

HOUSE OF ASSEMBLY.

HANSARD REPORT.

WEDNESDAY, DECEMBER 18.

The **SPEAKER** (Sir Jenkin Coles) took the chair at 2 p.m.

MESSAGE FROM THE GOVERNOR—NEW POLLING PLACES.

A message was received from His Excellency the Governor advising that proclamations had been issued declaring the following new polling places:—Waterloo, Agery, Middleton, Lyndhurst Siding, and Iron Knob.

UNIVERSITY MUSICAL EXAMINATIONS.

Mr. PRICE asked the Government if the report had come to hand in reference to the University musical examinations.

The **MINISTER OF EDUCATION** (Hon. T. H. Brooker) said it was promised that the report would be delivered to the Government at 12 o'clock that day, but he had not received it. (Mr. Handyside—"You won't receive it either.")

RAILWAY APPEAL BOARD.

Mr. HUTCHISON asked if it was the intention of the Government to bring in a short Bill for the purpose of appointing an Appeal Board in connection with the railway service, now that the Public Service Bill was shelved?

The **CHIEF SECRETARY** said he was afraid they would not be able to. The matter was referred to the Attorney-General, who thought that with the Public Service Bill before them it would be almost impossible to get it through at the present time. Further, the Classification Board had not finished its work, and consequently it would be better to arrange the whole of the matters at the same time.

MOTION FOR ADJOURNMENT.—UNIVERSITY MUSICAL EXAMINATIONS.

Mr. DIXSON moved—"That the House at its rising adjourn until half-past 1 tomorrow." He wanted to draw attention

to the correspondence in the press in reference to the musical examinations at the university. If the press was to be believed the conduct of affairs there was, to say the least of it, extraordinary. They had a certain number of students going up in the ordinary course for their three years' examination for the Mus. Bae. degree. They had the professor at the university, assisted by a gentleman from Sydney, certain musical papers were set, the examinations were conducted apparently in the ordinary way, but when it came to the examination of those papers, and the necessary report as to whether the students had passed or not, there was an extraordinary variance of opinion between the local professor and the visiting official. During the course of the proceedings it appeared that one of the harmony papers was of such a character that there was the possibility or probability that none of the students would have been able to answer the question satisfactorily. The position was an extraordinary one. They had the students going up for their examination and they had a paper set for them, which the arbitrator appointed. The Professor of Music at the Melbourne University said was far too difficult and that it was a ridiculous paper to set before the students. But it might be asked, and perhaps rightly so, "why did the local professor allow those papers to be set? They had the answer to that in the correspondence published in the press, in which the professor stated distinctly that it would be contrary to etiquette for him to interfere with the other examiner. This seemed to be a reasonable answer and Professor Ives might be absolved from any blame in that direction. The most extraordinary part seemed to be that the two examiners had disagreed in regard to the merits of four out of the six papers. It was then decided that those papers should be submitted to Professor Peterson, of Melbourne, who was to act as arbitrator. It was, however, understood that the papers should be clear and that notes which had been made on them by the examiners should be erased so that he could form a clear independent opinion. But instead of that course being adopted the papers were sent over to the arbitrator with the adverse comments of one of the examiners and without the comments of the other. The result had been that the mind of the arbitrator was biased—and he did not see how it could be otherwise in the circumstances. Whatever may be the merits or demerits of the papers, the fact remained that the arbitrator having those adverse comments before him had decided against the students and made them fail in their examinations. It was pretty well known that for some months past there had been a good deal of ill-feeling amongst the officials at the University. He was not going to enter into that phase of the question because it had nothing to do with the House or the matter that was before it. But if there was any such disagreement it ought not to be allowed to interfere with the work of the University and interfere detrimentally with the passing of the students if they were worthy. Yet it would appear as if some little undercurrent had been at work which had led to the council allowing those papers to be sent over without the marks having been erased. It seemed to him that while they could not interfere with the university they could ventilate the matter through their speeches and try to bring about justice to the students, and another examination held to give them an opportunity of passing a new paper set by an unbiased authority, so that they could have a chance of proving whether or not their teaching was correct, and their knowledge enough to enable them to pass their third year.

Mr. PRICE said he had a notice on the paper in connection with the Government representation on all boards and committees which were subsidised by the state. He had reasons for putting that notice on the paper, because of the information given him and the feeling among a certain section of the community that things were not exactly

right at the university at the present time. The outburst now made known to the public justified the position he had taken up. He wished to support the member who had brought the subject forward. It affected only half a dozen students, but the matter was not confined to that half-dozen. The whole institution was in a state of ferment, and they should do all things necessary to restore confidence in it. Members had paid attention to what had appeared in the press, and he asked for an investigation into the existing state of affairs. He approved of the suggestion that the students ought to have another examination to enable them to show that some undercurrent had been at work against them, and they ought not to have their university career broken and disgraced without having that straight-out opportunity. He was afraid that too much power had fallen into the hands of powerful men, especially of one individual, and it was not right that his influence should be used to interfere with the successful career of students attending the university. They had been told that those third year students had been given work to do which the professors themselves had said could not be done in the time. Professor Peterson had told them that the papers which the third year students had been given to complete in three hours would have taken four hours for some of the best men in the profession to complete. A mistake had been made in the giving of that work. The only weak point he saw yesterday in the letter was that Professor Ives had consented that that part should have gone before the students. He had been told, however, on further investigation, that out of consideration for another professional gentleman Professor Ives had no right to interfere; it would have been against the etiquette of the profession for him to have done so. And had Professor Ives made an effort to withdraw the question, it might have been said that he did so because he had been preparing the students, and was afraid they would not be able to come up to the standard. The professor was not going to lay himself open to such a charge. He hoped that the Minister, who had asked for a report, which had failed to come, and see there was something that required to be looked into. As the Government were responsible for some £6,000 per annum for the maintenance of the institution, everything in connection with it should be straight and above board, and no student should suffer in any degree from disputes between the professors and the Chancellor, or between the Chancellor and the organization. He supported the motion.

The **MINISTER OF EDUCATION** (Hon. T. H. Brooker) was sure they all regretted the incident that had occurred, and that in connection with musical circles there was often a large amount of discord and jealousy which ought not to be. He was not in the present case going to impute motives. He was not in a position to look at both sides of the case, for all the information he had was from what he had seen in the papers. Yesterday he called for a report from the Registrar of the University, and it seemed to him an act of discourtesy on the part of the University that the call had not been responded to. (Mr. Homburg—"I thought they had sent you a report; and, if they had, I was going to complain, because they had no right to, and you have no right to expect it. You are breaking a contract.") That was an assertion the member had no right to make. If the University feared public opinion, he thought very little of them. He was not quite sure whether the Government could break the contract, but the Government intended to consider the question on the lines of the Victorian rule, and say that they should have a representative on the University. Did Mr. Homburg fear public opinion? (Mr. Homburg—"No.") The member might as well say that the conduct or misconduct of the Judges should not be considered in the House, but they all knew that Mr. Homburg would be the first to introduce the subject if the necessity arose. Of course a Bill would have to be brought in to give effect to the Government's proposal. The Council of the University had nothing to lose by taking the House into its confidence, and if there was a reasonable excuse for its action surely the Minister controlling the department should know it. He would be very pleased to introduce the measure giving the Government representation in the council. If an injustice had been done to anybody, surely Parliament was the place to right it. The report from the registrar had just been placed in his hands. (Messrs. Homburg and Herbert—"Will you apologise now?") No, he would not, but he was very glad it had come. It had been mentioned by Mr. Dixon whether Professor Ives did his duty in not complaining to the other professor that the question under discussion was of such a difficult character that it ought not to have been placed before the students. That was the point he had thought of on the previous day. The answer to it was that it would have been a want of etiquette on Professor Ives's part, and would have given rise to the suggestion that he wanted to protect his students against doing hard work. It was a delicate position for the professor to be placed in, and he was not suggesting that he did wrong after his explanation. He had asked the registrar for the exact report of Professor Peterson, dealing with the question in dispute. If it was true that it was simply impossible to answer the question in the time allowed, it was not fair to the students. (Mr. Castine—"Your own education department has done the same thing.") If it did he would not stand by it. The Government were prepared to respectfully ask the university to consider the point whether or not, in fairness to the students, in view of the referee's report, they had the right to be re-examined. They intended to ask the university authorities to do that, not as a matter of right, but to settle a dispute which should be decided.

Mr. ARCHIBALD said he would not have spoken had it not been for the interjection by Mr. Homburg that Parliament had no right to interfere with any policy that might be pursued by the university. He thought that Parliament, by virtue of the public moneys that were given to that institution, should have a right to interfere, but independent of that it would surprise him to know that there was any institution

in South Australia that would be exempt from enquiry by that House if it was thought that the proceedings there were injurious to the public welfare. (Mr. Homburg—"I said the Minister had no right.") The Minister in question was, of course, the Minister of Education, but undoubtedly the Premier and leader of the House and the responsible authority there had the right to interfere if the university, or any other institution which received public moneys, was doing anything detrimental to the best interests of the community. He questioned whether there were two more conservative institutions in the Empire than the Oxford and Cambridge Universities. In their charters they were independent of the authority of the Crown to interfere, but not independent of the High Court of Parliament. On two occasions during the past 30 years an interference had been made in connection with a reform that had been urged by university authorities and laymen outside. He admitted that that was not the practice in Europe. There was no German University but what the Minister of Education could poke his nose into. His authority was Professor Max Muller, the Sanscrit professor at Oxford, who had forgotten more about German and university knowledge than the member for Gumeracha had ever learned. There had been an ugly undercurrent spoken of for many months past, and it seemed that the Chancellor was practically the Pooch Bah at that wonderful university—so much so that he questioned whether some of the professors were not trampling in their shoes. In a small community like Adelaide it would mean that that gentleman could make it uncomfortable for any professor in the exercise of his duties. It seemed to him that the House of As-

sembly certainly had a right to interfere. It seemed to him that when the Chancellor of the University of the supreme authorities got in a tight corner and wanted to get out of it they sent to Sydney. Professor Ives was most respected and capable, and was considered so by those who knew something about it and by persons who did not belong to what he would call the select, official, shoddy, society clique of Adelaide. That select committee had been tumbled up against more than once during the last ten years, and he did not think that on all occasions they had got the best of the fall. The clique did not appear to understand and appreciate Professor Ives, and they were trying to discredit him in the eyes of those with whom he had been associated. He wanted to protest against the position taken up by the university in sending over to Sydney to get some one to help them over the stile. No contract had ever been made between the university and the Parliament of South Australia, but in England, the mother of Parliaments exercised a right to say how the parliamentary vote and the sums bequeathed should be expended. He hoped the Government would be in a position that afternoon to give them something about the official report from the luminaries of the university in connection with what he would describe as a very painful incident.

Mr. LIVINGSTON said he was very sorry to hear that there was something wrong at the university. It was well known that very few of the pupils that went up for examination passed because they did only half as well before an examiner as when they were at home. At Mount Gambier last Saturday only four pupils passed out of eleven. The university had 10,000 acres of the best land.

The **SPEAKER**—That has nothing to do with the question.

Mr. LIVINGSTON hoped the Government would look into the matter and see that no injustice was done.

The **CHIEF SECRETARY** said he had glanced hurriedly through the report from the registrar. It went into detail with reference to the correspondence, and gave the opinion of the council in regard to it. Considerable light was thrown on the matter in addition to what had already been given. He was not going into the question of the rights and wrongs of the dispute at present, but he would lay the report on the table of the House and have it printed so that the members could have a glance at the particulars and form their judgment on it.

Mr. CONEYBEER hoped the matter would not simply be discussed that afternoon and dropped. It was evident that there was something radically wrong and rotten at the university, and it was the duty of the Government to have a searching enquiry into the matter. He regretted the circumstances, because it practically meant the dismissal of Professor Ives from South Australia. They would not realize his worth until he had gone. The professor had received scurvy treatment, and he did not think too much could be said. He wanted a searching examination made, because he did not want one individual to rule the roost. If Parliament voted money to the university they had a right to see that it was properly expended.

Mr. PEAKE said he had read the correspondence on the subject, but he was not going to give a decided opinion from that, because probably there was another side. He heartily supported the Minister of Education in his contention that the Government and the House had a right to be represented at the university, and he also maintained that it was the right of the Government to have a say in regard to all public institutions. He would always go with the Minister in seeking to secure Parliamentary control, not only in connection with subsidised, but all public institutions.

Mr. CASTINE said it was evident that some injustice had been done in connection with the examinations. He asked the Minister of Education to enquire fully into the matter, and if an injustice had been done to see that the students were re-examined.

Mr. HOMBURG was sorry that he had not had time to read the report forwarded to the Minister of Education, and that the Chief Secretary, who had had that opportunity, did not inform the House whether in his opinion the students had been unfairly treated in the matter. So far as he had gone with the reading of the report he could not help expressing regret that Mr. Dixon should have brought the matter before the House without having first ascertained from the university authorities whether there was any cause for the grievance. He was also sorry that the Minister

of Education had given expressions of a nature as to lead people to believe that his sympathies were on the side of the students, and that he had formed some opinion that the students had been unfairly treated and should have a re-examination. He put it that it was his intention to put before the university authorities his desire that the students should have a further right to examination. (Minister of Education—"I spoke on the information I had.") That showed how risky it was to discuss a question of such importance on newspaper information and on the assertions of one side only, who had not the advantage of having the whole of the minutes of the university before them. (Mr. Roberts—"He did not make any definite statement; he qualified it.") Did they not trust the highly respectable men who composed the senate of the university that if an injustice had been done they would have had it righted without the necessity for placing the matter before the House. (Mr. Roberts—"We may trust them, but it is just possible that those highly respectable gentlemen may have a bias the same as the hon. member.") He was not biased, nor had he any reason for being so. He was not acquainted with any of the gentlemen who composed the senate any more intimately than he knew Professor Ives, whom he only knew to speak to in the street. He had said by interjection to the Minister of Education that he had no right to call for a report, and he would not have made that interjection had not the Minister said that he had called for a report, which meant that he had called for it by virtue of the authority which was vested in him as Minister of Education. In other words he demanded the report. (Mr. Roberts—"He prefaced it by saying that he had no power.") He was sorry that he did not hear that. (Minister of Education—"I knew that I had no power but to get over a trouble I thought that was the best way to do it.") The university was established under the Act of 1874, and had it not been for the generosity of a number of citizens of the state who subscribed the nucleus of the university it would not then have been founded. An agreement was made when that institution was founded and embodied in the Act made the university a non-political institution. Its rules and regulations had to be approved of by the Governor; but beyond that fact and the appointment of a visitor to the university, the state had no right to interfere. By the word "state" he meant the Ministry. The House, however, was omnipotent in that respect. It could undo the University Act, decline to pay the subsidies, take away private endowments, its lands, and do any robbery it liked. It was so powerful that there was no appeal from any of its decisions, however unjust they might be. It was because they had such immense powers that no House would exercise them and be guilty of breaking an Act of Parliament, and taking away rights which had been guaranteed by contract. He asked that, whatever power might be exercised, it would be with due regard to the contract contained in the Act of 1874. He believed that if the Government had had a representative at the university, that representative would have come down and assured the House that no intentional injustice had been done to the students. Those who had students at the university might think that they ought to have better conditions for passing, but he was inclined to think that the university professors and examiners, who did not know the students by name and whose only information was the number at the top of the examination papers, could not possibly have any bias for or against the students, and therefore were not likely to do a knowing act of injustice. If an unwitting act of injustice had been done, and it was pointed out to the professors, it would have been rectified. He regretted that the matter had been introduced into the House and caused feeling at a stage when there were differences between the university professors and Professor Ives, and when the difference had culminated in a press correspondence.

Mr. HUTCHISON agreed that the matter should not have been brought before the House. The Government had no right to interfere with the university, but the general public and members would agree that it was a good thing that the Government were alive to the protection and interests of the students at that institution. They should not prejudice the case, because the report might put a different complexion on the matter. (Mr. Miller—"Why not wait for the report?") The Minister asked for it to be ready in time, as the subject was likely to be brought up in the House. The question of contract had been mentioned, and while that contract was satisfactorily carried out to the public they should not interfere unless there were strong reasons for doing so. But if there were anything taking place that was not in the interests of the students attending the university, it was time they considered whether or not that contract should be varied. He did not say that £6,000 was enough for university education. The amount should be larger, and it should be spent under different conditions. The institution should be freer, and they ought to act on the principle that when any sub-

sidy was given to an institution the Government should have some control over it. He would like the case to be sifted to the bottom, and he trusted that when they heard the other side it would reflect credit on the university. But they found it was not the first time that complaints abounded with a good deal of foundation, had been made with reference to examinations, and that was all the more reason why they should have an investigation. The Minister of Education had not gone beyond his duty to the public in doing what he did. Negatived.

Mr. DIXSON asked—1. Has the attention of the hon. the Chief Secretary been drawn to the extraordinary statement in this morning's press with reference to the recent musical examinations at the University of Adelaide? 2. In view of the statements contained therein, is it the intention of the hon. the Chief Secretary to institute an enquiry into the matter, or, if that is impossible, to call for a report from the registrar of the university?

The **CHIEF SECRETARY** said it was unnecessary to give any further answer, as the report had been produced in the discussion which had just ended.