. D. H. L. BANFIELD: I will refer the honourable member's question to my colleague.

ROSE PARK TRAFFIC

The Hon. ANNE LEVY: I seek leave to make a short statement before asking a question of the Minister of Lands, representing the Minister of Transport.

Leave granted.

The Hon. ANNE LEVY: Honourable members may recall that moves were made last year by the Leader of the Opposition to disallow regulations made by the Burnside council concerning a traffic management plan in the Rose Park and Toorak Gardens areas. A new scheme of road closures was implemented, and eventually the regulations were permitted to stand, as the council wished to continue its experiment for six months and then have the experiment evaluated before having a fresh look at the road closure system that might or might not operate in that area. Can the Minister now supply any further information regarding the road closure system in the Rose Park and Toorak Gardens areas?

The Hon. T. M. CASEY: My colleague has informed me that the Corporation of the City of Burnside submitted an alternative scheme to the Road Traffic Board for consideration in November, 1976. The scheme proposed reducing the number of road closures from 12 to seven, with the installation of certain roundabouts. However, as the board at the time considered that the existing closures should prevail for a period of at least six months in order that the effect of the existing closures on the overall accident pattern could be properly assessed, consideration of the alternative scheme was deferred. The accident statistics for the first six months of operation of the scheme have now been analysed and the results show a marked reduction of accidents compared with the number of accidents for the same period in the previous year. The results compare favourably with those obtained for the first six months of operation of the Unley pilot study. Using the analysis of the above accident statistics, the board has now proposed an amended version of the alternative scheme submitted by council in November, 1976. The board's proposal has eight road closures representing a compromise to the opposing factions in Rose Park while still continuing to serve the purpose of the original scheme, that is, continued accident reduction for the area. The board's proposals have been forwarded to council for consideration, and subject to agreement, every effort will be made to implement the alternative scheme with minimal delay.

EYRE PENINSULA WATER SUPPLY

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

Leave granted.

The Hon. M. B. DAWKINS: Honourable members will be aware that plans have been brought forward for the improvement of water pumping in the Eyre Peninsula area. Three pumping sources will be able to be interchanged and work in conjunction with the Tod River reservoir. When these improvements are effected, there will be a consistent improvement in the quality of the water from the Tod River reservoir and the pumped water, and a consequent improvement in the availability of water. In view of that, will the Minister ascertain from his colleague whether the department has formulated any plans for the provision or extension of water supplies to the Edillilie district, which has been seeking such a supply for some time and at which the present situation is unsatisfactory?

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

DRUG THEFTS

The Hon. F. T. BLEVINS: I seek leave to make a statement before asking the Minister of Health a question.

Leave granted.

The Hon. F. T. BLEVINS: A report in the March 22 edition of the *Australian* headlined "Lure of drugs on shelf" related to break-ins of chemist shops and the thefts of dangerous drugs. I will read not the whole report but only a small portion thereof in order to outline the problem involved. Part of the report is as follows:

Drug addicts raiding chemist shops in search of supplies have become so common that many chemists have either removed dangerous drugs from their shelves completely or cut them to a minimum. In Victoria, there were 125 break-ins, New South Wales and A.C.T. 18, South Australia 33, Western Australia 49, Queensland 7, and Tasmania 5.

The report then goes on to give a description of some of the break-ins and the problems that have occurred as a result thereof. The significance of the report is that section of it relating to Tasmania. The report concludes as follows:

But has Tasmania—with the best record in Australia—got the right ideas? There, chemists have a no-drugs policy worked out in conjunction with police and the State's 134 Guild chemists have central depots—heavily guarded—from where drugs can be drawn in an emergency. Under this system last year there were only five robberies—none of them armed—representing a drop of more than a third in two years.

"There has never been any complaints here about it, no resistance at all, and the police, public and chemists are very pleased," he said. The refusal to stock drugs means that it takes an extra half a day to fill some prescriptions, as the dangerous drugs are taken in the exact quantity from the wholesalers when needed.

Has the Minister considered establishing such a system in South Australia whereby no dangerous addictive drugs at all are carried by chemist shops but are heavily guarded in a central depot?

The Hon. D. H. L. BANFIELD: The managers of pharmacies are concerned about this matter. Indeed, discussions have been taking place among chemists to find a suitable way of stopping break-ins of chemist shops.

At present they consider that they will be able to resolve this matter themselves, and the Government will give whatever support it can.

AEROSOL SPRAYS

The Hon. J. R. CORNWALL: I seek leave to make a statement before asking the Minister of Health a question.

Leave granted.

The Hon. J. R. CORNWALL: Honourable members will be aware of the recent publicity regarding fluorocarbons and hydrocarbons as propellants in aerosol sprays. There is much evidence that fluorocarbons affect the ozone layer and, in sufficient quantities, have the ability to cause severe environmental damage. On the other hand, hydrocarbons are apparently quite harmless. However, they can be used only with water-based compounds, such as some of the more recently introduced insecticides. They are highly flammable, for example, when used in hair sprays. Members would be well aware that the American State of Oregon recently has banned the use of fluorocarbons, and I understand that the fluorocarbons problem is now being examined by both the National Health and Medical Research Council and Commonwealth Scientific and Industrial Research Organisation. I am acutely aware of the difficulties that would arise concerning complementary legislation in all States effectively to ban the use of fluorocarbons in Australia. In the meantime, however, would the Minister take up the matter of labelling aerosol cans with the type of propellant used, and would he be prepared to take up the matter with his fellow Health Ministers in other States? In this way, the growing number of environmentally conscious people in our community would be able to make a clear choice before making purchases.

The Hon. D. H. L. BANFIELD: Whilst this matter is being considered by the National Health and Medical Research Council and C.S.I.R.O., I will see that it is put on the agenda for the next Ministers' conference, which will be held before the end of June.

LEASE RENTALS

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

Leave granted.

The Hon. R. C. DeGARIS: There is much concern, as I think most honourable members know, and uncertainty in many parts of South Australia regarding perpetual lease rentals and rentals for other than perpetual leases. Persons seeking advice from the department about what the position will be if they subdivide or if they sell the lease are given that advice but, on information that has come to me today, a charge of \$15 is made. I have no idea whether this is true, but I have been told that that charge is made when a person seeks advice from the Lands Department. Can the Minister confirm or deny that that is the position?

The Hon. T. M. CASEY: I am not aware of any charge being made for information that has been sought from the department regarding the subdivision of perpetual leases. The amount of \$15 has been mentioned, and I will certainly refer this matter to my Director-General and find out what the charge is for, but I should not think that it would be for only seeking the information involved. I will find out for the honourable member what is the position.

KANGAROO ISLAND SETTLERS

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

The Hon. A. M. WHYTE: While the Land Settlement Committee was doing work on Kangaroo Island, it was considered prudent by all members not to discuss that matter until the report had been tabled. The report was tabled yesterday but a deadline was set for the settlers in question to make a submission to the Lands Department on their financial affairs. Because in the past few days there has been utter confusion about what these settlers should do, because of the bungle regarding the tabling of the report, which should have been tabled several months ago, and because the Minister of Lands in South Australia has the right to deal with those leases (since they are South Australian leases), I ask the Minister whether he will consider urgently the granting of a stay of proceedings to allow these people one week, two weeks, three weeks, or whatever time he thinks necessary, while the confusion is sorted out, so that these persons will have the opportunity to make a submission to the Lands Department as has been requested. These people have not time to make submissions in the two days since the report was tabled or within the deadline set by the Minister.

The Hon. T. M. CASEY: I assure the honourable member and other honourable members of this Council that there is no confusion whatsoever on Kangaroo Island regarding the leases in question. My officers have been to the island many times explaining the whole situation to the settlers who are so far affected.

The Hon. C. M. Hill: Telling them what they have to do!

The Hon. T. M. CASEY: May I remind the honourable member that this was a decision taken by the Federal authorities.

The Hon. R. C. DeGaris: That's not true.

The Hon. J. C. Burdett: Rubbish!

The Hon. N. K. Foster: Isn't that true? The Leader of the Opposition should have the guts of his convictions.

The Hon. R. C. DeGaris: It is untrue.

The PRESIDENT: Order! The Minister is answering a question.

The Hon. N. K. Foster: Tell them to keep quiet—don't tell us.

The PRESIDENT: He is allowed to answer it in his own way.

The Hon. T. M. CASEY: I will start again and say this to the honourable member who used the phrase that there was utter confusion on the island. I remind him that there is no confusion on the island. This morning I spoke with Mr. Alby Joy of the R.I.A. who had just returned from the island, and he told me that he had spoken to all members except one who did not avail himself of the opportunity of calling in when I made Mr. Alby Joy available to the settlers on the island. The whole scheme was explained to them and it is strange, but only one member of the original eight has made a submission to me; I have agreed with his submission, and he is now allowed to go into the next category. That was the result of the letter that was sent out to the settlers many months ago explaining the situation to them; it had the concurrence of the Federal authorities, because I have not done anything in this State unless it has first been presented to the Federal Government, to the Minister for Primary Industry and his officers, and they have agreed on it. The War Service Land Settlement Scheme is a Federal scheme.

The Hon. A. M. Whyte: We understand that.

The Hon. C. M. Hill: But it is a joint matter.

The Hon. T. M. CASEY: We are the agents for the Commonwealth. If the honourable member will read the Act, under the War Service Land Settlement Scheme, it clearly states that it is a Federal scheme and that the State is the agent; it is in the Act.

The Hon. R. C. DeGaris: Nonsense!

The Hon. T. M. CASEY: You read the Act.

The Hon. R. C. DeGaris: It does not state that.

The Hon. T. M. CASEY: I will not argue the point with the Leader but, if he likes to read the Act, he will see that it spells out that it must be a Federal scheme because all the money available to the settlers anywhere in Australia is provided by the Commonwealth authorities, and every State administers that Act on behalf of the Commonwealth. If the honourable member wants anything clearer than that, I should like to know what it is.

The Hon. C. M. Hill: Where is your compassion?

The Hon. T. M. CASEY: The other thing is that, when this matter was discussed (as I have explained previously to the Council but I will put it again for the benefit of honourable members) with Mr. Sinclair in Sydney several months ago, he wanted the time put back and I at least got, on behalf of the settlers, until June 30; it was stipulated, with the agreement of the Commonwealth and ourselves, that March 31 would be the time by which settlers could make submissions to the department on whether or not they could reduce their indebtedness. One person, a Mr. Borgmeyer, has made a submission. The point is that everybody was in the same category as he. He made his submission after speaking with Mr. Joy on the island. I looked at his submission and he has now been placed in the second category so that we can review his situation in 12 months.

The Hon. A. M. Whyte: What about an answer to my question?

The Hon. T. M. CASEY: It does answer the question. The honourable member said there was total confusion on the island, but there is no confusion on the island. If people did not receive all the information they desired from Mr. Joy at that time, it is their own fault, because departmental officers have been to the island many times to explain the situation to these people.

The Hon. A. M. WHYTE: I seek leave to ask a supplementary question of the Minister of Agriculture following his reply.

Leave granted.

The Hon. A. M. WHYTE: The Minister's reply was inadequate. He reiterated that the decisions were made by agreement between the State Government and the Commonwealth Government. Although that may have been the case, the Minister did not answer the question. I made a plea for some small space of time to be given to the settlers concerned. I returned from Kangaroo Island on Monday and I well know what I am talking about. Also, I have had experience with the War Service Land Settlement Act, which the Minister said I should read, but there are many facets of that Act that I am sure he has never read, either. I seek an answer to my question. Is the Minister willing (and he has the power, and there is no doubt about that) to allow a space of time for these people to submit their applications to the Lands Department?

The Hon. T. M. CASEY: It has already been agreed to by Mr. Sinclair and myself, and the time was set down for submissions to be made to the department.

The Hon. A. M. Whyte: I know that, but will you consider allowing more time?

The Hon. T. M. CASEY: Just a moment. Will the honourable member let me finish? I did not interrupt him and he should, at least, allow me the same courtesy.

The Hon. C. M. Hill: You answer the question.

The Hon. T. M. CASEY: The honourable member should keep quiet; he is one of the worst offenders.

The Hon. C. M. Hill: You're frightened of it.

The PRESIDENT: Order! Honourable members must cease interjecting when a Minister is trying to reply to a question.

The Hon. T. M. CASEY: Thank you, Mr. President. The date of March 31 was agreed to between Mr. Sinclair and myself in discussions held several months ago. People have had the opportunity to make their submissions before that date and, as I have explained to the honourable member already, one submission has come in. Therefore, if one submission can come in, there is no reason why the other settlers should not have made submissions. I am not willing at this stage to take up the matter again with Mr. Sinclair. However, the honourable member can take it up with him if he so desires.

The Hon. A. M. Whyte: You hold the lease.

The Hon. T. M. CASEY: The lease is owned by the Commonwealth. If the honourable member wants to obtain an extension of time he can take up the matter with Mr. Sinclair. The date was decided at a meeting I had with Mr. Sinclair.

PAINT

The Hon. N. K. FOSTER: I seek leave to make a short statement prior to directing a question to the Minister of Health.

Leave granted.

The Hon. N. K. FOSTER: First, I commend honourable members on this side of the Council who, since the Council resumed sitting yesterday, have asked searching questions regarding health matters. Many television advertisements deal with the paint industry, and other media advertisements refer to lead-free paint. For some products, this is undoubtedly a true claim, and I do not question those advertisements. However, Dulux Australia Limited has advertised that all of its products are completely lead-free. This claim is completely misleading, and it forms the basis of my question to the Minister. Is the Minister aware that Dulux Australia Limited was known several years ago as Balm Paints and that that name was made up from the name "British and Australian Lead Manufactures"? Naturally, one hopes that this company's products would not now be manufactured under the lead processing method used in that industry. Dulon, an acrylic liquid thinner produced by this company, carries the warning "Keep out of reach of children", because of its lead content, as well as the statement "Contains 24 per cent lead" and this percentage exceeds or should exceed any allowable percentage of lead additive or lead content. I should appreciate the Minister's investigating this matter because, although this product is designated for use for industrial purposes, it is highly dangerous for use on roofs. Those who have raised this matter with me consider that this product could be widely used in toy manufacture, which is the area of greatest danger, as lead in enamel can be transferred to human beings through children's toys and similar products.

The Hon. D. H. L. BANFIELD: I shall have the points raised by the honourable member investigated, and bring down a report.

PRIMARY INDUSTRY

The Hon. N. K. FOSTER: I seek leave to make a short statement before asking the Minister of Agriculture a question.

Leave granted.

The Hon. N. K. FOSTER: I am disturbed that the farming community in Australia is under much hardship today and that the final profit obtained by people in the industry has been disappointing for several years. I have therefore been disturbed to note that in some press reports certain farmers, agriculturists and primary industry organisations are boycotting meetings or holding demonstrations, as well as imposing bans on the Commonwealth Minister for Primary Industry (Hon. Ian Sinclair). Will the Minister confirm whether most of the primary industry organisations in Australia are disenchanted with the Commonwealth Minister for Primary Industry?

The Hon. B. A. CHATTERTON: The criticism I have heard about the Commonwealth Minister for Primary Industry has been in the rural press in New South Wales. There has been considerable criticism of him there.

Members interjecting:

The Hon. B. A. CHATTERTON: I am not aware of the boycotting of meetings. The problem about which there is much disenchantment in the rural industry at present is the failure of meat prices (beef prices in particular) to rise following the devaluation of the Australian dollar. There has been much antagonism in the rural sector because those concerned have not received benefits from that devaluation. They believe that they have not received the benefits from devaluation that would normally flow from it.

SOLDIER SETTLERS

The Hon. R. C. DeGARIS: Has the Minister of Lands studied the Magennis case in connection with the war service land settlement scheme? Further, has the Minister studied Mr. Justice Bright's judgment in the case *Heinrich v. Dunsford*? Can a Federal Minister cancel a war service perpetual lease?

The Hon. T. M. CASEY: The answer to the first and second questions is "No". The answer to the third question is as follows: the lease is actually cancelled by the agent on behalf of the Commonwealth.

WELFARE BENEFITS

The Hon. N. K. FOSTER: I seek leave to make a statement before asking a question of the Minister of Health, the Leader of the Government in this Council.

Leave granted.

The Hon. N. K. FOSTER: I noted during the Minister's reply to a previous question from me that Opposition members made some derisive comments, and an allegation was made that such a question ought not to be asked. The question was asked because of the Opposition's attitude following a previous question directed to the Minister. If it is good enough for one, it is good enough for another. I draw attention to some of the disgraceful statements made by—

The PRESIDENT: Order! The honourable member has leave to make a statement prior to asking a question, but he must not use his time by expressing opinions about attitudes and statements of members of the House.

The Hon. N. K. Foster: I never said "members of the House".

The PRESIDENT: The honourable member said "Opposition members".

The Hon. N. K. FOSTER: I said "statements made by" and you, Mr. President, anticipated what I would say. I respect that. Public statements have been made by Senator Jessop that concern members of this Council equally as much as they concern members of Federal Parliament. From last Friday until Sunday night statements have been made that many unemployed people who have never had the opportunity of having a first job let alone a subsequent job ought to be deprived of unemployment benefits where (and I use Senator Jessop's words) they have voluntarily left a job. The only way the Federal Government could do anything on behalf of people in society who suffer from ailments (and the senator was addressing the Multiple Sclerosis Society) was by such cuts, according to him. Can the Minister of Health say whether Senator Jessop is assisted by any State Government department to enable him to carry out the services of his profession in remote areas of South Australia, or does he bear the full transport costs when he carries out those services in those areas, unrelated to his Parliamentary duties?

The PRESIDENT: Order! I do not think the Minister could answer that question. I do not think he would know whether Senator Jessop carried out any professional services in those circumstances at all.

The Hon. D. H. L. BANFIELD: I could try to find out for the honourable member any details that are available regarding reimbursement of costs.

CRAFT AUTHORITY

The Hon. C. M. HILL: On November 2, 1976, I received a reply from the Minister representing the Premier concerning the Craft Authority in this State. In that reply the Premier admitted that the Government believed that there was room for improvement in the performance of the South Australian Craft Authority. He stated that the Chairman and a board member were then overseas and that it was hoped that, on their return, they might be able to recommend improvements in the Craft Authority's performance. The Premier also said:

The report of the authority will be laid on the table, as requested.

That report has not yet been laid on the table. Will the Minister follow up that matter to see that that report is, in fact, laid on the table of this Council?

The Hon. D. H. L. BANFIELD: I shall do as requested.

GREEN BELTS

The Hon. C. M. HILL: I seek leave to make a short statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. C. M. HILL: I believe that my question should be directed to the Minister of Agriculture, but he may care to redirect it to the Minister representing the Premier. I refer to a great deal of publicity issued by the Premier a year or two ago concerning how the Premier and the Government of this State would preserve the vineyards and the other green belt areas of the southern vales of metropolitan Adelaide. Much play was made of

the fact that it was essential that the vineyards in that region be retained for the benefit of the people of this State. Metropolitan people were amazed at the recent announcement that the Land Commission, controlled by the Government, was acquiring thousands of hectares of these vineyard lands. Much public disquiet and criticism were generated as a result of that announcement. At the time of the original claim, which has now proved to be false, that the Government intended to retain these areas as green belts, the Government announced that it had established a committee to consider ways and means of conserving the vineyards for posterity. The deliberations of that committee have been awaited by the people of Adelaide, but nothing very much has been heard of its report. I understand that a Mr. Harris from the State Planning Authority was Chairman of that committee. The Minister can confirm or deny that a Mr. Miller from his department was a prominent member of that committee. Because of the information given to me today that Mr. Miller was in fact a prominent member of the committee, I am directing my questions specifically to the Minister of Agriculture. I asked him a question in broad terms on this subject last year. In view of the public criticism that the Premier's claims of a year or two ago appear to be completely false and because of the hard fact of life that a Government authority is now acquiring this land for housing purposes, I ask the Minister: what has happened to the Harris report? Can the Minister table the report? Further, can he tell this Council what were the committee's recommendations? More important, can he say whether the Government has any intention whatever to act sincerely on the stated purpose at that time to retain the vineyard areas of McLaren Vale and adjoining areas as green belt areas for the benefit of posterity and the future of Adelaide generally?

The Hon. B. A. CHATTERTON: The honourable member's statement that the Land Commission has bought thousands of hectares of vineyards in the McLaren Vale area is not true. He tried to give the impression that the Land Commission had virtually taken over the winegrowing area south of Adelaide. I am not sure of the exact areas of vineyard land that the commission has purchased or what it intends to do regarding that area. However, I will refer the matter to the Minister for Planning, who is responsible for this matter, and bring back a reply as soon as possible. Mr. Miller, the Chief Horticultural Officer in my department, is a member of the committee that has been examining the future of winegrowing in this area, although I am not sure whether that committee's report has yet been completed. However, it will be sent to the Premier, who will no doubt release it when he sees fit to do so.

The Hon. C. M. HILL: I ask the Minister of Lands, whose administration, I understand, includes the Land Commission—

The Hon. T. M. Casey: It doesn't. It's the Minister for Planning.

The Hon. C. M. HILL: Will the Minister representing the Minister for Planning ascertain what is the total area purchased by the Land Commission in metropolitan Adelaide since the commission's inception, as well as the general regions in which those parcels of land exist?

The Hon. B. A. CHATTERTON: Yes.

PROCESSING VESSELS

The Hon. R. C. DeGARIS: Has the Minister of Fisheries granted any licences for fish processing vessels in South Australia in the past six months and, if a licence

for such a vessel has been issued, were negotiations entered into by the department before or after the Raptis application was received?

The Hon. B. A. CHATTERTON: The Agriculture and Fisheries Department has granted no licences for processing vessels. In fact, we do not have any licences for processing vessels in this State.

UNITING CHURCH IN AUSTRALIA BILL

The Hon. D. H. L. BANFIELD (Minister of Health) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Ordered that report be printed.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

The Hon. J. C. BURDETT obtained leave and introduced a Bill for an Act to amend the Criminal Law Consolidation Act, 1935-1976. Read a first time.

The Hon. J. C. BURDETT: I move:

That this Bill be now read a second time.

Its purpose is to provide an appropriate deterrent to those who take photographs of children in pornographic situations and to those who sell such material. Many people in the community would subscribe to the principle set out in the Classification of Publications Act that adult persons are entitled to read and view what they wish subject to proper protections but are, nonetheless, revolted at the thought of children being used for the taking of these photographs. I suggest that most decent citizens of this State would be absolutely nauseated by the thought of such photographs being taken. When the present Classification of Publications Act was before the Council, I moved an amendment to prohibit the sale of material that outraged the accepted standards of morality and decency in the community. This amendment was based on the draft legislation in the Longford report. The amendment was lost. If it had been incorporated in the Bill, it would have gone far towards preventing this present evil that has arisen in our society.

It has been acknowledged by the Government that photographic material depicting children in pornographic circumstances has been on sale in this State. Whether the photographs were taken here or overseas, some children somewhere have been involved in the degradation of having these photographs taken. This Bill is designed to prevent this from happening in South Australia by creating a specific offence in this regard. However, the offence would often be hard to detect. Therefore, the Bill seeks to create a second offence of selling or seeking to sell such material, wherever the photograph was taken.

It has recently been suggested in the press that very little child pornography is available. I do not know the availability of this material. It is admitted by the Government that it has been available. It may have been driven underground by the recent outcry in the press and in the public arena generally against this sort of matter. It may be that the purveyors of child pornography are waiting to see the outcome of these matters before Parliament. But, in any event, attempts to take these photographs and sell them will certainly return. Sensible legislation should be passed now

to prevent this trade, however small it may be. I ask any honourable member to state what real objection he can have against this Bill.

The only effective means of prosecuting persons who seek to sell pornographic literature at present is to proceed under section 33 of the Police Offences Act. The offence is the printing, publishing, selling, etc., of "indecent matter". In determining whether any matter is indecent, the court is directed to have regard to (a) the nature of the matter; and (b) the persons or classes of persons or age groups to or amongst which it was intended or was likely to be published, distributed, sold, exhibited, given or delivered and the tendency to deprave or corrupt any such persons, class of persons or age group. The maximum penalty is \$200 or imprisonment for six months.

The Classification of Publications Act provides for various categories of classification of publications by the board and amended the Police Offences Act by providing that, in deciding whether to consent to a prosecution under this section, the Minister shall take into consideration any relevant decision of the Classification of Publications Board. The board may refrain from classifying where it is satisfied that to assign a classification to the publication or to impose conditions in respect of the publication could not give proper effect to the principles that the board is bound to apply. These very broad and permissive principles have already been outlined. If the board does not classify, it follows that the Police Offences Act would apply as before, and the Minister could make up his mind about issuing a certificate for prosecution under the Police Offences Act without having regard to any classification.

The Premier said in his Ministerial explanation yesterday that he had written a letter to the board suggesting that it do not classify child pornography so that prosecutions may still proceed under the Police Offences Act if the Minister gives a certificate. This letter can only be a suggestion. It is not a direction and has absolutely no legal effect whatever. One of the main points about the Classification of Publications Act is that decisions on classifications were taken out of the hands of the Minister. The Opposition objected to this position but without success. The Government is hoist with its own petard and must recognise that, of its own act, and against the warnings of the Opposition, it has put itself in a position where it cannot control the decisions of the board. Further, I have been informed that the Premier told representatives of the National Council of Women verbally that only the more serious child pornography would be refused classification.

In any event, for child pornography, prosecution under section 33 of the Police Offences Act is inappropriate. In the first place, the penalty of \$200 or six months imprisonment is quite inadequate for this offence. The penalties which I propose are imprisonment for up to three years or a fine of \$2 000 or both such fine and such imprisonment. I envisage that there will be some cases where the court will consider that the offender should go to gaol but that because he has been making a substantial profit out of child pornography he should also suffer a pecuniary penalty. It should be remembered that child pornography is obviously an area where organised crime could operate. The penalties which I propose are not at all extravagant in comparison with the penalties provided in many recent Bills for offences involving no moral turpitude at all.

Moreover, if the only remedy against the purveyor of child pornography is to be prosecution under the Police Offences Act, we run into the problem of the controversial definition of indecent, immoral or obscene material provided in that Act. In considering whether any matter

is indecent, immoral or obscene, the court is directed to have regard to, *inter alia*, the tendency of the matter to deprave or corrupt any such persons or age group. I refer to the case of *Popow v. Samuels*, reported in 4 South Australian State Reports, p. 584. In that case Mr. Justice Walters and Mr. Justice Zelling held that the tendency to deprave or corrupt did not have to be proven but the Chief Justice held that it did. The majority prevailed, of course, and that is the present state of the authorities in South Australia, but the position on the face of the section is far from clear.

In the case of *Trelford v. Samuels*, reported in 7 S.A.S.R. p. 567, the Chief Justice held that evidence should not be admitted of the tendency to deprave or corrupt nor to establish the contemporary community standards of decency. In this important matter of child pornography it is patent that these niceties of interpretation and definition should not be involved. If someone photographs a child in pornographic circumstances or tries to sell photographs so taken, that should be the end of the matter. They should be liable to prosecution and subject to severe penalties. They are not at the present time. The purpose of this Bill is to make them so. The Premier, despite his Ministerial statement and despite the reports in the media, has not done anything effective to protect the community from the evil of child pornography.

The Bill also seeks to make persons outside the State liable to prosecution where there is a sufficient nexus with the State, namely, where a person (whether resident within or outside South Australia or Australia) derives any direct or indirect pecuniary benefit from the sale of pornographic photographs within the State. The Premier has persistently pointed out that, under the Constitution of the Commonwealth of Australia, the State could not control the matter of importation. He was, of course, quite right, but the extra-territorial application of this Bill which I have mentioned should prove effective, particularly in regard to persons within the Commonwealth of Australia.

When the Classification of Publications Bill was before Parliament, the Opposition predicted that more exotic and objectionable forms of pornography would be offered for sale in the future, and the recent influx of child pornography is an example of this. This is a specialised offence, comparatively new in any sort of major impact, and it demands a specialised remedy, which I suggest is provided in this Bill.

Clause 1 is formal. Clause 2 provides a new section 255a in the principal Act, which creates the offence of:

(1) taking a photograph in which a person under or apparently under the age of 14 years, appears to be engaged in an act of indecency, and

(2) printing, publishing, distributing or selling or offering for sale such photographs.

The penalty is not exceeding imprisonment for three years and a fine of \$2 000 or both. Subclause (4) provides that where a person whether resident within or outside this State or Australia derives any pecuniary benefit from the sale of photographs of the foregoing kind he shall be liable to the same punishment. Subclause (5) defines acts of indecency by objective tests (unlike those in the Police Offences Act) and provides other definitions.

The Hon. C. J. SUMNER secured the adjournment of the debate.

NO-CONFIDENCE MOTION: MINISTER OF LANDS

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

That in the opinion of this Council, the Minister of Lands, Irrigation, Repatriation, Tourism, Recreation and Sport (Hon. T. M. Casey), has demonstrated a lack of administrative ability in performing his Ministerial duties, and therefore the Minister (Hon. T. M. Casey) should be removed from his Ministerial duties, and replaced, and that a message be sent to the House of Assembly transmitting the foregoing resolution and requesting concurrence thereto.

I move this motion only after long and serious consideration.

The Hon. C. J. Sumner: It was announced about three months ago.

The Hon. R. C. DeGARIS: I will come to that point if the Hon. Mr. Sumner holds his horses a little longer. I do not think it is the role of this Council to move a no-confidence motion in a Government, except by using the normal avenues available to Upper Houses, and this Upper House in particular under the Constitution, to express such dissatisfaction. It is interesting to note that, under the constitutional provisions, this Council has never used its powers fully since the Constitution was first written.

This matter, however, is different from a no-confidence motion in the Government itself. It concerns the confidence in a Minister of the Government in this Council, and, given that fact, I believe that it is competent for this Council to debate the motion and make a decision on it. It will also be noticed that the motion seeks the agreement of the House of Assembly. In other words, we are not seeking to exercise a power or a voice entirely on our own: I am asking for the voice of this House and for that voice to be confirmed by a vote in the House of Assembly.

It can be stated that, over many years, members in this Council have not been satisfied with the Ministerial performance of the Minister of Lands, Minister of Irrigation, Minister of Repatriation, and Minister of Tourism, Recreation and Sport (Hon. T. M. Casey). It is difficult to recall all the incidents that have contributed to that view but I believe that sufficient can be recalled to substantiate the case. I know that at times all Ministers in a Government find that people are disillusioned with them, but the case here extends over a long period and not only encompasses the challenge I make on the matter of competency. For example, on October 9, 1974, I moved the following motion in this Council:

That, in the opinion of this Council, the Minister of Lands should give his consent to the transfer of section 116, hundred of Riddoch, to Brian de Courcy Ireland, of Mount Burr.

I do not intend going all through that case again, but I quote what I said at page 1357 of *Hansard* of October 9, 1974, on this matter:

I now briefly recapitulate the events surrounding this matter. After having been offered the land in question on many occasions (I think as far back as 1971), the Woods and Forests Department on February 20, 1974, refused an offer made to it by the agents of the Whennens. On May 11 a sale was made by Elders-GM, on behalf of the Whennens, to Mr. Ireland. On September 4, 1974, Ministerial consent was refused in respect of the transfer, and on September 23 the department offered the vendors the same price as was agreed to by Mr. Ireland, in his agreement for sale and purchase made about four months previously.

I believe that action is capricious. The property comprises 298.48 ha, of which about 161.9 ha is of native scrub. In the opinion of many people, this area should be preserved and controlled. Since the signing of the contract with the Whennens, Mr. Ireland has fenced off

this scrub, including a spring of some importance near which many ferns rare in the South-East grow, and he intends to conserve this area. Indeed, he has gone further and has offered this area to the National Parks and Wildlife Commission. Mr. Ireland has an extremely strong view about the preservation of native scrub. He farms a wet soldier settlement block only a few kilometres from the block to which I refer. Mr. Ireland needs this high ground to use in conjunction with the existing wet block, especially as there has been a strong move by farmers in the South-East to raise cattle, as most honourable members know.

Mr. Ireland did have a high block between 30 km and 40 km away, which he had to sell to finance the block he had just bought, and this block has been sold. However, he now finds that the block he has purchased is not to be transferred to him. As I pointed out, the Whennen brothers have also purchased another property and, sooner or later, they must sell section 116, hundred of Riddoch. I assure the Council that, as gentlemen of some honour, they are not at all impressed by the attitude taken by the Minister and the Woods and Forests Department. I am also informed (although I do not have definite evidence of this) that, if the Whennens agree to sign a contract with the department for the sale, it will be a direct deal as far as the department is concerned, and the Whennen brothers will not be liable to pay commission, and they will therefore get a better deal from the department. Those honourable members who have been involved in this type of business will realise that this action, if it is true, is wide open to challenge.

I have drawn to the attention of honourable members previously what I have considered to be the scant attention that the Government has paid to acting honourably in relation to dealings concerning property. I intend in this instance to press this case as strongly as I can with the limited armoury at my disposal to make the Government act honourably, as I believe it should act in this case and as any normal person would act in the ordinary course of business.

The Elston case was also drawn to the attention of the Council recently and, although this case is not in the same category, it illustrates the capriciousness and arrogance of the Minister and, indeed, shows the scant respect that the Government has for the rights of the individual. Having assessed all the facts, I believe that the refusal to allow this transfer to a person who in good faith signed a contract and who would be an excellent person to have the area (he is a good farmer and requires this land for the efficiency of his operations) is indeed unjust. As the Woods and Forests Department refused the offer only three months earlier and the Minister responsible for that department is the Minister who refused to consent to the transfer, I have been led to the point of moving the motion.

In reply to that, on page 1646 the Minister said:

I have contacted Mr. de Courcy Ireland and asked the department to examine the whole area to see whether the natural forest area can be maintained and be incorporated within the wooded forest reserve. I am willing to relinquish any claims that the department may have on the cleared land, which I believe comprises only a small parcel. Mr. de Courcy Ireland has been inconvenienced because much of his land, being in a low area, has been inundated with water. He requires a small amount of higher land, and I think we can come to a satisfactory conclusion regarding this matter. It was only because the Millicent Field Naturalists Society and the Woods and Forests Department showed much interest in preserving this natural forest, claiming that it should be placed under the aegis of the department as a reserve, that I took the action I did. I am satisfied that this matter can be satisfactorily resolved in the interests of both parties.

From that time, October, 1974, no further progress has been made. I believe Mr. de Courcy Ireland has been plagued by a total lack of consideration of his position. The Minister's undertakings in this Council have not been fulfilled in relation to that person.

The Minister's performance in the margarine debate and in the motion of the Hon. John Burdett concerning a wheat quota for a Monarto farmer whose land was acquired left much to be desired. In the opinion of the majority of members of this Council, the Minister either

possessed a very bad memory or set out deliberately to mislead Parliament. After the debate on the wheat quota matter, the Minister lost any respect he might have had prior to that as to his veracity. I do not intend to present the case again on the questions of margarine and the wheat quota. Rather, I will leave the relevant details to those honourable members who were more directly concerned with those matters at the time. However, in the recent Kangaroo Island soldier settlement matter, the Minister's department used tactics that can only be described as callous in the extreme. The Minister cannot shuffle his responsibilities in this matter to his departmental officers; that cannot be done. As the Minister, he is the one person who must accept that public responsibility.

Once again, I will not pursue this matter further, leaving it to others more closely involved to deal with, except to say that in the *Advertiser* of March 26, 1977 (and he said it again in this Council today), under the heading "Kangaroo Island women to fight eviction", the Minister said:

The State Government and the Department of Lands are merely the managing agents for the soldier settlement scheme. The eviction decisions have been made by the Commonwealth Government . . .

On many occasions in this Chamber I have drawn the Minister's attention to the declaration of Mr. Justice Bright in the zone 5 settlers case, and once again I draw his attention to that decision. Page 18 of the judgment states:

In the 1945 agreement the State acted as agent for the Commonwealth and not as a principal. But in Magennis's case, 1949, the High Court pointed out that the Commonwealth could acquire land only on just terms, and that this requirement had not been observed.

So the basis of the scheme was changed and the scheme turned into one in which the State became a principal instead of an agent and received the advances from the Commonwealth in aid of the war service land settlement scheme. Those changes were made by amendment to the principal Act of 1950 and quite clearly, following Magennis's case, following the amendment to the Act of 1950, and following the judgment of Mr. Justice Bright in *Heinrich v. Dunsford*, the State is the principal, not the managing agent. The Minister knows this, Parliament knows this, yet the Minister constantly in this Council and in the press states, "It is none of my business, we are only managing agents carrying out the wishes of the principal, the Commonwealth." The State is the principal. That has been established in law.

The eviction decision of the Kangaroo Island settlers can be made only by the Minister of Lands in this Council. That Minister is the Hon. T. M. Casey. No-one else can make that decision. The Commonwealth cannot withdraw the leases of the soldier settlers on Kangaroo Island—that can be done only by the Minister. The constant evasion of the responsibility in this matter, the constant blaming of the Commonwealth when the principal is the State is cowardice on both the Minister's part and the Government's part. These matters are clear. There can be no argument that the Commonwealth cannot withdraw a lease issued by the Lands Department, but the Minister constantly evades his responsibility. The decision is his alone.

This sums up the Minister's general approach about which I have complained in this motion. I refer to the evasion of responsibility and the Minister's ability to be less than truthful on important matters. This aspect is borne out by a statement by Mr. Len Atkins, Vice President, South Australian Squash Association, reported in the *News* on March 21, 1977, under the heading "South Australia 'Broke promise over squash titles'".

The Hon. T. M. Casey: Come on!

Members interjecting:

The PRESIDENT: Order! The Leader has moved a motion and is now making a speech in support of it. Although it may seem trivial to some honourable members or even hilarious to other honourable members, the Leader must be heard in silence.

The Hon. R. C. DeGARIS: The report states:

The State Government had withdrawn a promised grant which could have attracted the world open squash championships to Adelaide later this year, the Vice-President of the South Australian Squash Association, Mr. Len Atkins, said today. Mr. Atkins said the Sports Minister, Mr. Casey, told him last November that Cabinet had approved assistance for the championships. "He said I could go to a meeting of the Squash Rackets Association of Australia and tell them that the Government was going to help us," he said. "He gave me a clear intention. He definitely said the Government was going to give financial help."

Mr. Atkins said he went to the national meeting and said the Government had given a commitment. "When I rang Mr. Casey a week later and said South Australia was in the box seat to clinch the championships he told me the Government was not going to help," Mr. Atkins said. "He told me it could not assist because it was a professional tournament. I told him it was not a professional competition but an open tournament with amateurs and professionals competing. The amateurs will not be competing for money and everyone has to make their own way here. The Government has let us down badly. This is the Wimbledon of squash. At least 74 countries are now playing squash and many of them will be represented.

The statement by Mr. Atkins on this matter to those of us who have knowledge of the Minister's performance has a solid ring of truth about it. Is the Minister once again going to deny in this Council that any such undertaking was given to Mr. Atkins? I can assure the Minister that his protestations in these matters are no longer taken seriously in this Council.

There are several other matters I should like to raise. I refer to Mr. Beresford, who was working for the Australian Tourist Commission and who applied for the job as Director of the South Australian Tourist Bureau. The announcement of his appointment was made in the *News* in February, 1976, the appointment was published in the *Government Gazette* and the Public Service Board had recommended the appointment of Mr. Beresford yet, after all that, Mr. Beresford was not appointed to that position. It was claimed that he was not a suitable person, yet recently he was appointed as the Director of the Tourist Bureau in New South Wales by an A.L.P. Government.

Here we have a position where the Public Service Board, after examining applicants, recommended and gazetted this man's appointment. The appointment was announced by the Government, yet the appointment was never made. I refer to the Corbett committee report (page 132). As honourable members will remember, the Corbett committee was established to examine the South Australian Public Service, including the tourist bureau. The committee did not investigate the tourist bureau because it was told that, as there was already a committee inquiring into the operations of the bureau (the Tattersall committee) and as the Corbett report was to be made public, members of the Corbett committee expected the Tattersall committee report also would be made public. However, the Minister refuses to make the Tattersall report available, even when the industry itself gave evidence before those committees. The tourist industry wants to know what is going on in its industry.

Further, the Commonwealth Government allocated \$40 000 and the State Government allocated \$40 000 to employ Pak-Poy and Associates to survey the whole of the South Australian tourist industry. That report was completed in November, 1975, and the State Government paid \$79 000 in early 1976, whilst the Commonwealth Government approved release of the Pak-Poy report in May, 1976. Yet to this stage there has been no release of that report. The industry co-operated with those committees by giving evidence, believing that the findings could be of benefit to it. Now the industry is denied access to this report. I could go on detailing various aspects of the Minister's administrative incompetence, but the last point I should like to raise—

The Hon. C. J. Sumner: Is there only one more?

The Hon. R. C. DeGARIS: There is only one more point I wish to raise. During the recent passage of the Racing Bill an assurance was given by the Minister about the way in which place dividends were determined. I refer to the *Hansard* report of December 2, 1976 (page 2737), as follows:

I want the Minister to be clear about what I am saying on this clause, because I do not want any misunderstanding in the future. I refer to the situation of eight horses in a race, and the money put on those horses for a place bet is \$1 000 on horse No. 1, \$100 on horse No. 2, \$20 on horses Nos. 3, 4, 5 and 6, and \$10 on Nos. 7 and 8, a total investment of \$1 200. After the percentage that must come out, a pool of \$1 020 remains. In place betting it means that the minimum dividend must be made up so far as the favourite is concerned. Having made that sum up to 50c, whence is the money drawn to make up the 50c in a place bet—from the money on the other horses in the place situation or from the fractions in the dividend fund?

It is possible in a place bet pool where, having made up the minimum dividend to the favourite, there is no money left at all for any dividend for other placed horses. That may be what clause 75 refers to. In my opinion it is totally wrong to make up the minimum dividend from the pool rightly belonging to other placed horses. If clause 75 does as the Minister says, that the dividend on any horse in the placed field is made up from the fractions, I am satisfied but, if it is only to make up the total pool, I am most unhappy and I will address the matter further.

The Minister replied:

I can only reiterate what I have said previously: I believe the answer is "Yes", fractions do make up the payout, if it is less than 50c, as calculated by the totalizator. Here once again is demonstrated the Minister's incompetence in not understanding one of his own Bills. Although I will not be dealing with the general operation of the Totalizator Agency Board in South Australia, for which the Minister is responsible, the operation of the T.A.B. deserves to be examined by a Royal Commission, because many people are dissatisfied with its operation. If it is thought necessary, this matter should be pressed in a separate motion. Not all the criticism of the T.A.B. operation should be levelled at the Minister; nevertheless, he is the person responsible, and necessary changes have no chance of being made by a Minister with such scant knowledge of his area of responsibility.

Finally, information came to me as a member of Parliament and to other members of Parliament that the Minister had made slanderous remarks at a dinner party concerning people associated with the Lindsay Park racing establishment. On objections being taken to his remarks at that dinner party by a member of the family of one of the persons so slandered, the Minister refused to withdraw or apologise, insisting that what he said was the truth. The allegations made by the Minister against these people caused contact to be made with the Minister of Mines and Energy and the Minister for Planning (Hon. Mr.

Hudson), who evidently took the action he thought fit, and a meeting was arranged in Adelaide on Thursday, March 3, so that the Minister could tender an apology to the people concerned. Mr. Evans, who also knew of the Minister's scurrilous allegations, made a statement through the press calling on the Minister to resign. My call was made not only on the basis of the story, which was quite widely known, of the Minister's allegations, but also on the basis of a series of matters over a period of years, with this latest indiscretion of the Minister as the catalyst. To be certain of my facts, I contacted the people concerned and received confirmation of the information I had. In the *News* of March 2, 1977, an article, headed "Quit call to South Australian Minister", states:

Two Opposition Parliamentarians today called on the State Minister for Tourism, Recreation and Sport, Mr. Casey, to resign from Cabinet. Opposition Leader in the Legislative Council, Mr. DeGaris, said as soon as Parliament sat at the end of this month he would move for Mr. Casey's removal. The shadow Minister for Sport, Mr. Evans, also called for Mr. Casey's resignation.

The Hon. C. J. Sumner: When did you get the information about this matter?

The Hon. R. C. DeGARIS: I do not have to disclose where I got the information.

The Hon. C. J. Sumner: When?

The Hon. R. C. DeGARIS: From memory, my information was gained on the Monday prior to this news release.

The Hon. J. E. DUNFORD: Will the Leader give way?

The Hon. R. C. DeGARIS: No, not on this matter.

The Hon. C. M. Hill: Government members are jockeying for the Minister's job.

The Hon. R. C. DeGARIS: The article continues:

He said there was a "strong rumour of a serious accusation the Minister has been alleged to have made against a prominent public identity."

Mr. DeGaris said: "In my opinion his (Mr. Casey's) performance in the House as a Minister leaves a lot to be desired and *Hansard* bears proof of that opinion."

Mr. DeGaris said he had "recent information" relating to Mr. Casey's performance outside the House. "That evidence will be disclosed as soon as the House sits," he said.

Mr. DeGaris said he believed the Government was engaging in a "cover-up operation" to prevent the truth being made public.

Mr. Evans said it was the duty of the Government to make a clear statement. "The alleged accusation has caused serious embarrassment to the people involved," he said. "When the details of this latest incident are disclosed I believe they will be too serious for the Government or the Premier to sweep under the carpet."

Mr. Evans or Mr. DeGaris would not name the person they believed was involved.

Mr. Casey said today he was mystified by the claims. Asked what the accusation could involve, Mr. Casey said: "I would not have a clue." Asked who the person concerned could be, he repeated: "I would not have a clue." He added: "It is a strange accusation. It has caught me off balance. I am mystified."

An article in the *Advertiser*, headed "Casey should 'resign'", of March 3, states:

Two prominent members of the State Opposition yesterday called for the resignation of the Minister of Tourism, Recreation and Sport (Mr. Casey) from Cabinet. The call was made by the Opposition Leader in the Legislative Council (Mr. DeGaris) and the Opposition spokesman for Tourism, Recreation and Sport, Mr. Evans. Both Mr. DeGaris and Mr. Evans said the Minister had made serious allegations against a prominent public person.

Mr. Casey said last night the call for his resignation was "dragging the bottom of the barrel".

Mr. Evans and Mr. DeGaris last night declined to name the person or say what the allegations were. However, it is understood that they concern remarks made by

the Minister at a recent function. Their remarks are believed to have concerned an associate of well-known racing trainer, Mr. Colin Hayes.

Mr. Casey said he "would not have a clue" what the accusations involved or who the person was. He said the accusation should "come out and say what the accusations are". The matter is believed to have been discussed by Cabinet. The Premier (Mr. Dunstan) was not available for comment last night.

In Melbourne last night Mr. Hayes said he did not wish to be involved in the matter. He said it seemed somebody was making political capital out of it. There was always "a grain of truth in some things in the racing game, but they get blown out of proportion". He said the matter concerned somebody associated with him.

An article in the *News* of March 3 headed "Casey quit call—DeGaris still firm", states:

Opposition Leader in the Legislative Council, Mr. DeGaris, said today he would not "back down an inch" from a call to the Sports Minister, Mr. Casey to quit . . .

The Premier, Mr. Dunstan, said: "I know nothing at all about it. I do not propose to take any action."

It is understood the allegations by Mr. DeGaris and Mr. Evans follow a conversation Mr. Casey had with a member of the Hayes family at a private function last month.

Sections of the conversation were referred to a senior member of Cabinet.

Let me examine these press statements. The article in the *News* of March 2 said that Mr. Casey said then that he was mystified by the claims. Asked what the accusations could involve, Mr. Casey said "I would not have a clue." Asked who the person concerned could be, he repeated, "I would not have a clue." He added, "It is a strange accusation. It has caught me off balance. I am mystified."

In the *Advertiser* of March 3, it was stated that Mr. Casey said on the previous night the call for his resignation was "dragging the bottom of the barrel". Mr. Casey said he "would not have a clue" what the accusation involved or who the person was. The article states:

In Melbourne last night, Mr. Hayes said he did not wish to be involved in the matter. He said it seemed somebody was making political capital out of it. There was always "a grain of truth in some things in the racing game, but they get blown out of proportion". He said the matter concerned somebody associated with him.

I pose this question to the Council: can anyone believe what the Minister is saying? On the day which had been arranged for him to tender his apology in Adelaide to those people he still protested no knowledge at all about it.

The Hon. N. K. Foster: Knowledge of what?

The Hon. R. C. DeGARIS: That does not matter.

The Hon. J. E. Dunford: You are confusing us.

The Hon. R. C. DeGARIS: The Minister made a serious allegation.

The Hon. D. H. L. Banfield: What is it?

The Hon. R. C. DeGARIS: May I come to the point?

The Hon. D. H. L. Banfield: Yes, please do. Tell us what the conversation was.

The Hon. R. C. DeGARIS: The Minister made a serious allegation.

The Hon. D. H. L. Banfield: What was it? Do you intend to tell us?

Members interjecting:

The PRESIDENT: Order! There are far too many interjections. The Hon. Mr. DeGaris is entitled to deliver his speech in his own way. If he chooses to take a certain line and not give information for which he is being pressed by Government members, that is his choice. It may strengthen or weaken his case, depending on one's point of view.

The Hon. F. T. BLEVINS: I rise on a point of order.

The PRESIDENT: The Hon. Mr. Blevins may proceed if, in fact, he is raising a point of order.

The Hon. F. T. BLEVINS: That is rather a grudging way of giving me the right to speak. Surely, under Standing Orders, an honourable member is not permitted to make terrible innuendoes. For the protection of a Minister in this place, I say that the Hon. Mr. DeGaris should have to give details of the accusations that he is making. Surely, too, the Minister is entitled to the full protection of the Council against these scurrilous, yet undetailed, accusations.

The PRESIDENT: The Hon. Mr. DeGaris has moved his motion, which he says the Council should support, namely, that the Minister of Lands has demonstrated a lack of administrative ability in performing his Ministerial duties. The Hon. Mr. DeGaris is speaking in support of that motion.

The Hon. F. T. Blevins: No, he's not.

The PRESIDENT: He is. The Hon. Mr. DeGaris is doing it in his own way, and it is not the function of the Chair to tell honourable members how they should make their speeches.

The Hon. F. T. Blevins: I am asking the Chair—

The PRESIDENT: Order! Honourable members will cease arguing across the floor. There is no Standing Order that requires the Leader of the Opposition or any other honourable member to deliver a speech in a special way. The Leader is making his allegation. He will make it either strongly or in a weak way, and he must abide by the result.

The Hon. F. T. BLEVINS: I rise on a further point of order. The motion refers to the Minister's having demonstrated a lack of administrative ability in performing his Ministerial duties. If that is the subject matter to which the Hon. Mr. DeGaris is supposed to be addressing himself, what has it to do with a hearsay conversation at a dinner party, which has nothing to do with the Minister's administration?

The PRESIDENT: It may very well have little to do with the Minister's administration, but the Minister of Lands is also Minister of Tourism, Recreation and Sport.

The Hon. F. T. Blevins: He's not the "Minister of dinner parties". Surely what happened at a dinner party has nothing to do with this motion.

The Hon. C. J. SUMNER: I, too, rise on a point of order. I must support the point of order which the Hon. Mr. Blevins has just raised and which is correct. This motion refers to the Minister's administrative ability or lack thereof. Surely, there is a Standing Order that refers to relevance. Obviously, the Hon. Mr. DeGaris's remarks must be relevant. The motion refers to a lack of administrative ability, but what has this tirade by the Hon. Mr. DeGaris got to do with that?

The Hon. F. T. BLEVINS: Standing Order 186 provides as follows:

The President may call attention to the conduct of a member who persists in continued irrelevance, prolixity—that is the Hon. Mr. Hill—
or tedious repetition—

of which, I suppose, we are all guilty—

and may direct such member to discontinue his speech. Under Standing Order 186, the scurrilous rubbish heard at a dinner party surely has no relationship whatsoever to the Minister's administrative ability or lack of it. If such rubbish is not relevant, what is it?

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The PRESIDENT: I was out of the Chamber when this topic was first referred to. I was not aware that this aspect was raised at a dinner party. It may well be that I shall have to uphold the point of order on the question of relevance unless the Hon. Mr. DeGaris can indicate to me how this ties in with the motion.

The Hon. R. C. DeGARIS: I submit that the Minister's ability to prevaricate is important in assessing his administrative ability. That has been the case that I have tied to the Minister since I began my argument. The point at this stage is not the slanderous allegation made by the Minister regarding a person who should not be subjected to such treatment but a public denial when the Minister was supposed to have apologised on the Thursday but, having been telephoned by the press, said he had no knowledge of the incident. That is the relevant point.

Members interjecting:

The PRESIDENT: Order! In view of that remark, I think the honourable member's statements regarding that aspect of the matter are within the terms of the motion, and I will not uphold the point of order. However, in saying that, I emphasise that the Hon. Mr. DeGaris should confine his remarks to that aspect of the matter.

The Hon. N. K. FOSTER: I rise on a point of order. The reply given by the Hon. Mr. DeGaris, the architect of this matter—

The PRESIDENT: Order! The Hon. Mr. Foster will state his point of order.

The Hon. N. K. FOSTER: I will do so. I am merely giving a short preamble, a right that has been accorded to everyone else in this debate. The Hon. Mr. DeGaris says that the relevancy of his argument relates to the point which he has just made but which does not convey to the Council in any way, shape or form what is his material accusation against a Minister of the Crown.

The PRESIDENT: I take it clearly from what the Hon. Mr. DeGaris has said that that aspect of the matter is not concerned with the motion, and I hope that he does not pursue it much further.

The Hon. R. C. DeGARIS: The real point at issue is the question that the Minister (and I checked this with the people concerned), to my knowledge—

The Hon. C. J. Sumner: Who are they?

The Hon. R. C. DeGARIS: They are concerned with the Lindsay Park stud. Those people told me that the Minister was due to apologise and, indeed, that he agreed to apologise to them on the Thursday, yet on the Thursday morning he denied all knowledge of it. That is the point: the inability of the Minister to be truthful with Parliament and the press. If the Minister had said, "I was guilty of an indiscretion", the whole thing would have fallen to the ground. A *prima facie* case exists, on the main facts, that the Government also engaged in a cover-up following the Hon. Mr. Casey's statement. Was the matter discussed by Cabinet on Monday, February 28?

The Hon. D. H. L. Banfield: No.

The Hon. R. C. DeGARIS: Will the Government answer that question?

The Hon. D. H. L. Banfield: The answer is "No", it was not discussed.

The PRESIDENT: Order! The Minister will have the opportunity to speak later.

The Hon. D. H. L. Banfield: He asked me a question and, so that he would not go further on the wrong road, I thought I would put him right.

The Hon. R. C. DeGARIS: The next one was that sections of the conversation were referred (and the Minister cannot deny it) to a senior member of Cabinet.

The Hon. D. H. L. Banfield: Yes, I can.

The Hon. F. T. BLEVINS: On a point of order, again under Standing Order 186, I am still not happy with the line that the Hon. Mr. DeGaris is taking, because his motion states that the Minister has demonstrated a lack of administrative ability. The Minister could be the biggest liar in the world and still be a brilliant administrator. I have no doubt that many people are very competent liars and good administrators.

The Hon. C. M. Hill: About whom are you talking?

The Hon. F. T. BLEVINS: I think that, in all fairness to the Hon. Mr. DeGaris, he did not write the motion down correctly, if he wanted to pursue this line.

The Hon. D. H. L. Banfield: He has squibbed the issue.

The Hon. F. T. BLEVINS: He had no support. The veracity of a Minister has nothing to do with his Ministerial ability, and the motion is directed merely to the administrative ability of the Minister. There is nothing in the motion about veracity.

The PRESIDENT: I must uphold that point of order. There is nothing in the motion about veracity. The motion is related to administrative ability.

The Hon. R. C. DeGARIS: The Minister's record in his portfolios has been pathetic and deserving of critical comment but, combined with his known incompetence and his capacity, as an administrator, to mislead deliberately, that is a characteristic that, if proved, should lead to his removal from office. I believe that the case has been proved and I ask the Council to support the motion. I appreciate that members of Parliament always are under some strain. There are those in Ministerial positions and those who are constantly in the public eye. I also appreciate that members are subject to human frailties.

The Hon. D. H. L. Banfield: How you have shown it today!

The Hon. R. C. DeGARIS: However, the people are entitled to have confidence in their Ministers and, if a degree of competence is demonstrably lacking, it is the duty of Parliament to expose that lack of competence. Also, the Parliament and the people are entitled to truthfulness above all else. Mistakes can be made by Ministers but—

The Hon. F. T. BLEVINS: I am sorry, but, on a point of order, Mr. DeGaris's trouble is that he has his speech written in front of him. He has not a thought in his head apart from what is written on that paper. You, Mr. President, have ruled out any reference to veracity, and the Hon. Mr. DeGaris is trying to get around your ruling by reading the screed that he has had written for him by the new Director of the Liberal Party.

The PRESIDENT: Order! For the benefit of the Hon. Mr. DeGaris and all other speakers who may follow him in this debate, I point out that I have ruled that this motion, as it stands at present, talks of the lack of administrative ability in the performance of the Minister's Ministerial duties, so it is limited to his administrative ability and to what he says or does as a Minister. It seems to me that suggestions have been made in the debate so far that remarks that may have been made as a private individual at a gathering are being attributed to him as a Minister. I do not think that that has been shown.

The Hon. N. K. Foster: It should be struck from the record.

The Hon. F. T. BLEVINS: You have upheld my point of order for the second time, so I think I will retire after this, and I ask that you take care about what the Hon. Mr. DeGaris is saying.

The PRESIDENT: I hope the honourable member may keep to his seat, otherwise I think—

The Hon. N. K. FOSTER: In view of your remarks a few moments ago, when you read from the motion, that those who enter this debate hereafter will be confined to what appears on the Notice Paper—

The PRESIDENT: That is so.

The Hon. N. K. FOSTER: If that is so, regarding the false accusation made by the person who already has addressed the Chamber (and he has ranged far and wide away from the Notice Paper), is it implied by the Chair that no-one on this side has any right, in the debate that may ensue, to question the remarks that have been made already by the Hon. Ren. DeGaris?

The PRESIDENT: You are quite free to question his remarks.

The Hon. N. K. Foster: That is all I wanted you to say. We can knock him over.

The PRESIDENT: I do not want any other honourable member to canvass the matter again.

The Hon. F. T. Blevins: He has already got his points in and he is completely out of order.

The PRESIDENT: He got them in until someone objected.

The Hon. F. T. Blevins: If you're ruling that, if no-one objects a member can say anything that he likes.

The PRESIDENT: The primary rule is that the President gives rulings on matters raised by honourable members.

The Hon. F. T. Blevins: Surely not. Surely you are here to uphold Standing Orders, whether members object or not.

The Hon. N. K. FOSTER: I rise again, because a few moments ago you suggested that a member who had risen on a point of order in this debate was to more or less remain in his seat. I take it from the last remark that, if a debate takes place in this Chamber and there is no objection or if no person raises a point of order, so far as you are concerned your responsibility as President does not mean anything unless the matter is drawn to your attention by a member. As a point of illustration, at one stage the Hon. Mr. DeGaris said that the Minister's performance in the Council was such that he ought to resign. At no time during this debate has the Hon. Mr. DeGaris dealt with the performance of the Minister in this Council. Therefore, I presume I should have risen on a point of order.

The PRESIDENT: I am not here to debate the motion, but the Minister is a Minister both inside and outside this Council. His duties are not confined within this Chamber.

The Hon. N. K. Foster: That is not what I asked you at all.

The PRESIDENT: I do not know what the honourable member asked me. If any honourable member rises on a point of order about the Standing Orders, I will rule on it. It is not my duty, except in a general way, to try to keep the order of this Council on my own view of things. If I did that, I would be a Simon Legree and everyone would be muzzled, because everyone in this place breaks the Standing Orders constantly.

The Hon. R. C. DeGARIS: Mistakes can be made and honest mistakes can be accepted.

The Hon. D. H. L. Banfield: The ones you make are not all honest.

The Hon. R. C. DeGARIS: However, in the case of the Minister, I believe that it has been demonstrated clearly that both his Parliamentary and public statements lack the degree of honest administrativeness, and Parliament should expect a higher standard. That is the base of the case, namely, that, first, there is a lack of administrative ability and we question the veracity of the Minister and his present ability in this Council as a Minister.

The Hon. C. M. HILL: I support the motion. The Minister has shown a great lack—

The PRESIDENT: Order! Will the Hon. Mr. Hill second the motion before he speaks?

The Hon. C. M. HILL: I second the motion. The Minister has shown a lack—

Members interjecting:

The PRESIDENT: Order!

The Hon. C. M. HILL: —of ability in performing his Ministerial duties as far as the Kangaroo Island dispute is concerned. It is on Kangaroo Island that I intend to concentrate my remarks.

The Hon. J. E. Dunford: Which Minister—the Federal Minister?

The Hon. C. M. HILL: The Hon. Mr. Dunford knows all about Kangaroo Island, but I do not intend to speak on his problems there.

The Hon. J. E. DUNFORD: Will the honourable member give way?

The PRESIDENT: I think the Hon. Mr. Dunford will ask "Which Minister?"

The Hon. J. E. Dunford: No.

The Hon. C. M. HILL: I will not give way, in the knowledge that the Hon. Mr. Dunford has the opportunity to speak later in this debate. In regard to this serious problem of Kangaroo Island, I draw the attention of honourable members opposite to the general approach that should be accepted by them in regard to the attitude of Governments to people who are disadvantaged in any possible way. Surely this Government accepts the tenet in today's world that Governments must help those people who cannot help themselves. Surely this Government is prepared to help the disadvantaged and the needy and people generally who find themselves in circumstances beyond their own control. If members opposite disagree with this thesis, I invite them to interject.

The Hon. J. E. Dunford: Your record shows that you have never been concerned with the disadvantaged in the history of the Liberal Party.

The Hon. N. K. Foster: When the public was afforded an opportunity to read in the newspaper something that occurred when you were Minister, you bought up all the copies.

The PRESIDENT: Order! The Hon. Mr. Foster will cease interrupting. This will obviously be a long debate and it will only be prolonged for a further hour or two if he keeps up these interruptions. Furthermore, if he keeps them up, I shall have to think seriously of naming him.

The Hon. C. M. HILL: I was inviting an opinion from honourable members opposite on whether they dispute this approach that it is proper and essential for Governments in today's world to help those people who cannot help themselves.

The Hon. J. E. Dunford: Of course we do not.

The Hon. C. M. HILL: The Hon. Mr. Dunford agrees with me. Surely he would agree that to such people it is the Government's obligation to be helpful, tolerant and compassionate.

The Hon. J. E. Dunford: That is Labor; that is why the people vote for us.

The Hon. C. M. HILL: It is the Government's duty to do that; it is, of course, the duty of the Minister under whose administration these specific incidents occur. So we on this side of the Chamber, in dealing with this matter, have no alternative but to narrow the matter down to the Minister in question, and we say (and I hope the Minister will agree) that there exists this basic human right to live in dignity and without deprivation of any kind. That is our goal; that surely is our common aim. These principles should be uppermost in the policies and the minds of the Government—the Ministers and this particular Minister, the Minister of Lands. All his Ministerial decisions should surely reflect that code. It is fundamental and, in words that I am sure the Hon. Mr. Dunford would approve, it simply means "a fair go for the little man".

The Hon. J. E. Dunford: Of course, but what about getting on with the business and not filibustering?

Members interjecting:

The PRESIDENT: Order!

The Hon. C. M. HILL: I am concerned that honourable members opposite agree with me that, where people are disadvantaged and are in serious difficulties, it is proper in today's world for Governments, and for the Minister in particular, to assist those people.

The Hon. J. E. Dunford: You want to have a talk with Fraser.

The Hon. C. M. HILL: If we need any more evidence of that—

The Hon. N. K. Foster: Is that part of Liberalism?

The Hon. C. M. HILL: It is part of Liberalism, and the honourable member does not like it. It is Liberal policy, with both a small "l" and a large "L". I know that Mr. Foster and other honourable members opposite do not like it but it is a fact, and it will be adhered to as a principle, I assure him, in our time and for many years to come. If they need more evidence that it is essential and proper for Governments to take this attitude, we need look only at the growth of the Community Welfare Department and the Consumer Affairs Branch and at innumerable examples of people in crisis situations and in need who turn to the Government (which action we on this side support), and receive sympathy from the Government.

The Hon. J. E. Dunford: Tell us when you did that.

The Hon. N. K. Foster: They even denied pensions to women because of their age, five years ago.

The Hon. C. M. HILL: This rebuttal is absolutely ridiculous.

The Hon. N. K. Foster: As is your performance.

The Hon. C. M. HILL: What I will try to develop is: does the Minister stand on this principle? I believe that, by his conduct and his actions in regard to the soldier settlers on Kangaroo Island, he has renounced that principle. Here, we get to the core of the lack of administration; we get to the core of a situation where the Minister has obviously lost control of his department, where he is being dictated to.

The Hon. D. H. L. Banfield: By Sinclair.

The Hon. C. M. HILL: By the officers of his department. In answer to a question today, on the very last day, as I understand it, that he has the opportunity to reprove these island settlers, he referred—

The Hon. N. K. FOSTER: Will the honourable member give way?

The Hon. C. M. HILL: No.

The Hon. N. K. Foster: What about the people under your performance?

The Hon. C. M. HILL: When the Minister had the opportunity today to retract and say "I have decided to be more sympathetic to those unfortunate constituents on Kangaroo Island", he steadfastly stood in his place and said, "There will be no retraction." He said, in effect, that these people must go. I ask honourable members opposite: how can they hold to those principles that I mentioned a moment ago and still support their Minister, who adopts a callous attitude towards these unfortunate people?

The Hon. J. E. Dunford: What about Sinclair in Canberra?

The Hon. C. M. HILL: I will deal in a moment with the matter of Mr. Sinclair and the joint decisions, of which the Minister formed part, made in regard to these settlers.

The Hon. J. R. Cornwall: Who owns the land?

The Hon. C. M. HILL: As the Minister is completely disregarding these matters I have just mentioned—

The Hon. D. H. L. Banfield: Would you deny that it belongs to the Commonwealth?

The Hon. C. M. HILL: The Minister of Lands is displaying callousness and cruelty towards people and is deserving of the severest censure that Parliament can pass upon him. Not only is he responsible for evicting from their farms South Australians whose financial position is no worse than that of hundreds, if not thousands, of other South Australians on the land—

The Hon. J. E. Dunford: What did your supporters do in the depression?

The Hon. C. M. HILL: Is this your way of getting your own back?

The Hon. J. E. Dunford: No.

The Hon. C. M. HILL: We are not living in the depression years now. This is 1977, and I had hoped that the principles I enunciated a moment ago would not only be talked about by members opposite but, when put to the test, would be put into practice. Not only is the Minister responsible for evicting these people, whose financial position is no worse than that of many other South Australian farmers but he is also evicting families who have toiled on their farms for nearly 30 years. The Minister is evicting men and women who know no other way of life and who know that they cannot find other employment, especially in the current economic times.

The Hon. J. R. CORNWALL: I rise on a point of order, Mr. President. The Hon. Mr. Hill is misleading the Chamber by trying to lay the blame for this matter on the Minister of Lands. The fact is that the Commonwealth Government owns the land on which those settlers are located and it receives all rental payments. Clearly, from the tack the Hon. Mr. Hill is taking he is either misrepresenting the position on purpose or he is unaware of the true position.

The PRESIDENT: I think that is only an attempt to score a point. It is no point of order.

The Hon. C. M. HILL: I am trying to emphasise the seriousness of this matter. Not only is the Minister evicting people in these circumstances: he is evicting men and women who are broken mentally—men and women who came in tears before the Land Settlement Committee and in that condition appealed for mercy from members of Parliament who comprised that committee. That was the situation. I am not over-emphasising it or telling lies in this matter. Men and women were in tears before that committee, and the Minister's message to those people is, "You must be evicted." That is shameful; it is disgraceful but, perhaps even more damning than everything I have mentioned, is the fact that the Minister is evicting soldier settlers, men who comprise part of a soldier settlement scheme.

The Hon. C. J. Sumner: Who established the scheme?

The Hon. C. M. HILL: Never mind about who established the scheme. Men and women who defended this country and all who lived in it during the war are being evicted. This country's debt to those men and women is being totally disregarded by a man who, as a Minister of the Crown, holds a commission from Her Majesty.

The Hon. C. J. Sumner: What about Mr. Sinclair?

The Hon. C. M. HILL: Honourable members opposite continue to interject, "What about Mr. Sinclair?" I am dealing with the Minister and I will deal with the matter of Mr. Sinclair later. It is in the Minister's power to say that those people will be evicted, as he said today, and it is equally within his power to say that they will not be evicted. The Minister can decide that these people can be given a further period in which to see whether they can trade themselves out of their present difficulties. The Minister knows that it is within his power to make that decision, yet Government members behind him are clustered to support him and they forget all those principles of helping the little man and the disadvantaged man. My reply is that it proves to me the falseness, the fallacy, and the weakness of the Labor Party when it goes out to the people promoting these principles, because the time always comes when it is put to the test. This is one of those occasions when the Labor Party is put to the test, but the Minister will not budge.

Therefore, faced with this situation, Opposition members have no alternative but to seek administrative change. We do so in the hope that a more understanding and compassionate Minister can be found to do the job and to assist these unfortunate farmers and their families, who find themselves in these tragic circumstances. By way of interjection, members opposite have referred to Mr. Sinclair.

The Hon. D. H. L. Banfield: You invited interjections when you rose to speak.

The Hon. C. M. HILL: I do not mind interjections, but I am putting my case and obviously members opposite are so rattled that they must interject. The Minister cannot escape responsibility in this question. The answer to the questions concerning the Minister's power and in relation to Mr. Sinclair were given by the Leader and, in any case, I can tell the Minister that communication has been made with Mr. Sinclair's office in Canberra within the last 48 hours, and the message came back, "These are joint decisions."

The Hon. T. M. Casey: That's right.

The Hon. C. M. HILL: If they are joint decisions, they are decisions in which both Ministers must concur. Therefore, the Minister must have concurred in the action so

far. The Minister could telephone Mr. Sinclair tomorrow and say, "We intend to give these people more time. We intend to show some compassion. That is my decision." That could happen. The position is as simple as that.

The Hon. T. M. Casey: Wouldn't Mr. Sinclair have to agree, too?

The Hon. C. M. HILL: No, he would not. I am sure that Mr. Sinclair would wholeheartedly agree with the Minister if he was willing to take that action.

The Hon. D. H. L. Banfield: Why doesn't Mr. Sinclair take the initiative?

The Hon. C. M. HILL: I am talking to the Minister. I am a member of the South Australian Parliament, and the Minister is a representative of the Crown in this State. I am fed up to the back teeth with this Government's trying to excuse itself by referring to Canberra in this and in most other matters which plague South Australia at present. We are dealing with South Australian constituents and we, as their South Australian representatives, have the responsibility to debate the issue. I want the Minister, as the South Australian Minister of Lands, to change his mind on this point and, if he is unable to do so or if he refuses to do so, I believe we should replace him with someone who is willing to be more understanding and more compassionate.

The Hon. T. M. Casey: What guarantee have you got that Mr. Sinclair would agree? Are you speaking on his behalf?

The Hon. C. M. HILL: The Minister is the one on trial. I will wait with interest for the Minister's reply, because I hope he will change the opinion he expressed earlier in reply to a question by the Hon. Mr. Whyte. I hope he will say that he intends to display some understanding and that he intends to give these people more time. His attitude up to the present has been, to say the least, most stubborn. An article in the press of January 27, headed "No reprieve for Kangaroo Island soldier farmers", states:

Eight Kangaroo Island soldier settlers facing eviction from their farms could not be reprieved, Lands Minister, Mr. Casey, said today. The eviction notices would not be held over until the State Parliament met in March. What could be more final and more stubborn than that? The history of the Kangaroo Island settlers is long, going back to nearly 30 years ago, when men who had served their country and had applied for soldier settlement blocks were sent to Kangaroo Island. They lived in primitive conditions with their wives and children in a camp for about three years while the men toiled to clear scrub land for their future farms.

We all know the isolation that exists on the island, and in those early years it was far worse than it is today; amenities and facilities were primitive. Women particularly suffered shockingly. If ever the Hon. Miss Levy contacts the women's subcommittee of the Gosse committee, she will find out that they have an extremely strong case as to the deprivations suffered by the women over 30 years. For many years after the first soldier settlers moved in, there was a social and cultural vacuum. The high cost of travel to the mainland prohibited the social contacts which most other South Australians were able to enjoy.

As their families grew up, there were limited opportunities for education and work. Consequently, at early ages the children left home, with the result that families were broken up. Further, children could not go home to visit their parents, because of the high cost of travel. It was frontier-type living. Nevertheless, the settlers have

done their best in the face of these social and economic problems; they have cheerfully done their farming work. Those who have been highly skilled in farm management and farm work have toiled from dawn to dusk year in year out without holidays, and most have made the grade. However, others who were not as highly skilled have encountered serious financial difficulties, and we have recently witnessed the Minister's attitude that they must be evicted. The settlers are disillusioned, and I believe they are being treated very harshly.

Because the Minister of Lands himself has had some experience of farming, he should know the problems of farmers on Kangaroo Island compared with those of farmers on better land elsewhere. There are serious soil deficiencies on the island. Pasture development there has been handicapped by the need for much experimentation. Lambing rates have been tragically low. To add to their troubles, and I refer to the eight people, who may have to leave their properties, I point out that many of the settlers are in their late fifties and this further worsens their situation. At that age, one cannot start new farming projects elsewhere, and one's ability in manual activities is by no means as great as is the ability of younger people.

I should like the Minister to say whether he agrees with the contention that life for soldier settlers on the island has been very difficult, or whether he thinks that it has been a piece of cake. If he acknowledges the difficulties that exist there, he must take a far more responsible attitude to the settlers' plight than he has taken so far. The Minister asked the Land Settlement Committee to examine the problems of these people. The committee's report was tabled in this Council yesterday. There were more Labor Party members than Liberal Party members on the committee. I commend all the committee members, irrespective of their Party, for the conscientious manner in which they went about their work. As reported in the press today, the main emphasis in the report was that the Minister give these people more time.

The Hon. F. T. Blevins: How long did the report recommend?

The Hon. C. M. HILL: Because the honourable member signed the report, he should know.

The Hon. F. T. Blevins: What you have said is misleading. You know better than that. Tell all the story.

The Hon. C. M. HILL: I shall tell all the story if the honourable member wishes. I am referring to today's press report.

The Hon. F. T. Blevins: You are being misleading.

The Hon. C. M. HILL: I reject that accusation entirely. The report is couched in general terms.

The Hon. F. T. Blevins: There is a date.

The Hon. C. M. HILL: I challenge the honourable member to find the date to which he refers in the report. I could not find it. It was in the appendix, which was not laid on the table because it contained personal details. I could not find any specific date in the report.

The Hon. F. T. Blevins: You know what it was as well as I do. Why rely on a press report?

The Hon. C. M. HILL: I do not want it to be thought that I am trying to dodge the interjections. The honourable member is trying to drag a red herring across the trail. He wants me to give information that he knows should not be made public.

The Hon. F. T. Blevins: Do it approximately.

The Hon. C. M. HILL: I will do it approximately, and I hope it will satisfy the honourable member. The number of people who were in dire straits was less than the

number that the Minister has now ensnared in his net. In December, the committee recommended that forthwith those people be given until April 1 to try to improve their financial situation.

However, the story does not end there. The committee went on and said that, if these settlers (with the exception of only one settler) had not made good their financial position, those people might have to treat with the committee or the Minister regarding their future circumstances. The committee took a most humane and understanding approach.

However, I should like to get away from that aspect and to deal with all those settlers who are in trouble. I intend to read from a report in today's press, a paragraph of which I think summarises the general feeling that obtains.

The PRESIDENT: Order! I think the honourable member should link up this matter with the Minister's administrative ability.

The Hon. F. T. Blevins: Under Standing Order 186, you are gone again.

The PRESIDENT: Order! I was getting a little concerned about the matter. That is why I asked the honourable member that question.

The Hon. C. M. HILL: Thank you, Sir, I accept your warning. I am supporting the fact that the committee which the Minister appointed recommended that the Minister give these people time to trade out of their problems. If the Minister would accept that recommendation, he would not be showing the irresponsibility that is causing me to support the motion. That, I claim, with the utmost respect, ties up what I am saying with the motion.

If the Minister will not give these people time, if he has his hands on the guillotine now and continues with the attitude that he displayed in reply to a question that he gave today that he will give these people no relief, the Minister is deserving of the severest censure that Parliament can give him.

The Hon. F. T. BLEVINS: Again, I refer to Standing Order 186. The motion relates to the Minister's administrative ability. What he is doing may be highly offensive to the Hon. Mr. Hill, but the Minister may be doing it in a highly efficient way administratively.

The Hon. J. C. Burdett: We are talking about soldier settlers.

The Hon. F. T. BLEVINS: The motion relates to the Minister's administrative ability. That is the relevant matter.

The PRESIDENT: Order! The question of relevance is a matter for my discretion. I think that the honourable member's statements are in order, if in fact the Minister's psychological make-up is such that he does things in a certain way that affect his administrative ability. We do not want to be splitting hairs on this matter.

The Hon. C. M. HILL: The psychology of the Hon. Mr. Blevins astounds me. He seems to think that, as long as the Minister is efficient in removing the heads of these people and as long as it is a clean death for these people, he is doing a good job. That is how I interpret his interjections.

The Hon. F. T. Blevins: There is nothing about—

The PRESIDENT: Order! The Hon. Mr. Blevins will have all the opportunity in the world later to get up and tear the Hon. Mr. Hill's argument to shreds. He will not do it by continually interrupting.

The Hon. C. M. HILL: If he can tear it to shreds, Mr. President. I am astounded by the Hon. Mr. Blevins,

who is taking the line that we have no case against the Minister provided that he is doing his job with the utmost efficiency.

The Hon. F. T. Blevins: That's what you say in your motion.

The Hon. C. M. HILL: As long as the Minister bankrupts these people with a minimum of fuss, and as long as their heads roll and not much blood is shed, that is all right. The Hon. Mr. Blevins certainly links himself with the Minister if he takes that attitude.

The Hon. C. J. Sumner: Read your motion!

The Hon. C. M. HILL: I should like to read from the report headed "Department chided on K.I. settlers" in this morning's press, dealing with the Land Settlement Committee's report, as follows:

The committee strongly recommends that it should re-examine the viability of some of the settlers in 18 months to two years.

Although that is a longer period, it emphasises the whole approach taken by the committee, comprising more Labor members than it does Liberal members. That committee recommended to the Minister the principle of giving these people more time, and the Hon. Mr. Blevins agreed with that.

The Hon. F. T. Blevins: Not all the people. You're deliberately misleading the Council.

The PRESIDENT: Order! The Hon. Mr. Blevins can make his point later.

The Hon. C. M. HILL: It seems that the Minister has for some reason left the Chamber. I do not know whether his back-benchers have sent him out.

The Hon. D. H. L. Banfield: You be fair! You know that he's been called to the phone. You're now scraping the bottom of the barrel.

The Hon. C. M. HILL: The Minister should not be taking telephone calls now, when he is defending a motion moved in the Council for his removal from office.

The Hon. D. H. L. Banfield: Your Leader left the Chamber while the debate was continuing. The Hon. Martin Cameron, who is going to speak, has also left the Chamber.

The Hon. C. M. HILL: The Minister has completely overlooked the tenor of the Land Settlement Committee's recommendations.

The Hon. N. K. FOSTER: Will the honourable member give way?

The Hon. C. M. HILL: No.

The Hon. N. K. Foster: Why not?

The PRESIDENT: Order! The Hon. Mr. Hill does not have to give reasons for not wanting to give way.

The Hon. C. M. HILL: The recommendation was intended to give these unfortunate people time in which to improve their situation.

The Hon. F. T. Blevins: How much time for how many?

The Hon. C. M. HILL: I think it was to be a preliminary period for the worst cases. The committee agreed (and the Hon. Mr. Blevins concurred) that we ought to go back in about 18 months and look at the situation.

The Hon. F. T. Blevins: Not all of them.

The Hon. C. M. HILL: From the way he interjects at the moment, I think the honourable member was hoping that these heads would be lopped. That is a shocking state of affairs.

The Hon. F. T. Blevins: You are a liar.

The PRESIDENT: I will not have two honourable members on their feet yelling at each other across the Chamber. The Hon. Mr. Blevins, if he must interject, had better interject from his seat.

The Hon. C. M. HILL: I understand that the honourable member, in his interjection, called me a liar. I ask for a withdrawal and I ask him to apologise.

The Hon. F. T. BLEVINS: We do not have to apologise. That was sorted out last time. I am pleased to withdraw the statement that the honourable member is a liar. When the Council adjourns, I will call him a liar. We cannot say it in here, so I will withdraw it. What he said about me was totally incorrect, and I do not like it. I withdraw it.

The Hon. C. M. HILL: Again, I seek an apology.

The PRESIDENT: The Hon. Mr. Hill has called for an apology from the Hon. Mr. Blevins.

The Hon. F. T. BLEVINS: You said you were following the Speaker in the other place, and we are trying to act in a Parliamentary way. I quoted the Standing Order to you regarding 1976. You said (and I would not contravene the ruling you gave) that apologies were not required.

The PRESIDENT: I did not say that at all. I did not say that it was required in all cases, but I think that in this case an apology is called for.

The Hon. F. T. BLEVINS: Again, if you insist (and after all you are President), I will withdraw and apologise for calling him a liar but, when the Council adjourns, I will not be apologising. I apologise now.

The Hon. C. M. HILL: I accept the apology.

The Hon. D. H. L. Banfield: Do you withdraw the lie?

The Hon. C. M. HILL: Is the Chief Secretary implying that I lied?

The Hon. N. K. Foster: Yes.

The Hon. C. M. HILL: Is the Chief Secretary implying that?

The Hon. D. H. L. Banfield: I am not allowed to speak while you are on your feet. You know that.

The PRESIDENT: I think we are getting into a very barren area, and I suggest that the Hon. Mr. Hill get on with his speech.

The Hon. C. M. HILL: One reason why the committee particularly wanted these people on the island to be given more time—

The Hon. F. T. Blevins: How many?

The Hon. C. M. HILL: I think I will soon reach the point where I will be—

The Hon. F. T. Blevins: You are misleading the Council by not telling the truth, and you know it. Tell the truth, and you will not get any interjections.

The Hon. C. M. HILL: It is clearly stated in the report—

The Hon. F. T. Blevins: Well, say it.

The Hon. C. M. HILL: I told the honourable member a period was from December to April 1. I told the honourable member that the number was fewer than those ensnared in the Minister's net. I did not say it was 18 months for everyone.

The Hon. F. T. Blevins: Well, say how long. You are trying to mislead the Council.

The Hon. C. M. HILL: I am not. The honourable member is employing tactics that he has learnt elsewhere.

The Hon. D. H. L. Banfield: No, he has learnt from you.

The Hon. C. M. HILL: What I have learnt is that I know the honourable member and others of his kind who employ these tactics. He and others have been trained in his wing of the trade union movement. The honourable member can employ these tactics as much as he likes, but he will not—

Members interjecting:

The PRESIDENT: The Hon. Mr. Hill will resume his seat. These recriminations across the floor and reflections on honourable members are completely out of order. We are dealing with a motion that is virtually a motion of no confidence in a Minister and I think that we ought to get back to the debate. The Hon. Mr. Hill will address himself to the matter of the motion.

The Hon. C. M. HILL: One reason why the committee wanted these people on the island to have more time was that the committee expected that there could well be an increase in rural prices, in the price of sheep, wool, and beef, and the committee accepted that it would be a tragedy if the Minister evicted these people and if, after a few months, prices increased and the assets of these people, stock in particular, would have appreciated in value and they might have been able to get themselves out of difficulties a few months after the time of eviction. What more cruel thing could there be to do to people in these circumstances than that, so the committee placed emphasis on the fact that they ought to be given time. I cannot stress that more strongly. I commend the committee for taking that attitude.

The Hon. F. T. Blevins: It did not.

The Hon. C. M. HILL: Not only are they able to become better off financially so far as their accounts are concerned when improvements occur, but the value of their properties also increases when stock prices and wool prices increase. When the value of those properties increases the equity of these people increases because their commitments remain about static, but the asset value increases so the gap or equity increases and their security is attractive when they are confronted by the mortgagees. That matter was essential in seeing if such improvement might be made.

The Hon. F. T. Blevins: Not in all cases.

The Hon. C. M. HILL: I do not know whether I will be able to get on some common ground with the Hon. Mr. Blevins, but I am willing to say that the committee agreed that if, despite this deferment in the hope of improvement and despite the extra effort some of these settlers were able to put into their farms, it ultimately appeared that some would have to go, the initiative should be left with these settlers to approach the department and discuss their situation. The committee took that view strongly.

The Hon. T. M. Casey: That has been done.

The Hon. C. M. HILL: The settlers are not happy about approaching the department of their own free will and discussing their situation. They read in the newspaper on January 27, as I have said, the Minister's statement that there would be no reprieve. That was not voluntary negotiation. That was not giving these unfortunate individuals freedom and initiative to contact the department. The Minister's approach is to lift the guillotine above them, put their head on the block, and—

The Hon. T. M. Casey: Can I ask you a question? I want to get you right. You do not know what you are talking about.

The Hon. C. M. HILL: The committee's approach was a humane one and an entirely different one from that which seems to have been taken by the Minister. I substantiate my knowledge of his approach by referring to the comment in the newspaper that there would be no reprieve for Kangaroo Island soldier settlers. There was a right way to go about this problem, and there was a wrong way to go about it. The right way would have been taken by a responsible Minister of the Crown. However, the wrong way was taken by the Minister who is in this Chamber today to answer this charge. I cannot emphasise too much that it was particularly important that these people be given more time. As it has happened, the market has improved since the committee had its sittings, and the financial situation of some of these people and the equity they have in their property must have vastly improved from what it was.

The Hon. T. M. Casey: By how much has it improved?

The Hon. C. M. HILL: You have the figures.

The Hon. T. M. Casey: Give me an idea.

The Hon. C. M. HILL: How would I know?

The Hon. T. M. Casey: Then why do you say that? You said that the position had improved.

The Hon. C. M. HILL: The prices, and how much wool and how much stock these individuals have sold: the Minister expects me to know the details of the current evaluation of that.

The Hon. T. M. Casey: You said it.

The Hon. C. M. HILL: It should be monitored daily by the Minister's officers and advisers and, if the Minister is not receiving daily reports on that, at this very late hour in the future of these unfortunate people, which seems to be settled by the Minister, then the Minister is lacking in his responsibilities. Another reason why the committee wanted to give these people more time in the whole situation—

The Hon. F. T. Blevins: Not all.

The Hon. C. M. HILL: The honourable member is continually interrupting with "not all". The general approach of that committee, which the Hon. Mr. Blevins cannot deny, is that the settlers should be given more time. How can the 18 months be given if it was not in the report?

The Hon. F. T. Blevins: It was in the report.

The Hon. C. M. HILL: You admit that the 18 months period was in the report?

The Hon. F. T. Blevins: Certainly.

The Hon. C. M. HILL: You said only to April, so the honourable member is confused.

The Hon. F. T. Blevins: That is not what I said at all; I remember the report as well as you do.

The Hon. C. M. HILL: The committee had information about a Mr. Berryman, who was thrown off his land on Kangaroo Island by a Labor Government a few years ago and who found, not long after he had been evicted, that stock values rose. An exercise has been carried out which will justify the claim that, if Mr. Berryman had been given more time—

The Hon. F. T. BLEVINS: I rise on a point of order. The Minister at the time of Mr. Berryman's case is known. If the Hon. Mr. Casey was not the Minister at the time, how on earth, under the terms of this motion that we are discussing, can it be relevant? It may be a terrible case but it has nothing to do with the administrative ability of the Hon. Mr. Casey and with this motion.

The PRESIDENT: There are certain angles to this debate that are hard to define. It is becoming a little bit of a discussion about Kangaroo Island farmers.

The Hon. F. T. Blevins: I am sure it is entirely out of order.

The PRESIDENT: But Mr. Hill is trying to tell us that it is the business of the Minister.

The Hon. C. M. HILL: Yes. Before the Hon. Mr. Blevins took that point of order, I had the opportunity to look at the report tabled. On this matter of 18 months at page 9 it states:

The committee would doubt very much whether any action at this time would ease the position, but points out two things. One is that in many instances the committee has stated that it should re-examine the viability of some of the settlers in 18 months to two years time. This is strongly recommended.

The Hon. F. T. Blevins: I agree; I remember that as well as you do.

The Hon. C. M. HILL: I am pleased about that. That was the case of Mr. Berryman, who had the farm sold over his head by the Labor Government.

The Hon. F. T. Blevins: Who was the Minister?

Members interjecting:

The Hon. N. K. FOSTER: I rise on a point of order. For God's sake, show some respect to the Chair! I draw the attention of honourable members to this. I do not want to quote the rule that was quoted earlier but the fact is that the Hon. Mr. Hill's remarks should be confined to what is contained in the motion. He should not be telling this Council what the Minister's predecessor should have done: he should be saying where the Hon. Mr. Casey, as a Minister, has specifically erred in the administration of his department during the time he has been Minister—not talking about a Labor Government and Mr. Berryman, which may have been in the late 1920's or the early 1930's.

The PRESIDENT: I cannot uphold the point of order because it is obvious that the Hon. Mr. Hill is saying that the Minister has erred because he has not taken these sorts of things into account; he is illustrating his point.

The Hon. N. K. Foster: He should name the Federal Minister, Sinclair, to be honest.

The PRESIDENT: Well, that is a matter of opinion.

The Hon. C. M. HILL: If the honourable member wants me to check on the Federal Minister at that time I will do it, but I do not intend to name the Labor Minister who was in this Council in my time and who was the Minister of the day when Mr. Berryman was sold out. I am raising Mr. Berryman's case because it was an example: if that man had been given more time, he would have traded himself out of his immediate difficulties. I do not see why honourable members opposite should object to that principle. The Minister has stated clearly that there is no reprieve. I am saying that the Land Settlement Committee should be given more time to see whether these people can trade themselves out of their difficulties. Since the committee last sat, prices have improved considerably.

The Hon. M. B. Cameron: Even this week.

The Hon. C. M. HILL: Yes. Not only is the Berryman case a problem where, if the Government had not acted so hastily, damage of the worst kind would not have been done, but also I point out another problem that follows in regard to Mr. Berryman. Because he was evicted from his land, his difficulties are still with him. Only recently, he has contracted what I understand to be arthritis and he is living in a tin shed, I believe, on Kangaroo Island. He has applied for a loan from the Defence Service home loan funds and he was told that he could have this loan to build a house for himself for the rest of his days in

the American River area on a small block of land he has there, provided the department gave a letter to the effect that he had cleared himself of all implications with it.

The Hon. N. K. Foster: Which department?

The Hon. C. M. HILL: The Lands Department.

The Hon. N. K. Foster: What is the other department you referred to?

The Hon. C. M. HILL: The Federal department is the department that administers Defence Service home loans; that is in Canberra.

The Hon. N. K. Foster: How about that!

The Hon. C. M. HILL: The Minister or his officers seem to be dealing with this matter, which is proper; they are not able to give this letter. They say they regret they are being unsympathetic. Nevertheless, they could not provide the letter in the terms that the Commonwealth Department wanted and, despite the punishment that Berryman took (he saw his property auctioned over his head and he lost everything), this poor man with arthritis now lives in a humpy on the island and cannot obtain funds from Canberra that are available for him to borrow as a former serviceman because of some shocking red tape that the Minister's department has involved itself in.

I point this out merely to prove that the Minister might think that once he lets the axe fall all the future worries will be over. However, based on Berryman's experience, problems will plague these settlers for the rest of their lives. Yet the Minister's supporters back him up and claim to be members of the Party with understanding and compassion while the Minister says, "No reprieve, the axe must fall, they must leave their properties." With this example of Berryman can any honourable member disagree about the need for such a motion as this? There is no alternative.

Another important reason why the Minister must be criticised severely is that he has lost control of his department. Under the Westminster system, as we all know, Ministers are responsible for the actions of their departmental officers. This aspect is not disputed. Parliament should not criticise officers and I do not criticise officers of the Minister's department. Parliament must criticise the Minister, and I criticise the Minister. The blame must fall squarely on the Minister's shoulders. Under that system, if departmental officers act in a manner deserving the highest criticism, the Minister is responsible. I know that I cannot refer to the evidence of the Land Settlement Committee, because that is contrary to Standing Orders, as that evidence will not be tabled in this Chamber, but the committee was shocked at the manner in which the Minister allowed at least one of his officers to behave.

The Hon. F. T. Blevins: Sir, that is a complete untruth. There—

The PRESIDENT: Order! The Hon. Mr. Blevins can make that point later.

The Hon. F. T. Blevins: The honourable member has said he cannot refer to that evidence.

The PRESIDENT: The Hon. Mr. Blevins is entitled to criticise the honourable member later.

The Hon. C. M. HILL: I should like to tell the honourable member (although he need not be told, because he already knows) that one need go only to Kangaroo Island and talk as an ordinary member of the public to hear about the financial difficulties encountered by settlers. Indeed, one need only go to the island and publicise the fact that one would like to hear of these problems, as did Stewart Cockburn of the *Advertiser* and these people come forward and make statements.

The Hon. F. T. Blevins: Evidence was given to the committee to the contrary, that departmental officers behaved with the utmost propriety. That evidence was given, too, so be fair.

The Hon. C. M. HILL: If one talks to people on the island one hears stories from people who I believe are telling the truth. People said that the Minister's officers arrived on the island and said, "You are a burden to the taxpayer, and that includes me." Those are the words of a public servant.

The Hon. T. M. Casey: You referred to "officers".

The Hon. C. M. HILL: I said, "At least one of the Minister's officers."

The Hon. T. M. Casey: What is the officer's name?

The Hon. C. M. HILL: Never mind the name—the Minister should be here protecting his officer. I am criticising the Minister, and I should like to know whether he has taken any action against that officer, whether he supports that officer or, worse still, whether the Minister gave instructions for that officer to say that. The officer said this to people who are now not included in the unfortunate group of eight. This man will no longer be removed from his farm and, when the officer was questioned further, he was forced to apologise and say that the departmental figures were wrong and I understand the following statement was made, "I have not taken into account your 86 bales of wool, which are unsold." Did that officer act under the Minister's instructions? Parliament must accept that he did. There is no alternative under the Westminster system.

A Minister who allows his officer to speak in such a manner deserves the highest censure by this Council. Not only do I criticise the Minister for allowing his officers to conduct themselves as they did on the island, but I make the further point in regard to those officers and the course that the Minister has taken in this matter, because it is the identical course that the officers wanted.

Despite what those unfortunate people say, despite what questions and answers have been given, and despite the inquiry by the Land Settlement Committee, the officers are getting their own way in accordance with what they believe should happen to these people. If that situation does not reflect a loss of control by the Minister, what does? That is a serious matter. On that ground alone the Minister must face this motion. In summary, I have met these people on Kangaroo Island, they have my sympathy and I have given their plight much thought. They do not deserve the treatment that the Minister is meting out to them.

Therefore, I challenge Government members to examine this question in detail, because I fail to accept that they can all agree with the Minister's action. The settlers deserve more understanding than they have got. True, some settlers have not been good managers, but the penalty that they must pay for that should be that they must battle with their indebtedness just as many other people must do who suffer serious debts. The penalty that they must suffer because they have not been highly skilled in management should not be that they must be evicted. If they wish to move out, let the initiative lie with them. Parliament should condemn any Minister who acts in the manner in which the present Minister has acted. No Parliament should tolerate his decision to evict these people. In fact, Parliament would be lacking in responsibility if it did not carry this motion.

The Hon. D. H. L. BANFIELD (Minister of Health): It is always a tragedy when one sees a man humbled after having given good service to this Parliament. This afternoon we witnessed such a tragedy in respect of the Hon.

Mr. DeGaris. We all know that he has not had his heart in the job since he was left without a shadow Ministry portfolio. He has not been the same dynamic Leader that he used to be. Today he has shown that he has lost his punch. Not only did he not have his heart in what he was doing but also he did not have any stomach to go on with his case. On March 3 he said that the Minister should resign because of serious allegations that he claimed the Minister had made against a prominent person, but today's motion shows that he does not have the guts to go on with what he said on March 3. That is the tragedy that honourable members have witnessed this afternoon.

The Hon. R. C. DeGaris: Do you believe the Minister of Lands?

The Hon. D. H. L. BANFIELD: The sooner the Leader realises that the people are not behind him the better. The Hon. Mr. DeGaris was such a magnificent Leader in this Council, and he did a magnificent job when he had the backing of his Party, but today's display was the worst he has put up since I have been a member of this Council. I am sorry for the Hon. Mr. DeGaris. When people read the case he presented today following the earlier newspaper article, the people will pity the Leader, and his case will not get him anywhere. The claimed allegation was the original reason why he said he would move a motion of no confidence, but he was not even willing to tell us what the allegation was. He says that slanderous statements were made by the Minister of Lands but, if they were slanderous statements, why has a writ not been taken out against the Minister?

The Hon. R. C. DeGaris: Because he agreed to apologise.

The Hon. T. M. Casey: That is a load of rubbish.

The Hon. R. C. DeGaris: It is not.

The Hon. D. H. L. BANFIELD: If the Minister of Lands agreed to apologise and if he did not apologise, where is the writ being served on the Minister after these serious allegations claimed by the Leader who has not told us one thing about them?

The Hon. J. C. Burdett: You know. It came up in Cabinet.

The Hon. D. H. L. BANFIELD: It has been claimed that the Minister of Lands should be called on to resign because of the serious allegations, but no-one was game to say anything outside. Further, the Hon. Mr. DeGaris was not even game to say anything inside this Council when he had the protection of this place. So, his case falls to pieces; it is as simple as that.

The other weakness is that the Hon. Mr. DeGaris has now decided that it is time to have a shot at the Minister of Lands. The Liberal Party has no policy of its own. Because it cannot get headlines, it is having a shot at the Minister of Lands. It has been said that this is not a motion of no confidence against the Government, but against the Minister, yet it is claimed that the Government should take responsibility. If that is not a motion of no confidence against the Government, what is? The Hon. Mr. DeGaris said that it is cowardice on the part of the Government. In whom is it claimed that there is no confidence? When the Government does not agree with the Opposition, the Opposition claims that the Government is wrong. If the Government was wrong when it disagreed with the Opposition, we would not be in Government today. It is because the Liberal Party members are wrong that they are on the Opposition side of this Chamber. They were not able to convince the people that they were correct; that is why they are on the other side of the Chamber.

Opposition members also referred to Kangaroo Island as though it was the fault of the Minister of Lands that the problems have occurred there. Honourable members opposite have evidently forgotten that it is Commonwealth land and that we are acting as agents for the Commonwealth. Members opposite would be the first to complain if we did not co-operate with the Federal Government, but when we do co-operate with the Federal Government a motion such as this is introduced. Because the Hon. Mr. DeGaris found he did not have a case to go on with when he called for the Minister's resignation he was driven to pull away. Then, he was instructed, "If you are not going to pass the State Government Insurance Commission Bill, there will be a double dissolution. So, you had better start having a shot somewhere." So, they picked on the Minister of Lands, who has acquitted himself very well not only in this Council but also in the House of Assembly. It is astounding that, if the Minister of Lands is such a bad administrator (and this was implied by members opposite), Opposition members have not put up a case. How is it that they did not raise this question during seven years—

The Hon. R. C. DeGaris: We have.

The Hon. D. H. L. BANFIELD: Members opposite have not introduced such a motion in this Council before, and they have had seven years in which to do it. Obviously, Opposition members have not had a case to present. If they had had a case, they would not have sat back for seven years.

The Hon. R. C. DeGaris: There have been resolutions criticising the Minister before.

The Hon. D. H. L. BANFIELD: When the Leader introduced this motion he evaded the issue. Why? Because his whole case was weak.

The Hon. R. C. DeGaris: No.

The Hon. D. H. L. BANFIELD: Why did the Leader not tell us what the allegations were? Why was the Leader not game to tell us what it was all about?

The Hon. R. C. DeGaris: Didn't you know what it was all about?

The Hon. D. H. L. BANFIELD: I know why the Leader did not bring it forward—because he did not know anything about the case. He has not got a clue. That is why the Leader did not raise it. He was followed by the man who tried to stab him in the back when the Leader came up again for the leadership. However, that gentleman showed his true colours today, and members opposite would have realised that had they stayed in the Chamber. However, they chose not to do so because they were sick and tired of listening to the weak arguments raised by the Hon. Mr. Hill and the Hon. Mr. DeGaris. They all walked out, and why did they do so? They did it because they did not want to be part of this weak debate. They were divided on the leadership between the Hon. Mr. DeGaris and the Hon. Mr. Hill, with both of whose performances they were disgusted. Why did they walk out while the Hon. Mr. DeGaris and the Hon. Mr. Hill were speaking?

The ACTING PRESIDENT (Hon. M. B. Dawkins): Order! I think the Minister had better return to the motion. There is nothing about the leadership of the Liberal Party in the motion that the Council is now debating.

The Hon. N. K. FOSTER: Isn't there? I rise on a point of order.

The ACTING PRESIDENT: What is the point of order?

The Hon. N. K. FOSTER: In view of the ruling given by the President, the matters raised by the Hon. Mr. DeGaris and the Hon. Mr. Hill could be the subject of a reply by Government members, and that does not give the Acting President the right to refuse Government members permission to refer to those matters.

The ACTING PRESIDENT: Order! There is no point of order.

The Hon. N. K. Foster: Why isn't there?

The ACTING PRESIDENT: Order! The Hon. Mr. Foster should resume his seat. There is no point of order.

The Hon. D. H. L. BANFIELD: I agree with your ruling, Sir, regarding the leadership of the Liberal Party. However, there is no doubt that that matter will be raised following the debate on this motion. It has taken members opposite seven years to try to show that the Minister of Lands has no administrative ability, yet the Minister has been in this Council for over 10 years.

The Hon. R. C. DeGaris: No, he hasn't.

The Hon. D. H. L. BANFIELD: He has had the confidence of the people for 16 years, and he has been a Minister for a much longer period than any other honourable member of this Council. The Minister of Lands still has the confidence of the people and of the Government. He certainly has my confidence.

The Hon. C. M. Hill: He hasn't got the confidence of the people on Kangaroo Island.

The Hon. D. H. L. BANFIELD: Nor has Mr. Sinclair, whose instructions the Leader is carrying out. We have heard a real sob story from the Hon. Mr. Hill. After the distribution of the Oscars last evening, I looked in today's press to see whether the Hon. Mr. Hill got one for today's performance. I have never seen better acting than the display by the Hon. Mr. Hill today.

The Hon. Mr. DeGaris said that the Minister has no administrative ability, but let us see what has happened in the last two years as a result of the Minister's administrative ability. As a result of it, the Government decided to create a new department by amalgamating the Lands, Registrar-General's and Valuation Departments, in the interests of providing a more effective and economical service to the public. Members opposite know that this is paying off, yet they say that my colleague has no Ministerial ability.

Regarding the land information system, the information provided is acknowledged by both Commonwealth and State authorities (which do not comprise Labor members only) as being the most advanced in Australia. This was brought about as a result of the administrative ability of the Hon. Tom Casey. Yet members opposite say that he has no administrative skills whatsoever. Despite that, they have never questioned the Minister previously, and they have not done so because they know that he has been performing exceptionally well.

The Hon. Mr. Casey instigated the investigations concerning the further development of the land information system, in order to provide greater co-ordination with other aspects such as mapping and planning. Did this happen merely by chance, or was it as the result of the administrative ability of my colleague, the Hon. Mr. Casey? Of course, it was because of that gentleman's ability that these services have been pushed ahead. South Australia's map production programme is ahead of any other programme in the other States, and has provided a model for use by the National Mapping Authority. How could that have

happened if my colleague had had no administrative ability? Members opposite have not mentioned a word about this previously, because they realise the Hon. Mr. Casey's ability and that the service has been improved as a result of it. We have heard much from the Leader, the man without shadow Ministerial portfolio. We then heard from the arts man, a man who was about to go further along the front bench until today's effort. As a result, he will probably go to the back bench.

Much has been said about Kangaroo Island war service land settlement lessees. True, under the Hon. Mr. Casey's administration it has been necessary, in consultation with the Commonwealth Minister for Primary Industry, to take action regarding the unfortunate financial position of some settlers. The Government, unlike the Hon. Mr. Hill, sincerely regrets that these people have got themselves into their present position. In fact, the Hon. Mr. Hill was pleased that this happened, because it gave him an opportunity to put on the turn that we have all witnessed this afternoon. He took advantage of the plight of the poor people on Kangaroo Island.

The Hon. C. M. Hill: What are you doing to help them?

The Hon. D. H. L. BANFIELD: I ask members opposite to get the Commonwealth members to be easier on these people. We are agents for the Commonwealth Government and we will carry out that Government's instructions. These poor South Australians are on Commonwealth Government land and that Government should decide what it will do about them. Members opposite talk about broken promises, but the number of promises broken by the Commonwealth Government could not be counted on the fingers and toes of all members of this Council.

In regard to rural assistance, there has been an increase in both the number of programmes initiated by the two Governments and the number of primary producers requiring assistance, in a relatively short time. Action is being taken by my colleague to improve the delivery of assistance to primary producers, in association with the Public Service Board and the Agriculture Department. Where is the lack of administrative ability in those circumstances? Do members opposite not want the Minister to go ahead with these things? The Hon. Mr. Hill put up a sob story about the people on Kangaroo Island.

The Hon. J. C. Burdett: He referred to the Minister's mishandling.

The Hon. D. H. L. BANFIELD: There has been no mishandling. If there had been, I would be the first to refer to it. The Hon. Mr. Hill referred to the sympathy and understanding that he and his Party have for the poor, the unfortunate, and those who cannot help themselves. I point out now that my first speech in this Council referred to the fact that it took us five years to get an answer from a leading Liberal Minister in this place when we took up the cudgels on behalf of people who could not look after themselves, and when we did get an answer, that answer was "No". So much for the desire of members opposite to help the poor people. The Hon. Mr. Hill spoke about the poor and under-privileged and about the lack of support from this Government. He said that members on this side would have the right to reply, but now he and other members on the other side do not like it.

The Hon. J. C. Burdett: Speak about the motion.

The Hon. D. H. L. BANFIELD: The Opposition has had two leading speakers, neither of whom has referred to the motion. I will deal now with the ability of the

Minister in relation to tourism. He set up an advisory council, which comprised skilled people who were appointed to advise the department. Was that unreasonable, or was it a step in the right direction? Let honourable members opposite say. If they do not say that it was unreasonable, let them give credit to Tom Casey.

The Hon. M. B. Dawkins: It is a wonder he is not Leader of the Council.

The Hon. D. H. L. BANFIELD: He could be, except that he is loyal. He is not like people who put the knives in other people. He is willing to accept the decision of his people. Not only does he realise the ability of his present Leader, but he has as much confidence in me as I have in him. He will not stab me, and I do not look over my shoulder when I speak. However, that is not the position with members opposite. I challenge them to tell me of one occasion when I have looked over my shoulder to see whether a knife was being put in. We have confidence in the administrative ability of the Minister and we and the people outside this Chamber fully support what he has done. The Hon. Mr. DeGaris has said that, when a Minister acts, he does so on behalf of the Government. Every time Tom acts, he does so on behalf of the Government and he receives the support of people outside the Chamber. Tom will be here—

The PRESIDENT: I think the Chief Secretary should refer to his colleague as the Hon. Mr. Casey.

The Hon. D. H. L. BANFIELD: He is such a nice fellow, Mr. President, that I sometimes forget his high position and call him Tom. We should keep him on the high pedestal that people outside have him on. Under the administration of Tom Casey, funds for tourist development subsidies in 1974-75 were \$130 000, and for the financial year commencing July 1, 1975, this figure was increased to \$198 000. It was increased in the present financial year to \$350 000. He has not wasted one cent. He was the first to recognise that a rapidly increasing number of tourists both from within the State and from other States take their holidays caravanning. The increased funds have allowed the Ministry to considerably accelerate a programme of assisting local government on a \$1 for \$1 subsidy basis to bring up to a high standard the facilities available to holiday-makers in caravan parks.

When members opposite were in Government, they did not do a thing. Because of the administrative ability of Tom Casey, these things have gone ahead while he has been administering the department. In addition to that, this programme will be continued next financial year and, within the next two to three years, it will result in all local government caravan parks in the State being of the highest possible standard. However, it is said that this Minister has no ability. According to members opposite, we cannot give credit to the public servants, because we must accept responsibility. If we adopt that attitude, the Hon. Mr. Casey must accept responsibility for this achievement, because he has been the Ministerial head of the department.

At the instigation of the Hon. Mr. Casey, in 1976 the Government purchased a four-storey building in Elizabeth Street, Melbourne, to establish a new Melbourne office for the Tourist Bureau. Purchase and upgrading will cost about \$750 000, and it is expected that the new premises will open for business in September, 1977. Is that maladministration? The premises that the bureau has occupied in the Royal Arcade in Melbourne for many years are substandard and the provision of new premises will assist the vigorous promotion of South

Australian tourism in Victoria from where the State derives the biggest single proportion of its visitors. It will be opened in September of this year.

Since July, 1975, an intensified publicity programme for the State's tourism has been conducted in New South Wales and Victoria through all forms of publicity—television, radio, press and magazines. In addition, a publicity campaign has been conducted in New Zealand by officer visitation and a similar one will occur in North America next month. What do members opposite think of that—that the Minister is not interested and is not doing his job? I thank honourable members opposite on the back benches for returning to the Chamber to listen to me, which is more than they did for honourable members opposite on the front bench. As regards new policies, in the financial year commencing July 1, 1975, the Recreation and Sport Division commenced to provide assistance in the development of junior sports coaching programmes throughout the State—something in which honourable members opposite were never interested.

Since then the programme has expanded considerably beyond the coaching of juniors into areas of coaching of coaches and the provision of club administration courses for recreation and sporting bodies. Funds available for these purposes in 1975-76 were \$65 000 and, in 1976-77, \$80 000. It is expected that these programmes will be continued at an expanded rate next financial year. These services will be extended because of the administrative ability of the Minister, the Hon. Mr. Casey. To the present time, through his administration, about 200 courses involving about 30 000 children have been conducted in the area of coaching of participants. Coaching of coaches courses have been conducted involving 350 people, yet members opposite say he is not interested in these things. We do not worry only about the adults, whom we have to face from time to time for their support: we are also concerned about the children, who do not concern members opposite.

Under the Hon. Mr. Casey's administration, during the present financial year, the Recreation and Sport Division has, for the first time, assisted financially with the travelling expenses of South Australian sportsmen competing interstate in national championships. It is of no interest to members opposite, who could not administer the department so that it could handle these things, but the Hon. Mr. Casey has done so. In February, 1977, a sports medicine centre was opened at 70 South Terrace, Adelaide, on premises formerly occupied by the National Fitness Council of South Australia. I assure members opposite that, if we had not recognised the ability of Tom Casey, we would not have got this centre. The people concerned have congratulated not only the Hon. Mr. Casey but also the Government for accepting the advice of the Minister. This development was promoted by the Recreation and Sport Division and involved Government funding of \$60 000 to up-grade and convert the premises as a sports medicine centre. This is only the second sports medicine clinic established in Australia and is the first one established by Government sponsorship and funding. This happened under the administration of the Minister, who honourable members opposite say is not capable of administering his office.

Another new policy since July, 1975, which has come about as the result of the Minister's actions has been the provision of subsidies for the purchase of equipment by recreation and sporting bodies where previously subsidies were available only for building expenditure. In addition, schemes have been introduced to subsidise the insurance

of voluntary workers in recreation and sporting organisations, and the division has also developed effective recreation programmes for elderly people.

The Hon. T. M. Casey: We can do this through the State Government Insurance Commission, too.

The Hon. D. H. L. BANFIELD: Members opposite are not interested in these programmes and in our bringing forward the Hon. Mr. Casey's administrative ability. All they do is attack the Minister in some other way: they talk about Kangaroo Island when the Minister was acting as the agent for the Commonwealth Government. If they were fair dinkum in their motion, why did they not move an urgency motion about the plight of the people on Kangaroo Island? No—they were not game to do it because they knew that would reflect on the Federal Government, so they used this other ruse to try to belittle the Minister when all they are arguing could and should have been directed at the Commonwealth Government, of which we are only the agents.

The Hon. R. C. DeGaris: That is quite wrong.

The Hon. D. H. L. BANFIELD: Do not let the Hon. Mr. DeGaris say I am quite wrong. There were things he did not say today because he did not have the guts to say them; he intimated he was going to but did not go on with it. Wrong things have been said today, and they have been said by the Hon. Mr. DeGaris and the Hon. Mr. Hill. All honourable members of this Council know that their statements are wrong. Who owns the land on Kangaroo Island? Give me a straight answer. Does the Leader deny that the land is owned by the Commonwealth?

The Hon. R. C. DeGaris: Yes.

The Hon. D. H. L. BANFIELD: This is the sort of argument you people put over: you say the land does not belong to the Commonwealth. To whom, then, does it belong; can the Hon. Mr. DeGaris tell us that?

The Hon. R. C. DeGaris: It is a lease issued by the State.

The Hon. D. H. L. BANFIELD: Are we talking about a piece of paper or are we talking about the land the people are settled on? Do the people on Kangaroo Island get a living from that piece of paper or do they get it from the land? They get it from the land, which is owned by the Commonwealth, and members opposite know very well that that is right. As a result of the Hon. Mr. Casey's administrative ability, all the activities of the National Fitness Council of South Australia were amalgamated with the Recreation and Sport Division in July, 1976, and that amalgamation has proved to be effective and to the benefit of recreation in the State; no honourable member opposite can deny that. Can any member opposite deny that, as a result of the Hon. Mr. Casey's ability, this amalgamation has not been effective? Silence rings loud and clear from the benches opposite. Those members know that this results from the administrative ability of the Hon. Mr. Casey.

The Hon. J. C. Burdett: Everyone has to do something right eventually.

The Hon. D. H. L. BANFIELD: How many major recreation facilities have been completed in the past two years under the administrative control of the Minister? Is all this work the result of the Minister's maladministration? In the past two years a multi-purpose recreation centre was constructed at Whyalla at a total cost of \$1 300 000, as was a multi-purpose recreation centre at Kadina at a total cost of \$650 000, and a similar multi-purpose recreation centre was completed at Blackwood at a total cost of \$402 000.

How can these projects be completed by someone who cannot properly administer his department? It is not possible that that can happen. A multi-purpose recreation centre at Modbury was completed at a total cost of \$225 000, as was a multi-purpose recreation centre at Loxton at a cost of \$238 000. Additionally, a multi-purpose recreation centre in the Barossa Valley was completed at a cost of \$208 000, and another multi-purpose recreation centre was completed at Port Augusta at a total cost of \$173 000. Have all these projects been completed because the Minister is unable to administer his department?

The Hon. T. M. Casey: You'll notice that many of those centres have been provided in Liberal-held areas.

The Hon. D. H. L. BANFIELD: True, this is what the Minister is like. He is not politically biased—he has seen where the need is the greatest, which is more than can be said about projects advanced by members opposite. I was not going to refer to that aspect, because it is so well known that the Minister is unbiased, whereas members opposite cannot say that their colleagues are similarly motivated.

The Hon. T. M. Casey: I remember when the Liberals were in office and Labor members could not get anything provided in their districts.

The Hon. D. H. L. BANFIELD: Do members opposite regard that as bad administration? When in Government, they were not politically unbiased—they were incapable! Under the Minister's guidance the Remark swimming centre was completed at a total cost of \$300 000, and at a total cost of \$850 000 the Marion swimming centre was completed. Additionally, the Dernancourt swimming centre was completed at a cost of \$115 000.

The Hon. J. C. Burdett: But they were not all funded by the State Government.

The Hon. D. H. L. BANFIELD: Surely the honourable member is not going to give credit to the Commonwealth. Save us from that. All afternoon members opposite have been telling us not to blame the Commonwealth Government but, as soon as I carry out their suggestions, they cannot change their views quickly enough.

The Hon. J. C. Burdett: I merely asked whether all those projects were financed by the State Government.

The Hon. D. H. L. BANFIELD: All afternoon we have asked whether the Commonwealth Government is involved in what is happening on Kangaroo Island, and the honourable member has denied that all afternoon. Why bring the Commonwealth Government into it now? It is only as a result of the Minister's administrative ability that we were able to get the funds. Whose funds were they? They were our funds as a result of taxation and the Minister has put them to good use on behalf of the South Australian people.

The Hon. J. C. Burdett: The funds were not provided by the State Government only.

The Hon. D. H. L. BANFIELD: Do you want to mention the Commonwealth Government or not?

The Hon. J. C. Burdett: No.

The Hon. D. H. L. BANFIELD: Then be consistent, and do not bring it into the debate now. I am referring to the Minister's administrative ability, which is referred to in the motion. I am saying that it is as a result of his administrative ability that those projects have been completed. They have not been completed as a result of the action of the Hon. Mr. Burdett, Mr. Fraser or anyone else: they have been completed only as a result of the Minister's administrative ability.

The Hon. T. M. Casey: Most of the funds were provided by the State Government and by the Federal Labor Government.

The Hon. D. H. L. BANFIELD: Honourable members know that the Minister in the 1976 session of Parliament introduced a new Racing Bill, which was passed and which both consolidated and streamlined all legislation relating to the racing industry and included the formation for the first time of a dog-racing control board. Although the legislation has been in operation for three months only, its effectiveness is already demonstrated. Its success is the direct result of the Minister's administrative ability. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

[Sitting suspended from 6.8 to 7.45 p.m.]

The Hon. D. H. L. BANFIELD: Absolutely nothing was put to this Council that would enable us to support the motion. In no way has it been shown that my colleague the Minister of Lands has acted other than in accordance with the highest standards. On March 3, the Leader said that he would ask the Minister of Lands to quit because of certain statements that the Minister was supposed to have made, but in no way was the Leader willing to bring forward what he called the slanderous statements. If they were slanderous, the Leader should have been willing to bring them forward. The people expected the Leader to go on with this matter, but he did not have the guts to do it. Instead, he came down with a wishy-washy motion. The Leader has had plenty of opportunities during the last seven years to move whatever motion he considered appropriate, yet he has never done so. We can only assume that for seven years the Minister of Lands has shown that he has had the administrative ability to carry out his duties. I have pointed out what my colleague has achieved, and no honourable member opposite has refuted my statement. Honourable members opposite agreed that everything that was done by the Minister of Lands was desirable.

The Hon. A. M. Whyte: Too little too late.

The Hon. D. H. L. BANFIELD: I am glad that the honourable member said that. From 1968 to 1970 these things could have been accomplished by honourable members opposite when they were in Government, but they did not do anything about these things. The people outside are applauding what the Minister of Lands has done since 1970. What has been called "too little" was a damn sight more than honourable members opposite did during the 30 years they had under Sir Thomas Playford and during the two years from 1968 to 1970. Because of the Hon. Mr. Casey's actions, many things have now been achieved.

The Hon. J. E. Dunford: I think the Hon. Mr. DeGaris wants to withdraw his motion.

The Hon. D. H. L. BANFIELD: The Leader is under instructions. He cannot withdraw his motion, and the only thing left to him is his attempt to pin on the Minister of Lands a claim that that Minister has no administrative ability. It took the Leader seven years to wake up to this false claim. How slow is the Opposition! Because the Leader made a public statement outside—

The Hon. N. K. Foster: What did the Hon. Mr. Casey say?

The Hon. D. H. L. BANFIELD: We do not know. They had the listening device there, but they have not brought any evidence of the alleged statement. On March

3, the Hon. Mr. DeGaris said he would ask for the Hon. Mr. Casey's resignation. Why did not the Hon. Mr. DeGaris continue with his stated intention?

The Hon. R. C. DeGaris: Read the whole statement.

The Hon. D. H. L. BANFIELD: Mr. Evans said that the Minister should resign because of serious allegations he made against a prominent public person.

The Hon. R. C. DeGaris: Read what I said.

The Hon. D. H. L. BANFIELD: The Hon. Mr. DeGaris said that his information was quite accurate and that it would be used in Parliament on March 29. However, he did not say one word—

The Hon. R. C. DeGaris: Read the whole statement.

The Hon. D. H. L. BANFIELD: Percy Jones sat three tables away from the Hon. Mr. Casey at this private dinner.

The Hon. C. M. Hill: What name?

The Hon. D. H. L. BANFIELD: Let us start all over again. The man with the listening device sat three tables away from where Mr. Casey was sitting at a private function.

The Hon. C. M. Hill: What name did you use?

The Hon. D. H. L. BANFIELD: Not Mr. Casey's name.

The Hon. C. M. Hill: No, you said someone's name.

The Hon. N. K. Foster: Shut them up, Mr. President, I can't hear the debate.

The Hon. C. M. Hill: You referred to someone called Jones.

The Hon. D. H. L. BANFIELD: The red is really showing now. At no stage was the name "Jones" referred to. I would not know of a person named Jones other than the ratbag that the Party of members opposite put up for the Federal Parliament and whom they scrubbed after the first session.

The Hon. Jessie Cooper: You said "Percy Jones".

The Hon. D. H. L. BANFIELD: I said that the man with the listening device sat three tables away from the Hon. Mr. Casey.

The Hon. R. C. DeGaris: Why hasn't the Minister apologised?

The Hon. D. H. L. BANFIELD: Why should he apologise? The Leader was supposed to put his allegations to the Parliament today, but he has not done so. He has been asked many times to detail his allegations, but he has not done so. Obviously, there was no reason for the Hon. Mr. Casey to apologise.

The Hon. R. C. DeGaris: The Minister said that he would apologise on the Thursday.

The Hon. D. H. L. BANFIELD: If there was something for which the Minister had to apologise, the Leader would have referred to it in this place. The Leader was invited by every Government member to say what this was all about.

The Hon. R. C. DeGaris: You know all about it.

The Hon. D. H. L. BANFIELD: Anyone would think that the Leader's listening device was set up in the Cabinet room.

The Hon. R. C. DeGaris: What about the newspaper?

The Hon. D. H. L. BANFIELD: I do not care about the newspaper. Does the Leader believe everything that is printed in the newspaper? I am a member, and indeed the Secretary, of Cabinet, and I know what was discussed in Cabinet. I told the Council this afternoon that this matter was not raised in Cabinet, because there was nothing to raise. Simply because the Leader says that he will ask

Mr. Casey to resign when Parliament sits, must Cabinet consider it? We merely thought that the Leader's mind was wandering again.

The Hon. R. C. DeGaris: Do you still deny that the statement was made?

The Hon. D. H. L. BANFIELD: How can we deny it, when the Leader will not tell us what was supposed to have been said? The Leader had the floor this afternoon for three-quarters of an hour, and he had the press on side on March 3, building up a damn good story that the Leader would say what the Minister was supposed to have said at a private dinner party.

The Hon. R. C. DeGaris: No, I didn't.

The Hon. D. H. L. BANFIELD: This afternoon, when the Leader debated the motion, he had us all concerned.

The Hon. R. C. DeGaris: And, what's more, you're still concerned.

The Hon. D. H. L. BANFIELD: Yes, I am, because I believe that a Government should have a strong Opposition. I am concerned to think that the Opposition's weakness has shown through this afternoon and that this State has no real Opposition Party. The fact still remains that on March 3 the Leader said, "I will expose Casey. He will have to resign because of the slanderous statement about which I will tell Parliament when it meets." However, the Leader did not have the guts to mention one word of what was supposed to have been said.

In no way can the Council judge this matter. Honourable members might have been on side with the Hon. Mr. DeGaris if he had brought forward this slanderous statement, but he did not have the guts to do so. There is, therefore, no way in which honourable members of this Council, if they are fair dinkum, can criticise the Minister. As was stated this afternoon, no writ has been issued.

The Hon. R. C. DeGaris: Was there a threat of a writ?

The Hon. D. H. L. BANFIELD: If the remark supposedly made by the Hon. Mr. Casey is as slanderous as the Leader has suggested, why has no writ been issued?

The Hon. R. C. DeGaris: Because the Minister agreed to apologise.

The Hon. D. H. L. BANFIELD: There was no writ because no such slanderous statement was made, as the Leader well knows. The Leader knows that he has not got a statement which he can bring before this Council and because of which the Minister should resign or which could justify his calling for the Hon. Mr. Casey's resignation.

The Hon. R. C. DeGaris: Why did the Minister say that he would apologise?

The Hon. D. H. L. BANFIELD: He had nothing for which to apologise and, if he did, why has not the Leader told the Council why the Minister should apologise? The Leader has not got a leg to stand on.

The Hon. R. C. DeGaris: Yes, I have.

The Hon. D. H. L. BANFIELD: If he has, the Leader hid it very well this afternoon when moving his motion. Is there any relationship between what was reported in the press headlines on March 3 and what the Leader has said this afternoon?

The Hon. R. C. DeGaris: Yes.

The Hon. D. H. L. BANFIELD: Then why did not the Leader bring it before the Council? What has he got to hide from the Council? The Hon. Mr. Casey has nothing to hide. The Leader is the person who was going to make this allegation in the Council and to advance reasons why the Hon. Mr. Casey should resign, but he does not have a shred of evidence to support that contention.

The Hon. R. C. DeGaris: Yes, I have.

The Hon. D. H. L. BANFIELD: Well, the Leader must have whispered it or it must have been hidden amongst the interjections, because not one word of it was audible from the Government benches. Does the Leader deny that at no stage did he try to tell the Council what was supposed to have been said at this private dinner?

The Hon. R. C. DeGaris: I was pulled up on points of order.

The Hon. D. H. L. BANFIELD: The Leader did not sit down and shut up. He went on for another half an hour after points of order were raised. Government members invited him to tell the Council what the statement was all about, but the Leader did not accept that invitation.

The Hon. R. C. DeGaris: Why should I have done so?

The Hon. D. H. L. BANFIELD: The Hon. Mr. DeGaris seems still to be firm, although he was fairly shaky on his feet this afternoon. On March 3, he and the shadow Minister of Recreation and Sport said that the Hon. Mr. Casey should resign because of serious allegations that they claimed he made against a prominent public person. But what did the Leader tell the Council this afternoon?

The Hon. R. C. DeGaris: You read the report of March 2.

The Hon. D. H. L. BANFIELD: The Leader and Mr. Evans will not name the person or detail the allegations. They were not willing to do so outside of this place. Rather, they wanted to come into this ivory tower where they have protection and do so. The public therefore waited expectantly for the Leader this afternoon to tell us what was supposed to have been said by the Hon. Mr. Casey at the private dinner. However, we did not hear a thing about it. The Leader moved his motion because he believed the Minister had demonstrated a lack of administrative ability in performing his administrative duties. However, the Minister did not attend the function on this occasion as a Government Minister.

The Hon. R. C. DeGaris: On what occasion?

The Hon. D. H. L. BANFIELD: The occasion on which the Leader is alleging the Hon. Mr. Casey made the slanderous statement in a private conversation to people at his own table. Was the Minister performing a Ministerial function? Was he there representing the Government, or was he there in a private capacity? Did he say these things? Just what did he say? The Hon. Mr. DeGaris implied that he would have a tremendous statement to make in this Council regarding what the Hon. Mr. Casey was supposed to have said. We did not hear anything from the Hon. Mr. DeGaris regarding this publicity. He was not prepared to go on with the statement he made outside, so his case has been destroyed. I ask honourable members to oppose the motion.

The Hon. J. C. BURDETT: I move to amend the motion as follows:

By inserting in the third line thereof, after "a lack of", the words "veracity and".

I intend to speak to the motion, as amended.

The Hon. C. J. SUMNER: On a point of order, Mr. President, is the honourable member calling for a seconder? I think he must call for a seconder.

The PRESIDENT: It can be seconded now or later. Is any honourable member prepared to second it?

The Hon. D. H. L. Banfield: The amendment is not on the file.

The Hon. C. J. Sumner: There is no seconder.

The Hon. N. K. Foster: It lapses.

The Hon. C. M. HILL: I second it.

The Hon. M. B. Dawkins: I second the amendment.

The Hon. D. H. L. BANFIELD: The Hon. Mr. Hill has spoken in the debate, and no member who has spoken has the right to speak again.

The Hon. C. M. Hill: I was not speaking. I said I seconded the amendment.

The PRESIDENT: I rule that the Hon. Mr. Hill cannot second the amendment. I understand that the Hon. Mr. Dawkins has seconded it.

The Hon. M. B. DAWKINS: I second it.

The Hon. N. K. Foster: Have we copies of this amendment?

The Hon. J. C. BURDETT: We do not have to do that.

The Hon. C. J. Sumner: Will you tell us the amendment?

The PRESIDENT: It is in the hands of the Clerk.

The Hon. N. K. FOSTER: On a point of order—and I almost called you "Mr. Speaker"—

The PRESIDENT: I am hearing the Hon. Mr. Foster on a point of order only. What is the point of order?

The Hon. N. K. FOSTER: The point of order is (and you probably will not sustain it)—

The PRESIDENT: Well, you had better sit down before you start.

The Hon. N. K. FOSTER: It seems a rather odd tactic for the Opposition to speak for several hours in support of a motion and then to amend the motion. The point of order is that the debate should ensue to the extent that there is an equal number of speakers from each side. I know that that is not provided in the rules or the Standing Orders.

The PRESIDENT: There is no point of order. An amendment can be moved at any time. The only thing that has now happened as a result of this amendment is that the debate is a little wider than it has been. It has been fairly wide until now.

The Hon. J. C. BURDETT: The cumulative effect of the incidents mentioned by the Hon. Mr. DeGaris and the Hon. Mr. Hill can only lead me to the conclusion that I have no confidence in the Minister. The matter of veracity was referred to by the Hon. Mr. DeGaris, and this is the element of the Minister's performance that troubles me most.

The Hon. N. K. Foster: I would not get you to defend me on a jay-walking charge.

The PRESIDENT: Order! The Hon. Mr. Burdett will be heard in silence.

The Hon. N. K. Foster: I cannot stop laughing.

The PRESIDENT: If the honourable members feel that they must laugh, they had better go outside.

The Hon. J. C. BURDETT: Reference has been made to the incident that acted as the catalyst in this motion. Irrespective of the question that the statements made by the Minister were irresponsible, doubtless the Minister knew about the matter referred to in the press, yet he said (and at least the words were characteristic) that he did not have a clue what it referred to. I think everyone in the Council knows to what it referred.

The Hon. N. K. Foster: No. Tell us what he has to apologise for.

The Hon. J. C. BURDETT: If the Hon. Mr. Foster keeps quiet, I will tell him what the matter was. The only reason why the Hon. Mr. DeGaris did not refer

to it previously was the expectation that everyone would know what it was about. Reliable information was given to us that, at a party, the Hon. Mr. Casey—

The Hon. F. T. Blevins: Is it hearsay? You should be thoroughly ashamed of yourself.

The PRESIDENT: Order! If these persistent interruptions continue, I will have to name someone. It has been going on for too long and it must stop.

The Hon. J. C. BURDETT: Many things are reported in this Council as to what people say, and it was reported on reliable information that the Hon. Mr. Casey said at a party that one of the family of Mr. Colin Hayes had joined with one Robertson in rigging races, and so the daughter of Mr. Colin Hayes asked the Minister for an apology and the Minister refused. Mr. Colin Hayes contacted the Minister of Mines and Energy (Hon. Hugh Hudson) and an apology was arranged. It was arranged that the Hon. Mr. Casey would make an apology to the Hayes family on Thursday, March 3. We have contacted both Mr. Colin Hayes and Mr. Robertson by telephone, and they have confirmed the facts.

The Hon. T. M. Casey: What facts are they?

The Hon. J. C. BURDETT: The facts I have just mentioned.

The Hon. T. M. Casey: What are they; tell me exactly what they were?

The Hon. J. C. BURDETT: Mr. President, I have just stated the facts exactly and I do not propose to state them again.

The Hon. T. M. Casey: You have said nothing.

The Hon. J. C. BURDETT: If I have to go through them again, I will. The facts again are that the Minister, Mr. Casey, said that one of the Hayes family and one Mr. Robertson were rigging races.

The Hon. C. J. Sumner: From whom did you hear that?

The Hon. J. C. BURDETT: The Hayes daughter asked for an apology, and Mr. Casey refused. Mr. Colin Hayes contacted the Minister for Planning, Mr. Hugh Hudson.

The Hon. F. T. Blevins: Why?

The Hon. J. C. BURDETT: It was arranged for an apology from Mr. Casey, and this was to be made on Thursday, March 3.

The Hon. T. M. Casey: To whom was I to apologise?

The Hon. J. C. BURDETT: We contacted Mr. Hayes and Mr. Robertson, and they confirmed the facts I have just stated.

The Hon. F. T. Blevins: Did you contact them?

The Hon. J. C. BURDETT: I did not personally; I was present during one of the telephone conversations.

The Hon. C. J. Sumner: Who did?

The Hon. J. C. BURDETT: I am not going to tell you who was present. If anyone wants to deny these facts he is free to do so; I hope the Hon. Mr. Casey will, and I hope he will say that what Mr. Colin Hayes and Mr. Robertson said was not true.

The Hon. F. T. Blevins: Have you Mr. Hayes's permission to say that?

The Hon. J. C. BURDETT: The point I make and the reason why I seek to amend the motion is not so much the irresponsible nature of the remarks made as the fact that the Minister denied all knowledge of the statement having been made.

The Hon. T. M. Casey: This is the first time I have heard about this.

The Hon. J. C. BURDETT: It is not. This is what I am saying and the Minister is demonstrating his lack of veracity, even at this stage. He is saying he has never heard it before, and I do not think anyone in this Chamber really believes that.

The Hon. N. K. Foster: Why not?

The Hon. T. M. Casey: It is the first time you have come out and stated the facts.

The Hon. J. C. BURDETT: What the Minister says is not quite true because, in the later stages of the report in the press, it was said that the statement made by the Minister was thought to have related to the Hayes family, and Mr. Colin Hayes made a report from Melbourne in which he said that the facts had been blown up out of all proportion and were being used for political capital.

The Hon. C. J. Sumner: By you.

The Hon. J. C. BURDETT: But he did not deny that the statement had been made. This is fairly clear, and it is obvious that this is not the first time that the Hon. Mr. Casey has heard of this statement, because it was in the press. It was clear that it related to horses.

The Hon. N. K. Foster: Who gave it to the press—you?

The Hon. J. C. BURDETT: No, and it was quite clear in the press that the statement said to have been made by the Minister related to Mr. Colin Hayes and to horses, and his statement was reported in the press, so it is obvious that the Minister (if he reads the paper, which I hope he does) did know about it before it was mentioned tonight. It is ridiculous, and is another example of his lack of veracity, for him to say now that he did not know until he heard it from me tonight what the allegation was. My next point (I refer to the speech of the Hon. Mr. Banfield, who referred to the first press release of March 2, 1977, in the *News*) is this. He suggested that the Hon. Mr. DeGaris said nothing at that time about the Minister's performance. That is not true. The main and first thing that the Hon. Mr. DeGaris was reported as having said in the *News* on that occasion was this:

In my opinion, his (Mr. Casey's) performance in the House as a Minister leaves a lot to be desired and *Hansard* bears proof of that opinion.

The only following remarks I wish to make are short and are to give one example of that proof that *Hansard* bears. On October 2, 1974, at page 1225 of *Hansard*, I asked the Minister the following question:

Will the Minister of Agriculture table the letter that he wrote earlier this year to Mr. Max Saint, Chairman of the Australian Wheatgrowers Federation—

The Hon. T. M. Casey: What year was that?

The Hon. J. C. BURDETT: If the Minister would only listen, I said to start with what the year was and the date. I said this was on October 2, 1974, and the question I asked the Minister was:

Will the Minister of Agriculture table the letter that he wrote earlier this year to Mr. Max Saint, Chairman of the Australian Wheatgrowers Federation and Treasurer of United Farmers and Graziers of S.A. Incorporated concerning the transferability of wheat quotas in respect of land acquired by the Government where the owner intends to buy land elsewhere?

Then we see the following *Hansard* report:

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

The Hon. J. C. BURDETT: Will the Minister give the Council the reasons why he will not table the letter?

The Hon. T. M. Casey: As Minister, I wrote the letter to Mr. Max Saint, of the United Farmers and Graziers, and I do not see that it has anything to do with making it public. It was purely a personal letter from me to Mr. Saint, and it is high time that some

honourable members realised that everything a Minister writes to people does not have to be tabled. I know what the honourable member is driving at.

On the next page of *Hansard*, there were questions also relating to the letter. The Minister talked about the letter but nowhere did he deny that he wrote it. Later, I introduced a private member's Bill on the subject of wheat quotas. In speaking to the third reading, the Minister said, on October 30, at page 1761 of *Hansard*:

Another matter is this letter I was supposed to have written to Mr. Saint.

Just pausing at that point—

The Hon. T. M. Casey: That is two letters you are referring to?

The Hon. J. C. BURDETT: No. This bears on the point we have been making about the Minister's veracity. Even at this stage he is trying to change ground; he knows perfectly well what I mean. On October 2, the Minister said:

As Minister, I wrote the letter to Mr. Max Saint . . .

On October 30 he said:

Another matter is this letter I was supposed to have written to Mr. Saint.

Then the Hon. Mr. DeGaris said:

You said you did write it.

The Minister said:

No, I did not.

The following passage then appears in *Hansard*:

The Hon. C. R. Story: Come, come!

The Hon. T. M. Casey: I resent members trying to pry into my personal—

The Hon. Jessie Cooper: Privacy.

The Hon. T. M. Casey: —correspondence. I take a dim view of it.

The Hon. R. C. DeGaris: You said you wrote it.

The Hon. T. M. Casey: I take a dim view of members trying to cross-examine me about whom I write personal letters to. That is the attitude I adopted in the replies I gave to the Hon. Mr. Burdett when he asked me about this matter in the first place. I have not wanted to give him an inch, because, knowing he is a lawyer, he will come back again and twist things around; that is what he has done very well indeed.

The Hon. R. C. DeGaris: He has twisted things around?

The Hon. T. M. Casey: I have never written to Mr. Saint the letter to which the honourable member referred. If he likes to check with Mr. Saint he will find that is true.

The Hon. R. C. DeGaris: How about checking *Hansard*?

The Hon. T. M. Casey: I am not worried about *Hansard* at this stage. The honourable member asked whether I wrote a letter to Mr. Saint.

The Hon. R. C. DeGaris: That's right. You said you did.

The Hon. T. M. Casey: I have probably written many letters to Mr. Saint, but the honourable member's question was so framed that he was trying to get me to admit that I had written to Mr. Saint saying I agreed that the quotas should go with the farming unit.

Of course, I had never mentioned that, and nor had any other honourable member. The Minister continued:

He insisted—

The Hon. T. M. Casey: You were on it for weeks; you were crooked about the fact that you could not get your own way, because you were representing the Monarto farmers. That is true. You brought it up in this Chamber continually.

The Hon. J. C. BURDETT: The Minister says that I was representing the Monarto farmers, and that is so in the sense that I was representing them as constituents, but it is also correct that the Minister first said that the letter he wrote was a personal letter, yet he later stated that he did not write it, and all honourable members who were in the Chamber then and anyone who cares to read *Hansard*—

The Hon. T. M. Casey: I have written personal letters, but you want me to say I wrote a letter to Mr. Saint saying that farmers should get a wheat quota when they moved from Monarto. You tried to twist it then, and you are trying to twist it now.

The Hon. J. C. BURDETT: I am not trying to twist anything.

The Hon. T. M. Casey: You were representing the farmers and, when the wheat quotas went out the window, you fell flat on your face.

The PRESIDENT: Order! The Minister can reply when his turn comes. This interjecting must cease.

The Hon. J. C. BURDETT: The only question I asked was, "Will the Minister give the Council the reasons why he will not table the letter?" The Minister gave his reason and said it was personal. I did not say any of the things that the Minister is talking about. The original question I asked is reported on page 1225 of *Hansard* (October 2, 1974) and that is the only question I asked, apart from other questions relating to the letter. Other questions were asked by the Hon. Mr. DeGaris and by you, Mr. President, when you were on the floor of the Council at that time, as well as by other members. The *Hansard* report of the Minister's statement on October 30, 1974 (page 1761), continues:

He insisted that that was what I wrote to Mr. Saint about. However, I did not write to Mr. Saint about that at all. If the Hon. Mr. Burdett likes to ask Mr. Saint, he will find that is perfectly true.

He went on, as follows:

From information I have and which the Government has, I understand Mr. Saint is most upset about this, otherwise I would not be worrying about such a trifling thing, because it has nothing to do with the Hon. Mr. Burdett or other members in this Chamber. However, if the honourable member likes to check with Mr. Saint he will find that I did not write a letter to him. I have heard that Mr. Saint is upset that his name has been mentioned along these lines and that he has implied that he did not receive a letter from me such as the Hon. Mr. Burdett has insinuated. That is the other part of the story.

That is the end of the quotation with regard to this aspect. The matter is perfectly plain: on October 2, 1974, the Minister said he did write a letter to Mr. Saint about wheat quotas, but the letter was private and he would not table it, and on October 30 he said that he did not write any such letter at all. Nothing can be clearer than this.

It is intolerable that this Council should have to put up with a Minister who, on one day says he wrote a letter and on another day denies it. This is not only a matter of veracity: it is also a matter of administrative ability. The Council should be able to rely on a statement made by a Minister of the Crown, but this is a clear example of where the Council cannot do that. This is a matter in which the Minister could not possibly have suffered a loss of memory. The Council was told one thing one day and another thing on a later day, and honourable members still do not know what the truth is. I cannot have confidence in a Minister who makes clearly conflicting statements to the Council on the same subject.

The Hon. T. M. Casey: Did you ask Mr. Saint?

The Hon. J. C. BURDETT: No. The cumulative result of all the matters raised in this debate can mean only one thing: that I have no confidence in the Minister.

The Hon. N. K. FOSTER: I have been associated in my short Parliamentary career with motions of this nature in places other than this Chamber, but I have never known an occasion when a motion was so flimsily based.

In fact, the accusations made in this Chamber this afternoon by the Hon. Mr. DeGaris, the Hon. Mr. Hill and, more recently and against his better judgment, by the Hon. Mr. Burdett are nothing less than absolutely astounding. It has been an afternoon of innuendo and inaccuracies, which are the hallmark of the incompetent. Surely that brands members of the Opposition today.

Indeed, I was unable to contain myself in this Chamber this afternoon, and I took myself out of it because of the absolute rot that came from the Hon. Mr. Hill when he was talking about the compassionate circumstances surrounding the eight unfortunate settlers on Kangaroo Island. Not once did any of those three honourable members opposite indicate to this Chamber the total sum involved in those properties concerning which the Commonwealth, and not the State, has such a great responsibility. Had there been an inquiry by the committee, of which the Hon. Mr. Hill was a member, on the basis of public moneys being squandered, honourable members opposite would have been hollering a different tune. They would have been like dingoes baying outside the dog-proof fence. Additionally, there was much squabbling between Opposition members, through leniency from the Chair (and I commend you, Sir, for that leniency), as to whose responsibility it was. I want to draw a previous Minister's attention to an important matter. Mr. DeGaris—

The PRESIDENT: Order! The honourable member should refer to the Leader of the Opposition as the Hon. Mr. DeGaris.

The Hon. N. K. FOSTER: I bow to your ruling, Mr. President. I shall refer now to the Auditor-General's Report and the Public Accounts prepared by the Treasurer for the financial year ended June 30, 1976. The Minister of Lands is a man of considerable legislative experience and Ministerial experience. Because he has not previously had to withstand an attack of this kind, one would have thought that the Opposition would do its homework before making its attack today. The Opposition is scraping the bottom of the barrel. The Hon. Mr. Burdett is a member of the legal profession and you, Mr. President, are also unfortunately a member of that profession. The Hon. Mr. Burdett aspires to be the Attorney-General of this State, yet he became part and parcel of a shabby, shonky move. In addition he has moved to amend the motion. He has to rely on the record in *Hansard* to talk about a mythical letter written in 1974 on a matter connected with wheat quotas.

The PRESIDENT: Order! I will not allow the honourable member to get into a debate on wheat quotas.

The Hon. N. K. FOSTER: The Minister of Lands is accused of malpractice in connection with wheat quotas and you, Mr. President, will not allow me to debate this matter. I was not doing so.

The PRESIDENT: Order! The honourable member will resume his seat. The subject raised by the Hon. Mr. Burdett was the question of whether the Minister of Lands did or did not write a letter; that is where the thing begins and ends. It is nothing to do with wheat quotas.

The Hon. N. K. FOSTER: Did the Minister write a letter about pest plants? Did the Minister write a letter about sheep, or about any other agricultural pursuit? Did the Hon. Mr. Burdett not accuse the Minister of malpractice in regard to a person (Mr. Saint) who holds a position on the wheat and grain bodies? Surely we should expose the thin veil of deceit that was attempted a short while ago. I accept your rulings, Mr. President, but

one should not be inhibited by them when a previous speaker dealt with the very matter that you say I cannot reply on. I draw the attention of the Hon. Mr. Hill and some Opposition members who have interjected to the following statement on page 160 of the Auditor-General's Report for the financial year ended June 30, 1976:

**WAR SERVICE LAND SETTLEMENT
(WORLD WAR II)**

An agreement for the settlement on the land of discharged members of the services was first made between the Commonwealth and State Government on November 2, 1945, and ratified by the State under the War Service Land Settlement Agreement Act. The agreement provides that:—

1. The Commonwealth shall make available moneys for—
 - (a) acquiring, developing, and improving land for settlement;
 - (b) granting living allowances to settlers; and
 - (c) making advances to settlers for the purpose of providing working capital, effecting improvements, and acquiring stock, plant and equipment.
2. The Commonwealth shall make a capital contribution in respect of each holding of an amount equal to three-fifths, and the State two-fifths, of the excess of the total cost involved in acquiring, developing and improving the holdings, over the sum of the valuations of the land and improvements.
3. The State shall administer the scheme on behalf of the Commonwealth, and shall bear its own administrative costs.

Pursuant to clause 15 of the agreement the Commonwealth arranged with the State that after the land was allotted, the State would administer the settlers' advances and that the Commonwealth would make an annual contribution to the State towards the costs of that administration calculated at one per cent of the mean of the December and June balances of the advances.

In addition, the Commonwealth is bearing certain operating and administrative costs, and losses if any, on advances.

In the light of that statement, how can honourable members opposite defend their false accusations against the Minister and against the Government? I accept that responsibility should fall on a Minister if one of his departmental officers indulges in malpractice. A public servant can destroy a Minister without the Minister knowing anything about a matter at a certain time; that is one of the hazards of political life at Cabinet level. I stress that the Hon. Mr. Casey has a wide and decentralised portfolio involving many officers and many bodies in the community. Such bodies can continually agitate or make claims against the Minister. However, on no occasion this afternoon could Opposition members say that the Hon. Mr. Casey was lacking in relation to his duties. They referred to the Kangaroo Island soldier settlers, which was a scurrilous attack that was raised as a result of others not having honoured their responsibilities.

It seems that the old saying that one cannot trust the Liberals has really been confirmed in this place this evening. It was scurrilous for the shadow Attorney-General, a member of the legal profession, to make an allegation regarding something said at a private party and involving persons associated with a certain sport. The Minister would regard many of the people who attended that function as his personal friends. However, for one to aid and abet a certain person who was named as Robertson, and to set up the Minister through a private citizen, is a damned disgrace. I make no apology for using that mild term. Indeed, if I did not know that you, Sir, would pull me up, I would have used a much stronger term. In this instance, the shadow Attorney-General stood up and said, "I know that a telephone call was made to a Minister of the Crown in an attempt to extract an apology from him." I accept that the

Hon. Mr. Casey ought to be referred to as a Minister of the Crown, because those involved in this scurrilous attack are setting him up not because he is Tom Casey but because he is a Minister of the Crown.

Members opposite will probably deny it, but they decided previously that they would not pursue this matter. However, they change their minds because of Mr. Robin Millhouse, who stole the march on them in the House of Assembly on the Kangaroo Island matter.

The Hon. R. C. DeGaris: That's untrue.

The Hon. N. K. FOSTER: No, it is not. The Hon. Mr. DeGaris knows that what I have said is true. He did a rethink on the matter because of the bitterness that obtained after Mr. Millhouse stole the Liberal Party's thunder in the House of Assembly. I do not intend to enter into a debate on the allegation that has been made by the shadow Attorney-General. He has said this evening that the whole matter started over an allegation regarding something supposedly said by the Hon. Tom Casey at a certain party. Although I am not a betting man, I do read the race results and, when I do so, I look to see who owns horses. I am not as dumb in this respect as many honourable members may think. I consider that, when people accuse others falsely, they should be hit with the truth, as Government members have done this afternoon.

I conclude by saying that I expect the Opposition, which has only one principle left by which it can abide, to apologise. Much has been said this afternoon about the Minister, who has been falsely accused. It is alleged that he has no guts or, if one likes to put it that way, that he is a liar. Opposition members should do what they have told others to do: if a mistake has been made, stand up and admit it. They have made a great mistake.

The Hon. R. C. DeGaris: Why?

The Hon. N. K. FOSTER: Because they have said something without having a shred of evidence to support it. The Hon. Mr. Burdett is a practising lawyer, and the Hon. Mr. DeGaris a self-professed bush lawyer, and neither has any evidence that he could take to a civil court. The Hon. Mr. Hill did not even make an accusation against the Government regarding soldier settlers on Kangaroo Island. He merely whined on about the way in which those settlers have been treated. However, the way in which they have been treated is nothing compared to the way in which the honourable member's Federal colleagues will be treating them in future.

I should like members opposite to read this report or previous reports made during the Hon. Mr. Casey's term of office, and for them to try to think of any Ministers in any Australian Parliament who have been forced to resign their portfolios because of malpractice or for other than strictly personal reasons. Members opposite know as well as I do that not one Minister in an Australian Parliament has been subjected to a motion such as the one that has been moved today; nor has a Minister been asked to resign because of such flimsy accusations. It is up to members opposite to stand up, apologise and withdraw the motion and the amendment moved thereto.

The Hon. C. J. SUMNER: This motion raises serious problems. One would have thought that, if this was a genuinely serious attack on the Government, there would be some feeling of suspense or, indeed, drama in the Council when the Hon. Mr. DeGaris launched it. I suppose there was some feeling of that nature when the Hon. Mr. DeGaris started to speak. However, after he had spoken for only a few minutes, it was certainly made clear that there was absolutely nothing in what he had to say. His allegations were completely unsubstantiated

by either himself or those honourable members who followed him in the debate, even though they tried valiantly to prop up what was an appallingly weak case. The feeling of drama and suspense that may have existed did not last long. Honourable members on this side realised the paucity of evidence that the Hon. Mr. DeGaris was presenting. Members opposite soon felt the same way, and it is indicative of the position that they have almost retired from the debate. They thought it was a weak performance.

The moving of a motion such as this by Her Majesty's loyal Opposition, as it is called in the Parliamentary system, is a serious matter. The Leader of the Opposition receives special emoluments and perquisites. The Opposition has certain rights in debate and in other matters. One must support wholeheartedly an Opposition in our democratic system so that it can probe the Government by questions and, in extreme cases, by attacks.

However, an important qualification is that the Opposition's role must be constructive and responsible. A motion of no confidence in a Government or a call on a Minister to resign is the most serious charge that an Opposition can bring. Other ways of bringing matters before the House are by way of urgency motions and direct motions on matters of concern. Therefore, the calling for the resignation of a Minister should not be taken lightly, and it should be done responsibly. If such a motion was carried in a Lower House, the Minister or the Government would have to resign. The Hon. Mr. DeGaris agrees with that, because he said that, in moving the motion, he did so after long and serious consideration.

However, given that it is the most serious charge, it behoves an Opposition, particularly a responsible Opposition in the Legislative Council that the Hon. Mr. DeGaris is fond of referring to as a House of Review, to make a responsible and constructive attack, but there is hardly a skerrick of evidence on which to criticise the Minister, let alone call for his resignation. It appeared from the Hon. Mr. DeGaris's speech that his statement that the motion was moved only after long and serious consideration was nonsense. If it was not a complete fabrication, it was a distortion of the truth.

I think the Hon. Mr. DeGaris said that, on a Thursday, he had called on the Hon. Mr. Casey to resign. He said that he had received the information two days before he gave it to the press. How was that long and serious consideration? He got some information, and he went headline grabbing. Now he is caught in a bind and is hoist with his own petard. Having made the public statement, he had to try to manufacture and drum up evidence. He knew that he had no facts.

The Hon. R. C. DeGaris: Do you say I am manufacturing? What did I manufacture?

The Hon. C. J. SUMNER: The Leader manufactured in the sense that he brought many trivial matters together to try to manufacture a case for the Minister's resignation. I stand by that statement. The real reason why we had this motion was that the Hon. Mr. DeGaris could not get out of it. Certainly, as defence counsel, I do not think I would have earned a brief fee if the Hon. Mr. DeGaris or the Hon. Mr. Burdett had been prosecuting. It was a botched job. The Hon. Mr. DeGaris went on with many irrelevancies and you accepted that, Mr. President, when the matter was pointed out by the Hon. Mr. Blevins.

Mr. DeGaris's evidence was flimsy. He referred to a vague conversation at a party. He did not say who the people were, what allegations were made, or who reported it to him. He then dealt at length with the problem of

the soldier settlers on Kangaroo Island, and later the Hon. Mr. Hill took that matter up, but not effectively. They were some of the issues that the Hon. Mr. DeGaris tried to wrap around his allegations, for which he had got publicity.

I think that what has happened to the soldier settlers on Kangaroo Island is tragic. The Commonwealth Government started the scheme, doubtless in all good faith, to give persons who had fought in the Second World War an opportunity to settle properly in a farming situation. Because of economic factors, that has not worked out, but it is disgraceful for the Hon. Mr. DeGaris and the Hon. Mr. Hill to blame the Hon. Mr. Casey for that tragic situation. The soldier settlers on Kangaroo Island have big problems and the State Government has tried to assist, but it is also a problem for the Commonwealth Government. However, we have heard nothing about that. An attempt was made to make capital out of the problems.

The Hon. C. M. Hill: Not the problems: their eviction was the problem.

The Hon. C. J. SUMNER: Because of economics, the farming of these allotments on Kangaroo Island has been disastrous. To blame the Hon. Mr. Casey for that is to drag into the Chamber an accusation to bolster up the case and use people for petty political purposes.

The Hon. C. M. Hill: Does the Minister support their eviction?

The Hon. C. J. SUMNER: Doubtless, the Minister will be able to answer that at some time. The Hon. Mr. Burdett later tried to bolster the case by moving an amendment, but there was not much in it. The facts were not given. Obviously, the Hon. Mr. Burdett had had nothing to do with the people whose conversations he reported. He got the information second hand and by rumour, and that would not be allowed in a court of law. Yet, under privilege, the Hon. Mr. Burdett comes to the Council and attacks the Minister on this flimsy evidence, with very few names and absolutely no personal first-hand information for himself. In a court of law he would not have got to first base, as you know, Mr. President, and he should have much more substantial evidence of that and other allegations before he supports a motion such as this in this Council.

Not only is the case not proved but the Leader of the Opposition should be roundly condemned for moving the motion and the Opposition should be condemned for supporting it. I think members of the Opposition are feeling that way themselves at present. It was the launching of a spurious attack totally unsubstantiated and was an abuse of the procedures of Parliament, an abuse of the proper role that a constructive and responsible Opposition should play in our Parliament. It has exposed the hypocrisy once again of the Hon. Mr. DeGaris, as has been done in this Council on many occasions before. I oppose the motion and ask the Council to reject it.

The Hon. T. M. CASEY (Minister of Lands): I suppose one could say that this was expected, because the Leader challenged through the press that he was going to do exactly what he has done today, except that I think he was forced into it, as was indicated earlier this evening, by events that occurred in another place yesterday. I say to the Leader of the Opposition—I believe this strongly—that in the 17 years I have been in this Parliament my credibility has never before been challenged, either in this Parliament or outside.

The Hon. R. C. DeGaris: Don't worry about that—it has been challenged before.

The Hon. T. M. CASEY: My credibility has never been challenged either inside or outside this Parliament in this way.

The Hon. J. C. Burdett: It was challenged by me in 1974.

The Hon. T. M. CASEY: It is so easy to get away with shallowness in many fields. We are permitted to get away with it up a point until we start harming ourselves and until we become top-heavy and believe we are the only ones who know anything—and I attribute that to the Hon. Mr. DeGaris, Leader of the Opposition. He has fallen to such a low degree, in my opinion, that I do not think I can ever respect him as Leader of the Opposition in the future years that I shall spend in this Parliament and the future years he will spend here, because I think that what he has attempted to do is not only skulduggery but is probably one of the lowest forms of backbiting one could possibly ask for.

Let me go through these accusations. The first one he mentioned was a case concerning Mr. de Courcy Ireland. I remember that case well because at that time I was Minister of Forests and also Acting Minister of Lands. This case came before me as Minister of Forests and it was reported to me by the then conservator that there was a parcel of land offered which would suit the department very well indeed because it adjoined a forestry area and people wanted it to be kept in its natural state. There was a small portion of agricultural land added which was cleared and which would have been suitable for pine-growing.

At that time, I did not know and was not told that that land was already being purchased by a gentleman called Mr. de Courcy Ireland. As a result of that, when I became aware that Mr. de Courcy Ireland had actually bought it from Elder Smiths, I held up the matter, as the Acting Minister of Lands, pending more information about the situation. At the same time, I was receiving letters from people in the South-East saying that this heavily timbered land in its natural state should be kept in its natural state and that the Woods and Forests Department should acquire it. So the matter was taken to Cabinet later. I must admit that all this time I was keeping the Hon. Mr. DeGaris informed of what was going on. On two or three occasions we discussed it and the situation was that, because the gentleman concerned who was selling the land had purchased another property and was in financial difficulties because he was waiting for his money for this property, the Government turned around and actually paid the seller the amount of money that was owing to him from Mr. de Courcy Ireland.

As a result of that case I took to Cabinet some time ago, it was agreed in Cabinet that, if land was to be acquired by the Government at a late stage, there should be no difference between the acquisition by the Government and the acquisition by a private person: that is, the Government must come to the party with the money straight away so that the person can get his money. That was the situation stemming from the inferences made by the Hon. Mr. DeGaris regarding the Mr. de Courcy Ireland incident, but I insist that at all stages of these negotiations I kept the Leader informed of what was going on. As a matter of fact, I was sympathetic towards Mr. de Courcy Ireland but I pointed out to the Leader that there was a strong case made out by the Millicent Field Naturalists Society and other people in the South-East who wanted to maintain this area of virgin scrub in its

natural state and, therefore, they wanted the Woods and Forests Department to purchase it and manage it as a forestry reserve.

Next, there was to be a squash tournament, an open tournament, run by a gentleman called Mr. Len Atkins. Several weeks ago, a gentleman telephoned me one Friday afternoon rather late and informed me that his name was Mr. Len Atkins (I had never met him and have not met him) and in the conversation he said he was going to promote a squash tournament in Adelaide, which would be an open tournament. It would be of world standard, he was going to get world champions to come here and play, and it would be a great asset for sport and tourism in South Australia. When I asked Mr. Atkins what sort of help he expected from the Government, he said, "It has been indicated to me that the Queensland Government is prepared to put up \$5 000 for the promotion of this tournament in Queensland." I said, "As it is an open tournament and professionals will be engaged, our policy in the department is not to fund a tournament of this nature where professionals are engaged, so you will not hit the deck." He kept insisting that it would be in the interests of the State to have the tournament here and that Queensland was willing to put up \$5 000 to enable the tournament to be held in Queensland.

I told him on the telephone that I would take it to Cabinet the next Monday and get my colleagues' opinion on it; but I also told him that in no circumstances would I recommend it because it was contrary to the policy of the department. I did exactly that, and Cabinet did not recommend that we give any money to Mr. Atkins. He telephoned me about a week later and said, "What are you going to do about the squash tournament?" I said, "You did not hit the deck. As I told you previously, I took the matter to Cabinet, and Cabinet is not prepared to contribute anything towards your squash tournament."

The Hon. R. C. DeGaris: Is Mr. Atkins a liar?

The Hon. T. M. CASEY: Yes, if the Leader wants to put it that way, he is. The next thing I saw was a statement in the paper accusing me of promising money that was not forthcoming. Can Mr. Atkins prove that I wrote him a letter, or has he anything in black and white to say that I said this sort of thing? I have never met that gentleman before, and I have not met him since, but that was the conversation that took place over the telephone. I understand that Mr. Atkins has raised about \$40 000 from business houses to stage these tournaments.

The Hon. R. C. DeGaris: Was that known by Cabinet?

The Hon. T. M. CASEY: Not at that time, because I only found that out three days ago.

The Hon. R. C. DeGaris: Why raise it now?

The Hon. T. M. CASEY: I am just pointing out the facts as I see them and saying what has been pointed out to me. That is the information I received in the past three days. I believe that he has \$40 000 forthcoming to stage the tournament. Next, I have been accused of not doing anything about appointing a Director of Tourism when, in fact, the Public Service Board recommended a person, who now holds the office of Director of Tourism in New South Wales. As I have said previously in this Chamber when asked a question on this matter, that matter was not accepted by Cabinet. Of course, the situation is different now, because we have actually appointed a Director of Tourism.

The Hon. R. C. DeGaris: The Public Service Board recommended him in a notice in the *Gazette*.

The Hon. T. M. CASEY: Yes, the appointment was published in the *Gazette*. The matter went to Cabinet, but it did not agree with the appointment. If the Leader wants to get really cheeky I can refer to the recommendations by the Public Service Board when he was in Government in relation to a director, and the appointment was ruled out by Cabinet, which then appointed someone else. What happened when the Leader was a Cabinet member?

The Hon. R. C. DeGaris: Who was the officer, and when was it gazetted?

The Hon. T. M. CASEY: It was not gazetted, but a recommendation was made by the board.

The Hon. R. C. DeGaris: It was not gazetted.

The Hon. T. M. CASEY: That does not matter—a recommendation was not accepted by Cabinet. Regarding the report on tourism, I am hoping that the Pak-Poy report will be tabled shortly. The Leader knows, too, that the Tattersall report is a departmental report.

The Hon. R. C. DeGaris: The Corbett committee would have examined that aspect if you had not stepped in.

The Hon. T. M. CASEY: The Tattersall inquiry was established by the department. It is an inter-departmental report, which does not have to be tabled if the Government does not wish to table it. I could show the Leader reports carried out for the previous Liberal Government in this State which have never been tabled. Similar reports are under lock and key and, when I came into the office there were statements of, "Do not touch it on any account." I now refer to one of the Leader's old running sores, the Totalisator Agency Board. I do not want to get too involved in this, because we do not have a blackboard and an eraser, but I indicated to the Leader during the course of the Racing Industry Bill dealt with in this Council last year that the totalisator rules, which were made in 1967, are the same today. Indeed, those rules were in operation when the Leader was Chief Secretary in a Liberal Government when he administered the Racing Act.

There has been no alteration to those rules. If someone is getting into the Leader's ear, there is nothing I can do about it. My information is that someone is whispering in his ear about certain happenings, but I have been given an assurance tonight (and I went to much trouble to check it out), that totalisator rules that applied in 1967 are the same today. They have not been altered at all.

The Hon. R. C. DeGaris: What has that to do with your statement in this Chamber?

The Hon. T. M. CASEY: The Leader has made certain inferences, and he did that during the course of the debate in 1976 when the Director was sitting alongside me during the passage of the Bill. The Leader got the Director's undertaking at the same time.

The Hon. R. C. DeGaris: How could I get the Director's undertaking?

The Hon. T. M. CASEY: He indicated to you.

The Hon. R. C. DeGaris: How?

The Hon. T. M. CASEY: He was sitting in the Chamber, and he nodded his head. True, he did not say anything, but the Leader received his assurance in that manner. I told the Leader in this Chamber exactly what I am telling him now.

The Hon. R. C. DeGaris: What did you say?

The Hon. T. M. CASEY: That the rules did not change.

The Hon. R. C. DeGaris: You did not.

The Hon. T. M. CASEY: The Racing Act has not been changed, and that is the whole key to this business. I checked that out this evening, and that was the information that was conveyed to me.

The Hon. R. C. DeGaris: Will you guarantee that that was what you said to this Council in that debate?

The Hon. T. M. CASEY: What I am saying tonight is what I checked out and is what the Leader mentioned today. The totalisator rules made in 1967 are the same today as when the Leader was Chief Secretary and are the same as when the Bill was passed by the Council last year, except for the creation of a dog racing control board. Regarding the question of a letter to Mr. Saint on wheat quotas in regard to farmers whose land was acquired by the Monarto Commission, that aspect has been well covered by the Hon. Mr. Sumner. This matter was raised in 1974, when the Hon. Mr. Burdett represented the farmers in that area whose land was acquired by the commission. He insisted that farmers should be given a wheat quota. Under the Act the farmers could not be given a quota anyway, but that aspect was taken into consideration when the price of the land was fixed by the Land Board.

The farmers were given an increase in the price of their land, because they had to forgo their wheat quotas. Subsequently, some of those farmers have been share-farming on those properties, but it was only a week or a fortnight (from memory) after the Hon. Mr. Burdett raised this question with me that wheat quotas were lifted anyway. Moreover, that was always my policy as Minister of Agriculture, that I should try to get the wheat quotas lifted, because I considered that they were an impost on the farming community.

If the honourable member had checked with Mr. Saint about the letter I was supposed to have written, he would have found out that the letter the honourable member has inferred that I wrote to Mr. Saint was not written by me at any stage. I have written to Mr. Saint on many occasions, because I have known him for many years, anyway, and we used to correspond regularly on matters in regard to problems with the United Farmers and Graziers, and the like. The specific reference he was making dealt with wheat quotas, and Mr. Saint could categorically state that he did not receive a letter from me on this score. I do not know why the honourable member did not check it out. He should not make accusations without backing them up with factual evidence. I was staggered when I read the press statement of March 3, as follows:

... there was a strong rumour of a serious accusation the Minister has been alleged to have made against a prominent public identity.

We have heard tonight that that public identity is Mr. Colin Hayes.

The Hon. R. C. DeGaris: That was not said tonight.

The Hon. J. E. Dunford: The family.

The Hon. T. M. CASEY: The only occasion on which I have spoken to a member of the family of Mr. Colin Hayes followed my visit to Angaston to open an arts exhibition. Following the opening of the exhibition, I was invited to the hotel for dinner, during which certain references were made by people about racing, which is quite a topic in that area because Lindsay Park stud and other studs are nearby. During the evening Mr. Paul Mariani III, who is a very good friend of mine and is in partnership with my son (I have stayed at his father's home in California), introduced his fiancée to me. It turned out that his fiancée was Kerry Hayes, a very

good friend of my daughter. So, the family was integrated in the conversation. What was said during that conversation is a private matter as far as I am concerned. The conversation took place between Miss Hayes and me—no-one else. Never at any stage during that conversation did I accuse anyone of anything. If honourable members want to check that out, they should check it out with Miss Hayes. They will find it perfectly true.

The Hon. R. C. DeGaris: Did you agree to apologise on March 3?

The Hon. T. M. CASEY: Let me finish, if you want the truth.

The Hon. R. C. DeGaris: Remember that you are in Parliament.

The Hon. T. M. CASEY: I do not care where I am. I always tell the truth.

The Hon. R. C. DeGaris: Good Lord!

The Hon. T. M. CASEY: The Leader cannot dispute that.

The Hon. R. C. DeGaris: Yes, I can.

The Hon. T. M. CASEY: What I said on that occasion was in a private conversation between Miss Hayes and me.

The Hon. R. C. DeGaris: What did you say?

The Hon. T. M. CASEY: Let the Leader tell me. If the Leader wants to know what I said, he should talk to Miss Hayes. I have a witness whom the Leader did not know about who was with me on that occasion and who will substantiate everything I have said here tonight. The Leader does not know about this witness, and this is where he will fall flat on his face. This witness is horrified at the accusations made through the press by the Leader and a person in another place. The witness to whom I have referred is willing to stand up anywhere and substantiate what I have said here tonight. I make quite clear that I did not have to apologise and I have not apologised to the gentleman referred to by the Hon. Mr. DeGaris. I am absolutely horrified by the Leader's—

The Hon. R. C. DeGaris: Did you agree to make an explanation on the Thursday?

The Hon. T. M. CASEY: I have spoken to Mr. Hayes many times. It does not matter two hoots when I spoke to him.

The Hon. R. C. DeGaris: Yes, it does.

The Hon. T. M. CASEY: No, it does not. The fact remains that I did not have to apologise, and I have not apologised, to the person referred to by the Leader. I was not asked to.

The Hon. R. C. DeGaris: Did you make an explanation?

The Hon. D. H. L. Banfield: You said "apology" this afternoon, and now you are referring to an explanation. Why don't you pull yourself together?

The Hon. T. M. CASEY: The Leader has got his facts from someone who is all twisted up. Now, he is trying to twist things around to embarrass me, as a Minister, and the Government, and it is just not on. He can check this out if he wants to.

The Hon. R. C. DeGaris: I am checking with you now. Did you agree to make an apology or an explanation on the Thursday?

The Hon. T. M. CASEY: Now, the Leader wants it both ways. First, it was an apology, and now it is either an apology or a statement.

The Hon. R. C. DeGaris: Did you agree?

The Hon. T. M. CASEY: Never mind about that. I did not have to make, and I have not made, an apology, and I will stick by that, and the Leader can check that out to his heart's content. He should remember that when he comes along and makes these accusations which appeared in the press and which were completely untrue. The Leader should not forget that, because I have a witness. The Leader has nothing to substantiate this accusation, and he knows it.

I now refer to the next part of the argument dealing with Kangaroo Island farmers. No-one is more sympathetic towards the people on Kangaroo Island than I am, because as a farmer I know what it is to experience a series of bad seasons, as we do in the dry parts of the State such as the area from which I come, and to find out that things are not as rosy as they appear to be.

When the soldier settlement scheme was instigated, about 170 settlers went to Kangaroo Island. Today, there are about 110 settlers there. The other 60 settlers have moved off the island, some of their own volition, others having been forced to leave. The department's records show that Sir Cecil Hincks, I think in 1959 from memory, had to make the unfortunate decision to terminate the leases of four soldier settlers. The following year, when Mr. Quirke became Minister of Lands, he had to terminate a further three leases. So, seven farmers had their leases terminated by Ministers in the past. One other lease was terminated by Mr. Kneebone, whose name was not referred to today. No-one would mention it, although I do not know why, because there is no slur on anyone in this respect. It is one of those things. It is a fact of life that we must face, particularly in this day and age and with the state of the rural economy as it is.

In the case of Mr. Berryman (I think it was he), the department gave him much help over many years, telling him how to manage his property. He would not accept the advice given and I gather, from speaking to the Minister on one occasion, that that man had about 90 prime cattle ready for sale and that at that time cattle prices probably were the highest they had ever been. However, he decided to keep the cattle, although I do not know why. He was selling one beast to the butcher about once a fortnight, and the remainder of his cattle lost condition during summer and autumn periods. When he eventually came to sell them, they were worth about one-quarter of the value of cattle in prime condition. That was bad management.

We can argue about the problems of Kangaroo Island farmers, whether it be problems involving Yarloop clover, transportation or any other matters. Many people on the island have made a success of their enterprise because they have been good farmers and managers. Many farmers have Yarloop clover and they have made a success of their farms and would not be without that clover. Mr. Sinclair and I, accompanied by Commonwealth and State officers, flew to the island one morning and spoke to the eight settlers badly affected, the three not so badly affected, and 10 who we thought, with a little luck, could find themselves in a reasonably good position if they watched their payments, and so on, and provided wool remained at a reasonable price.

Unfortunately, while stock prices are fairly good, wool prices have dropped about 9 per cent recently. That is not a good return for people who are selling wool now, as opposed to, say, two months ago. In rural industries there can be a big fluctuation in prices throughout a period of about 12 months. That day on the island, Mr. Sinclair was adamant that, unless people could show that they

could reduce their indebtedness to such an extent that they could keep their heads above water, the leases would have to be terminated. The people concerned understood the position, and some have written to me saying how well Mr. Sinclair and I conducted the meetings. It is an unfortunate situation that must be faced. I have given the answers to the questions that have been raised and I hope I have answered to the satisfaction of all, because I repeat that an attack on any Minister is an attack on the Government as a whole.

The Hon. J. E. DUNFORD: I feel that I have an obligation to speak in this debate. I have known the Minister for more than 20 years and I have sat behind him since I have been a member of Parliament. In my opinion, he has administered his portfolio well. Although I am not the best judge, because I have been here for only a short time, I know of his ability from speaking to people in Caucus who have been associated with the Hon. Mr. Casey over the years, and he has administered more than one portfolio. The Labor Party has a record in this State of not making many mistakes, if any at all, and it did not make a mistake in electing Tom Casey to Cabinet.

I know that Tom Casey did not have to defend himself, but he made his point clear, and I was amazed at the way that he stood up to the innuendoes made by the mover of this motion. As my colleague Mr. Sumner has said, there was nothing concrete and the accusation would not stand up in a court of law, because it is not possible to challenge people for their livelihood by innuendo and without proof. I have always believed that Parliament was the highest and most respected authority in the land, and I have heard Mr. DeGaris say that many times. Apparently it has now broken down. Although my maiden speech was not the best speech that has been made in Parliament—

The Hon. D. H. Laidlaw: Don't be too modest.

The Hon. J. E. DUNFORD: I appreciate the interjection, and try not to be. I try to be outspoken, because I am now speaking on a serious matter. In my maiden speech I said that the history of the Legislative Council was disgraceful and that the method of appointing people to this Chamber to make decisions on behalf of the people of this State was wrong. I said that the method meant that they had to have land and money to become members and that all things associated with this Council for many years had been held in doubt and with no pride by people who believed in democracy. As this debate has developed, I know that members have become more embarrassed. Everyone was apprehensive; I was. No-one would be more apprehensive than Tom Casey, because he did not know what to expect. I suppose he has been suffering for the past three months, although he knew he was innocent and had the support of his wife and sons and daughters, and of his friends in the Labor movement. However, he still had to carry out his duties and meet the public at functions.

People have read of the allegations in the press, and we know what gossip is. People seem to believe what they read in the press. When a tape recorder was used on Mr. DeGaris in the Gresham Hotel by an *Advertiser* reporter he was horrified, and said that it was shocking and a low act. I brought to the attention of Parliament what he had said regarding his own Party politics. He said it was a disgraceful action, but his action in moving this motion is similar to the action that he condemned in the past.

I have been envious of his ability in debate, but this time he has tried to embarrass a Minister. However, people

who will judge this debate in years to come and those who have heard it now know where the fault lies. Mr. DeGaris was followed by the Hon. Murray Hill, to whom I listened for some time. I did not hear all of his speech, but in the first 10 minutes of it he referred to what Governments should do and said that they should be sympathetic to those who were poor and underprivileged, but he never got down to what the debate was all about, that is, a vote of no confidence in a Minister. I believe that Mr. Hill never had his heart in the proposition. He was followed by the shadow Attorney-General, who, like all lawyers, tried to put up a case in defence of someone who was wrong. However, the Hon. Mr. Burdett was wallowing and having difficulty. I am aware of his reputation as a capable lawyer but, if one is a capable lawyer, one cannot defend something in Parliament House that cannot be defended in the courts of Australia. As the Hon. Mr. Sumner said, the allegations made by the Hon. Mr. DeGaris would not hit first base.

The Hon. Mr. Casey has compassion for farmers. Everyone who has been reading about the soldier settlers has compassion for them. People in the Labor movement have compassion for anyone who has built up his business only to see it collapse, and that is happening all over Australia. Thousands of businesses each year are going bankrupt, not through the mismanagement of the owners (whether farmers or grocers), but as a result of the economic circumstances existing in this country brought about by a Liberal Government.

Although the Minister had little to answer, I believe that he answered it very well. I know that the Kangaroo Island farmers' problems have existed for many years, and I will quote from an article in the *Sunday Mail* of November 5, 1972, because, in the course of the earlier part of the debate, the Opposition's interjections appeared to suggest that the State Government ought to do something about the matter. We were almost silenced by the noise from the Opposition when we replied that most of the debt was money owed to the Federal Government for rent, the remainder being owed in borrowings from lending institutions and on stock mortgages. Anyone who has a mortgage on his house, let alone his business, and is borrowing money today cannot possibly survive the high interest rates. These people owe money to the Federal Government, as well as owing money on stock mortgages and money borrowed from lending institutions. The article in the *Sunday Mail* of November 5, 1972, states:

The Chairman of the Kangaroo Island (Gosse) Lands Improvements Committee, Mr. Ted Chapman, said he was sure Mr. Sinclair and his officers were fully aware of the problems and had taken some real action to alleviate the problems in the long term. But while settlers waited for the effects of the biological studies to be felt, help was needed. "Sooner or later there is going to be a need for rental adjustment," he said.

"The occupiers of these lands are facing old age. In some cases the soldier settler himself is already deceased and his wife is trying to carry on. The accrued debts and commitments applicable to these holdings are not attractive to the sons of the settlers." He said most of the settlers badly needed more money to carry on. Their borrowing power was nil because of their big debts. The answers from Mr. Sinclair cast doubts on any significant reduction in rentals for the settlers.

So here is the Opposition screaming at the top of its lungs that the State Government can solve these problems, and we are discussing a motion of no confidence in the Minister of Lands in 1977, when five years ago the problem was exactly the same. I lend my voice in opposition to the motion and trust that the Council will try to bring some respect (if there is any left) back into this Chamber by unanimously voting against the motion.

The Hon. R. C. DeGARIS (Leader of the Opposition): I am appreciative of the speech made by the Hon. Mr. Dunford because I believe he really tried to approach this matter in the most honest way he could, although I do not agree with what he said. The Chief Secretary did his job well in supporting the Hon. Mr. Casey. After all, that is his job—he had to do it.

The Hon. D. H. L. Banfield: And he did it willingly, truthfully and honestly.

The Hon. R. C. DeGARIS: It is his job to do so but in no way did he reply to the matters raised in the debate. He gave us a Cook's tour of the Minister's department on how much money is being spent. That had nothing to do with the real tenor of the debate. I begin by reading to the Council a statement I made to the press when the information first came to me of the allegations that the Minister had made against certain people. I said this, and I quote it as being most important in this debate:

In my opinion, Mr. Casey's performance in the House as a Minister leaves a lot to be desired, and *Hansard* bears proof of that opinion.

That is the exact statement that the Chief Secretary refused to quote. I went on to say:

I have recent information of Mr. Casey's performance outside the House. That evidence will be disclosed as soon as the House sits.

The first point was the general dissatisfaction with the Minister in this Council over a period of years, and I think that part of the case has been proved. There is no question about the material provided by the Hon. Mr. Burdett and the material I have presented. There has been the allegation by the Minister that Mr. Len Atkins is a liar. Everyone is a liar—

The Hon. J. E. Dunford: That is not true. What the Minister said in reply to an interjection by the Hon. Mr. DeGaris was "If you put it that way", that he is a liar.

The Hon. R. C. DeGARIS: I interjected on the Minister directly. I said, "You are saying that Mr. Atkins is a liar", and he said, "Yes".

The Hon. D. H. L. Banfield: That is right, but he was saying that.

The Hon. N. K. Foster: He said he was a liar in the way you put what Mr. Atkins had said.

The Hon. R. C. DeGARIS: Everything that has been said by the Hon. Mr. Burdett, the Hon. Mr. Hill and me is regarded as, "You are not telling the truth", and it goes further, because I telephoned and checked with the people against whom these allegations were made.

The Hon. N. K. Foster: Whom did you ring?

The Hon. R. C. DeGARIS: Never mind.

The Hon. N. K. Foster: Whom did you ring? Again, that is a false accusation.

The Hon. R. C. DeGARIS: It was confirmed and also, if you notice the evidence today in the Council, at no stage did the Minister deny that he was going to apologise or make an explanation—

The Hon. N. K. Foster: Why should he?

The Hon. R. C. DeGARIS: —on the Thursday. Let us look at this evidence. By interjection, I questioned the Minister time and time again and he did not reply. Then suddenly—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr. DeGaris is speaking. The honourable member is clearing up this debate.

The Hon. N. K. Foster: He is what?

The PRESIDENT: He is concluding this debate.

The Hon. N. K. Foster: He is muddying the waters further.

The Hon. D. H. L. Banfield: It is the old story: "Are you beating your wife nowadays?"

The Hon. R. C. DeGARIS: Suddenly, the Minister recalled a story that he could not recall when the press rang him on this issue. Suddenly, he recalled a story that he had not been able to recall. It is obvious to me and to every person in this Chamber that the Minister tried to mislead the press. He was afraid of the truth. That is the case against the Minister. I said in my speech on this matter that the Minister's ability to mislead was the catalyst to this motion. When I first heard of the allegations and checked and found they were true, I made a statement to the press, and I shall read it again for the information of honourable members. It states:

In my opinion, Mr. Casey's performance in the House as a Minister leaves a lot to be desired and *Hansard* bears proof of that opinion. I have recent information relating to Mr. Casey's performance outside—

That is the major point.

The Hon. D. H. L. Banfield: What does the top part of the press report say?

The Hon. R. C. DeGARIS: I shall read the whole lot. The top part, which is not a quote of mine at all—

The Hon. D. H. L. Banfield: So the press are liars now. That is not a quote of DeGaris!

The PRESIDENT: Order!

The Hon. D. H. L. Banfield: The press is lying.

The Hon. J. C. Burdett: No it is not.

The Hon. D. H. L. Banfield: The Hon. D.G. is not lying, but the press was.

The Hon. J. C. Burdett: Read it all.

The PRESIDENT: Order!

The Hon. R. C. DeGARIS: I have been asked to read the whole of the first article. It was headed "Quit call to South Australian Minister", and it states:

Two Opposition Parliamentarians today called on the State Minister for Tourism, Recreation and Sport, Mr. Casey, to resign from Cabinet. Opposition Leader in the Legislative Council, Mr. DeGaris, said as soon as Parliament sat at the end of this month he would move for Mr. Casey's removal. The shadow Minister for Sport, Mr. Evans, also called for Mr. Casey's resignation. He said there was a "strong rumour of a serious accusation the Minister has been alleged to have made against a prominent public identity."

The Hon. D. H. L. Banfield: Strong rumours!

The Hon. R. C. DeGARIS: Let me quote what I said. That is the relevant point. I said:

In my opinion, Mr. Casey's performance in the House as a Minister leaves a lot to be desired and *Hansard* bears proof of that opinion.

The Hon. Anne Levy: How?

The Hon. R. C. DeGARIS: That was the first statement I made. *Hansard* bears proof of that opinion, because we have quoted *Hansard* today time and time again. I shall come to that part of the point in a minute. I said that this was the catalyst, the feeling I had of the performance of Mr. Casey in this Chamber when I heard these allegations, and it was confirmed by his denial to the press. It was confirmed by that denial. The Hon. Mr. Sumner talked about manufactured evidence. There has been no evidence manufactured.

The Hon. D. H. L. Banfield: There has been no evidence, full stop.

The Hon. R. C. DeGARIS: That is not the point. The Minister deliberately tried to mislead. He knew on that day what was referred to in the press, yet he stood there and

said he had no knowledge and was completely mystified, when everyone associated with the racing game knew of those allegations.

The Hon. J. C. Burdett: He said tonight he had never heard it before.

The Hon. R. C. DeGARIS: That is right, and yet suddenly it dawned on him that he happened to talk to a person who was the daughter of the person to whom I referred. The Minister knew on the Wednesday that an arrangement had been made for him to apologise or to explain his statement to certain people, and he denied to the press that he had any knowledge whatsoever. That was on the very day on which that had been arranged. A Minister holding public office must be seen to be totally trustworthy, and he must be seen to be totally honest. I come back to the point that that was the catalyst to this motion. The Hon. Mr. Hill referred to the question of Berryman, and the Minister replied about that matter. I should like to make a most important point about Berryman, who was ejected from his property. He was sold up.

The Hon. T. M. Casey: By whom?

The Hon. R. C. DeGARIS: That does not matter.

The Hon. D. H. L. Banfield: Why not? You are attacking a specific Minister.

The Hon. R. C. DeGARIS: If the Minister wants me to go into it I can do so, but it has nothing to do with this question.

The Hon. T. M. Casey: I mentioned it earlier, so you can do so.

The Hon. R. C. DeGARIS: This debate is confined to what is contained in the motion on the Notice Paper. On July 26, 1974, the Minister replied to a letter from Mr. Chapman, M.P.—

The Hon. T. M. Casey: Who was the Minister?

The Hon. R. C. DeGARIS: It was a letter by the Hon. T. M. Casey, Acting Minister of Lands, and it was as follows:

I received your letter of June 14 on behalf of Mr. C. J. Berryman who wishes to obtain a defence service loan for the purpose of building a residence. I note your comments that it appears that, whilst the debt outstanding to the Lands Department in respect of the war service property which he formerly held exists, Mr. and Mrs. Berryman's application to the Department of Housing is unlikely to be approved. It would not be in order for me to actively support Mr. Berryman's case but I have taken the necessary action to have the debt to this department written off so that his application for a defence service home loan can proceed.

As the Hon. Mr. Hill said, money is available from the Australian Housing Corporation for Mr. Berryman to build a house, but first he must have a certificate from the Lands Department giving him a clearance from that department, yet the Minister refuses to give him that clearance.

I now deal with a letter to the Director of Lands by Mr. Chapman, who said that Mr. Berryman was willing to give an undertaking to the Lands Department that in no way, if it gave him a clearance, would he take any action against the department for anything it might have done to him. All he wants is a loan from the War Service Housing Division to build himself a house in which to live on Kangaroo Island. This man is willing to give any undertaking that he will take no legal action against the department if it will give him that clearance, but the reply from the department is still "No". The money is waiting in the Housing Corporation and all that is required is the department's clearance, which will not be given. That is an administrative responsibility, so far as the Minister is concerned.

The Hon. F. T. Blevins: Do you know all the facts of the case?

The Hon. R. C. DeGARIS: I know far more about it than does the Hon. Mr. Blevins. Mr. Berryman has been thrown off his Kangaroo Island property, perhaps justly or perhaps unjustly, and he is living in a substandard dwelling while the funds he needs to build himself a house to retire in are denied because the Minister will not give him a clearance.

The Hon. D. H. L. Banfield: Why cannot the Federal Government act without that clearance? It is a big-hearted Liberal Government.

The Hon. R. C. DeGARIS: I can answer that question. It is because of the Commonwealth Statute. If any person is in any way indebted to another Government department he cannot, in a war service loan situation, get a loan from another Government department. That is the reason, and it is a just provision. The only thing that is required to enable this man to qualify is a clearance from the Minister, and it will not be given.

The Hon. D. H. L. Banfield: Hasn't the Federal Minister the right to use his discretion? Come on! Has he the right or not?

The Hon. R. C. DeGARIS: No.

The Hon. D. H. L. Banfield: That's bad administration.

The Hon. R. C. DeGARIS: All that is required is a clearance from the Minister, and that clearance will not be given. I stand clearly on that: it is an administrative irresponsibility that that should be the case.

The Hon. D. H. L. Banfield: There's a Liberal Government now but it won't part with the money.

The Hon. R. C. DeGARIS: The administrative rules are valid, because no-one can obtain a loan for war service purposes from two organisations. That is fair. All that is required is a clearance stating that Berryman is no longer involved with the Lands Department of South Australia, which he is not. Instead he is stuck on Kangaroo Island waiting for one piece of paper from the Minister. That illustrates the very point I am making. The Hon. Mr. Foster dealt with the Auditor-General's report for 1976. That report has absolutely nothing to do with this case. The Hon. Mr. Foster quoted the passage on War Service Land Settlement (World War II), wherein it is stated:

An agreement for the settlement on the land of discharged members of the services was first made between the Commonwealth and State Government on November 2, 1945, and ratified by the State under the War Service Land Settlement Agreement Act.

Then it states three conditions, and provides:

Pursuant to clause 15 of the agreement the Commonwealth arranged with the State that after the land was allotted, the State would administer the settlers' advances and that the Commonwealth would make an annual contribution to the State towards the costs of that administration calculated at 1 per cent of the mean of the December and June balances of the advances.

The Hon. Mr. Foster claims that, in 1945, the Commonwealth was the principal and the States the agents. That was perfectly true and has not been under debate. What has been under debate was that in 1949, following the Magennis case, the Act had to be amended. That was done in 1950 and, in judgments that have been handed down since, the State is the principal, and no-one else. The State is not the agent in law; it is the principal, yet constantly—

The Hon. C. J. Sumner: What about morally and financially? Who set up the scheme?

The Hon. R. C. DeGARIS: We are not talking about morality.

The Hon. D. H. L. Banfield: You're not interested in morality?

The Hon. R. C. DeGARIS: I am interested in morality from the viewpoint of the truth, which is more than the Government is interested in.

The Hon. D. H. L. Banfield: Why did Sinclair make a dash to Kangaroo Island?

The Hon. R. C. DeGARIS: A decision was made in the Heinrich case that the State is the principal. We have seen a shuffling of responsibility by the Minister of Lands, and the Chief Secretary in this case, trying to show that the Commonwealth is the principal. All I am trying to do is indicate what the Commonwealth says. The only person who can remove the leases is the Minister sitting in this Chamber, no-one else.

The Hon. D. H. L. Banfield: Why did Sinclair go to Kangaroo Island if he had nothing to do with it?

The Hon. R. C. DeGARIS: The Commonwealth cannot do—

The Hon. D. H. L. Banfield: Answer that!

The Hon. R. C. DeGARIS: The Commonwealth—

The Hon. D. H. L. Banfield: You can't answer it, and you know you can't! You have no intention of doing so.

The Hon. R. C. DeGARIS: The Commonwealth has a financial interest and in this case is a banker, in exactly the same way as His Honour Mr. Justice Bright determined. The principal is the State: it issues the leases. The Commonwealth has a financial interest, but the person who makes the decision to withdraw leases is the Minister of Lands in South Australia, no-one else. If a case is brought by a settler against anyone, it is against the Minister of Lands. The case cannot be brought anywhere else. It is exactly the same situation regarding Berryman—unless the Minister in South Australia decides to give him a clearance, he cannot get a loan from anyone else. The Minister here is the principal.

The Hon. D. H. L. Banfield: Why did the Commonwealth Minister go to Kangaroo Island?

The Hon. C. M. Hill: Because he was the banker.

The Hon. D. H. L. Banfield: So, he had a financial interest.

The Hon. R. C. DeGARIS: The Hon. Mr. Sumner referred to abuses of Parliament. I ask honourable members to weigh the evidence placed before this Council today and to ask whether there have been any abuses of Parliament. How can we substantiate these things if we cannot call witnesses?

The Hon. D. H. L. Banfield: You have taken advantage of the fact that you cannot call witnesses.

The Hon. R. C. DeGARIS: I turn now to the matter of Mr. de Courcy Ireland. The Woods and Forests Department was offered the block of land by Elders-Goldsbrough Mort, but it said, "No; we do not want to buy it." So, Elders-Goldsbrough Mort, as the agent, found another buyer, Mr. de Courcy Ireland. The contract was signed, but the Minister, as Minister of Forests and Minister of Lands, said, "No; I will not agree to the transfer of this block to Mr. de Courcy Ireland, because the Woods and Forests Department wants it." That was the beginning, and I claim that that action was irresponsible and capricious. I do not think any honourable member would disagree with that comment.

The Hon. F. T. Blevins: I do.

The Hon. R. C. DeGARIS: Why?

The Hon. D. H. L. Banfield: Because it is baloney.

The Hon. R. C. DeGARIS: The Woods and Forests Department could have bought the block of land, which was offered to it time and time again. Finally, Mr. de Courcy Ireland agreed to the owner's price, but the Minister said, "No; I will not transfer it." When I talked to the Minister about this matter, he agreed with me that this was a capricious action. That is 2½ years ago, and still that question has not been resolved; that is administrative incompetence. The Corbett inquiry was to investigate tourism in South Australia and to make a full report. It was going to look at the operation of the Tourist Bureau, but it was told that it was not to look at the South Australian Tourist Bureau; that would be done by the Tattersall committee, whose report has never been tabled.

The Hon. Mr. Burdett raised the question of wheat quotas. There is no doubt in the minds of Opposition members here, on the evidence, that the Minister tried to mislead this Parliament. For a long time in this Council we have not been happy with the standard set by the Minister of Lands. The areas where we have been dissatisfied have been thoroughly dealt with today, but the main point (and this has been borne out on two or three occasions) is the Minister's lack of veracity.

The Hon. D. H. L. Banfield: Why didn't you include that in your motion?

The Hon. R. C. DeGARIS: I thought I had.

The Hon. D. H. L. Banfield: You spoke on your motion, and you still do not know that you had not put it in there. You now say that you thought you put it in.

The Hon. R. C. DeGARIS: How often does the Minister introduce a Bill into this Council and later introduce amendments to that Bill?

The Hon. D. H. L. Banfield: You had two speakers before the amendment was moved, but you and your seconder did not indicate anything about this. It was not until you saw how weak you were that you thought you should introduce the amendment.

The Hon. R. C. DeGARIS: I thought that the question of challenging the Minister's administrative ability would take the question of veracity into account. If that is not the case, I support the amendment. If one thing is clear in all that has happened today, it is that the Minister has a habit of misleading. If one looks at the debate on the wheat quotas and margarine legislation, as well as at the de Courcy Ireland debate, one comes to that conclusion.

The Hon. T. M. Casey: Where does margarine come into it?

The Hon. R. C. DeGARIS: I referred to it in the debate.

The Hon. T. M. Casey: But you did not explain it.

The Hon. R. C. DeGARIS: There were doubts in Opposition members' minds regarding the Minister's veracity. It was clearly demonstrated, if one listened to what the Minister said tonight, that he knew very well, as did the Minister of Mines and Energy, that on the Thursday an arrangement had been made, according to the people whom I telephoned and who were directly involved, that the Minister would apologise. Yet the Minister still denied to the press that he knew anything about it, and that is a condemnation of the Minister's veracity.

The Council divided on the amendment:

Ayes (9)—The Hons. J. C. Burdett (teller), M. B. Cameron, J. A. Carnie, Jessie Cooper, M. B. Dawkins, R. C. DeGaris, C. M. Hill, D. H. Laidlaw, and A. M. Whyte.

Noes (9)—The Hons. D. H. L. Banfield (teller), F. T. Blevins, T. M. Casey, J. R. Cornwall, C. W. Creedon, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner.

Pair—Aye—The Hon. R. A. Geddes. No—The Hon. B. A. Chatterton.

The PRESIDENT: There are 9 Ayes and 9 Noes. I give my casting vote for the Ayes.

Amendment thus carried.

The Council divided on the motion as amended:

Ayes (9)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, Jessie Cooper, M. B. Dawkins, R. C. DeGaris (teller), C. M. Hill, D. H. Laidlaw, and A. M. Whyte.

Noes (9)—The Hons. D. H. L. Banfield (teller), F. T. Blevins, T. M. Casey, J. R. Cornwall, C. W. Creedon, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner.

Pair—Aye—The Hon. R. A. Geddes. No—The Hon. B. A. Chatterton.

The PRESIDENT: There are 9 Ayes and 9 Noes. This motion, although it is not expressed in so many words, is, I take it, really a motion of no confidence in the Minister and I think, therefore, in the circumstances that now confront me, it is my duty to take a judicial approach to the whole matter. A Minister of the Crown always bears a very heavy responsibility. His first and most important responsibility is to this Parliament. His secondary responsibility is to the Premier of the day as Leader of his Cabinet team, and his third responsibility is to his Party, and in the case of a Minister from the Labor Party that is to his Caucus. In this Chamber we are dealing with a Minister's responsibility to Parliament.

In my opinion before any resolution of this nature can be carried (which seeks the concurrence of the House of Assembly), a strong *prima facie* case of misconduct or maladministration should be made out by the supporters of the motion. If the case is not strongly made out here in the Chamber of first instance, it will surely be summarily rejected in another place. Having listened to the speakers, I am not convinced that such a case has been made out. Assuming for the moment that all the allegations were proved, they seem to me in a large measure to amount to no more than providing legitimate grounds for political or even personal criticism of the Minister's decisions or conduct. As members of Parliament we all have to stand up to political or personal criticism from time to time. Therefore, I give my casting vote for the Noes.

Motion as amended thus negated.

NOISE CONTROL BILL

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

The Hon. T. M. CASEY (Minister of Lands): I move:
That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This Bill is intended to provide the means to bring about a reduction of the level of noise in the community and to minimise the risk of noise-induced hearing loss. The Bill reflects the increasing concern in the community about certain retrogressive effects of our present technology upon the quality of life and, more important, our health. With

respect to health, there should be no dispute that the necessary steps should be taken to prevent the damage caused by continuous exposure to excessive noise in employment. The Government also believes that the community is now prepared to make the investment necessary to commence restoring qualities, such as quiet, although such investment does not contribute to material growth. The Government is supported in this view by the numerous complaints received by its various departments from members of the public about the level of noise in the community.

The law at present regulates noise in the community through the tort of nuisance. With respect to noise, this civil remedy, basically, provides a means of adjusting the rights of persons having an interest in neighbouring lands to use and have quiet enjoyment of their lands. This measure does not affect that remedy but adopts a different approach to the problem of noise. It makes use of our ability to measure objectively the levels of noise by stipulating maximum noise levels for certain sources of noise and imposing penalties upon the persons in control of such sources of noise that exceed those maximum noise levels.

In relation to non-domestic premises, that is, premises on which any industrial or business activity is carried on, the Bill empowers inspectors appointed under it to give a notice to the occupier of non-domestic premises that emit excessive noise requiring him to ensure that excessive noise is not emitted after the expiration of a period specified in the notice. Excessive noise for this purpose is noise that, as measured outside the industrial premises, adds more than five decibels to what would otherwise be the background noise level and exceeds the noise level prescribed for the particular time of the day and the area within which those premises are situated. The noise levels to be prescribed are levels that have been arrived at after surveys conducted throughout the metropolitan area, and represent an average of such noise levels for the various times of the day. It is proposed that the areas to be prescribed will correspond to zoning under the planning legislation.

The Bill provides that an employer is to be guilty of an offence if any of his employees are exposed to excessive noise during his employment. Excessive noise for this purpose is noise that at any time exceeds a noise level of 115 decibels, which is quite harmful to the hearing, or noise that in a day is at levels that are such that the equivalent continuous noise level calculated upon the basis of those noise levels exceeds the prescribed maximum noise level. That is, the varying noise levels during the day are converted to a figure that corresponds to a noise level continuing throughout the day. It is proposed that the maximum noise level to be prescribed will be 90 decibels. On the best advice available to the Government, reducing noise levels to a continuous 85 decibels is necessary to minimise hearing loss while exposure to 90 decibels over a working life causes some hearing loss in most persons and serious loss in a small percentage of sensitive persons. As noise-induced hearing loss is a cumulative process and attaining the lower level of 85 decibels will be expensive and technologically difficult, it is proposed that that lower level will be phased in over a period of time that is reasonable having regard to circumstances in the industries concerned.

The Bill regulates noise emitted from any domestic premises by providing that it is an offence for the occupier of domestic premises to cause, suffer or permit excessive noise to be emitted from the premises. Excessive noise in respect of domestic premises is noise that unreasonably

interferes with the peace, comfort or convenience of any person in other premises or, as an alternative test, that during the sleeping hours exceeds the noise level prescribed for the area in which the domestic premises are situated.

The Bill proposes to control noise from machines by means of regulations prescribing such lower noise levels as are technologically feasible in relation to each particular machine or type of machine. This area of noise control has two aspects: first, the prescription of noise levels for existing machines to come into effect at such time as is reasonable in relation to each particular type of machine. The noise from a number of existing machines that cause complaint, such as compressors, air-conditioners or swimming pool pumps, filters or heaters, will be required to be reduced in the immediate future and this may be achieved reasonably simply by means of screens designed to baffle the noise. Regarding lawn mowers and power tools, noise levels will be prescribed which may be achieved by modifying these machines, but in addition, for a period, times will be prescribed during which such machines that are unmodified may be used and that are reasonable times from the point of view of annoyance to neighbours. Secondly, the Bill proposes to phase in design requirements for machines marketed in the future that will ensure that these machines emit less noise. It should be pointed out that this measure is not intended to regulate noise from motor vehicles, which is at present regulated under the Road Traffic Act, 1961. Considerable research is being carried on at a national and State level in relation to the control of noise emitted by both new and in-service vehicles, and this soon should be reflected in regulations made under the Road Traffic Act designed to more effectively control this aspect of noise.

The measure recognises the technological complexity of reducing noise and the not inconsiderable cost involved by providing for temporary exemptions and, in appropriate cases, permanent exemptions. With respect to excessive noise from non-domestic premises, the Bill provides that the Minister may extend the period specified in a notice given by an inspector, if he considers that it does not allow sufficient time to achieve compliance. In addition, the Minister is empowered to grant exemptions to non-domestic premises for such periods and subject to such conditions as he specifies in the exemptions. The Chief Inspector of Industrial Safety, or the Chief Inspector of Mines, as the case requires, is empowered to grant exemptions to employers with respect to excessive noise exposure. Any such exemptions are to be subject to conditions providing for personal hearing protection to be worn by employees exposed to excessive noise. These powers of exemption and the fixing of appropriate times for commencement of operation of the various requirements under the measure should provide the necessary flexibility.

Clause 1 is formal. Clause 2 provides that the measure shall come into operation on a day to be fixed by proclamation, but also provides that specific provisions may be brought into operation at subsequent dates. Clause 3 sets out the arrangement of the measure. Clause 4 provides that the Crown is to be bound. Clause 5 saves any other remedies at law. Clause 6 provides definitions of expressions used in the Bill.

Clause 7 provides for the appointment of inspectors. Clause 8 requires inspectors to produce certificates of appointment when exercising their powers. Clause 9 sets out the powers of inspectors. Clause 10 makes provision for inspectors to give notices to the occupiers of non-domestic premises from which excessive noise is emitted. Excessive noise for this purpose is defined in terms of the results obtained by inspectors from measuring the

noise in accordance with regulations under the measure. Subclause (5) provides that it is an offence to fail to comply with a notice, but by subclause (4) the Minister is empowered to extend the period for compliance with a notice.

Clause 11 empowers the Minister to exempt non-domestic premises from the application of clause 10, and sets out criteria for the determination of such exemptions. These exemptions may be restricted in time and made conditional. Clause 12 provides that it is an offence for an employer to cause, suffer or permit any of his employees to be exposed to excessive noise during that employment. Again, excessive noise is defined in terms of the results obtained from calculations and measurements of the noise in accordance with regulations under the measure. Clause 13 empowers the Chief Inspector of Industrial Safety or the Chief Inspector of Mines, as the case requires, to exempt employers from compliance with clause 12 where he is satisfied that compliance is not reasonably practicable in the circumstances. Such exemptions are to be conditional upon the employers' taking steps to protect the hearing of their employees and may be restricted in time and made subject to any other conditions.

Clause 14 imposes a duty upon employees not to render less effective any action taken by their employer to comply with clause 12 or 13. Clause 15 empowers the Minister or the designated officer to require information relating to industrial noise. Clause 16 prohibits the operation of machines that emit excessive noise as prescribed by regulations under the measure. By subclause (4), the operation of such machines is to be permitted at times and in circumstances to be prescribed by regulation. Clause 17 prohibits the sale of machines that do not conform to noise specifications to be prescribed by regulation at the appropriate times in the future.

Clause 18 provides that it is an offence for the occupier of any domestic premises to cause, suffer or permit excessive noise to be emitted from the premises. The clause provides for powers of entry and questioning necessary to identify the occupier. Clause 19 prohibits the improper disclosure of information obtained by officers in the exercise of their powers or functions under the measure. Clause 20 is an evidentiary provision. Clause 21 subjects officers of bodies corporate convicted of offences to personal liability in certain circumstances. Clause 22 provides that offences against the measure are to be heard by courts of summary jurisdiction and that such proceedings are to be commenced only upon the complaint of an inspector. Clause 23 makes provision for moneys for the purposes of the measure. Clause 24 empowers the making of regulations for the purposes of the measure.

The Hon. D. H. LAIDLAW secured the adjournment of the debate.

ABORIGINAL LANDS TRUST: SECTIONS NORTH OUT OF HUNDREDS

The House of Assembly transmitted the following resolution in which it requested the concurrence of the Legislative Council:

That this House resolve to recommend to His Excellency the Governor that, pursuant to section 16 (1) of the Aboriginal Lands Trust Act, 1969-1975, section 439 and 488, north out of hundreds, be vested in the Aboriginal Lands Trust; and that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

ABORIGINAL LANDS TRUST: HUNDRED OF
BONYTHON

The House of Assembly transmitted the following resolution in which it requested the concurrence of the Legislative Council:

That this House resolve to recommend to His Excellency the Governor that, pursuant to section 16 (1) of the Aboriginal Lands Trust Act, 1966-1975, section 241, hundred of Bonython, be vested in the Aboriginal Lands Trust; and that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

ABORIGINAL LANDS TRUST: HUNDRED OF
TATIARA

The House of Assembly transmitted the following resolution in which it requested the concurrence of the Legislative Council:

That this House resolve to recommend to His Excellency the Governor that, pursuant to section 16 (1) of the Aboriginal Lands Trust Act, 1966-1975, sections 928, 929

and 930, hundred of Tatiara, be vested in the Aboriginal Lands Trust; and that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

ABORIGINAL LANDS TRUST: HUNDRED OF
MURRABINNA

The House of Assembly transmitted the following resolution in which it requested the concurrence of the Legislative Council:

That this House resolve to recommend to His Excellency the Governor that, pursuant to section 16 (1) of the Aboriginal Lands Trust Act, 1966-1975, sections 32 and 33, hundred of Murrabinna, be vested in the Aboriginal Lands Trust; and that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

ADJOURNMENT

At 10.34 p.m. the Council adjourned until Tuesday, April 5, at 2.15 p.m.