

Of course, everyone agrees that he cannot divulge the information that he obtains, but he could determine whether something should be done. Even a fraction saved to the consumer would mean that many of the problems that flow from an increase would not arise. If we do not get to the very basis of this problem, we shall have no one to blame but ourselves and our present administrators. That is the point, and it is a most serious one. The Minister should seriously examine this matter even at this late stage. He could probably avoid many of the problems that are bound to arise.

The honourable member for Gosford mentioned problems that are occurring and will occur. He mentioned something about the strike the other day. It is a simple matter to blame people. He condemned the waterside workers out of hand. I suggest to him that he should go to the waterfront and look at the problems there; he would get a greater insight into the problems of the people on the waterfront. I took no notice of the newspapers and went down there to see things for myself.

A problem arising today among the blue collar workers will be aggravated in the next twelve months or more. The blue collar worker is getting further back when his conditions are compared with those of the white collar worker. He becomes now a fertile field for those people who would care to use him possibly to embarrass authority.

Mr BRAIN: Who are the blue collar workers?

Mr R. J. KELLY: Technicians and others who work in the engineering and building trades, and especially those employed in the metal trades industries—all of those people working for wages.

Mr SPEAKER: Order! As it is now 10.20 o'clock, p.m., the debate stands adjourned in accordance with the sessional order adopted yesterday.

House adjourned, on motion by Mr Willis, at 10.21 p.m. until 10.55 a.m. Thursday.

Legislative Council and Legislative Assembly

Thursday, 2 September, 1965

JOINT SITTING TO ELECT A SENATOR

The two Houses met in the Legislative Council Chamber at 11 o'clock, a.m., to elect a Senator in the place of Senator the Hon. Sir William Henry Spooner, K.C.M.G., M.M.

Mr ASKIN: Mr. Clerk, I move:

That the Hon. William Edward Dickson, President of the Legislative Council, do act as President of the Joint Sitting of the two Houses of the Legislature for the election of a Senator in place of Senator the Hon. Sir William Henry Spooner, K.C.M.G., M.M., resigned, and that in the event of his absence, the Hon. Kevin Ellis, LL.B., B.Ec., Speaker of the Legislative Assembly, do act in that capacity.

Mr RENSHAW: I second the motion.

Motion agreed to.

The Hon. W. E. DICKSON took the chair.

The PRESIDENT: On behalf of Mr Speaker and for myself, I express our appreciation of honourable members' having elected us to preside at this Joint Sitting.

Mr ASKIN: Mr President, I bring up certain rules for the regulation of the proceedings at the Joint Sitting, and move:

That the proposed rules be read by the Clerk of the Parliaments.

Mr RENSHAW: I second the motion.

Motion agreed to.

The Clerk of the Parliaments read the rules.

Mr ASKIN: I move:

That the rules as read be now adopted.

Mr RENSHAW: I second the motion.

Motion agreed to.

The PRESIDENT: I am now prepared to receive nominations for election of a person to fill the vacant place in the Senate caused by the resignation of Senator the Hon. Sir William Henry Spooner, K.C.M.G., M.M.

Mr ASKIN: Mr President, I propose Robert Carrington Cotton, Esquire, and I announce that the candidate is willing, if elected, to hold the vacant place.

As honourable members are aware, Mr Cotton was appointed by His Excellency the Lieutenant-Governor to hold the vacant place pending a choice being made by Parliament. In proposing Mr Cotton I wish to direct attention to his achievements in public life in New South Wales. A talented and versatile man, he has never spared himself in the field of public service. I refer to his association with local government as president of the Oberon Shire Council between 1947 and 1950; and before that, in war time, to the special work he performed in the Ministry of Munitions, Melbourne, related to the problems of the timber industry. He was also a member of the Australian Foodstuffs Council, a vital activity in those critical years. Later, Mr Cotton enlisted in a Royal Australian Air Force aircrew and during 1942-43 rose to the rank of sergeant pilot. Then he was assigned to establish a timber industry in Oberon to overcome, as a matter of urgency, the war-time timber problems of the Broken Hill mining industry.

Mr Cotton has sound qualifications for the important career he will follow if he is chosen to become a member of the Senate. He has already been tested formidably in the political arena. Twice, in 1949 and 1951, he stood as a Liberal Party candidate against no less a person than the Rt Hon. J. B. Chifley, and polled quite respectably. A member of the Liberal Party since 1947, he has held the highest executive positions in it, including the offices of State president and federal vice-president. It is, of course, as a representative of the Liberal Party that I nominate him to succeed Senator Spooner, who belonged to the same party in the Senate.

Having known Mr Cotton for quite a number of years in his rôle as executive head of the New South Wales Liberal Party, and also in the private sphere, I speak with absolute confidence in his ability and personal integrity, which is undoubted. He has the background in business and in public service to be a splendid representative of this State in the federal Parliament.

His professional and business experience has won him an important position in his chosen field of timber manufacture. He is responsible for a group of companies employing directly 350 people in country areas and is associated with other companies employing another 200. I am informed that he is widely regarded as a sympathetic employer. I believe these connections have given him an insight into the nation's economic structure which will be of great benefit to him in a parliamentary career. I can say that Mr Cotton is widely admired for his high personal standards. By his various activities—which I have just touched upon very briefly—he has shown that he regards community welfare as the highest form of service to follow in private life or in politics.

Mr President, my colleagues and I regard Mr Cotton as an unusually gifted candidate for the vacancy in the Senate. He has unquestioned character, energy and integrity—qualities in a public man which everyone respects, irrespective of party politics, and I have great pleasure in submitting his name for the consideration of this Joint Sitting.

The Hon. A. D. BRIDGES: Mr President, I have very much pleasure in seconding the motion for the election of Senator Cotton. As you will no doubt remember, Mr Cotton was born and reared in Broken Hill. He had a very humble beginning and, although still quite youthful, has served his country in a very distinguished manner in war and peace. He is at present the leader of an enterprise engaged in one of the most decentralized industries of this country. I have no doubt that one of the features that will distinguish his work in his public life will be his desire further to expand industry in the country areas of New South Wales. It will be appreciated that a senator is required—and it is indeed his obligation—to protect the interests of the State of which he is a representative and I have absolutely no doubt whatever that Mr Cotton, if elected as a senator for New South Wales, will be very distinguished indeed in that capacity.

The PRESIDENT: Does any member desire to propose any other person to fill the vacancy? There being no such further nomination, the question now is:

That Robert Carrington Cotton, Esquire, be chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. Sir William Henry Spooner, K.C.M.G., M.M.

Question resolved in the affirmative.

The PRESIDENT: I declare that Robert Carrington Cotton, Esquire, has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. Sir William Henry Spooner, K.C.M.G., M.M.

Mr ASKIN: I move:

That the President be requested to forthwith inform His Excellency the Lieutenant-Governor that Robert Carrington Cotton, Esquire, has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. Sir William Henry Spooner, K.C.M.G., M.M.

The Hon. A. D. BRIDGES: I second the motion.

Motion agreed to.

The Joint Sitting concluded at 11.14 a.m.

Legislative Council

Thursday, 2 September, 1965

the vacancy caused by the resignation of Senator the Hon. Sir William Henry Spooner, K.C.M.G., M.M.

[The House resumed at 4.30 p.m.]

Senate Vacancy (Joint Sitting)—Personal Explanation
(Survey of Taxi Industry)—Lieutenant-Governor's
Speech: Address in Reply (Sixth Day's Debate)—
Special Adjournment.

SENATE VACANCY

JOINT SITTING

The PRESIDENT took the chair at 10.50 a.m.

The Prayer was read.

The House adjourned at 10.52 a.m., to enable members to take part in a Joint Sitting for the election of a Senator to fill

The PRESIDENT reported that this House met the Legislative Assembly in the Legislative Council Chamber this day for the purpose of sitting and voting together to choose the person to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. Sir William Henry

Spooner, K.C.M.G., M.M., and that Robert Carrington Cotton, Esquire, was duly chosen to hold the vacant place.

The PRESIDENT tabled the Minutes of the Proceedings of the Joint Sitting of the Houses of Parliament of the State of New South Wales to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. Sir William Henry Spooner, K.C.M.G., M.M.

Ordered to be printed.

PERSONAL EXPLANATION

SURVEY OF TAXI INDUSTRY

The Hon. ASHER JOEL: By leave, I wish to make a personal explanation.

[Leave granted]

The PRESIDENT: Before the Hon. Asher Joel makes his personal explanation, I make it clear to honourable members that this matter cannot be debated. I ask that he confine his remarks to a personal explanation and that he be heard in silence.

The Hon. R. R. DOWNING: We shall have no objection provided that the honourable member's statement is confined to a personal explanation.

The Hon. ASHER JOEL: There is nothing to fear, I am quite sure that I shall be heard in silence, and I shall confine myself to a personal explanation.

The Hon. R. R. DOWNING: Make it brief.

The Hon. ASHER JOEL: I shall. In another place yesterday the member for Randwick, Mr L. F. Bowen, asked a question of the Premier whether it was a fact that before the State election the Metropolitan Taxi Council had subscribed £100,000 to a member of Parliament and supporter of the Government for the preparation of a survey.

The Hon. E. C. O'DEA: Did they?

The PRESIDENT: Order!

The Hon. ASHER JOEL: He also asked was it true that subsequent to the last State election a report was presented to the Cabinet recommending the appointment of a Taxi Advisory Council and an increase

in fares, but no award for drivers. As I am the honourable member who was engaged, in the course of his professional activities, to conduct a survey of and report upon the taxi-cab industry in the metropolitan transport district, I feel compelled to give the lie direct to the statement made by the member in another place which I consider to be a grave reflection upon me personally.

In June last year the services of my organization were retained to arrange for a survey to be conducted into the taxi industry and to prepare advertising and publicity material for the Metropolitan Taxi Council over a period of one year. This survey was completed in May of this year, and I ask leave of the House to table it for the information of honourable members. It comprise 194 foolscap pages and involved the interviewing and questioning of 5,119 persons. In the authorization to my company to proceed with this survey, the secretary of the Metropolitan Taxi Council stated:

You have complete and unrestricted freedom of action and the Metropolitan Taxi Council and its officers will at no time seek to direct you in any way in pursuit of your investigations.

This survey was designed by the Senior Lecturer in Economic Statistics at the University of New South Wales, who is a Master of Economics, while the economic appraisal was done by the Senior Lecturer in Economics at the University of Sydney, who is a Bachelor of Economics and Doctor of Philosophy of London University. Dr P. B. Kenny designed and reported on the attitudinal investigation, while the survey of householders in the Sydney metropolitan area was conducted by a research group completely independent of my company. The names of these eminent authorities, as well as others in the field of research, who, incidentally, are not members of my company, are contained in page one of the introduction to the report. To question the validity of the report and the recommendations made is to malign these men, quite apart from myself. In regard to the innuendo by Mr Bowen that £100,000 was collected and paid for the report, I declare that this is not a fact. Unfortunately, the

Standing Orders of this House preclude me from describing an honourable member in another place as a deliberate liar.

The Hon. R. R. DOWNING: The Hon. Asher Joel has described an honourable member in another place as a deliberate liar, and I submit that he should withdraw that.

The PRESIDENT: I think the honourable member should withdraw that statement. Although he said that the Standing Orders preclude him from making such a statement, nevertheless he made it.

The Hon. E. C. O'DEA: We might have an open go if this sort of thing happens.

The Hon. ASHER JOEL: I withdraw that statement. A further point I wish to emphasize is that Mr Bowen implied that the recommendations in the report included the appointment of an advisory council and an increase in fares, but no award for drivers. In fact, the following positive recommendation was made in the report:

Immediate consideration to be given to a reasonable increase in fares to provide an adequate return to drivers and as an inducement to owners to maintain a high standard of service.

It was further recommended that one of the first duties of any independent authority which was set up should be to determine "agreements as between taxi owners and drivers in respect of rates of remuneration, holiday and sick pay, and other conditions of service." It is surprising that Mr Bowen was not aware of this because at the request of his party's chairman of the caucus subcommittee on transport of the Parliamentary Australian Labor Party, Mr. K. J. Stewart, to me personally, the three volumes of the report were made available. Incidentally, the Liberal Party's view favouring the setting up of a Taxi Advisory Panel was conveyed in a letter of the 22nd May, 1964, from Mr Askin to the Metropolitan Taxi Council following representations by them on general matters affecting the industry.

The Hon. R. R. DOWNING: The attitude of the Liberal Party and its part in this matter has no relevance to the personal explanation of the honourable member. A

personal explanation should be confined purely to a matter that affects the honourable member personally.

The PRESIDENT: The honourable member is clarifying the position in regard to charges made in the Legislative Assembly. He is pointing out that this report was made available to members of the Labor Party. I think that is quite in order.

The Hon. ASHER JOEL: I thank you for your indulgence. On the date that letter was written I had not even heard of such a body as the Metropolitan Taxi Council. Indeed, the services of my company were not retained by the Metropolitan Taxi Council until some time after that date.

I wish to state that I have before me the audited balance-sheet of the Metropolitan Taxi Council Fighting Fund for the period 25th May, 1964, to 30th June, 1965, which was made available to me today by the president and secretary of that organization, Mr N. S. Lake and Mr R. Brading, respectively. It is signed by a firm of chartered accountants registered under the Public Accountants Registration Act of 1945, as amended, and is available to any honourable member who would like to look at it.

I might interpose here for a moment, and speaking without notes, say that I very much regret that any honourable member should be called upon in this House to expose the affairs of his and his clients' business. I regret indeed that Parliament is to be used at any time so that a man's fees and what he receives in his daily avocation become a plaything of party politics.

This audited balance-sheet shows a total income of £20,610 5s. 2d. and an equivalent expenditure. It reveals that the actual expenses involved in carrying out the survey were £7,180. This sum included fees to the economic experts and others employed in the conduct of the survey and the costs involved in questioning over 5,000 people and in producing the final report. In addition, my company and I received a total of £6,525 in connection with the report and its preparation and for the payment of account executives' salaries, staff, overhead and other expenses.

An amount of £4,342 was also spent on press advertising when putting the taxi case to the people of this State. This audited balance-sheet clearly shows that no such sum as £100,000 was ever collected and certainly not paid to my company.

Mr President, I think it only right and proper to advise also that today I was informed that the Liberal Party had refused to accept a contribution to the State election campaign funds from the Metropolitan Taxi Council, because it was not Liberal Party policy to accept any contributions from such organizations.

The Hon. R. R. DOWNING: Did they get any from Reg Ansett?

The PRESIDENT: Order!

The Hon. ASHER JOEL: That is a remark unworthy of a former Attorney-General. On the other hand, I shall be interested if Mr Bowen, after making inquiries from the headquarters of the party he supports, can advise me whether a similar procedure was adopted in his party's case. Unlike Mr Bowen, however, I impute no improper motives even though it was his party which was in government at the time. I regret that such matters as these have to be ventilated in the Parliament of New South Wales, but when the integrity of the Government I support is questioned, the honour of leading figures in the field of economic and statistical research is put in doubt, and a slur is cast upon a very fine body of men who are the taxi operators—

The Hon. R. R. DOWNING: The question whether it is a slur upon a political party or upon a government is irrelevant to a personal explanation by a member. A personal explanation, as I understand it—and this is supported by the authorities in May's *Parliamentary Practice*—is when it is confined purely to a reflection upon the member in his personal capacity. Any reflection upon another organization of which he may be a member, or upon anyone else connected with him personally, is not a matter upon which he is entitled to make a personal explanation.

The PRESIDENT: The point raised by the Hon. R. R. Downing is quite correct. That

is prescribed in *May*. The honourable member should confine himself to any reflection upon him personally.

The Hon. ASHER JOEL: I subscribe entirely to your ruling, Mr President. However, I was not allowed to finish what I was saying. If I had been allowed to finish—

The PRESIDENT: Order! The point has already been decided.

The Hon. ASHER JOEL: Mr President, could I finish the sentence?

The Hon. E. C. O'DEA: If the honourable member continues to canvass the President's ruling, I shall take another point of order.

The PRESIDENT: The Hon. Asher Joel asked whether he can finish the sentence. He may do so if he does not intend to continue on the matter upon which the point of order was taken.

The Hon. ASHER JOEL: In regard to the body with which I am associated, there is no recourse other than the action that I have taken. In conclusion, I personally, as one of the maligned parties and as one of those involved in this matter, most strongly resent that the privilege of Parliament has been abused, as it has been abused by Mr Bowen. That such abuse makes it incumbent for the affairs of a company and its clients to be made public is just as deplorable as if Mr Bowen were called upon to reveal the confidential discussions he holds and the fees he receives in connection with his legal practice.

LIEUTENANT-GOVERNOR'S SPEECH: ADDRESS IN REPLY

SIXTH DAY'S DEBATE

Debate resumed (from 1st September, *vide* page 288) on motion by the Hon. F. W. Spicer:

That the following Address be presented by the Whole House to the Lieutenant-Governor, in reply to the Speech which His Excellency the Lieutenant-Governor had been pleased to make to both Houses of Parliament, *viz.*:—

To His Excellency the Honourable Sir KENNETH WHISTLER STREET, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight of Grace of the Most Venerable Order of St John of Jerusalem, Lieutenant-Governor

of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

May it please Your Excellency,—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Council of New South Wales in Parliament assembled, desire to express our thanks for Your Excellency's Speech, and to assure you of our unfeigned attachment to Her Most Gracious Majesty's Throne and Person.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us.

3. We join Your Excellency in the hope that, under the guidance of Divine Providence, our labours may be so directed as to advance the best interests of all sections of the community.

The Hon. C. COLBORNE: [4.48]: Last night I concluded on the note that there was no work before the Chamber and that we had been given notice of only one private member's bill. The twenty-seven bills that were mentioned in His Excellency's Speech have not so far come forward. I pointed out that if we proceeded at our present pace during the next three years—if the Government sees out its term—we shall be sitting for a grand total of eleven sitting days. I also submitted that, as the Government has been in opposition for twenty-four years one would expect to see active and virile members giving some indication of what was to be done. I did find some indication of the position in *The Sydney Morning Herald* of 18th August. This was written by one of these anonymous people who write in the press from time to time—"Our State Political Correspondent," whoever he may be. Apparently he was speaking for the Government when he said:

A shortage of parliamentary draftsmen may hold up legislation the State Government plans to submit to its first session of Parliament next week.

Government authorities said yesterday that the Government was anxious to bring a large list of bills before the House during this session. However, each bill must be prepared by a draftsman, and there were only three such draftsmen on the Government's payroll.

"At the moment we are getting assistance from the former Crown Solicitor, Mr F. P. McRae, who has come out of retirement for the purpose. But a bottleneck still exists in drafting bills."

The proof of that is the fact that though the Government has been in office for 120 days, we have not had one notice of a bill that will interest us. In the circumstances, the Government can govern only by regulation. We face a bleak prospect indeed if that is the fate in store for the remainder of this Government's term. I do not know whether there is anything extraordinary about the work of parliamentary draftsmen beyond their ability to write bills in accordance with the policy of the Government in language that is not ambiguous and can be understood by the general public. Strangely enough, the Government does not rely solely on the shortage of draftsmen as an excuse for its failure to proceed with promised legislation. According to the Premier, there are other obstacles. *The Sydney Morning Herald* of 18th June reports some remarks by the Premier over some sandwiches at the Journalists' Club. The article reads:

After little more than a month in office, the State Government has "walked into financial trouble."

He said difficulties came from three sources:

- A budgeted deficit of more than £2m left by the previous Labour Government.
- Adoption of a "hard line" of finance by the Commonwealth.
- The effects of a disastrous drought.

"This means we will be just a little slower than expected in getting on with the job—we have no money to throw around," he said.

He has no bills and no thoughts to throw around, and no draftsmen to spare, so Parliament will not do any work.

The Hon. J. M. CARTER: Bills are never dealt with before the budget.

The Hon. C. COLBORNE: The honourable member, as a supporter of the Government, is defending a Government which, in 121 days of office, has done nothing, no parliamentary work except for one sitting day prior to the Address-in-Reply debate.

The Hon. J. M. CARTER: We will get the budget and then get bills, as we have always done.

The Hon. C. COLBORNE: That brings me to His Excellency's Speech and the twenty-seven bills that were mentioned. The

simplicity of the composition in the Speech is commendable, apart from the sweeping generalities to which I shall refer. This is one of them:

The vital rôle of primary industry in the economy is recognised by the Government and considerable activity in this field is planned.

The prevailing drought conditions have emphasised the importance of pasture improvement and fodder conservation and special attention will be given to these aspects in the extension work of the Department of Agriculture.

It is proposed to make the extension services of the Department available to landholders in the Western Division of the State and appropriate officers will be stationed at Bourke.

Plans for achieving effective control of noxious weeds are under review whilst increased attention is to be given to animal production research, cotton breeding, control of fruit fly, and the many aspects of research into pastoral and agriculture problems at the various Research Stations conducted by the Department.

What is that, other than general words used to fill a speech to make it sound all right? It means nothing. Obviously, we know that the Department of Agriculture and the rural industries play a vital rôle in the economy. Take this statement:

Investigations are currently in hand with a view to the determination of a balanced programme of water storage works throughout the State.

Soil conservation work has been intensified.

What are the Government parties doing? Are they resting on the laurels of Labor? I shall show from these extracts that they have filched Labor policy and claimed it as their own. His Excellency said:

Proposals for a substantial expansion of softwood plantings are at present the subject of discussion with the Commonwealth Government.

What softwoods? Where? How much? Is there any intimation of what the discussions will be, or whether the discussions will be unsuccessful, as the Premier's efforts were at the meeting of the Loan Council? The Premier came away from his first visit to the Loan Council, disgusted with the treatment he had received

at the hands of the Prime Minister last June. I have read in a primary school reader the statement that I shall quote now:

Coal is of paramount importance to the economy, not only for domestic purposes such as electricity generation and the manufacture of iron and steel, but for the export trade.

What a statement to include in an address setting out the policy of a government. To garnish a poor effort, a couple of slices of Labor policy have been included. I refer to this passage:

During the current financial year every endeavour will be made to expedite work on the major water supply undertakings at Blowering Dam, Wyangala Dam and Burrendong Dam. The latter work is expected to be completed by the end of this year.

That work must go on. It was started by Labor, but unfortunately will not be finished by Labor. This might be the sort of work to which Colonel the Hon. H. J. R. Clayton referred in speaking of His Excellency's previous addresses as annual reports. I refer honourable members to this statement in the Speech:

The electrification of the Liverpool-Campbelltown railway line will be proceeded with at an estimated cost of £2 million and a high level double track railway bridge will be provided over the George's River at Como. Detailed preparations are proceeding towards providing a railway to serve the Eastern Suburbs.

The Liverpool-Campbelltown electrification scheme was not mentioned in the policy speech of the present Government—it was contained in Labor's policy speech—though reference was made to a high-level bridge over the Georges River at Como. The statement that detailed preparations are proceeding towards providing a railway for the eastern suburbs is about fifty years old. The honourable member who moved the motion for the adoption of the Address in Reply did not think much of the housing achievements of the Labor Government, thought record accommodation has been provided in the past twelve months. He was at variance with the Lieutenant-Governor on this aspect. His Excellency said:

My Government recognises that adequate housing is a basic community need and emphasis is being placed on the maintenance

of the Housing Commission's construction programme at the maximum level—

Then it is qualified:

consistent with availability of finance and resources.

His Excellency's advisers then became very enthusiastic and departed from the policy on which the Government was elected. I refer to this part of the Speech:

This financial year, because of the problems brought about by the prevailing dry conditions in its catchment areas, emphasis is being placed by the Metropolitan Board on water supply works, particularly the construction of the second pipeline from Warragamba Dam to Prospect Reservoir.

That is work that had been started before this Government came to office. The second pipeline from Warragamba to Prospect was started under the administration of the Labor Government to overcome for the foreseeable future water restrictions such as now apply.

His Excellency's Speech contains two points which, if they had been mentioned in the policy speeches of the Liberal and Country parties, would have been the very points on which the Government would have been defeated. I am not suggesting that the Government parties did or did not look at these matters before the election. If they did consider them and did not put them in the policy speech but within 100 days of the election put the proposals before the public, the people would distrust the Government forthwith. The first of these points is the proposal for the abolition of juries. The law and legal rights of citizens, though probably not well understood in a technical sense, are well known to the public in a general way. The moment a government starts to interfere with the rights of individuals is the time when it starts to lose contact with the people. This Government has lost contact with the Bar Council of New South Wales, even though a member on the Government side of the Chamber who is a representative of another branch of the legal profession was critical of what the Bar Council had written and issued to honourable members for their information.

The Hon. C. Colborne]

Colonel the Hon. H. J. R. CLAYTON: No; it was issued to the world, not only to members.

The Hon. C. COLBORNE: Yes, but the members of this Chamber form part of that world.

Colonel the Hon. H. J. R. CLAYTON: I sometimes wonder whether they do.

The Hon. C. COLBORNE: I, too, have my doubts at times when I hear what is said in this Chamber. The abolition of juries was not mentioned in the present Government's policy speech. If the proposal was known, it was withheld. If it was not known, it was a second thought—somebody told the Government what to do. The second point in His Excellency's Speech that was not mentioned in the policy speech of the Government was that other measures were planned to strengthen local government and to assist councils in carrying out their functions. This was elaborated on by the mover of the motion, the Hon. F. W. Spicer, who spoke about something of which he had no knowledge, though he started to tell the House some of the details of the proposal and what was required. Further, the press has freely reported Government statements, under the *nom de plume* of "a special correspondent", that the method of electing the Lord Mayor of Sydney is to be changed and the Sydney City Council is to be differently constituted.

The previous anti-Labour Government in the House of Commons tried to do just that with the London County Council. I am not suggesting that this Government is trying to rig a result, but I remind it that on each occasion when the anti-Labour Government in England tried to achieve a result by having Labour defeated at the elections where Labour was in undisputed control of the London County Council, the anti-Labour forces were defeated. This happened more than once, and as recently as two years ago it was the last substantial act by the McMillan Government. If this Government is looking to elect a Lord Mayor who is other than a Labor supporter, if it is looking to elect a Sydney County Council that has not a Labor majority, by introducing election machinery that will perform this function,

the quicker we get that machinery, be it bill or information, before the House so that it can be debated, the better.

I understand from information that is made available to the public in the press from time to time that municipal councils outside the city of Sydney will also be subject to this type of manipulation so that bodies such as the Sydney County Council to which local-government aldermen are elected will be differently constituted, and that the reconstitution is only for the purpose of achieving a particular result.

The strange attitudes of the Government are not confined to what has been said in this unusual Speech by His Excellency. Let me mention one or two minor matters which became major issues with the passing of time. The Minister for Transport attended a meeting of the Australian Transport Advisory Council in Perth where it was unanimously decided that hand stop signals by motorists would be discontinued. Subsequently the Minister stated that he had decided that hand stop signals should be continued in New South Wales while he was having second thoughts, yet as late as last night he said in a ministerial statement that he would make up his mind before the end of this week. A more confusing situation for motorists would be hard to find. *The Sun-Herald* of 15th August last wrote:

Mr Morris is having second thoughts about abolition of the compulsory hand stop signals for drivers.

This shows that a Minister in a most important department can shift backward and forward according to the thought of the person to whom he is speaking, which causes him to change his mind. He is subject to pressures—and not necessarily pressures of groups. The newspaper report continues:

People who want the hand signal retained argue that an elderly woman on a pedestrian crossing can have no confidence that a motorist is going to stop for her unless she can see his hand up. What is your thinking on this?

That was the question put to the Minister, who, among other things, answered:

My thinking on the whole question of hand signals was coloured by discussion at the Perth conference of the Australian Transport Ad-

visory Council. It was pointed out that five States of the Commonwealth have cut out the hand stop signal; we were the odd man out.

I also heard reports from Victoria and Queensland on it, and their Transport Ministers could give me no sound reason why we ought to retain it. Therefore, I agreed to bring New South Wales into line with the other States. Uniformity is sometimes, although not always, a good thing. However, I still have an open mind on the subject of the stop hand signal and I do not mind who contacts me with ideas on the matter.

The Minister was then asked:

Will abolition of the compulsory stop hand signals come into force at the same time as the provisional driving licences?

The answer was, no. However, this week the Minister made a ministerial statement that he would give a final answer later this week. What is to happen? First there are to be no signals; the following day there are to be signals, and the following week we are to get some other decision.

Looking further at this famous Transport Department, in which two stoppages have occurred in the short period of office of the present Government—the only two transport stoppages for several years—I find that there is a Minister for Transport and a Minister advising the Minister for Transport. Neither of them is doing much. According to a report in *The Sydney Morning Herald* of 22nd August last, the department also has a "Mr Fix-it", Michael Darby, a youth of 19 years whose only qualification is that he is the son of his father. I suppose that the report in *The Sydney Morning Herald* is fairly true, for that newspaper seems to be the special mouthpiece of the Government. The paper reports in this way:

In the past few weeks Michael has had several discussions with police about organization for strike transport lift.

To cope with the huge city traffic flow—

This is Michael Darby talking—

some streets may be made one way for the day, he said.

Other city streets may be completely given over to parking and on wide streets motorists may be able to park at right-angles.

If honourable members accept what is in this report these matters of Government administration are being taken over by an

irresponsible youth who may or may not have been in contact with the appropriate Minister or the Minister's adviser. As soon as it appeared likely that the stoppage would go on the day that had been determined, we heard nothing more of Michael Darby. He was to have had a debate down in the Domain, but he faded out of the picture at that point of time. Was it because he talked about angle parking in Sydney streets and more one-way streets, without making it clear which streets would be affected? How confused and confounded would the issue have become if one can take the story of the hand stop signal as any indication of the capacity of the Minister for Transport. Michael Darby was eliminated from the scene, and I congratulate the Government upon that action. Were I a member of Cabinet I would be concerned that a 19-year-old irresponsible youth should be made an adviser and should be making public statements on government policy. That press statement by Michael Darby, like His Excellency's Speech, was couched in those sweet generalities which are merely a conglomeration of words. They make some sort of sense but stop short of advising people what should be done.

In my view the new Government has made an extraordinarily bad start. If the contents of His Excellency's Speech are the calendar of the Government's work into the foreseeable future, it will make just as bad a finish—and the sooner the better, from a personal, political point of view. It would be infinitely easier for Labor to take up the reins of government if it could receive them back in the shortest possible time. If the Transport Department is any indication, that happy day is not far off. Of all departments, it shows best just how far the present Government has gone in its 120 days of office. There have been two transport strikes, the appointment and elimination of Mr Fix-it, and the implementation by the Government of some parts of Labor policy as its own policy. My colleagues and I look forward with some eagerness to some legislation mentioned in His Excellency's Speech but not included in the policy speeches of the leader of the Liberal Party and Leader of the Country

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Party before the last elections. We are looking forward to the time when we can assist in defeating that sort of legislation.

The Hon. T. P. GLEESON [5.15]: I congratulate the Hon. F. W. Spicer and the Hon. R. C. Packer who so capably moved and seconded the motion for the adoption of the Address in Reply. With other honourable members, I congratulate the Hon. L. A. North and the Hon. T. E. Gordon who have made their maiden speeches in this debate. Both honourable members have proved themselves worthy and capable speakers, and they will be great assets to this Chamber as the years go by.

His Excellency's Speech at the opening of Parliament covers a wide field and a study of his remarks reminds honourable members of the rapidly growing economy of this State and the great expansion that has taken place, especially over the past ten years. The business of governing New South Wales is a big one and is ever on the increase. At this stage I want to congratulate the outgoing Government upon handing over the administration of the State in such a sound condition. The budgetary position was sound, and full employment and good order prevailed throughout the land. The new Government took over a business which could not, by any stretch of the imagination, be called a run-down affair or a down-and-out show. It is fair to say that the new Government came to office at a time when revenue is falling away, due to many causes, particularly the drought. At the same time there is an increasing demand for money for the various departments, coupled with an ever increasing level of costs of salaries and materials. Also, defence expenditure is bound to increase.

As time goes on higher taxation will be required, and there will be a greater call on federal revenue for defence. This will make it more difficult for State governments to carry out their ever-increasing duties of administration. In these circumstances it will be necessary to face facts and establish priorities. Some slowing down seems inevitable. The problem presented by the decline in our earnings would have had to be faced, no matter

what government came to office. All honourable members agree that is a fair summing up of the position. The widespread and severe drought was a national calamity, and its effects will be felt for many years. That drought and the fact that defence is sure to be an increasing burden upon us are problems that would have to be faced, irrespective of what party gained office. By way of interjection, my good friend the Hon. E. C. O'Dea said that one good year on the land would make up for five bad ones. Unfortunately, that is not so. If a person makes an honest and proper income tax return he will not be able to put away very much by way of cash reserve.

I acknowledge that a man can improve his property by putting back into his farm profits gained in a good year, but he will not have much ready cash when a drought comes. I acknowledge, too, that many country people could have made greater provision against drought by conserving fodder and water, action that would have lessened the severity of the effects of the drought. Many of my fellow landowners are remiss in this regard, a failing that it is all to the good to admit, with a view to improvement in the future. The importance of primary industry has been emphasized over and over again and I should like to bring to the notice of honourable members that in 1964-1965 wheat production was about 385,000,000 bushels—57,000,000 bushels or seventeen per cent higher than the record harvest of the previous year. The average yield in 1964-1965 was 21.6 bushels an acre, a record average production for such a large area sown. It is well to point out that the efficiency of farmers generally, enabled them to supply wheat to the consumer at a lower price in spite of rising costs. Though all other major industries were finding it necessary to increase their prices, the wheat industry was able to lower the price of its product by 4d. a bushel, an achievement that reflects credit on all concerned.

In 1964-1965 wool was worth £463,000,000, a drop of £71,000,000 compared with the value of the previous year's clip. The Bureau of Agricultural Economics estimates that farm income for 1964-1965 was about £704,000,000, a sum

£20,000,000 below that of the previous year. Notwithstanding the fact that the seasons were very good, these figures indicate clearly that the price level was falling. What of the present year, 1965-1966? It seems certain that farm income for the current year will, because of the drought and a further drop in wool prices, show an alarming fall, and there will be many continuing factors which will affect us all—first, the individual landowner and farmer and, later on, all members of the community and all industries and businesses. I should like to point first to the decline in the number of sheep, the reduced weight of wool for each sheep and the fact that the wool is thinly grown and dusty, making it less attractive to the buyer. Consequently each pound will bring less and the weight of wool cut from each sheep will be lower. In addition, because of the necessity to reduce stock numbers in an effort to keep losses to a minimum, many owners have been forced to sell their breeding cows, heifers and ewes. Therefore, our breeding herds will be greatly depleted, first by the actual losses through starvation and next by the loss consequent upon selling those that were salable. The process of building up our breeding herds again will be slow.

I congratulate the Government upon appointing a Minister for Decentralisation and Development. I know that the previous Government had made a good start and that Mr Renshaw was doing a great job in getting decentralization under way. I should like to congratulate also the Minister for Decentralisation and Development. In fact, at the outset I meant to congratulate my friend the Hon. A. D. Bridges and the Hon. J. B. M. Fuller on their elevation to the Ministry. I am sure that over the years we have learned to appreciate their worth and we are all very glad indeed that such an honour should have been conferred upon them. While I am on the subject of decentralization may I say that I have known the Hon. J. B. M. Fuller for a long time and I know that his heart will be in his job. He is a very capable man and I know that he will do whatever is humanly possible to implement this very important part of Government policy, the decentralization of population and industry.

Previously I have dealt with this subject of the concentration of our population in the cities, but I will run the risk of boring honourable members by touching on it again. In 1964 the population of New South Wales was 4,158,926, of whom 2,256,110 lived in Sydney. Such a heavy concentration of population in one great city is most undesirable and it would be in the interests of all to disperse our population and industry, a move that would add strength to our economy and distribution and communication services. Personally, I have always believed that a very effective answer would be the setting up of new States. I know there is a good deal of controversy about this, but I phrase my advocacy of it in this way: I am not in favour of new States unless it is in the interests of everyone, the men, women and children in Sydney, as well as those in the proposed new State. We must think as Australians upon this question. If we discuss it on the plane of party political wrangling we are not likely to get anywhere. It is a constitutional matter and concerns us all. It is either right or wrong and should be judged on its merits. From my own observations, I think that to have an additional number of States would add strength to Australia generally. I feel that if we had them we would have more rapid decentralization and I think they would be complementary to the existing States. We as a Commonwealth would gain strength economically and in every other way by the creation of new States.

At the 1962 meeting of the Australian Agricultural Council the Minister for Primary Industries, the Hon. C. F. Adermann, had something to say on the wool reserve-price scheme. Honourable members will have noticed a great deal of controversy regarding the merits of this proposal and I feel that, because wool is so important to our economy, the scheme merits consideration by honourable members. A referendum of growers will be held to seek approval for the scheme. It is proposed to give a vote to a grower of ten bales of wool or a grower who runs 300 sheep. There is some dispute about whether a grower of ten bales should be allowed a vote. Here there may be room for argument, but I

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make the point that, after the qualifications of a woolgrower have been defined, I am all in favour of every woolgrower who meets the qualifications having a vote. I am strongly opposed to the suggestion of multiple voting. In my view a person is either a woolgrower or he is not; he is not half a woolgrower or one tenth of a woolgrower. The opposition seems to stem from the large growers, who favour multiple votes. Apparently, if the large growers had their way, there would never be a small grower. Not all of them, but many of them—and I suppose if I were a large landowner, human nature being what it is, I should hold the same view—are opposed to closer settlement of any sort. The income from small clips, say, from ten to thirty bales, can form a very important part of the economy of a small settler. An example is the soldier settler on a small mixed farm. I think he is entitled to express his opinion as a woolgrower, provided he has the qualifications that have been set down.

The Hon. F. M. HEWITT: Does the honourable member believe that they should be able to dominate the vote?

The Hon. T. P. GLEESON: Many small growers have a most conservative outlook on this matter. One cannot assume how they will vote on the issue. It is a mistake to think that they will all vote the one way. As they are as equally divided on the issue as the larger growers, I do not think the interjection is relevant. Then there is the father who establishes his son on a small holding, setting him up with a well-bred flock of sheep. Possibly father and son market between them more than one hundred bales of wool under different brands. Obviously it would be most unjust to prevent such a young man from having a say in the proposal. Probably he is a good woolgrower and woolclasser, and a great judge of sheep, and we want the opinion of such a man. It is my experience that many growers who are now operating in a large way were once owners of small flocks. They began with small flocks and, by industry and thrift, built them up as they did their properties until they are now large growers.

The opposition to the proposal seems to be fairly strong from the city, a matter that is most puzzling to many woolgrowers. They cannot understand why such misgiving has been expressed in the city press. After all, the proposed scheme does not include a provision for the cost of production, and so the taxpayer will not be involved in it. The scheme will give the grower some measure of control in the marketing of his product, whereas now he has virtually no say in it at all. I am a strong supporter of the free-auction system, but as things stand it is not always free. I am able to say from my observations that sometimes there is collusion between buyers, and so the free-auction system functions with some restriction. As an example of what can occur, a few years ago buyers banded together and refused to attend wool auctions at some places, notably Goulburn and Newcastle. They even wanted to dictate to the woolgrower where they would go to bid for his wool. They would not go to some points even to look at it. However, wiser counsels prevailed and the Goulburn and Newcastle sales were established successfully.

Woolgrowers have already made a substantial contribution towards promotion of their product but, with market rigging being practised, sometimes there is no certainty that the benefits arising from promotion would in fact reach the growers. In other words, wool promotion and a floor price should be considered together. I believe that they are part and parcel of the same problem. I am all in favour of the scheme and I shall willingly subscribe to it. Having made an attempt to promote wool, I feel that machinery should be available whereby both the large and the small grower will receive a fair and equitable share of the results of promotion.

The conservative floor price, to which the federal Government has already agreed in principle, will operate within the auction system. Many woolgrowers are interpreting this proposal as opposition to an auction system. Nothing of the sort: it is aimed at improving it. The conservative floor price will represent a form of grower control. As things stand, a grower has no control at all. He sends his product

to the market, and he can go up into the gallery to observe the scene below, but he has no say in the proceedings. I shall tell honourable members what happens when a grower wants to place a reserve on his wool. Suppose he puts a reserve of 60d. on a line of wool and that bidding does not reach this figure. This information is set out in a catalogue. When he returns in three months' time to re-offer his clip the auctioneers are bound to tell buyers the price that was offered for it previously as well as the price that was refused for it. It is widely believed that, to discourage the practice, buyers have a set against the grower. It is obvious that they do not favour growers having any say whatever in the price they receive for their wool.

Over a period of seven years wool-growers will contribute by levy a capital sum of £30,000,000. Additional Commonwealth backing of £50,000,000 will be available for the proposed scheme. The levies for capital and contingency funds will be collected as part of a levy not exceeding three per cent a year of the gross receipts of wool, and will cover also growers' commitments for promotion and their current contribution for research. To enable the scheme to begin before sufficient growers' funds are accumulated, the federal Government will make advances to the scheme so that wool may be bought and the Commonwealth Government will guarantee any additional funds that might be necessary beyond £80,000,000. An autonomous authority will be established to administer the scheme, which will be subject to review in the fifth year of operation.

I am sure that when the proposal is submitted to referendum a majority of growers will support it. I am sure also that if they study other organized marketing schemes they will be encouraged by the satisfactory experience that has been obtained in Australia, especially in the marketing of wheat. I am old enough to recall the arguments that were advanced against the scheme that was put forward for wheat marketing. Those now being advanced against the marketing of wool are substantially the same. It was claimed in those days that wheat marketing could not be organized, that the Argentine and Russia

could over-supply the market at any time, and that Australia was too small a nation to implement its scheme. Orderly marketing of wheat has proved successful and it is something of which Australia can well be proud. It is most encouraging to realize that marketing properly organized can be a success. Hence I feel that growers generally will support the proposal in respect of the marketing of wool.

I pass now to education. I have noted with satisfaction from the commencement of the 1966 school year free transport is to be provided for children in all country areas. Also, a new bursary scheme will be introduced for students entering fifth year. Other measures are to be taken to provide better education opportunities. I have no doubt that they will include a measure of direct financial help for a most important part of our education system, the independent schools. I am sure that all honourable members are pleased that the provision of subsidies for independent schools has been accepted without rancour or sectarian bitterness and is no longer an issue. On 31st August a most interesting article by Mr C. O. Healey, a former headmaster of Sydney Grammar School, appeared in *The Sydney Morning Herald*. Mr Healey, who is now headmaster of Scots' College in Melbourne, was giving the chairman's inaugural address at the thirteenth triennial meeting of the Headmasters' Conference of the Independent Schools of Australia at the Sydney Church of England Grammar School at North Sydney. I commend this most thoughtful article to honourable members, including this part of it:

We must rejoice that Governments in this country are recognizing not just the right of independent schools to exist, but the value of their existence whatever their denomination . . . The actions of the Commonwealth and State Governments would preserve what was a sound principle of our kind of democracy, variety and freedom of choice in education. Let us not forget that our schools actually are very great ones and have much more to give and to teach than is generally realized. Our picture has been blurred in the past by ignorance of our composition and personality, by emotional misjudgments and by unsound political philosophy.

I am interested in the operations of the Totalizator Agency Board. It is doing a good job but is not moving quickly enough.

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The Hon. J. N. Thom might convey these misgivings to the board. People in the country are quite restive. I speak from my own experience. In Gunnedah and other country towns a large volume of money goes through illegal channels. The Government gets no revenue and the starting-price operators pay no tax. I am not in favour of increasing facilities for gambling but the gambling is going on. My point is that we should channel it through the Totalizator Agency Board so that State revenues would benefit and illegal operators disappear. Agencies could be quickly set up in such centres as Gunnedah, Tamworth and Orange.

In anticipation I had an option over premises in Gunnedah for the board. I informed the board that premises were available but these have not yet been inspected. I suppose that it is not so easy when it comes to establishing a new agency, but it seems to me, as an observer, that the board is extremely slow. I suggest that it should speed up the opening of agencies so that illegal betting may be wiped out. My view is that it was a mistake to have the 2s. 6d. unit. I believe that persons of modest means should not be deprived of a gamble if they want one, but it is far wiser to concentrate on a fewer number of bets, and to have a 5s. unit. This would do away with a great deal of work and speed up operations generally. In other States the unit is 5s.

As the session of Parliament proceeds we are sure to have some interesting debates. I know that we shall have a spirited and critical analysis of the bills brought before us. I have been here a long time, and I am confident that honourable members will give the Government their co-operation. They may not always agree with the measures, but will be mindful that the Government has a clear mandate for much of its policy. We shall co-operate with the Government to facilitate the passing of measures for which it has a mandate, and look forward with interest to a most profitable session.

The Hon. C. A. F. CAHILL [5.43]: I congratulate the Hon. A. D. Bridges upon his appointment as leader of the Government in this House. Honourable members are

well aware of the ability, integrity and political honesty of the Minister, and I am sure that all honourable members feel, as I do, that we are fortunate to have the Hon. A. D. Bridges as leader when unfortunately we on this side of the House cannot have a leader of our own choice. I offer my congratulations also to the Hon. J. B. M. Fuller on his appointment to ministerial rank. I am sure that he will bring to the portfolio the energy and ability that he has displayed in this House on various occasions.

His Excellency's Speech included a reference to law reform. The Hon. E. L. Somerlad and others have suggested that the Government should look at the Defamation Act. If the Government sees fit to amend that Act I suggest that the provisions relating to the rights of citizens defamed by television be examined so as to ensure that adequate redress is available.

When material defamatory of citizens or institutions is being televised it is reasonable to expect the responsible officers of the television station to take reasonable care—I emphasize reasonable, and nothing out of the ordinary—to satisfy themselves of the truth of any charges levelled at individuals or institutions. This is the course that has almost invariably been followed by responsible newspapers. Honourable members will have read articles in newspapers referring to conditions in certain institutions. The newspapers do not act on the word of some person who might be a psychiatric case or be biased or have a grudge against some official of the institution. The usual practice is for the newspaper, before publication is made to the world, to send out reporters, or investigators if you like, to satisfy itself of the substance of the allegations. Surely it is not unreasonable to expect this important medium of communication, television, to have responsible officers to do what newspaper reporters do. I should think that commercial television stations probably adopt this course. I make no comment or criticism in this speech of any commercial television station.

Colonel the Hon. H. J. R. CLAYTON: Will the honourable member tell us what the position is now? I do not know.

The Hon. C. A. F. CAHILL: I do not know to what position the honourable member is referring.

Colonel the Hon. H. J. R. CLAYTON: Does he suggest that the television people are free to defame at will?

The Hon. C. A. F. CAHILL: No. I do not suggest that at all. The point I had in mind was that defamation by television is actionable in this State, just as defamation by newspapers is, but television is fleeting and it is hard to recapture just what took place. It is not like having a copy of a newspaper. This is only one aspect and a means should be available to facilitate proof of publication. It is gone in a few moments.

The Hon. A. D. BRIDGES: It is sometimes recorded.

The Hon. C. A. F. CAHILL: Sometimes it is.

The Hon. R. R. DOWNING: Sometimes it is direct.

The Hon. C. A. F. CAHILL: That is so. However, if a television station were asked what had been televised, and it knew that the inquirer intended to bring an action, it would hardly be likely to give the information. It is clear that the Defamation Act in its present form provides a right of action to any person defamed by a television publication, but proof in some instances might be difficult.

It is quite clear that the course that is adopted by the commercial television stations and the newspapers of making some reasonable investigation of charges before publishing them, is not taken by the Australian Broadcasting Commission—if one is to judge from the recent grave and slanderous statements levelled against the Department of Child Welfare and, by necessary implication, against the responsible officers of that department, in the programme *People* and by recent serious charges levelled against the legal profession generally and, by necessary implication, certain particular members of the profession, in a programme styled *Four Corners* with which I shall deal in detail shortly. Speaking as a viewer of television, I was under the impression that one could accept as

reasonably accurate the matter televised by the national television stations concerning matters of public interest, and that where grave charges are being made against institutions or individuals, or both, there must be some substance in them. The average viewer would undoubtedly think so as he would assume that the Australian Broadcasting Commission, controlling the national television stations, would not lend its powerful media of mass communication to the dissemination of such charges unless it had taken reasonable steps to ensure that the picture being presented of an existing state of affairs was reasonably accurate.

An examination of the Zappala affair on the programme *People* and of a programme I shall refer to as the Ricketts case will, I have no doubt, establish to the citizens and all honourable members here that the Australian Broadcasting Commission, in its presentation of the two programmes, acted with reckless and almost criminal indifference to the truth. To describe the Australian Broadcasting Commission and the officials responsible for the televising of these productions as "irresponsible", is to apply a kindly adjective to their conduct. In this particular session of *Four Corners* there was no corner for truth nor was there any corner for fair play nor any corner for any sense of responsibility. There was a corner, and a large corner, for falsehood and misrepresentation and for slanderous and baseless allegations. I say these things deliberately, with a full sense of responsibility, because I can establish facts upon which the conclusions I have drawn reflecting on the Australian Broadcasting Commission must inevitably be drawn.

I shall refer briefly to the Zappala affair first. I do not propose to refer to it in detail, as it has been dealt with to a large extent by the Minister. Very briefly, Mrs Zappala was interviewed by a gentleman named Bob Sanders of Channel 2 on 20th July, 1965, who, on questioning, elicited from Mrs Zappala various charges that she made against the Department of Child Welfare which, of course, reflects on the officers of that department. The Minister for Child Welfare made a most careful investigation, as is clear from the statement he made to this House, and could not find a single

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person to corroborate the serious and defamatory charges made on this television show. What he did elicit was that Mrs Zappala had stated that if her demands for promotion were not met she would throw dirt on the department. So obviously, without the slightest attempt to verify the alleged facts stated by Mrs Zappala, the responsible officials of the Australian Broadcasting Commission were willing to allow this woman, who had a bias that they did not bother to inquire about, to defame a government department and its officers. The facts having been ascertained by the Minister, there has been no attempt to repair the damage by the Australian Broadcasting Commission. Many viewers who saw that programme and have never read the statement by the Minister in the newspapers—and many people see television and do not read newspapers—still have in their minds the damage to the reputation of the Department of Child Welfare and its officers.

Let us now come to the Ricketts affair. This particular session was on Saturday night. I did not see it myself. It was re-televised on Sunday, and some note was made of the contents. I did not see it on that occasion either. The particular session, *Four Corners*, purported to deal with the cost of justice and sought to establish in the minds of viewers that the cost of justice was exorbitant. Pausing there, one does not mind any fair criticism, or any factual statement which indicates that particular litigation might be costly. What can be done about these things is a matter for Parliament. Perhaps there can be a consideration of the provisions of the Legal Assistance Act, and so on. However, in dealing with that matter the commentator gave two illustrations. He produced someone from Queensland to give a Queensland illustration to suggest that legal costs were exorbitant. About that particular one I have no knowledge. Then he produced a Mr and Mrs Ricketts from Sydney to substantiate the theme of the discussion that the costs of justice were exorbitant. He brought this as a typical case, and I shall give honourable members a summary of what was presented on television.

I shall read to the House extracts from the transcript that was taken from a recording of the re-showing on the second day. The impression that will undoubtedly be gained from this transcript is that there is something wrong with this man's legal advisers, that exorbitant fees have been charged, that there has been unnecessary delay, and that his legal advisers have been absolutely inconsiderate. The commentator put to the viewers:

Mr and Mrs Warren Ricketts live in two rooms so small we were unable to film them. Two and a half years ago Mr Ricketts was involved in a car accident. One of his legs was smashed, and he has been unable to work since. They are waiting for the £10,500 damages awarded to them early this month, but when they get their damages they will have to pay the Government £1,200 back——

that is false——

for sickness benefit received, £1,000 for medical treatment, and another thousand pounds for legal expenses——

that is absolutely false. The transcript continues to set out questions asked by the commentator and answers given by Mr Ricketts. It proceeds:

Q. Do you know why the case took so long in being heard?

A. That I could not tell you honestly.

Q. Your solicitor didn't tell you?

A. No, my solicitor didn't tell me. I was just there to——If I can explain it this way:——I was only his client . . .

Q. Did you feel at any time either that the legal people that you dealt or your insurance company were particularly concerned about your personal position?

A. Well, no, I don't think they were particularly concerned about me. I cannot explain it to you in the real sense, how I want to say it, but they don't—the Government don't care about you as a person. You are just a number on a file.

That's all I can see. And they take their time. We have tried to get the case before the court two or three times, and each time they have rejected it——ah, haven't given us a reason. They——either the insurance company said, "Righto, we want you to see another doctor", and that delays it . . .

This interrogation proceeds, and the commentator presented a pitiful picture of two people living on social services payments.

The questioning continued, with the commentator giving the man the lead all the time:

Q. Now, supposing this claim of yours had been settled, shall we say, within three months of the accident, would the situation have been very much different?

A. Oh, yes——yes, it would have been a lot better. We would have had money and our friends and the baby would have been healthy, and we would have been healthy.

That was a rather pitiful picture, presented presumably as a typical example of motor accident cases. It was sought to establish——and I should say was undoubtedly established——in the minds of the overwhelming majority of views that there was undue delay. That is completely false, as I shall explain in a moment. It was sought to establish, also, that the legal representatives of the Government Insurance Office I think it was——and the Government were indifferent to the welfare of these people. That is utterly false, for reasons I shall explain in a moment. It was sought to establish, further, that the costs were exorbitant. That also was utterly false.

Had the Australian Broadcasting Commission undertaken even a most superficial investigation it would have found that these slanderous charges were without foundation. Had it made a phone call to the solicitor or to the insurance company it could have ascertained this. Mr J. R. Kerr, Q.C., the president of the Law Council of Australia, whom they had there to comment, could have been warned: "We are going to ask you about this: will you check up yourself?" Had the commission done any of these things, these grave and slanderous charges against reputable legal men——and this was presented as a typical case against the profession generally——and against the administration of justice, would have been seen to bear as much resemblance to the true facts as an elephant bears to a bull ant.

I shall tell the House the facts. I have taken the trouble to ascertain the identity of the counsel and solicitor in the case. I challenge anyone to disprove my assertions if he can. These are the facts. The accident occurred on 12th June, 1963——a little over two years ago. The writ was issued on 1st August,

1963. In February, 1964, the normal pleadings were completed and judgment was signed, the Government Insurance Office, or rather the defendant—really the Government Insurance Office—admitting liability.

The Hon. H. V. BUDD: Was this a claim for workers' compensation?

The Hon. C. A. F. CAHILL: It was a claim for damages before a jury for injuries received in a motor accident. Liability was admitted. On 11th May, 1964, eleven months after the accident, what is known as a call-over notice was issued to fix a date for the trial. It could then have been fixed within a month or two. Another one was received on 4th August. The plaintiff's solicitor did not seek any hearing date because the plaintiff's injuries were not stable and no accurate prognosis could be made. The injured man suffered fractures of both bones of the left leg, with muscle and ligament damage. His limb became infected and osteomyelitis occurred. A discharging sinus in the leg was present, even up to the date of the trial. From the date of the accident to the date of the trial the man was under medical treatment. In January, 1965, he was receiving treatment and in hospital for a nervous condition, which continued in February and March, due to the accident. It was not until March, 1965, when he was out of hospital, that a reasonably accurate prognosis could be made. A certificate of readiness for trial was submitted to the Government Insurance Office on 7th March, 1965. The Government Insurance Office arranged a medical examination for 31st May, and after that the date of trial was fixed for 10th August, 1965.

An offer of settlement for £7,000 was made on 7th December, 1964. The plaintiff was brought to see the barrister, who advised him not to take it. The offer was rejected. The plaintiff was running short of money. These facts can be confirmed. The solicitor went to the man's bank and tried to get him an overdraft. He was unsuccessful. The solicitor then tried his own bank to get him an overdraft, but again was unsuccessful. The solicitor told one of his clients that the plaintiff had to

win, and on the solicitor's word that client from time to time advanced the plaintiff sums totalling £400.

The Hon. A. D. BRIDGES: He must be a good solicitor.

The Hon. C. A. F. CAHILL: He is a very reputable solicitor in this city. The Australian Broadcasting Commission, without any investigation whatever of this man who has received treatment for a nervous condition, allowed him to appear on television, prodded him with questions and got him to say that he had received no consideration from his legal advisers.

A number of people will know who the legal advisers are. The Government Insurance Office, the judge, court officials, and people in the plaintiff's particular suburb will know, and if that is not defamation of a high order I do not know what is. The Hon. E. L. Sommerlad wants to know why juries give large verdicts in defamation actions. If this report appeared in a newspaper and an action for defamation came before a jury, would any honourable member be surprised if it gave a very large verdict?

I shall deal briefly with each of the allegations. It is obvious that there was no undue delay. Any delay was in the man's interest. The action could have been brought on within twelve months. In spite of all the nonsense that appears in the newspapers about long delays in jury actions—and I shall come to that later—this allegation is just rubbish. There was no undue delay. As I said before, that was false.

Next it was alleged that the legal representatives had no interest in this man's welfare. This, also, is completely and utterly false. The solicitor went outside the bounds of his duty to assist him. It was said that the costs were exorbitant and that the solicitor presumably charged £1,000 to cover costs. This is utterly false. Nothing like that happened. These are facts that can be established on the slightest investigation. This man has left with the solicitor a large sum of money to invest for him. Yet, what is the picture presented by the television station?

Finally, he said that he had to pay back £1,200 to the Commonwealth. In fact it was £800. Reference was made to all the things he had to pay out of the verdict, but full wages for the period he was off work were allowed for in his verdict. The claim was for about £1,000 for medical and hospital expenses, and £2,500 for loss of earnings to the date of trial, which obviously, having regard to the size of the verdict, the jury allowed for. So he received all his wages, yet it is put over this national station that neither the Government—the Commonwealth Government this time—nor anyone else has any time for this man, and that the Government wants its £800. How absurd can one get!

The Hon. H. V. BUDD: The fact is that these people are grossly incompetent.

The Hon. C. A. F. CAHILL: Grossly incompetent, grossly negligent, and without the slightest sense of fair play.

The Hon. A. D. BRIDGES: And not the slightest sense of responsibility.

The Hon. C. A. F. CAHILL: I agree with that.

The Hon. H. V. BUDD: If they had any competence they would not do it.

The Hon. C. A. F. CAHILL: I could not agree more with the honourable member. It was utterly dishonest for the responsible officers of the Australian Broadcasting Commission to treat Ricketts's case, as falsely presented, as a typical case illustrating delays in litigation and exorbitant costs and heartless conduct on the part of the legal profession. Consider the position in which Mr John Kerr, Q.C., was left. He was invited to come and answer something. His reply sounded very ineffectual. He said: "I do not know. I will have to know more about it", and obviously the listeners would think he was hedging. He could not give any reply. He did not know the facts. There might have been two or three trials in this case and the plaintiff might have lost the actions and had to pay a lot of costs. Mr Kerr's reply was quite genuine. He could not answer, he simply said, "I would have to know the facts." I have given the facts.

I admit that in the legal profession there are exceptional cases of undue delays, exorbitant charges and indifference on the part of solicitors and counsel. They are the rare exceptions that happen in any profession, whether it is the accountancy profession, the medical profession, or any other. The few black sheep will be found anywhere and are the odd exception rather than the rule. As I say, it was dishonest to present that case fraudulently to television viewers.

I congratulate the mover and seconder of the motion for the adoption of the Address in Reply upon the honour accorded them by the Government. I congratulate, also, those honourable members who have made their maiden speeches in this debate. I was most interested to hear their informative views so ably expressed. At this point my congratulations come to an abrupt halt, for I now propose to consider His Excellency's Speech in detail. I should like honourable members to appreciate that my ensuing remarks are intended in no way to reflect upon Sir Kenneth Street. The Speech was prepared by the Government, as is customary, and it was his unfortunate lot to be called upon to deliver it. To describe it as anaemic and colourless would be to praise it unjustifiably. The few constructive ideas appearing in the Speech are swamped by the platitudes, generalities and, in some instances, vacuous inanities which are generously sprinkled throughout. After the prefatory formalities the Speech opens on a dreary apologia dealing with the drought. Indeed, it is the longest part of the Speech on any one subject. That it was meant to be an apologia and an excuse on which the Government could rely for failing to implement promptly its promises, is clear from what was said by the mover of the motion. Having referred to the drought, he said "The Government's hands are tied behind its back." So the Government cannot do expeditiously quite a number of things that it promised to do!

Prior to the elections, with the deliberate intention of gaining votes, the Government made lavish, financial promises to motorists and independent schools, about free transport for all schoolchildren and to the

railway and transport employees—"Trust us. We look after the little man." It made a host of other such promises. Prior to the elections the present Premier himself claimed to be the champion of the little people. Let us see how far he can now claim that title with any justification.

Quite inadvertently on the part of his advisers, I am sure, the Lieutenant-Governor says, in the fifth paragraph of his Speech:

My Ministers are deeply conscious of the trust which has been reposed in them by the people of this State and their efforts will be resolutely directed towards ensuring the general welfare of the people and the continued progress and development of the State.

The reference to continued progress and development of the State is an unintended compliment to the previous Government. This drought has been used by the Government as an excuse to point out how it is handicapped financially, but the Premier knew when he was making these lavish promises, that the drought was then on and was well settled in. What appears in this Speech to mislead is:

No less than 44 of the 59 Pastures Protection Districts throughout the State have been declared drought stricken areas.

That is why the Government's hands are tied behind its back, according to the mover of this motion. The fact of the matter is that before these elections were held forty pastures protection districts throughout the State had been declared drought-stricken areas. The drought was well and truly on when the Premier made these promises and he knew it was on. It is idle for him, or the mover of this motion, to come forward now and say, "The drought has thrown us out of gear." The Speech refers to the consequent loss of revenue but does not bother to mention the operations of the Totalizator Agency Board, an organization from which many millions might be expected to flow into the coffers of the Government.

The Lieutenant-Governor, carrying this burden imposed upon him, says on behalf of the Government that the proposed Law Reform Commission "will consider such questions as the provision of reasonable rights of appeal for individuals who have

been harshly or unjustly treated by executive or administrative decision and the reduction of the age of legal disability below twenty-one." This sounds all right, but could the mover, in reply, please tell us what it is all about? I, as a member of this honourable House and as a citizen of this country, am not aware of people being harshly or unjustly treated by the executive. I suppose this means the executive Government. No examples are given. When His Excellency uses the words, "reduction of the age of legal disability below twenty-one", what do they mean? Do they mean that people under twenty-one can be irresponsible? Apparently they are to be free to do as they please in certain respects, but there is no suggestion that any legal liability is going to be imposed on them. His Excellency goes on to say:

My advisers regard the establishment of the Commission as an important step towards ensuring the preservation of basic human rights and freedom.

That is just a platitude. Can any honourable member on the Government side inform the House what basic right any citizen is at present in peril of losing, apart from one that will be removed by this Government—the right to trial by jury in certain actions? Apart from it can any Government member inform the House what basic human rights and freedoms are now in jeopardy? I shall be interested to learn of them. The mover of the motion for the adoption of the Address in Reply is not present now but when this debate concludes I should like him specially to tell us what human rights and freedoms are in jeopardy so that my judgment can be proved to be mistaken when I say that this Government is indulging in platitudes in claiming that basic human rights and freedoms are in peril. It is a lot of platitudinous padding to make something of the law reform programme that is proposed by the Government.

Then we are told, believe it or not, that the vital rôle of primary industry in the economy is recognized by the Government and that considerable activity in this field is planned. It would indeed be a strange, half-witted government that did not recognise the vital rôle of primary industry. This

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speech is full of grand phrases that mean nothing. It is indeed pleasing and refreshing to learn that the Government's advisers place great importance upon the need for balanced development of the State but a schoolboy could tell us that without padding it into His Excellency's Speech. Honourable members are told also that a new portfolio of Decentralisation and Development has been created. As Government members well know a Ministry for Decentralisation was established years ago by the previous Government.

The Hon. J. B. M. FULLER: A full-time Ministry?

The Hon. C. A. F. CAHILL: My recollection is that it was administered by the Premier. His Excellency says in his speech that the present Government proposes to seek the co-operation of the Commonwealth on decentralization. I am sure that many honourable members recall the desperate efforts that the previous Government made to enlist the co-operation of the Commonwealth Government on decentralization. I hope this Government has more success than its predecessor, for the federal Government has shown little interest in the problem. For example, it was not willing to make any additional tax concessions for people in country areas, which would have been one clear way to aid decentralization. Moreover, it has not been willing to lay down a standard price for petrol throughout the nation, a measure that is well within the capacity of the Commonwealth Government. Here is an interesting point in His Excellency's Speech:

Ministers are adopting a realistic approach to traffic problems.

The following example is then given of the Government's "realistic" approach:

The ineffectual tow-away system in Sydney and Newcastle has been abolished and more appropriate measures adopted to deter the illegal parking of vehicles in city streets.

This is one example of the statesmanlike approach of the new Government. What was ineffectual about the tow-away system? It is childish to say that it was ineffectual; it was designed to permit the smooth flow of traffic. When the system was in operation, buses in Castlereagh and Pitt streets

could pull into bus stops, pick up passengers and take them on their way. Cars parked by selfish drivers on main arteries in peak hours could be towed away and traffic could flow easily. The so-called realistic view of the Government is that this was ineffectual. I should have thought that any person with even a basic knowledge of English would think it a most effectual way of dealing with that type of traffic problem. The Speech goes on to refer to more appropriate measures, but it does not mention what they are. We know from the press that fines for illegal parking have been substantially increased.

The situation as a result of this statesmanlike action is that the person who is financially well off need not worry about parking restrictions. He may park at a bus stop all day; it will cost him only a fine that he can afford to pay. The little people whom the Premier claims to protect cannot afford to do that. The fines are too heavy for them. The little people, of whom the Premier is supposed to be the champion, find that a bus cannot pull into the bus stops, which are filled with illegal parkers—the big people who can afford to pay their fines. The Premier claims that he is the champion of the little people. I suggest that in this matter he is the champion of the selfish, inconsiderate, wealthy motorist. It is the little man who is inconvenienced. People who going home to-night find that a selfish person with a Cadillac or a Jaguar and plenty of money has parked a vehicle on a main artery. The car cannot be towed away and the unfortunate little person is caught up in a traffic jam. The selfish person is able, out of his substantial income, to pay the fine. This is how the little people are being protected.

Debate adjourned, on motion by the Hon. C. A. F. Cahill.

SPECIAL ADJOURNMENT

Motion (by the Hon. A. D. Bridges) agreed to:

That this House, at its rising today, do adjourn until Wednesday, 8th September, 1965.

Motion agreed to.

House adjourned, on motion by the Hon. A. D. Bridges, at 6.34 p.m.