

## HOUSE OF ASSEMBLY

Thursday 29 September 1983

## ESTIMATES COMMITTEE B

**Chairman:**

Mr G.T. Whitten

**Members:**

The Hon. H. Allison  
 Mrs J.E. Appleby  
 The Hon. Peter Duncan  
 Mr S.G. Evans  
 Mr T.R. Groom  
 Mr G.A. Ingerson  
 Ms S.M. Lenehan  
 Mr W.A. Rodda

*The Committee met at 11 a.m.*

**The CHAIRMAN:** I have to advise the Committee that the required notices of discharge and substitution of members are as follows: Mrs Appleby in place of Mr Trainer, Ms Lenehan in place of Mr Klunder, Mr Groom in place of Mr Hamilton, the Hon. H. Allison in place of the Hon. Michael Wilson, Mr Evans in place of Mr Gunn, and Mr Ingerson in place of Mr Oswald. Changes or substitutions of Committee membership will take place only at a vote, at 1 p.m., or at 6 p.m. All questions are to be directed to the Minister, not to his departmental advisers. Any question asked may be directed by the Minister to his officers, or he may ask one of his officers to supplement any answer that he gives.

Questions must relate to the vote under consideration, and not to matters of policy. I realise that at times some questions will involve policy, because it will relate to the vote under consideration. I point out that I do not want members making second reading speeches and I do not want a grievance debate in this Chamber during the Estimates Committees. I have already had discussions with the Attorney-General and the member for Mount Gambier. I think it is necessary for us to arrange a time table for the better working of the Committee and to ensure that departmental advisers are not tied up here all day and night. I hope that the Committee can reach an agreement on the allocation of time for each vote.

A quorum is four members. If at any time there is no quorum, the Committee will stand suspended until a quorum is present. The Chair will recognise members other than members of the Committee and they will have an opportunity to ask questions. That will not be encouraged, but they will be given an opportunity to participate. I also intend to allow the lead speaker for the Opposition, the member for Mount Gambier, to speak for no more than about 15 minutes. He will be followed by the Attorney-General, who may speak for a similar period.

Then I will call on the lead speaker from the Opposition to ask the first question. He will be allowed three questions. Then it will alternate to the Government side and from there it will flow to and fro with a maximum of three questions each. I will be tolerant to the extent that if a supplementary question is needed in relation to the previous question I will allow that, but I will certainly not encourage it. Before I ask the Attorney to introduce his officers I will allow the member for Mount Gambier to make his opening statement.

**The Hon. H. ALLISON:** I have no intention of opening with a preamble. That is the Minister's prerogative. I am quite happy for the Minister to commence proceedings, as is the custom.

**The CHAIRMAN:** Thank you for your co-operation. I am saying that if you wish to make an opening address you have an opportunity now. It will not be afterwards. Does the member for Mount Gambier wish to make it?

**The Hon. H. ALLISON:** No, if there is any information needed we will get it by way of questioning.

**The Hon. C.J. Sumner:** I do not have any intention of making an opening statement except to introduce the two officers: the Electoral Commissioner (Mr Becker) and the Deputy Electoral Commissioner (Mr Duff).

Electoral, \$660 000

**Witness:**

The Hon. C.J. Sumner, Attorney-General.

**Departmental Advisers:**

Mr A.K. Becker, Electoral Commissioner, State Electoral Department.

Mr M.S. Duff, Deputy Electoral Commissioner, State Electoral Department.

**The CHAIRMAN:** I declare the proposed expenditure open for examination and call on the member for Mount Gambier.

**The Hon. H. ALLISON:** I refer particularly to the Programme Performance Budget papers at page 51. We note under 'Issues and trends' that it says that more elections to vacancies on boards of statutory organisations are now being contested and that there is a greater commitment of departmental resources required; in the case of industrial ballots, more organisations are expected to seek assistance from the Department. Can the Minister or his senior officers tell us what organisations are expecting to seek this assistance?

**Mr Duff:** The most recent approach we have had from an industrial organisation is from the Public Service Association, which has asked whether we would be able to conduct its executive elections in the future. I am not sure how far down the track its proposal is going, but we have had the approach. I might also indicate that during the last financial year we conducted the election for the Australian Trainers Association and the South Australian Trainers Association. They have had a referendum connected with the Jockey Club membership, and we also conducted that election last year.

**The Hon. H. ALLISON:** Supplementary to that, does the Minister envisage that these additional requests will demand considerable additional resources during the current financial year?

**Mr Duff:** No. Our existing resources can cope with the additional demands that may be placed on that section of the Department this year. We are not expecting any additional staffing requirements to cover that. I might also indicate that any direct costs that will be incurred in conducting those elections are charged to the organisations concerned.

**The Hon. H. ALLISON:** Can the Minister say whether the Department has had occasion to refuse any application? If so, who are they and what would the reasons be?

**The Hon. C.J. Sumner:** No.

**The Hon. H. ALLISON:** Has the Electoral Department had any specific problems with any of the elections that it

has conducted on behalf of different associations? If so, could the officers tell us what they were. Particularly, we would be interested in the extent to which departmental resources have been committed. What can the officers tell us about the rules covering the conduct of these elections?

**The Hon. C.J. Sumner:** The first point that needs emphasising is that these elections are not conducted *gratis*. They are approved by the Electoral Commissioner on application from the body and a charge is made to the organisation for the precise cost which is charged upon the Department. So there is no burden on the taxpayer as a result of the Electoral Department's carrying out this function. My officers may be able to answer the question about any particular mechanics that are applicable.

**Mr Becker:** What the Minister says is entirely correct. If additional resources are required from outside the Department those resources are charged against that organisation.

In terms of the method of conduct of elections, a number of organisations have established rules, the method of conduct, and we follow those rules as best we can. Where those rules are deficient, we conduct the election in respect of what we consider to be good electoral practice. Where there are no rules, we conduct the elections in what we consider to be a good electoral manner. In regard to the second part of the question, regarding problems that might occur, to date, touch wood, no problems have occurred that affected us directly. Our Commonwealth counterparts have had one or two but at this stage we have had no difficulties at all.

**Mr RODDA:** I refer to page 55 of the yellow book. Under the heading 'Issue and Trends' is the statement:

Increasing sensitivity and concern is being expressed about the manner in which elections are conducted. There is a need to continue to select and train better qualified polling officials.

Is it intended that there will be training for polling officials to man major polling booths in electorates throughout the State? It would involve a big expense, especially as the present system works well in the main. The Commonwealth situation is *ultra vires* what we are talking about. In State elections often the postal voter has no idea of which district he lives in or where he is enrolled. A voter may come from Kongal in the District of Victoria. On one occasion I was at a poll, not at Kongal, where I was not allowed by law to be hovering around a polling booth, but I was asked to give advice about how the voter could get the necessary information. It would be asking much to have a qualified polling official at every booth in the State, especially as the present system works well. What is really involved in regard to the increasing sensitivity and concern by the Electoral Department?

**The Hon. C.J. Sumner:** There has been one Court of Disputed Returns recently and after every election there is some complaint about conduct, or the conduct of people involved in it. Thankfully, we have not had many such courts in South Australia, and it is generally recognised on both sides of politics that elections are conducted in a fair and efficient manner.

Some matters were raised subsequent to the recent election, as always, about the conduct of that election. However, in general terms, honourable members here in particular will no doubt have been very acutely aware that in recent months the Electoral Commissioner has had other duties to perform. Over the next few months I believe that it is his intention to prepare a report for me on the last election and to include in that report some recommendations to ensure that any problems that might have occurred are overcome.

The Government will consider that report along with its proposals for electoral reform—matters that have been outlined previously. I hope that in about the middle of next year, or at least during the next session of Parliament (probably the next Budget session), there will be introduced a

Bill which will address matters of a mechanical nature that might have been brought to the attention of the Government by the Electoral Commissioner and the policy issues that the Government wishes to address. The honourable member mentioned selection and training of polling officials, so I ask the Electoral Commissioner to add to what I have said.

**Mr Becker:** Last year we instituted a training programme for officials which was commenced in about February and was completed about two weeks before the election. We put 1 200 people through that training course, which was, I think, the most extensive training of polling officials ever undertaken in the Commonwealth. I believe that we must continue holding this type of session. Hopefully, once we have decided what the situation should be, at about this time next year, in the run-up to the election, we will conduct a similar programme.

**Mr EVANS:** Will the Minister say whether the computer section of the Electoral Department is able to give an accurate indication of the number of electors in each of the proposed new electorates for each of the past four years? I am seeking to ascertain whether the computer is programmed to actually isolate figures not only for present enrolments for the previous three years but also the exact number of electors in each of the proposed electorates so that accurate percentage increases and decreases in population in those electorates can be established in comparison with the number of homes that might be built in those areas over that period? Is the computer programmed to give an accurate estimate of the number of electors in the proposed new electorates over the past four years?

**Mr Becker:** Unfortunately, no. The computer system relies on data stored in it. We can manipulate that data in whatever way we want. Unfortunately, we do not store information in that form for that long. It is hard information, such as rolls for printout, that is stored. I imagine that it would be an extremely costly manual exercise to do what the honourable member has suggested.

**Mr EVANS:** What method was used to establish the exact number of people in the proposed new electorates?

**Mr Becker:** That was based on roll closure as at 29 July—

**The CHAIRMAN:** Order! I do not want questions directed to officers. They must be directed to the Attorney, who may then call on his officers to reply.

**Mr Becker:** The roll closed on 29 July, and that was taken as the relevant date for the purposes of the Boundaries Commission. This meant that we had all the information available to manipulate the file in any way we chose, and a considerable amount of that manipulation was carried out in the computing centre. There was a lot of manual work, because we did not have fine information that we could extract without considering on which side of the street people lived. We were able to extract that information reasonably easily for 29 July, but we do not have that information going back to, say, 4 February, which was the last date on which we closed the rolls, or as at 6 November last year.

**Mr EVANS:** Because this matter refers to administration, I would like to go a little further than that. Would it be fair to say that, in the main, it is only a guesstimate of the percentage increase in those new electorates in, say, the past 12 months or the past three years and that there is no accurate information with which to ascertain the percentage increase of electors in electorates?

**The Hon. C.J. Sumner:** I am not entirely sure what point the honourable member is trying to make.

**Mr EVANS:** From what Mr Becker has said, it appears that the actual numbers in each of the new electorates is not known accurately because the computer is not programmed to isolate streets and the number of people enrolled in those streets, whether in relation to odd or even numbers

or parts of the street. That is the situation at present. More particularly, there is no accurate way of estimating (nor has there been in the immediate past) the exact number of electors in the proposed new electorates either at present, 12 months ago, or two years ago. Is that an accurate statement?

**Mr Becker:** I believe that the honourable member has misunderstood what I was trying to say. When we closed the rolls on 29 July for the purposes of the Electoral Boundaries Commission, the information was as accurate as we could possibly obtain at that time. The way in which we extract information from the computer system to enable us to determine the numbers in each new electorate for the new boundaries is a combination of computer plus manual means. That information is as accurate as we can determine, and I very much doubt that the figures would be out by more than a few people at the most in regard to those new districts. It is a fairly straightforward exercise. I am not too sure what the honourable member means by 'the percentage', but I think he means the deviation from the quota that we established.

**Mr EVANS:** I was referring to the percentage increase in those new electorates in the past two, three or four years. In other words, what was the growth factor in regard to electors, not in regard to the number of houses.

**Mr Becker:** We can ascertain that in respect of the current electorates, because we are still running on those figures, and we know the percentage variation. Every time we close the roll we can calculate the percentage variation. Unfortunately, we do not have that information in the new boundary form going back prior to 29 July. It is impossible to retrieve that data other than by manual means from the Government Computing Centre, because those files are not kept in computer form beyond the next update. The last update was 29 July, and that information is kept in both forms, but we cannot go back in a computing form prior to that date.

**Mr INGERSON:** It has been reported in the press over the past few days that a considerable number of young people who are eligible to vote are not enrolled. What action is the Electoral Commission taking to rectify that problem?

**Mr Becker:** We have a joint rolls agreement with the Commonwealth. The Registrars who register electors for State purposes also register for Commonwealth purposes. The report referred to by the honourable member was a Commonwealth report. At this stage I have no idea where the 500 000 unenrolled people came from. I daresay that in the near future we will have correspondence with Canberra in an attempt to ascertain exactly where that information was surveyed.

Whatever task is undertaken, it must be undertaken jointly with the Commonwealth. We are not in a position, having regard to the joint rolls agreement, to go it alone. I presume that there will be some way of determining who the unenrolled people are. Perhaps an advertising campaign could be instituted at the same time as the Australian citizenship drive becomes operative, which we hope will occur on 26 January. A household survey is currently being conducted, and that will cease at the end of next month.

**The Hon. C.J. Sumner:** From the Government's point of view, we would wish to see people who are entitled to be enfranchised on the rolls. In view of the issue that has been raised, I am sure that the Electoral Commissioner will confer with Commonwealth Government officers to ensure that action is taken to ensure that people who are not on the electoral roll but are entitled to be on it are given that opportunity.

**Mr INGERSON:** In the future, some members will probably consider the use of mini-computers. Is it possible for

electoral rolls to be supplied in tape form or in some form that is compatible with standard mini-computers?

**Mr Becker:** These days most mini-computers can interface with larger computers. That is certainly possible. However, the question is whether or not it is a feasible proposition.

**Ms LENEHAN:** I refer to the problem of the enrolment of young people. Is there available any information which suggests that any one State has a greater degree of enrolment of young people than another State? I imagine that that sort of information could be arrived at by looking at the number of people on the electoral roll and comparing it to census data. Is there any differential between the various States?

**Mr Becker:** I imagine that there would be. There is certainly a differential in enrolments generally between the States. We know that the population of Western Australia has exceeded South Australia's population, but South Australia's electoral roll is significantly larger than Western Australia's. I return to the member for Bragg's question and the fact that the Commonwealth estimates that 500 000 eligible young people are not enrolled. I think we would have to find out how that information was surveyed in order to ascertain whether or not there was a differential between the States.

**Ms LENEHAN:** Would it be possible to prepare a report in relation to that information?

**The Hon. C.J. Sumner:** We can arrange that.

**Ms LENEHAN:** I refer to page 55 of the yellow book and 'Issues/Trends'. How does the Electoral Department intend to communicate to South Australian electors changes in the electoral boundaries as a result of the recent redistribution? Has a programme been mapped out to cover the next two years and into the future to the next general election? How will the Department communicate that information to the electorate?

**The Hon. C.J. Sumner:** The Commissioner will indicate what action will be taken following the gazetting of the electoral redistribution (subject to there being no appeals). The Electoral Department has a plan of action, I understand, which it will implement following the expiration of time for appeals.

**Mr Becker:** A programme will have to be worked out. However, it is not something that we will get stuck into right away. If there is a by-election between now and the next general election, it will have to be conducted on the old boundaries. It would be extremely confusing if we informed people where they would be enrolled at the next general election, because in the event of a by-election everything would return to the *status quo*.

**The Hon. H. ALLISON:** Can the Attorney-General advise the Committee of the inter-relationship, if any, between the South Australian Electoral Office and the Federal Electoral Office? A few weeks ago I visited Alice Springs with the Maralinga Land Rights Select Committee. I noticed an advertisement seeking applications for appointment as electoral educators (I believe that was the term) at a salary of about \$22 000 or \$23 000. I refer to 'Stategies' on page 46 of the yellow book, as follows:

Following the redistribution of Assembly Districts it will be necessary to review Returning Officer appointments and polling booth locations. To improve the awareness of electors, it is proposed to prepare a suitable brochure for distribution to educational authorities . . .

Do we need to appoint our own electoral education officers, similar to the Federal Government? Do we need to supplement work being done by the Federal Government in the more difficult areas of the North-West in Aboriginal reserves and similar regions?

**Mr Becker:** About three or four years ago we looked at the possibility of doing something similar to the Commonwealth in respect of education teams, particularly in relation

to Aboriginal communities. That was mainly because the Commonwealth Electoral Act precludes anyone from soliciting an enrolment from an Aboriginal person. We thought that was a little odd. If one talks to Aborigines and encourages them to share the benefits of franchise, one must then turn around and say 'I am terribly sorry, but we cannot enrol you because we might be seen to be soliciting enrolment.' We set up a separate team, which was not proceeded with.

In part, we thought we were reinventing the wheel. We found out informally that the Commonwealth was accepting enrolments. Somehow, the question of solicitation was avoided. It now seems that the Select Committee is recommending the amending of the Commonwealth Electoral Act in relation to solicitation of Aborigines. I think it is probably unnecessary for us to duplicate the efforts of the Commonwealth. Very shortly, two teams will be operating in both South Australia and the Northern Territory, conducting educational programmes around the Aboriginal communities. I think it will be less confusing for the people in the communities to deal with only one group.

In terms of the types of information we need to promulgate, there are very few differences of note. Those would have to be dealt with separately by information provided separately from our Department to those Commonwealth people.

**The Hon. H. ALLISON:** On the matter to which I first referred—the question of reviewing Returning Officer appointments and polling booth locations—is any additional cost required in this exercise or is it more the intention to reduce dramatically the number of polling booth locations in South Australia?

**Mr Becker:** We have not had the opportunity to look at the possibility of rationalising any polling booths. As far as possible, we would like to have the same polling booths which the Commonwealth uses for the benefit of the electors. So, not until such time as we determine the number of subdivisions that we will have on the new boundaries will we know exactly what the situation will be in respect of those. The policy at the moment is that we seek the opinions of the sitting members as to where those polling booths should be located. Unfortunately, they are not always in agreement with their Federal counterparts; so, we often do not have the same number of polling places in the same places, but where possible we will endeavour to rationalise the polling booth situation.

**The Hon. H. ALLISON:** Also on page 46 of the yellow book, under 'Agency Overview', the statement is that there is a high incidence of clerical error in the preparation of master rolls, identifying those who failed to vote at Assembly elections and, later in that paragraph under 'Strategies', it states:

The Department has a feasibility study into 'on line' processing of enrolment.

That would be updated with a view to entering into formal negotiations with the Commonwealth. It also says that alternative methods of preparing lists of non-voters will be investigated. It is quite possible that those three statements are linked. Is there any general agreement with the Federal Government about to be arrived at? If not, can the officers tell us in any case what the different options are which are available, and give us some idea of the cost of them?

**Mr Becker:** In fact, the 'on line' enrolment really is not linked with the high incidence of clerical error in the preparation of master rolls, identifying those who fail to vote. If I can take the 'on line' system first, at present we have registrars and divisional officers who enrol on our behalf. They do that officially on a master roll—the roll for each subdivision. At the moment the claim card is received by the registrar and then despatched to our office for processing and putting on the computer. It seems unnecessary these

days for that process to occur when it could be done at the time in the registrar's office. At the moment, only preliminary discussions have taken place with the Commonwealth on this matter, and with the Government Computing Centre.

We are hoping, however, to look at the possibility of doing something really serious on the matter in the next six to eight months in terms of the feasibility study of 'on line' processing, and perhaps in the next Budget request funds to set that up. At this stage we have no idea exactly of what that would cost. We would possibly be looking at something between \$150 000 and \$250 000, which, considering the size of our file as the biggest file in the Government Computing Centre at the moment, is reasonably cost effective in our view, provided that it goes that way.

On the high incidence of clerical error, we have 801 polling booths; we have in some cases several rolls for each of those booths, where we have full A-Z rolls. Then we have to take them all back to one single master roll for the 47 districts. Try as we may, with the number of checks and rechecks that we have, we still find that we send out non-voter's notices to people who reply, saying, 'We voted; what happened? Did you lose my ballot paper or something?' In fact, we did not, but another clerical error had occurred or an error in punching up the final list for processing had occurred. This is extremely embarrassing to us; so, we are looking at alternatives to cover the non-voting situation.

**Mr EVANS:** At what stage will new rolls be created for the proposed new seats?

**Mr Becker:** The order becomes operative three months after the date of the order, or three months after the determination of appeals. Appeals have 28 days in which to be lodged. If there are no appeals, then some time in December we will be looking at the construction of new subdivisions. We would hope to perhaps have that well and truly established by March or April of next year. If we have appeals, as we had last time, it was some 13 months before the rolls were produced.

**Mr EVANS:** A supplementary question through the Minister: I could assume from that that Mr Becker suggested that the new rolls would be available some time before the end of next year. I want to be sure that at the same time as the existing electoral rolls are operating a separate roll will be created and available for the new seats.

**Mr Becker:** In case of a snap election we would maintain enrolments in the two forms. Obviously, the existing boundaries hold force until the next election; so they would take precedence, but, in order that we will be ready, we will encode each enrolment to enable us to produce rolls which follow the new boundaries.

**The Hon. C.J. Sumner:** I think that what the honourable member is wondering is when you would be able to have those available.

**The Hon. H. ALLISON:** He is looking for a time table for the publishing of the new rolls.

**Mr EVANS:** For example, in explanation, if a candidate (whether a member of Parliament or otherwise) was going to contest a new seat it would be a great advantage, and also to people in the electorates, if a new roll was created for the new seats and was available as early as possible. I am trying to establish whether that will be March or June next year or 1985.

**The Hon. C.J. Sumner:** The fact is that we cannot determine it until we know whether there will be any appeals.

**Mr EVANS:** Can you make a statement?

**The Hon. C.J. Sumner:** One cannot tell; it depends on appeals. It depends on the listing of those appeals in the courts, and it would be out of the Electoral Commissioner's hands. Assuming no appeals, in that circumstance we can give some information and some programme as to what is intended.

**Mr Becker:** After having ascertained what the situation will be, we can look at three or four months. The difficulty would be in saying that those were official rolls if we produced them on the new boundaries because, even though they become operative, they are not effective until the next general election. The only official roll that we have is based on the current boundaries. It would be possible, provided the Minister directed, as he is able to do under the Act, and funds were available, for us to produce a document that would give an indication of what would be the likely makeup of a district.

**Mr EVANS:** In asking this question I do not want to disclose details of the incident involved, but can the Minister say whether a general direction is given to returning officers to pay nomination fee deposits into the general fund, and whether that is obligatory or whether it is a request? If it is only a request, is it likely to become obligatory in future?

**The Hon. C.J. Sumner:** It is obligatory at the present time.

**Mr EVANS:** In regard to moneys expended on equipment, is any of the money to be spent this year on general equipment even though no elections are forecast in the forthcoming year, on polling booths and on the type of lighting available in the booths themselves, on the writing instruments available at polling booths and in regard to the location of them? The location aspect has been answered, and it has been suggested that at times our Federal colleagues do not agree with us. I suggest that we point out to them that the States created the Commonwealth (the Commonwealth did not create the States) and that they should take note of us in these areas. Some elderly people complain that lighting in existing polling booths (the booths themselves) is poor and that as writing instruments are fine-pointed it is hard to see when they are marking the ballot paper. Has consideration been given to people like me who are starting to need glasses for reading and the like and who have difficulty in seeing what they are doing in polling booths? If not this year, perhaps it is something that can be considered for expenditure in another year.

**Mr Becker:** We are aware of the problem. We are not satisfied with the quality of the booths that we get. One upsetting thing is that a number of booths are in Education Department schools and it seems that the wishes of individual teachers take precedence over the conduct of an election. We will be seeking better accommodation, which will have much better lighting in future. If there is insufficient lighting, better lighting facilities will be added, where possible. I agree with the member that lighting in many booths is poor.

**Ms LENEHAN:** My question deals with a point raised earlier. In regard to the preparation of the new rolls, my question is not when the new rolls for the new electorates will be prepared but has to do with who will be entitled to receive the new rolls. Will the endorsed candidate of various political Parties be entitled to receive the rolls for the new areas? Will the headquarters of political parties receive them? I refer to completely new seats that have been created.

**The Hon. C.J. Sumner:** We will really need to look at that matter. I think the member is referring to the computer printout of the street order roll.

**Ms LENEHAN:** I refer to the total roll that one receives. It is an alphabetical roll as well: the roll comes in two forms.

**The Hon. C.J. Sumner:** The one that is publicly available would be available to anyone willing to pay the nominal sum for it. The street order roll is the one that everyone seems to want and, at present, a copy is distributed to each Leader of a political Party represented in the Legislative Council (that is, three), one is sent to the Parliamentary Librarian, one to members of the House of Assembly (each

member to receive only those subdivisions applicable to his district), and one to the Australian Electoral Office. That is the current situation. In regard to the redistribution, where some sitting members have part of their electorate in new seats, we may have to look at the question of distribution of those street order rolls. If the member has any suggestions, we would be certainly pleased to take them into account.

**Ms LENEHAN:** In regard to the provision of the facilities and services to enable people to be able to vote more easily and effectively, one matter that I would like to raise concerns the provision of pencils or an updated form of writing instrument. Has a ballpoint pen been considered? Many members have received complaints from people who have been to polling booths and found pencils that were blunt. True, this may seem trivial, but it doubtless causes frustration, especially in large polling booths where people at the time of the last Federal and State election were queued up (in many cases out into the street) and, to facilitate speedier voting, a more easily usable implement for writing would be a great leap forward. Will the Minister consider the request?

**The Hon. C.J. Sumner:** It has been considered over a number of years and so far has been resisted for what I am assured are good reasons. I will ask Mr Becker to explain some of the practical problems.

**Mr Becker:** There are a few practical problems, but my Deputy has looked at this fairly closely, and I will ask him to comment.

**Mr Duff:** We have had approaches from various members to consider biros and we have obtained reports from the State Supply Department. A marginal additional cost applies but it is not significant. However, because of the long periods between elections, usually three years, we found that the shelf life of many biros is such that they will not last. We have insufficient storage to keep biros in proper condition and, if we put them in polling booths on polling day, it would mean testing them all before they were used. The other objection is that on some ballot-papers people write their numbers and then perhaps have second thoughts. With a pencil they can go over with a heavier print. It is probably easier to read the heavier overprint with a pencil than with a biro, because the width of the stroke remains, irrespective of how hard one presses. Those are the contra arguments against biros, and there are also difficulties in drilling the end of biros to stop their being pilfered. We had considered supplying pens with chains, but they are expensive and we cannot justify the extra cost.

**The Hon. H. ALLISON:** Can the Minister say what the present cost would be of a referendum, first, if it were held separate from a general election and, secondly, if it were incorporated with the general election? Can he also project those figures for 1984, 1985 and 1986? I would be happy to have a written reply later.

**The Hon. C.J. Sumner:** I am advised that if a referendum were held separate from a general election the cost would be about \$1 million. If a referendum were conducted in conjunction with a general election, the cost would be in total about \$1.3 million or \$1.4 million. The cost of the most recent election, which included the referendum on daylight saving, cost \$1.222 million. They are the order of costs involved.

**The Hon. H. ALLISON:** Did the Minister's Department have any difficulty in producing the rolls for the local government elections?

**Mr Becker:** Not to my knowledge. I understand that they have been produced, and no complaints have come to my notice.

**Ms LENEHAN:** Has the Attorney-General considered entering into negotiations with the Federal Government regarding the introduction of voting machines? Apart from

the obvious advantage of making voting much easier for an elector it would also overcome some of the problems we have recently discussed in relation to pencils and Biro's. It would also address itself to the problem of the cost of future referendums because those costs would be minimised. Whilst the initial cost of voting machines would be a fairly hefty one, if that cost was shared by both State and Federal Governments I think that, in the long term, such an innovative procedure would streamline the whole voting process. Will the Minister tell us what proposals were put forward in relation to this matter?

**The Hon. C.J. Sumner:** There are no specific proposals before us at the moment. This question was raised in general terms by the South Australian Government when it made submissions to the Commonwealth Parliamentary Select Committee on electoral matters. I know that the member for Elizabeth has had a keen interest in this topic for some time and suggested that the matter should be put before that committee. I do not believe there was any positive result from that committee's deliberations.

**The Hon. PETER DUNCAN:** The committee is going to continue to sit.

**The Hon. C.J. Sumner:** The honourable member advises me that the committee will continue to sit and will look at this issue, which was raised in general terms by the State Government with that committee. I suppose that all we can do is wait to ascertain what findings that committee makes on this matter after it has completed its investigations. The State Government can then decide to what extent it ought to co-operate and to what extent it is feasible in cost terms to co-operate with whatever initiatives the Commonwealth decides upon in relation to this matter.

**Mr INGERSON:** I was interested in the comments made by Mr Becker about problems arising at schools at election times. Will he elaborate further on those problems?

**The Hon. C.J. Sumner:** I ask Mr Becker to answer this question.

**Mr Becker:** I suppose it is human nature to protect one's own bailiwick. There is concern expressed at times by teachers that if we shift desks around in a classroom that will disrupt the class the following Monday morning. In some cases we have found ourselves in a tin shed at the back of a school. It might be a brand new school with beautiful open-space units, an absolutely ideal area for a polling booth, yet we find ourselves in a Demac unit at the back of the school. This matter needs to be raised in future. If a school is going to be out of pocket for cleaning or reassembling expenses we have the facility to pay such expenses, but I do not think that we can continue to tolerate for much longer some of the booths that we have been given in the past.

**Mr INGERSON:** There appears to be a discrepancy between the amount for estimated receipts on page 6 of \$25 000 and the p.p.b. papers at page 50, which show a figure of \$32 000. In relation to payments, page 14 shows a figure of \$660 000, yet the p.p.b. papers, at page 50, in showing the total programme figure, show an amount of \$743 000. Will the Minister explain the reasons for these differences?

**The Hon. C.J. Sumner:** I cannot explain them, but I am sure Mr Duff can.

**Mr Duff:** If the honourable member looks under the heading 'Conduct of elections for associations and other bodies' on page 52 he will see a programme receipt of \$7 000. That amount was received from industrial organisations for conducting ballots that we organise on their behalf. That money goes to the department rather than to general revenue. That is a working account, and that reconciles the difference mentioned. The member's second question compared the line estimate of \$660 000 to the

programme expenditure on page 50 of \$743 000. The line estimate is \$660 000, another \$76 000 is from special Acts for payment of the wages of the Electoral Commissioner and the Deputy, and there is \$7 000 I mentioned before, bringing that total to \$743 000.

**The Hon. C.J. Sumner:** I want to make sure that the Committee is clear about the answer to the question about the rolls following the electoral redistribution. As I said before, this depends on whether there are any appeals. If there are no appeals, I understand that adjustments will be made to the computer to enable rolls to be produced by between June and September of next year. The question then arises as to whether those street-order rolls should be produced at that time. They would not normally be produced then. I suppose that it is really a matter of policy and cost related exercise as to whether they are produced in the street-order form that members can get just before an election.

I am advised that they would not be produced in a hard-back alphabetical form relating to each electorate, because that would not be justified, given that they are not in fact official rolls until the next election. It would not be justified to print those rolls in the middle of next year when a by-election might occur on the previous boundaries. The roll could be outdated by the next election. Nevertheless, I am advised that by June to September next year the adjustments to the computer will have been made so that the print-outs of the street-order rolls could be produced. Whether that is carried out is a matter of policy to some extent, but cost must be considered. We will also have to determine in relation to the general question whether the street-order rolls are made available only to members in relation to their electorate, as is the current practice, or whether they should be made available to members in relation to what might be their new electorates.

**Mr Trainer:** Or both.

**The Hon. C.J. Sumner:** That would have some cost implications, which would have to be considered. I draw that matter to the attention of the Committee.

**The CHAIRMAN:** The Committee appreciates that clarification.

**The Hon. H. ALLISON:** We have no further questions on the Electoral Department lines. We thank the officers for their attendance and we commend them and their staff for the work that they are doing for the State of South Australia. We appreciate that.

**The CHAIRMAN:** I express my appreciation on behalf of the Committee. There being no further questions, I declare the examination of the vote completed.

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Attorney-General's, \$6 792 000

**Chairman:**

Mr G.T. Whitten

**Members:**

The Hon. H. Allison  
 Mrs J.E. Appleby  
 The Hon. Peter Duncan  
 Mr S.G. Evans  
 Mr T.R. Groom  
 Mr G.A. Ingerston  
 Ms S.M. Lenahan  
 Mr W.A. Rodda

**Witness:**

The Hon. C.J. Sumner, Attorney-General.

**Departmental Advisers:**

Mr G.C. Prior, Crown Solicitor.

Mr M.N. Abbott, Chief Administrative Officer, Attorney-General's Department.

**The ACTING CHAIRMAN (Mrs Appleby):** I declare the proposed expenditure open for examination.

**The Hon. H. ALLISON:** Regarding the programme lines of the Attorney-General's Department and specifically the agency overview involving all departments, at page 5 of the yellow book it is stated:

The major issue is to meet the increasing demand for services. The Department has undertaken studies to determine the practicability and benefits to be gained from increasing computerisation of clerical procedures.

The departmental strategy is to introduce a word-processing system in 1983-84 in the Parliamentary Counsel's Office and to install a new system in the Parliamentary Reporting Division (*Hansard*). It is stated that resources will be devoted to expediting the development of a justice information computer system. I also note that there are a number of areas within the Attorney-General's Department where obviously computerisation and word processing can be related, such as the Parliamentary Reporting Division, which is referred to at page 6 of the programme performance papers. In that regard, there is an increase of \$45 000, an increase of \$92 000 for the Parliamentary Counsel to fund the purchase of a word processor, and an increase of \$145 000 for the systems development (justice) to enable the finalisation of a feasibility study.

I will refer to page 37 of the yellow book subsequently, but first I ask the Minister what is the programme for the systems development (justice), and is the Policy Review Committee still the same? I believe that the committee has been chaired by Mr David Hunt. Is the Touche Ross Report available and will a copy be made available for general examination?

**The Hon. C.J. Sumner:** The Policy Management Committee for the Justice Information System feasibility study presented to me the final documents associated with the project on 23 May 1983. The matter was referred to Cabinet, and was then considered by the Data Processing Board and also the Treasury. The Board raised a number of queries in relation to the system which have been assessed and discussed between the management committee and the Board. The feasibility study is proceeding in accordance with the allocation of funds under the systems development (justice) to which the honourable member has referred. At the appropriate time, I hope in the reasonably near future, the Government will have to make certain policy decisions in relation to the system, and following the completion of the feasibility study the whole system will be placed before the Government for its approval or otherwise.

**The Hon. H. ALLISON:** The Minister referred to a number of policies, which are also referred to at page 37 of the programme performance papers under 'Delivery Mechanism'. It is stated that the estimated costs and benefits have been identified, but they are subject to a number of policy issues. Is the Minister, having referred to those policy issues, prepared to identify the issues specifically?

**The Hon. C.J. Sumner:** The policy issues include the concept of a separate facility: whether the Justice Information System should be completely separate from the Government Computing Centre. The J.I.S. is a major data processing system, equating to more than 50 per cent of the existing Government Computing Centre. In particular, because of the nature of the data stored in the J.I.S., special care will have to be taken in relation to privacy and security both within the J.I.S. and between it and any other data processing service with which it shares facilities. There has been debate

over the siting of the facility. That is one of the policy issues involved. The other policy issue is the important question of privacy and how that issue can be resolved. Of course, there is also the policy question of cost. In fact, I suppose that is the supreme policy question when addressing these sorts of issues. They are the issues that the Government must address before any final decision can be taken.

**The Hon. H. ALLISON:** The Attorney has not responded to my earlier question as to whether the consultants' report will be released. Will the Department release the report?

**The Hon. C.J. Sumner:** I cannot give an immediate answer. On the face of it, I see no reason why it should not be released. However, there may be some bureaucratic reason or reluctance which will prevent that course of action from being pursued. I guess the best thing for me to do is to examine whether its release is possible. On the face of it, I have no prima facie commitment to secrecy. I will examine whether the report can be released and, if that is possible, I will make it available to the honourable member. If it is not possible, I will advise the honourable member as to why I think it cannot be released and he can pursue the matter in another forum.

**Ms LENEHAN:** I refer to 'Programme 4—Law Reform/Law Policy' on page 54 of the Estimates of Payments. Will the Attorney elaborate on a recently established inquiry within the Women's Advisers Office, to be conducted by Ngaire Naffin, to investigate and report on proposed changes to rape laws in South Australia?

**The Hon. C.J. Sumner:** I suppose, in budgetary terms, that is really a matter for the Premier, because he is paying for that exercise within the Women's Advisers Office. The investigation is being conducted under the policy guidance of the Attorney-General. The investigation involves an inquiry into the substantive law relating to rape and sexual assault, to see whether there is a case for amendment of the law in South Australia as has occurred elsewhere in Australia, particularly in New South Wales. The inquiry will consider another inquiry that is proceeding in New South Wales in relation to the operation of that State's changes to the law in relation to rape, which occurred some three or four years ago.

South Australia's inquiry will also examine situations in jurisdictions overseas, particularly in Canada, where a change to the law has been made. The change basically involves whether there can be a graded system of sexual assault, rather than the two stark alternatives of rape or sexual assault. The question is whether within the two offences there should be other degrees of sexual assault which involve the question of consent. That matter is being examined. I hope that a report will be available by early next year. There are other related questions, such as the requirement for a judge to comment on the lack of corroborative evidence in sexual cases and the question of the operation of section 34 (i) of the Evidence Act relating to prior sexual history, about which some concern has been expressed in the past. Those two issues will be addressed, but not by the inquiry being conducted by Ms Naffin. That matter will be addressed by policy officers within the Attorney-General's Department. By early next year we will have information for public consideration on each of the topics involved.

**Ms LENEHAN:** I refer to 'Programme 8—Legal Services to the State' on page 56 of the Estimates of Payments. Can the Attorney-General outline at this stage what money has been allocated and what facilities will be available for an office of the Legal Services Commission in the southern suburbs of Adelaide? I am aware that an allocation has been made, and I congratulate the Attorney on the initiative to provide for what I consider to be a desperate need for a legal services office in the southern area. The Noarlunga Information Service recently released its annual general

report. By far the greatest number of inquiries to that service related to direct legal matters, closely followed by family and associated domestic breakdown (which also encompasses a wide range of legal areas.)

**The Hon. C.J. Sumner:** The Legal Services Commission is proceeding with the establishment of a regional office at Noarlunga. It will comprise a solicitor in charge, another solicitor, an interview/assignment officer and, I think, some secretarial assistance. It will be a substantial commitment by the Legal Services Commission in the Noarlunga area.

I understand that discussions are proceeding between the Legal Services Commission and the Government Accommodation Committee with a view to finding appropriate accommodation in the area, that advertisements will appear within the reasonably near future—a matter of a couple of weeks—for the positions at Noarlunga, and that the Director of the Legal Services Commission hopes to have the office established before the end of this year.

**Ms LENEHAN:** I have a follow-up question on that, which also relates to the provision of legal services for the southern community. I want to make sure that it is on record that I am absolutely delighted with the provision of a regional services office in the southern area. However, I wonder whether the Minister would care to comment and, indeed, speculate on the future of the Community Legal Service, which was introduced at the end of last year, which operates from the Christies Beach Community Health Centre, and which provides for a very wide range of community legal services that it would not be envisaged the Legal Services Commission would provide. I would like specifically to mention the area of community legal education.

Once again, this was highlighted through the annual general report of the Noarlunga Community Information Centre, where many people approached the centre wanting general background-type educational information about their rights and about the sorts of issues that would come within a community legal office, perhaps as opposed to a regional office of the Commission. It is with that background that I would like the Minister to comment about the future of the service.

**The Hon. C.J. Sumner:** I appreciate the honourable member's interest in this topic, and wish to congratulate her on the enthusiasm with which she is pursuing the issue on behalf of the people whom she represents in the southern suburbs. It is pleasing to see that we have now to be established in that area a much greater presence in terms of legal aid than has ever been there previously in the form of a full regional office of the Legal Services Commission.

The problem then arises as to the status and future of the Community Legal Service, which was established in the Noarlunga area last year, only after a considerable amount of pressure and representations from the community, and which was considered at the time to be very much a second best in terms of the services that were required for Noarlunga. Nevertheless, the previous Government, rather than establish a regional office, determined to provide some funds for the establishment of the Community Legal Centre which, as I said, in terms of what was requested by the community at that time, was very much second best.

We now have the unique situation where what was then second best has now become essential to the community. I can certainly appreciate the views that are being put forward by the people of the Noarlunga area and, in particular, those people who have put a considerable amount of time and effort into the establishment and now the workings of the Community Legal Centre. I do not wish to take away anything from the enthusiasm and participation of people in that project.

The Government produced a couple of months ago a discussion paper on legal aid which was distributed widely

in the community and on which we have invited submissions. That discussion paper addressed the relationship of the various methods of delivering legal services in the State: the Legal Services Commission, the Community Legal Service and the Law Society schemes. The Government would like to get some kind of rationality into both the geographical location and the funding of those various methods of delivering legal aid services.

The question of community legal centres was addressed in that paper. I hope that the Noarlunga centre has made a submission to the Government in relation to it. The problem is that there is only a limited amount of money to go around for legal aid, and we have to look at the most efficient use of those resources. The question is whether with a full regional office there can also stand a Community Legal Service. I do not believe that there is anything inconsistent in having both of them in the same area; they do to some extent service different needs, but the question really is, given the pressure that will undoubtedly be on for legal aid services in the rest of the State and other parts of the metropolitan area, the extent to which the Government will be able to continue to fund the Community Legal Centre at Noarlunga.

It will also depend to some extent, as the funds for this come from the Commonwealth, on whether they fit into the Commonwealth guidelines. At this time no final decision has been made about it. I will certainly be interested to see the submission from the Noarlunga Community Legal Centre and will certainly be prepared to receive any submissions from the honourable member to assist us in making this decision. I am sure, also, that the Legal Services Commission will be interested to know the views of the community and see whether some accommodation can be entered into between the Commission and those people who are currently involved as part of the Community Legal Service. However, those issues are still to be addressed, and obviously they will have to be discussed over the next few months.

**Mr RODDA:** I wish to ask further questions relating to page 37 and the Justice Information System. Under 'Issues and Trends', it states that there was a submission to Cabinet for information and appraisal by the Data Processing Board in June 1983. Some design work in relation to the J.I.S. had started and substantial progress had been made on defining requirements for a tender specification. What has been the Government's response to the Data Processing Board's appraisal?

**The Hon. C.J. Sumner:** The Data Processing Board was quite critical of the J.I.S. system; it raised a large number of points. I can perhaps give the Committee details of its criticisms. I refer to a letter from the Chairman of the Data Processing Board to me of 28 June, as follows:

In conclusion, the Board finds it difficult to support the proposal in its current form. There is a need to complete the feasibility study and the Board recommends that at least the following matters are addressed for this purpose:

1. The advisability of adopting a combined approach for utilising computer facilities by the Motor Registration Division and justice information systems.
2. Obtaining the views of the Legal Services Commission on the applicability of the J.I.S. approach.
3. Consideration of the Government Computing Centre's current computer and new site at Glenside for any separate J.I.S. facility.
4. Updating the financial analysis to include at least:
  - 4.1 All development and implementation costs for all viable options.
  - 4.2 Reconsideration of whether or not all 'agency-specific' systems (e.g., police pay/personnel) should be included in the scope of the J.I.S. study.
  - 4.3 Reassessment of the practicality of the long break-even and total development timescales currently proposed, and any options which would



be achievable earlier and at lower cost and risk.

- 4.4 Further consideration regarding the inclusion of some unclaimed future benefits.
5. Issue of updated analyses defining the cost-effectiveness of each viable option being considered. Any decisions should give more emphasis to the tangible cost-benefit figures than is evident in the final recommendations.
6. Re-evaluation of the recommendations covering a separate J.I.S. site, the attitude to privacy matters between agencies, and the role of a board of management in addressing privacy, security and independence of control over the J.I.S. facilities.
7. Identification of the total as well as the marginal costs involved in any submission to Cabinet.
9. Separation of any recommendations on the preferred computer site from those on a board of management.

Those were the conclusions of the Data Processing Board in June. Subsequently, there have been discussions between the steering committee and the Board. The steering committee of the J.I.S. prepared papers to address these problems, and those papers will be submitted to the Planning and Policy Committee before going back to the Data Processing Board for further consideration. That process is still continuing. As I said, there are these policy issues that have to be addressed. Some of them were in the matters that I have just outlined in the letter from the Chairman of the Data Processing Board. If there is anything that I have not covered, perhaps it is the following issues that still require resolution:

- whether there are benefits in sharing facilities with the Motor Registration Division, with which police and Courts Department have extensive interaction;
- whether other agencies such as Legal Services Commission could or would join in J.I.S.;
- whether the policy management committee should be formalised as a board of management;
- whether the J.I.S., its data centre and the board of management should be created by administrative decision or in a legislative framework;
- whether the board of management should be extended to include representation from the Judiciary and the public;
- the appropriate way to meet guidelines which may be developed by the Government's Privacy Committee;
- the appropriate processing strategy to support J.I.S., taking into account the use of existing facilities and the possibility of co-operating with the other projects or agencies. This will involve recommendations on the site for computing resources and the method of acquiring software, hardware and communications facilities.

Those questions are still to be addressed. I understand that some of the dispute between the Data Processing Board and the J.I.S. steering committee have not been resolved completely but have been narrowed down. In addition, it is a matter for the Government to take decisions on some of the important policies which I have outlined. The Government hopes to be able to do that in the near future. In the meantime, funds have been allocated this year to enable the feasibility study to proceed.

**Mr RODDA:** The Minister says that there has been some resolution of some of the problems, but can he indicate when these structures will be established? Has he a general time table? The information set out on page 7 obviously does not include what came out from the appraisal of the Data Processing Board. When will they be able to go firm on a structure to be established?

**The Hon. C.J. Sumner:** No, I cannot say at this stage because there are still those issues to be resolved between the agencies concerned, and the Government has to make its view known to the departments on the policy issues that I have outlined. Clearly, this matter will have to be addressed in the near future because pressure is building up in those agencies that might wish to lock into the J.I.S. for their own computer facilities. It is a particular concern of the Police Department, as I am sure the member would know. The situation has been reached where the Government has to determine whether it is going to go into the mega-computer

J.I.S. system involving all the agencies that have participated in the preparation of the study to date, or whether agencies will have to proceed with their own computer facilities for the time being, and hopefully in some compatible way, so that it can all be drawn together at some later stage as part of a more comprehensive system.

I indicate that only to emphasise that the time is rapidly approaching when this decision must be taken by the Government. We have proceeded as rapidly as possible with the completion of the work that was commenced under the previous Government. There was some hiccup earlier in the year when the steering committee and the policy management committee of the J.I.S. were unhappy with the initial report received from the consultants, Touche Ross. The report was sent back for further consideration. That caused some delay in the system earlier this year. It is not a matter within the control of the Government. We have proceeded to try to get the system to a point where a sensible decision can be made by the Government in accordance with the time table established by the previous Government, but there was that hiccup earlier in the year relating to the consultant's report, and now there has been a hiccup because of the Data Processing Board's reappraisal of the final feasibility document that was produced to me on 23 May, as I have indicated. To answer the question, I cannot give the specific time table because no decision has been made at this point in time by the Government.

The Government now has to try to do three things: first, resolve the questions between the J.I.S. Steering Committee and the Data Processing Board on technical matters; secondly, determine its policy in relation to the issues that I have outlined—privacy, motor vehicle registration, participation, location and the like; and, thirdly (and probably the most difficult), get Treasury to look at the matter to ascertain whether funds can be made available over a period of time to plan the introduction of the system.

Honourable members will fully realise that a substantial commitment of funds is needed in order to get this system off the ground. Once those three things have been done, it will fully come back to the Government to determine whether the system is to proceed. I emphasise that the time is rapidly drawing near when we have to make these decisions because of the demands that other agencies are making for the upgrading of their computer facilities. I hope that we can address the matter in the reasonably near future, once we have the appropriate information.

**Mr RODDA:** Can I conclude from what the Minister says that a state of limbo exists but that it may well be that appropriations for this financial year will not be wanted for this matter?

**The Hon. C.J. Sumner:** It is not in a state of limbo in any sense: it is being very actively pursued by the Government and the agencies concerned. Money has been allocated to enable the next stage of the programme to be completed. All I indicate is that decisions have to be taken by the Government in the reasonably near future on the resolution of the issues in dispute between the Data Processing Board and the J.I.S., that there must be resolution of policy issues such as privacy and the like, and that there must be an analysis of cost. Those issues will be addressed in the reasonably near future.

**Ms LENEHAN:** My question relates to the line on page 55 entitled 'Programme 5—Payments to Victims of Crime', under the 'Contingencies' line 'Compensation for injuries resulting from criminal acts'. First, to what extent does the department insist that the responsibility for recovery of moneys awarded to victims be fully taken by the victim in recovering such moneys from the perpetrator of a crime?

**The Hon. C.J. Sumner:** To answer that question one really needs to look at the history of criminal injuries compensation

in this State, and I guess elsewhere in Australia. It was introduced in 1969 as, in effect, a compensation of last resort. It clearly appeared to be inequitable to the community that someone who was injured in a road accident could recover damages for an injury from insurance whereas a person who sustained injury from a criminal act while having the right to compensation was often unable to recover because the perpetrator of the criminal act had no means or could not be found.

Therefore, the Government introduced a system, in effect, of last-resort compensation. I think that it was envisaged that people injured by a criminal act would pursue their own remedy if they possibly could. If the criminal act was perpetrated by a person who owned a house and had a large number of assets, the victim could take action through the courts and expect to get compensation. If a person could not get that compensation through the courts, the State would step in and provide a limited form of compensation—at the moment \$10 000 maximum and at that time, I think only \$2 000.

The amount cannot be equated in any real sense with general damage that people suffer after a motor vehicle or industrial accident. The question has arisen whether or not the Government should pay out compensation, irrespective of the means of an offender, and then itself pursue the offender. There has been a different emphasis in policy in this matter in recent times. I had asked for certain guidelines on this topic to be developed within the Crown Law Office in an attempt to get some consistency in decision-making about whether the Government should pay initially and then attempt to recover against a defendant or whether it should decline to pay but allow the victim to pursue his or her own remedies initially.

I do not think that the present situation is particularly satisfactory, and that is why I have asked for these guidelines to be developed. Ultimately, they will be the subject of a policy decision by the Government as to whether or not it believes that it should insist upon the victim's pursuing his or her own remedy before compensation is paid.

If the Government determines that the State will automatically pay victims and then pursue compensation, that will be a change in the philosophy envisaged in the legislation when it was first introduced. It may be that that change is justified, because there tends to be an inconsistency at present where the Government pays some people and does not pay others and suggests that those people should take their own private proceedings. I believe that some rationale has to be brought into the matter. It may be that it will be rationalised by the Government's saying that it will pay everyone first up and then use its resources to collect money from defendants. That final decision has not yet been made and the matter is at present dealt with on an *ad hoc* basis.

I hope that we can get these guidelines established and policy issues resolved in the near future. The problem we have (and this is not often recognised in the community) is that criminal injuries compensation is a direct charge on the taxpayer—it is money paid out of general revenue. As the member can see from the Budget papers, there has been a substantial increase in criminal injuries compensation payments in recent years. They have increased quite dramatically, so the Government has some responsibility to ensure that money goes to those people who need it, because it is not financed in any way; it is not financed by some insurance system. I appreciate the problems associated with criminal injuries compensation.

A number of suggestions that have been put up as to how this can be financed, apart from being financed from general revenue. One suggestion, which operates in some States in the U.S.A., is to levy fines and to create a fund from which criminal injury compensation can be made. That shifts the

burden to some extent from the general taxpayer to those who commit offences: of course, it probably does not shift it to the offender who has been directly concerned with causing the injury. It merely shifts the burden to another class of person so that there is some argument whether that is appropriate. Because of the increase in criminal injuries compensation payments, the Government must consider some alternative means of funding, and it is doing that at present.

**Ms LENEHAN:** Supplementary to that, it seems from the Minister's very detailed explanation, for which I thank him, that he has canvassed two alternatives in this issue. One is that the Government pays out all awards made to the victim and then attempts to recover the amounts from the offender; alternatively, the victim bears the responsibility of recovering his own award costs directly. Would it not be possible for the Crown to consider a situation whereby, instead of the victim having to make an appraisal of the offender's assets and to undertake searches through titles offices and that sort of thing, the Crown accepts the responsibility and actually initiates the recovery of the costs on behalf of the offender? In other words, the Crown would not pay out fully in the first instance but would attempt to recover initially as much as possible from the offender, which takes away from a victim the onus of responsibility of having to try to recover costs.

It has been put to me that some people must weigh up carefully whether the cost of the litigation process will outweigh the amount that they will be awarded. I am wondering about the third possibility, which involves not paying out directly to the victim but recovering the costs and taking away from victims that one area which they are finding very difficult.

**The Hon. C.J. Sumner:** The honourable member is suggesting that the Crown, in effect, mounts the case on behalf of the victim. That is certainly something that we can consider in the context of these guidelines, but it may be that, if the Crown decides on that action, it may be better off making payments and then proceeding to recover in any event, because, if one backs the victim in private proceedings and if those proceedings fail, the victim can come back to the Crown for payment. Therefore, it may be an unnecessary middle step. I understand the point that the honourable member is making. We are considering the matter, and we recognise that there is a great problem, apart from the financing that I have already mentioned, in terms of recovering the amount paid out for criminal injuries compensation.

As the papers indicate, we got back only \$12 400 in the last financial year but we paid out \$970 000. Clearly, that is unsatisfactory, but people who commit violent acts are often in prison, are unemployed and cannot be pursued for recovery of the money to the State. We must consider means of trying to increase that level of recovery. A new procedure in respect of debt recovery is being developed and it will increase the level of recovery from debtors, but there is no doubt that that is a problem. The other questions raised by the honourable member will be considered by the Government: I certainly appreciate the point she has made.

[Sitting suspended from 1 to 2 p.m.]

**The Hon. H. ALLISON:** On page 31 of the yellow book, reference is made to a proposal to provide further information for the Justice Information System. Is there any proposal for the early involvement of the Attorney-General's Department in the computerisation, either as part of the J.I.S. or separately?

**Mr Abbott:** The Attorney-General's Department is a component Department of the J.I.S.

**The Hon. H. ALLISON:** On page 41 of the yellow book, under the heading '1983-84 specific targets', appears the following:

Installation of a computer terminal to access the Commonwealth Attorney-General's legal information retrieval system.

This is essentially a retrieval system, but I understood that initially the Commonwealth Government proposed an integrated system throughout Australia, such a system to be a full access system, rather than being simply a retrieval system, with each of the States feeding in information as well as drawing it out. Does the Commonwealth Government still intend to participate in an integrated system across Australia and is there any indication of the cost and the extent of the data base for that system?

**The Hon. C.J. Sumner:** If the honourable member is not satisfied with what I have to say in reply to his question, we will have to get additional information on this matter. The item referred to by the honourable member relates to a limited retrieval system to which the Commonwealth Labor Government agreed that we could have access. The computer terminals to enable the Crown Solicitor's office to have access to the Commonwealth data have arrived. I understand that the data available will include Commonwealth Statutes, reports of Commonwealth courts, and the like.

The other scheme is a more general one involving an attempt to get a nation-wide approach to legal information on computers, whether reports or Statutes. The New South Wales and Victorian Governments have entered into an agreement with Computer Power, and that agreement has been endorsed by the Commonwealth Government. Therefore, those two State Governments, in conjunction with that private company, are organising the material that can be accessed from that computer system in those States. I have had preliminary discussions with the manager of Computer Power, and a committee is being established including an officer of the Crown Solicitor's office, an officer from the Data Processing Board, and Mr Ian Norsworthy, who chaired the Committee that advised the previous Government and my Government on computer matters. This committee will assess what is happening in New South Wales, Victoria and the Commonwealth and will see to what extent we can lock into that system. Representatives of the Law Society have also been invited to participate on that committee.

**The Hon. H. ALLISON:** Reference is made on page 9 of the yellow book to 'systems development (justice)'. I assume that that refers to the Justice Information System. What will the 3.9 staffing comprise?

**Mr Abbott:** The 3.9 comprises a Director who is also on the steering committee of J.I.S. and who reports to the planning policy committee. There are also two systems development officers and one typist-clerk.

**The Hon. H. ALLISON:** On page 10 of the yellow book, proposed receipts for 1982-83 in respect of legal services to the State are shown as \$110 000, whereas the amount actually received during that year was \$179 000. Why have the proposed receipts for 1983-84 been substantially reduced to \$80 000?

**Mr Abbott:** There is a decrease of about \$100 000 when the sum proposed for 1983-84 is compared with the outcome for 1982-83. It relates to a request made last year by the Government for that sum to be paid from the Legal Services Commission to the Government to offset part of the cost of the Splatt Royal Commission.

**Mr EVANS:** I refer to an on-going problem within the legal system, that is, the long delays in having cases heard before the courts. Is any provision made for extra personnel, including judges, to be brought into the system in an attempt to speed up the legal process and minimise delay?

**The Hon. C.J. Sumner:** That matter would be appropriately dealt with under the Courts Department line. I suggest that the honourable member raises his question in that context, and I will then provide some prepared figures.

**The Hon. H. ALLISON:** I refer to page 8 of the yellow book and the payments to victims of crime, to which we have already referred. Last year there was a substantial increase from \$650 000 proposed to \$970 000 actually expended, and that amount is proposed this year. How many claims were settled in 1982-83? Is there any carry over of claims lodged last year and the payment charged against the 1983-84 allocation? Was there a substantial increase in the number of claims lodged in 1982-83, which might properly be expected to increase again in 1983-84? We believe that the proposed expenditure of \$970 000 this year (paralleling last year's outcome) seems to be inadequate at this stage. Is that an accurate observation?

**The Hon. C.J. Sumner:** It is not possible to say. It could well be an accurate observation. If the pattern for previous years is repeated this year, it would be an accurate observation. I draw the Committee's attention to page 22 of the yellow book, which provides an analysis of the number of claims and the amount paid in each of the financial years from 1980-81. In 1980-81, there were 156 payments amounting to \$478 279.56; in 1981-82, there were 171 payments, amounting to \$642 836; and in 1982-83 there were 230 payments amounting to \$970 000.

Proposed expenditure for this item in 1983-84 is at the level of actual expenditure for 1982-83. Of course, Treasury will fund any excess above this level from the Round Sum Allowances Account, if that becomes necessary. The fixing of expenditure at the same level as last financial year is a practice that I understand is favoured by Treasury, but it could well be, as the honourable member has indicated, that the proposed amount will be exceeded.

**The Hon. H. ALLISON:** I refer to 'Law reform/law policy' on page 7 of the yellow book. In 1982 six staff members were proposed, and the actual outcome was 6.2. How many staff members are now involved in the law reform area and what projects are currently under review? I think my question is linked to information provided on page 20 of the yellow book under 'Law reform/law policy', which refers to a number of reports. When will the Attorney-General implement those reports, and I refer to the 66th report of the Law Reform Committee on the Law of Distress down to the Law Reform Committee's 71st report?

**The Hon. C.J. Sumner:** The explanation for an increase of two-tenths of a person engaged in this area is not something that I am readily aware of. Certainly, it is not reflected by any massive increase in action on law reform matters. I suppose that, as it is in programme format, it covers the three legal officers in the Attorney-General's Department and it probably also covers the Solicitor-General's staff. For instance, it may be that we are utilising the Solicitor-General's research officer for some law reform matters, because he is the research officer attached to the Joint Select Committee on Parliamentary Reform. It may be that that accounts for the additional two-tenths of an officer. I can attempt to obtain more specific information if the honourable member so wishes. There has been no major addition to resources in this area. That is a matter for concern, because we have a large number of projects relating to specific Government policy, such as a privacy committee, freedom of information—

**The Hon. H. ALLISON:** The question of bail?

**The Hon. C.J. Sumner:** Yes. A large number of projects are presently under investigation. The resources to complete them as rapidly as I would like are not available at the present time. In relation to the specific reports mentioned by the honourable member, I do not think that there has

been any progress in relation to their implementation to the present time. However, I will certainly check on that. There are other Law Reform Committee reports that are in the process of being implemented. I can certainly obtain further information for the honourable member.

**The Hon. H. ALLISON:** That can be done later; it does not have to be provided now.

**The Hon. C.J. Sumner:** I can certainly provide a report on the status of Law Reform Committee reports in relation to their progress and implementation. We are certainly in the process of implementing a number of them, along with other Government policy initiatives. I can only repeat that, in order to proceed as rapidly as we would like, additional resources would have to be made available. As the honourable member appreciates, that is not particularly easy in the current climate.

**The Hon. H. ALLISON:** There are on page 20 a number of other matters listed under '1983-84 Specific targets', etc. I do not know whether the Minister would be prepared to comment on this or whether he would bring down a subsequent report, but we would like some brief comment on the programme for progress on those residual matters arising from off-shore constitutional settlement, which was brought into effect on 14 February 1983; also on the implementation of the residual constitutional links package—when and how is this package to be implemented; and with the agreement on off-shore mining, we feel particularly concerned about any proposal to vary the off-shore mining law. It was a suggestion by the Federal Minister (Senator Walsh) and has very widespread implications for all States if there is to be some general agreement on an off-shore mining code. It brings to mind that Western Australia and Victoria might be substantially affected by such an agreement, and South Australia, with its exploration leases in the Bight, could also be affected substantially in years to come if those explorations were successful.

There are three matters: the off-shore constitutional settlement—the programme for progress; the constitutional links package—when and how is the package to be implemented; and is there any prospect for agreement on an off-shore mining code and, if so, what would that be?

**The Hon. C.J. Sumner:** The first question—the off-shore constitutional settlement—arises out of the policy of the previous Federal Government and is a fair way down the track. Honourable members will be aware that a number of Bills have passed the Parliament to give effect to that package. To some extent, I suppose, it depends on what attitude the Federal Government adopts to it, but my impression is that that Government is proceeding with the completion of that package. I do not know that there are a large number of outstanding matters, but if the honourable member wishes to obtain further information on that I certainly can do that.

On the second question, of the residual constitutional links package, the Commonwealth had hoped that that could be resolved before the end of this year and, in fact, legislative time had been set aside in the United Kingdom Parliament to give effect to the agreements which had been reached. The only one snag was that the agreement between the States and the Commonwealth had not yet been reached. The one outstanding issue is the question of the channel of communication and advice from the State Governments to the Sovereign. At present that channel of advice is from the State Government through the Ministers of the United Kingdom to the Sovereign. In any constitutional settlement it is desired to remove the intermediate step of the United Kingdom Ministers' having some residual authority in this area to advise the Sovereign, but the question is how that is to be resolved.

One proposition was that advice from the States should be directed through the Commonwealth Government, and that the Commonwealth Government (in effect, the Prime Minister) would act as a post box, and that the advice would be sent straight from the Prime Minister to the Sovereign, but with no value judgment placed on the advice. I understand that there are some problems with that: first, from the Commonwealth's point of view, because it could be transmitting advice with which it fundamentally disagreed. The second problem is that the Palace is not overly enthusiastic about it either because it means that it is not getting really one source of advice from Australia. So, that proposition was not acceded to by the Commonwealth Government.

At the moment, that issue has yet to be resolved. How it will be resolved I do not really know. The Commonwealth put the proposition that the constitutional settlement could proceed, but that the Bills would contain a method of resolving this issue for the future. In other words, the Bills would provide a mechanism whereby this issue could be resolved. Basically, it meant that in the future this matter could be resolved before the States and the Commonwealth agreed to a particular means of dealing with State advice to the Sovereign, but that proposal was not acceptable to the Queensland Government, although I thought it was reasonable. In effect, it quarantined this problem for the moment. It would have enabled the constitutional settlement to proceed, but it was not acceptable to Queensland.

So, the whole matter is again in limbo, unfortunately, and it looks as though it will not proceed during this year because until that issue is resolved there is no way of getting a complete package, and I do not think that the United Kingdom Parliament wants to deal with a package now and again at some time in the future. I hope that it will be resolved, but it is fairly difficult.

I will have to get a report on the final question.

**The Hon. H. ALLISON:** I refer to page 11 of the programme performance papers, particularly to two lines under the support services category. First, for the Minister and the Minister's office an amount of \$262 300 is proposed for 1983-84. We would like the Minister to give some more precise breakdown of that expenditure if that is possible now. More important is the total support services figure of \$1.235 million. The 1982-83 figure was a 19.2 per cent increase in actual expenditure over the proposed expenditure. Now, we have a 60.5 per cent increase over last year's actual expenditure. Can the Minister explain to the Committee the reason for such a very substantial increase?

**The Hon. C.J. Sumner:** I would like to know myself.

**Mr Abbott:** I would like to provide the information on that at a later stage, but I think that the answer is that for the first time the Department will be paying the Public Buildings Department accommodation costs which have not been met before. These costs are in the order of \$460 000 for the Department, and that would probably account for most of the difference. I will check it and supply an answer.

**The Hon. H. ALLISON:** Would the Department also be paying the E. & W.S. Department substantial rates? There is a very substantial charge in Education this year which was not previously there. I understand that the E. & W.S. has been anxious to obtain a proper rate from all Government departments. I wondered if that had been extended to the Attorney-General's Department as part of the cost. It could be substantial, for example, in major city buildings with high rate charges.

**Mr Abbott:** The answer to that question is that the Attorney-General's Department does not own its own accommodation. We lease accommodation from S.G.I.C., and I assume that that charge is borne in the charges that P.B.D. recoups from us.

**The Hon. C.J. Sumner:** There is no major item in regard to the Minister's office—increases in expenses, which is \$18 000. That is not significant. If the member wishes, we can particularise this information.

**The Hon. H. ALLISON:** Perhaps Mr Abbott can provide the breakdown of the larger amount, because it is incorporated in that.

**Mr Abbott:** Yes.

**The Hon. H. ALLISON:** I refer to page 12 of the yellow book. Will there be any support services and what will be the cost of them to the adviser to the inter-departmental committee?

**The Hon. C.J. Sumner:** The adviser on disability to the Premier will provide support and advice to the Cabinet committee and the Inter-departmental Committee on Disability. The adviser will obviously require some secretarial backup, but it is not envisaged that we will start off with a massive bureaucracy. The adviser when appointed will be provided with whatever secretarial staff is required in order to carry out the work effectively and provide advice to the Cabinet committee, the Human Services Committee of Cabinet and the Inter-departmental Committee on Disability. Any future requirements in that area will be examined depending on how the adviser sees his role and what demands are placed on that office.

**The Hon. H. ALLISON:** Has any Public Service classification been decided on for the adviser? Also, will an advisory council be established?

**The Hon. C.J. Sumner:** No final decision has been taken on the adviser on disability. I do not believe that the final job specification and classification have been dealt with, but the matter in general term has gone to the Cabinet Human Services Committee and I believe that the adviser will probably be placed on the AO4 level.

**The Hon. H. ALLISON:** I refer to page 14 of the programme performance papers. Can the Minister say what amount has been paid out of the guarantee fund for 1982-83 and for what purposes? Can he indicate the amounts to be paid out in 1983-84, and for what purposes?

**The Hon. C.J. Sumner:** I will have to obtain that information for the honourable member.

**The Hon. H. ALLISON:** Can the Minister say how much are the running costs of the legal practitioners complaints procedures? How are they to be met?

**The Hon. C.J. Sumner:** I will get that information.

**The Hon. H. ALLISON:** Page 16 deals with the prescription of publications and public performance and I note that in 1983-84 in regard to specific targets the Minister said that no new initiatives are proposed but in his Speech to Parliament His Excellency the Governor referred specifically to the enactment of legislation dealing with video tapes. Can the Minister say whether it is correct that legislation will be introduced in this session?

**The Hon. C.J. Sumner:** There will need to be legislation to deal with videos and to give effect to the decision taken by Commonwealth and State Ministers on censorship in Brisbane in July. Discussions are proceeding now between officers of the Commonwealth and the States with a view to preparation of this legislation and the guidelines that are to be applicable in this area. I expect that the legislation will be introduced later this year.

**The Hon. H. ALLISON:** I refer to page 22 of the programme performance papers in regard to payments to victims of crime. It is proposed to conduct a review of the Act. Can the Minister say who is currently reviewing the Act, if anyone, and when will the review be completed? Are any changes proposed yet?

**The Hon. C.J. Sumner:** That is one of the innumerable projects on the desks of legal officers in the Attorney-General's Department. I have requested a preliminary look

at the Act, first, to assess the amendments that were made in 1981 to see whether or not they ought to be reviewed; secondly, to make the method of registration of judgment which is obtained in the criminal injuries matter in a local court more effective; thirdly, to look at other matters that have arisen out of reports relating to victims of crime over the last two or three years to see whether they can be implemented; and, fourthly, and most importantly, the topic that I mentioned in responding to questions from the member for Mawson about alternative methods of funding. That is a very vexed question.

As I said before, criminal injuries compensation is a direct charge on the taxpayer. It is not like insurance in the normal way. That factor is often misunderstood. So, I do not know whether there is an alternative viable method of raising money to fund criminal injuries compensation but, until we find an alternative method, there will always be a limit on the amount of the payout, because it is a direct charge on revenue.

**The Hon. H. ALLISON:** I refer to the last statement in the left-hand column on page 24 of the programme performance papers in regard to issues and trends, which tells us that with the implementation of a word processing system difficulties have been experienced in transmitting text on line to the Government Printing Division. Can the Minister advise whether these are technical difficulties or whether there are deeply rooted problems involving the Printing and Kindred Industries Union?

**Mr Abbott:** Early last financial year we installed a Raytheon system in the Parliamentary Reporting Division to capture keystrokes and transmit those strokes to the Government Printer. In effect, we have had continuing problems with transmission, to the extent that it has been decided to transfer the diskettes produced by the system. However, approval has been given to replace the Raytheon system, and tenders are presently being evaluated. The equipment in the Parliamentary Reporting Division will be used in other departments. It was on a lease basis and the residual value of the lease has been purchased by the Supply and Tender Board and those Raytheon terminals will be used elsewhere in the Government.

**The Hon. H. ALLISON:** Is there no substantial opposition to this automation from the unions involved and are they accepting the principle?

**Mr Abbott:** The principle has been accepted for some time. The stipulation that the P.K.I. union has placed on the system is that any alterations to the data after it has been transmitted are to be inserted by its members at the Government Printing Division. That condition is being observed.

**The Hon. H. ALLISON:** I note in the reference to Parliamentary Counsel at page 26 of the p.p.b. papers under the heading 'Issues and Trends' it states:

There are continuing difficulties in obtaining instructions for Bills within adequate time.

Will the Minister say which departments are most at fault here and what steps are being taken to remedy this problem?

**The Hon. C.J. Sumner:** I understand that comment refers to private members. I cannot be more specific. I think it is endemic in the system that Parliamentary Counsel complain about receiving instructions in time from Government departments and Government departments complain about the length of time Parliamentary Counsel takes to draft their Bills. This is a serious question and I really do not quite know how to overcome this problem, as I am sure Mr Allison would be aware. I can certainly address the question in an attempt to ascertain whether or not there are mechanisms that can be developed within the Government to try to overcome this problem. However, journalists work to deadlines, Government departments tend to work

to deadlines so far as their legislative programmes are concerned and Parliamentary Counsel seems to work to a deadline so far as what he has to do is concerned. No matter how many instructions one issues, or how many mechanisms one tries to develop to overcome these problems, they seem to be significant for their lack of success. I will give some more thought to this subject.

**The Hon. H. ALLISON:** Does the Minister consider that Parliamentary Council has adequate staff? I believe his staff has been increased by one member during the past year.

**The Hon. C.J. Sumner:** There has been an increase of one clerical officer on the staff to work full time on the consolidation of Acts for reprinting. That has been the only staff increase.

**The Hon. H. ALLISON:** With reference to the implementations of the system whereby Acts are reprinted on a regular basis, are any Acts ready for reprint and can the Minister say what the programme of reprinting will be?

**The Hon. C.J. Sumner:** The Workers Compensation Act is ready for reprinting. Some further amendments to it were passed during the last session of Parliament to tidy up that Act. I think there is another Act well under way in terms of reprinting and I expect that they will be available soon.

**The Hon. H. ALLISON:** On page 31 of the programme performance papers under the heading 'Issues and Trends' it states:

The number of appeals dealt with by the Court of Criminal Appeal has increased principally due to amendments to the law enabling the Crown to appeal in respect of penalties considered to be inadequate.

Will the Minister say how many such appeals were instituted in 1982-83 and what have been the results to date?

**The Hon. C.J. Sumner:** I will obtain that information for the honourable member.

**The Hon. H. ALLISON:** Pages 33 and 34 of the programme papers show a substantial increase in funds relating to appeals—an amount of \$671 500. Will the Minister say what that increase in funds represents?

**The Hon. C.J. Sumner:** I will obtain that information for the honourable member.

**The Hon. H. ALLISON:** Also on page 33 it shows that there was a substantial increase in staff in 1982-83 from 6.5 to 10.4 staff members. Was that increase in the Attorney-General's own area?

**The Hon. C.J. Sumner:** I understand that there has been some reallocation between programmes from one year to the next. I will get specific details for the honourable member about this matter.

**The Hon. H. ALLISON:** On page 39 of the programme papers under the heading '1983-84 Specific Targets' there is reference to 'Community Service Orders in South Australia', a publication *Drink/Driving in South Australia*, and mention of having to research and publish bulletins on unemployment, crime, etc. Will the Minister say when these publications are likely to be ready?

**The Hon. C.J. Sumner:** These publications are reviews and studies being conducted in the Office of Crime Statistics. Depending on their other commitments to the regular recording of crime statistics from the courts, particularly in this State, they proceed with these special projects. I will seek information for the honourable member as to whether or not there is a specific programme available from the office and let him know the answer.

**The Hon. H. ALLISON:** On page 43 of the programme papers, under 'Miscellaneous Line Payments included in Programme Expenditure', an amount of \$1 089 000 is mentioned. Will the Minister tell the Committee the proportion of work done in house and the amount of work done by the private profession and legal aid in 1982-83 and what work is proposed for 1983-84?

**The Hon. C.J. Sumner:** The information that the honourable member requires relates to the proportion of money expended by the Legal Services Commission that goes towards in-house provision of legal aid as opposed to assignments to private professionals.

**The Hon. H. ALLISON:** Yes, for 1982-83 and 1983-84.

**The Hon. C.J. Sumner:** Does the honourable member mean the projected figures?

**The Hon. H. ALLISON:** I mean the actual figures for 1982-83 and the projected figures for 1983-84—in order to get some indication of your policy.

**The Hon. C.J. Sumner:** The 1983-84 figures will reflect, hopefully, some increase in legal aid moneys because of the agreement between the Law Society and the banks to pay interest on solicitors' trust accounts beyond the system that is operating at present. How the money is spent by the Legal Services Commission is a matter for the Commission to decide. The State Government makes an allocation to the Commission which, in this financial year, was increased from \$607 000 to \$670 000, but, once the Commission has that money and other funds from interest on solicitors' trust accounts and Commonwealth moneys, the guidelines for expenditure are set largely by the Commission. I can obtain the information but, as the honourable member will appreciate, the Government is not in a position to direct the Legal Services Commission on this or any other matter.

**The Hon. H. ALLISON:** I would like some statistical information. Will the Minister make available subsequently the figures on legal aid actual payments for 1981-82 and 1982-83 and the commitment levels for 1983-84? Will the Minister give some idea of the pay-out by the State, the Commonwealth and the Legal Services Commission in each of those years and the commitment level for 1983-84? It is proposed that regional service offices be created: how many will ultimately be established, and where will they be situated?

**The Hon. C.J. Sumner:** I will address the first matter to the Legal Services Commission and bring back a reply. Two offices will be established, one at Noarlunga and one at Whyalla, and they are the only decisions that have been taken to date in that regard.

**The Hon. H. ALLISON:** What are the anticipated establishment and recurrent costs for those two centres?

**The Hon. C.J. Sumner:** Regarding Whyalla, four permanent staff are proposed—a solicitor in charge, a solicitor interviewer, an assignment officer and a senior clerk. Recurring costs will be \$94 760 for salaries, \$15 000 for superannuation, and \$36 300 for administrative expenses. Establishment costs will be \$53 300, making a total cost of \$199 360.

The salaries cost and the establishment cost for the Noarlunga office will be the same; administrative expenses will be \$32 970, and establishment costs will be \$51 600, making a total of \$194 330. They are estimates of the establishment costs.

I point out that the Commonwealth responsibility in cost-sharing terms is 74 per cent, as opposed to 26 per cent for the State. There will be no increase to the State Budget in this financial year. The establishment will be funded by the Legal Services Commission. With the Commonwealth contribution and the fact that no amount has been budgeted this financial year from the State Budget for the establishment of the regional offices, the total establishment will have no effect on the State Government Budget at least in this financial year, and it may be that that situation will continue for some time, depending on the reserves of the Legal Services Commission.

**Mr INGERSON:** Will the Minister provide the Committee with a detailed break-down of receipts and expenditure for 1983-84 for the Legal Services Commission?

**The Hon. C.J. Sumner:** The accounts of the Legal Services Commission are part of the audited accounts for 1982-83.

**Mr INGERSON:** What are the estimates for 1983-84?

**The Hon. C.J. Sumner:** I will put that question to the Commission. I understand that Mr Abbott has an answer to a question that was asked earlier, and, as it involves the Minister's office, I am anxious that the matter be resolved immediately.

**Mr Abbott:** The member for Mount Gambier sought information on the increase in funding for the administrative services section and the expenditure summary. In fact, the figure in respect of the Minister's office has increased from \$244 400 to \$262 300. There has also been an increase in the figure for the total support services from \$769 500 to \$1 235 200. I refer the honourable member to page 42 of the yellow book, where the Minister's staff is shown as 5.7. The increase of about \$18 000 has been caused by two factors: first, a carry-over of salary costs; and, secondly, because of changeover of Ministerial staff with last year's change in Government, the Department effected some savings, because the two Ministerial officers who vacated their positions at the time of the change were not replaced immediately. In respect of the increase in the cost of total support services, I refer the honourable member to accommodation costs of \$455 000.

**The Hon. H. ALLISON:** I thank the officers for their attendance today and for their co-operation.

**The CHAIRMAN:** I endorse those sentiments.

Courts, \$18 844 000.

**Chairman:**

Mr G.T. Whitten

**Members:**

The Hon. H. Allison  
Mrs J.E. Appleby  
Mr S.G. Evans  
Mr T.R. Groom  
Mr G.A. Ingerson  
Ms S.M. Lenehan  
Mr M.K. Mayes  
Mr W.A. Rodda

**Witness:**

The Hon. C.J. Sumner, Attorney-General.

**Departmental Advisers:**

Mr G.F. White, Director, Courts Department.  
Mr N.I. Stephenson, Acting Senior Finance Officer, Courts Department.

**The CHAIRMAN:** I advise the Committee that the required notice of discharge and substitution of members has been given as follows: Mr Mayes in place of the Hon. Peter Duncan. I declare the proposed expenditure open for examination. Are there any questions?

**The Hon. H. ALLISON:** On page 62 of the yellow book, under the heading 'Issues', the following appears:

The future of the magistrates' clerks will need to be reviewed if the magistrates leave the Public Service.

Does the Government intend to take the magistrates out of the Public Service? If it does, when and on what basis will that take place and what provision will be made for discipline and especially accountability in respect of the magistrates?

**The Hon. C.J. Sumner:** The Government intends that magistrates will be removed from the Public Service, and I expect a Bill to give effect to that policy to be introduced

on the resumption of Parliament after the sittings of the Estimates Committees have been completed. The honourable member will then be made aware of the specific proposals. Basically, magistrates will be responsible, through a Chief Magistrate, to the Chief Justice. The Bill will also contain provisions relating to discipline, suspension and dismissal. The basic principle will be that magistrates, as judicial officers, will themselves be ultimately responsible to a judicial officer, the Chief Justice: they will not be in any practical sense responsible to the Executive.

**The Hon. H. ALLISON:** Will the provision regarding pensions for the magistrates create a problem?

**The Hon. C.J. Sumner:** The Government takes the view that the transfer of the magistrates from the Public Service is a matter of principle relating to the independence of the Judiciary. There will be no alteration to magistrates' superannuation entitlements, retiring age or, at this time, salary. In other words, the transfer is intended to take place on the same basis as that on which magistrates are currently employed in the Public Service.

**The Hon. H. ALLISON:** Under the heading 'Issues', the following appears:

There has been a significant increase in the matters heard by the Court of Criminal Appeal in the order of 70 per cent since 1980. This trend is placing considerable strain upon judicial and departmental resources.

What is the present waiting time in the Civil List between setting down and trial in all jurisdictions; in the Criminal List between arraignment and trial and between arrest and committal in respect of pleas of 'Not guilty' in summary matters; and from the setting down of appeals to their hearing?

**The Hon. C.J. Sumner:** I have information relating to the waiting period for trial, and I seek leave to have this table incorporated in *Hansard* without my reading it.

Leave granted.

WAITING PERIOD FOR TRIALS  
(In Weeks)  
SEPTEMBER 1983

Court	Civil		Criminal	
	1981-82	1982-83	1981-82	1982-83
Supreme	28	28-32	12	12
District Criminal			17	8-10
Adelaide—				
Full	28	32		
Limited	16	44		
Small Claims	16	16		
Port Adelaide—				
Limited	11	19		
Small Claims	10	15	11	19
Berri	8	9	11	10
Ceduna	8	8	8	8
Christies Beach	6	18	6	18
Gawler	11	—	11	—
Kadina	—	9	—	9
Millicent	14	13	14	13
Mount Barker	8	18	8	18
Mount Gambier	14	13	14	13
Murray Bridge	4	17	4	17
Naracoorte	14	13	14	13
Para Districts	10	20	10	20
Port Augusta	9	6	9	6
Port Lincoln	6	7	6	7
Port Pirie	10	9	10	15
Tanunda	10	17	10	17
Whyalla	18	6	18	7
Adelaide Childrens			8	5
Adelaide Magistrates			9-10	16-18
Glenelg			2	9
Holden Hill			6-7	13

**Mr RODDA:** On page 63 of the yellow book, under the heading 'Agency Overview: Commentary on Resource Variations', the following appears:

The proposed total expenditure by and on behalf of the Department for the 1983-84 financial year is \$25.136 million, which represents an increase of \$3.654 million or 17 per cent on the 1982-83 financial year. Average full-time equivalents will increase by 38.3 staff, from a level of 502.9 in 1982-83 to 541.2 in 1983-84.

The main areas are listed as follows:

An increase of \$1.414 million and 22 staff in the programme, Administration of Justice in the Criminal Jurisdiction mainly due to:

- carry-over effect of civilian court orderlies scheme accounts for \$160 000 and 11 staff.
- additional costs associated with accommodation and service costs of Sir Samuel Way Building accounts for \$1.150 million.
- Security attendants for Sir Samuel Way Building.

Can the Attorney provide further details and information regarding its effect on the police?

**The Hon. C.J. Sumner:** Is the honourable member referring to the general increase in expenditure, or is he referring to a particular item?

**Mr RODDA:** I would like information about the civilian replacement of police court orderlies.

**Mr White:** The main items that have increased from actual payments in 1982-83 to the vote for 1983-84 are costs associated with the operation of the new Sir Samuel Way Building. Expenditure relates to such items as rent, \$2 million; telephones, \$163 000; electricity, \$100 000; gas, \$20 000; cleaning, \$140 000; out of hours security, \$10 000; cross-charging from the Public Buildings Department for accommodation and other services (which has not been previously charged) \$794 000; cross-charging from the Department of Supply for forensic tests on behalf of the State Coroner, \$522 000; and a 4 per cent allowance for inflation in accordance with a Cabinet directive, \$575 000.

Also included is a new item of payments to funeral directors, \$51 000. That new item came about because the Police Association objected to carrying bodies in the State and, therefore, it became necessary for the Department to arrange an alternative method for the transport of bodies. An amount of \$90 000 has been allocated for the training of court reporters, and there is an amount of \$179 000 in relation to security within the Sir Samuel Way Building. Those increases are offset by a net saving of \$247 000, which brings expenditure back to the 1983-84 vote.

**The Hon. C.J. Sumner:** In relation to the honourable members's other question about court orderlies, a scheme was designed to release police officers from court orderly duties. I think that occurred to the extent of releasing 17 full-time equivalent police officers.

**Mr RODDA:** Has it been effective? The Attorney-General seems to suggest that there might have been some limitations.

**The Hon. C.J. Sumner:** It was desirable in principle that civilians should take over orderly duties in the courts from the police. I think that principle has been accepted for some time, but it was never put into effect because of the cost burden. The changeover probably resulted in a net addition to the overall cost. In other words, it was probably cheaper for the police to perform orderly duties but, the decision for change being taken, I am informed that 17 full-time equivalent police officers have been released for other departmental duties. The changeover was certainly desirable in principal. As far as I am aware, the use of civilian orderlies is working satisfactorily.

**The Hon. H. ALLISON:** I refer to funeral directors transporting bodies, amounting to additional expenditure of about \$50 000. I appreciate that the police and the St John Ambulance were presenting some objections in this regard. Is the scheme operating satisfactorily?

**Mr White:** It is in the early stages. It appears that the funeral directors themselves are happy with the system. They feel that it provides them with adequate remuneration, and it certainly serves the needs of the State Coroner.

**The Hon. H. ALLISON:** I refer to page 64 of the yellow book under 'Employment—Average of full-time equivalents', and the programme title 'Appeals against administrative actions and decisions'. How many appeals have been heard and what is the average duration of appeal hearings?

**The Hon. C.J. Sumner:** There are a large number of tribunals. I will obtain that information for the honourable member.

**The Hon. H. ALLISON:** Also under 'Employment', I refer to 'Reporting services to Government agencies' on page 66 of the yellow book. In 1982-83, 12.3 equivalents were proposed, whereas the outcome was .2. In 1983-84, .3 is proposed. Is the employment level a result of the greater use of contract reporting agencies?

**The Hon. C.J. Sumner:** I understand that it does not mean a reduction in staff overall. Reporters are used in the criminal jurisdiction, and preference is given to the criminal jurisdiction rather than the programme title mentioned by the honourable member. In fact, there has been a reduction in the use of tape services this year in accordance with the Government's commitment to maintain a viable group of manual reporters. Indeed, an allocation of \$90 000 has been made this financial year to recommence a training scheme for manual reporters. So, the Government intends to maintain a viable level of manual reporters in conjunction with State Government tapes and private contractors.

**The Hon. H. ALLISON:** The Attorney-General referred to the training programme. I refer to '1982-83 specific targets/objectives' on page 99 of the yellow book, which states:

To review the operation of the Court Reporting Division including consideration of future reporting requirements, the optimum mix of reporting methods . . .

What optimum mix was decided for 1982-83?

**Mr White:** In October last year the Department formed a review team with this express purpose, comprising reporter representatives and representatives of the directorate area. A report can be made available on this subject, if desired. The optimum mix is something that is changing a little, but we have been able, with the complete co-operation of the reporters, to increase the productivity of the manual reporters and the Government tape service from 10 pages per person to something close to 18.5 pages per person. As this productivity increases the desirable optimum mix changes. The proportion of reporting being undertaken by manual reporters and Government-owned tape services has increased. The use of subcontract tape services is now solely to take up the troughs and valleys.

**The Hon. H. ALLISON:** First, I would like to accept Mr White's offer of making the report available, and I will be very pleased to receive that. Secondly, under the heading '1983-84 Specific targets' there is a commitment to recruit and train court reporters and transcription typists to replace officers leaving the service. Is this a change of policy from that of the previous Government? If the answer is 'Yes', what is the major change?

**The Hon. C.J. Sumner:** It is a change. The previous Government had abandoned training courses for court reporters. This Government made a commitment to maintain a viable level of manual court reporters. In order to do that, it was necessary to recommence training courses, and there has been a budget allocation of \$90 000 in this financial year to enable that training to recommence. The previous Government had a policy of running down the manual reporting service by attrition; certainly, training courses had been discontinued.



**The Hon. H. ALLISON:** I had a third question on that same topic, but Mr White and the Minister have answered that. Mr White said that the private services were now used to fill in the troughs; that confirms what the Minister has just said.

The next question relates to page 69, 'Administration of justice in the criminal jurisdiction'. Under 'Issues and Trends' it says that there has been a considerable increase in criminal matters coming before the courts over the past 10 years and that the expiation scheme for minor traffic matters has resulted in a diminished workload for justices of the peace. Can the Minister give an indication as to how many offences were expiated for 1982-83, and also what would be the revenue expectation for 1983-84?

**The Hon. C.J. Sumner:** That is a matter for the police. They keep the statistics on the expiation scheme. I am not sure whether the Chief Secretary has yet to appear before the Committee. Perhaps that question could be directed to him. If he cannot give a response or has already appeared, you could let me know and I will attempt to ascertain the information.

**The Hon. H. ALLISON:** I did have a myriad of questions in regard to the expiation scheme in minor traffic matters, but it appears that that is more adequately dealt with under the Chief Secretary's lines. I refer to page 69 of the programme papers. In regard to 1983-84 specific objectives, the following statement is made:

It is intended to establish and develop a District Court administration. As part of this proposal the transfer to the court from the Crown of criminal listings will occur and an overall listing (criminal and civil) system will be introduced . . .

Who is going to administer that? Does the Crown Solicitor agree?

**Mr White:** I will answer the last part of the question first. This decision did not proceed until it had been discussed with and agreed to by the Crown Solicitor. The listing for the District Court has been transferred to the control of the Courts Department from 1 August. The delays in that court have come down from about 44 weeks (as members can see from the list they were given) to eight to 10 weeks in criminal cases and, unfortunately, a longer time in civil cases. The administration of the listing is the responsibility of the senior judicial officer, but it is, from an administration point of view, undertaken by the Chief Clerk of Arraigns who is currently Acting Clerk of the District Court. We intend to develop that as a more separate administrative unit and then formalise it by recommending the appointment of a Clerk of the District Court.

**The Hon. H. ALLISON:** On page 71 of the programme papers is a comment in regard to fixed asset information that one electronic cash register and four computer terminals are to be installed. In what areas are computers to be introduced?

**Mr White:** The only area in which computers are currently used is the Adelaide Magistrates Court. We have a system called 'Smile' which monitors the imposition and receipt of fines. The level of monitoring fines outstanding has dramatically changed since this system has been introduced. The member would be aware of investigation of the J.I.S. which, if approved by the Government, will introduce computers into a wide cross-section of the courts area in conjunction with the Police, Correctional Services, Community Welfare and Attorney-General's Departments.

**The Hon. H. ALLISON:** Administration of justice in the civil jurisdiction is dealt with on page 72, and under the heading 'Issue/trends' it is stated:

Change in jurisdictional limits should result in a reduction in waiting time . . .

Are any further changes envisaged by the Minister in those jurisdictional limits over and above those introduced by the

former Attorney? If there are any, can the Minister elucidate them for us?

**The Hon. C.J. Sumner:** Not at this stage.

**The Hon. H. ALLISON:** Again on page 72 in regard to specific targets in 1982-83, has the Minister any immediate plans to appoint someone to follow the late Judge Daugherty?

**The Hon. C.J. Sumner:** It is the Government's intention to replace Judge Daugherty, and I am working towards that objective.

**Ms LENEHAN:** I refer to the schedule distributed to members showing trial waiting lists. I express my concern at the figure for Christies Beach, because waiting time for people coming to trial has increased from six weeks in 1981-82 to 18 weeks for both civil and criminal trials. Can the Attorney give the reasons for this steep increase in waiting time?

**The Hon. C.J. Sumner:** The increased waiting time has come about as a result of a number of factors. First, the increase in jurisdictional limits for the local court on the civil side from \$2 500 to \$7 500 has meant a much greater number of civil cases can be heard by magistrates. That has had an effect not just at Christies Beach but in all local courts. Further, I understand that there was a large number of small claims cases processed through the court at Christies Beach. It is an expanding area, and that has also accounted for some of the increase, but the increase in waiting time at Christies Beach is of concern to the Government and will have to be addressed. I hope to be able to give some attention to that during the course of this financial year. It is a matter of juggling resources and making sure that no list gets unacceptably long. I agree with the member that the increase in waiting periods at Christies Beach is unacceptable and that we will have to take steps to reduce it as best we can over the ensuing months.

**The Hon. H. ALLISON:** On page 72 of the programme papers reference is made to additional magisterial resources being utilised. Does this indicate that more stipendiary magistrates are to be appointed and, if so, how many, and where will they be located?

**The Hon. C.J. Sumner:** There were two magisterial appointments made during this financial year although the decision to appoint them was taken in the previous financial year. One appointment was a new office in lieu of the office of Mining Warden held by Mr Amey, who was a magistrate and who became Mining Warden on the retirement of Mr Starke, the previous Mining Warden. Another new office was created and that magistrate, Mr Mathwin, commenced work on 17 August 1983. That office was created due to jurisdictional changes I mentioned which placed greater pressure on the Local Court. Therefore, there have been one and a bit additional magistrates who have taken office during this financial year. There is no intention at this stage to add to the number of magistrates but obviously the situation is kept under review. It is hoped that the courts can cope with the civil and criminal lists during this financial year with their existing complement of magistrates.

**The Hon. H. ALLISON:** At page 76 of the programme papers under 'Administration of Justice in the Testamentary Causes Jurisdiction' and the sub-heading '1982-83 Specific Targets/Objectives' it states:

The revision of the 'Rules of the Supreme Court (Administration and Probate Act), 1967-1981' commenced in 1980-81 and has been completed in draft form.

Will this revision be made available to the profession before it is enacted and, if so, when will it be made available?

**The Hon. C.J. Sumner:** I understand that the judges of the Supreme Court are looking at these rules at present. I point out that the promulgation of rules is a matter for the Judiciary and not for the Government. How the Judiciary

determines it will handle consultative procedures in relation to any rules is a matter for it.

**The Hon. H. ALLISON:** In relation to the proposed scheme for disclosure of assets and liabilities to the courts in the matter of deceased estates, has there been consultation with the profession as I understand there is considerable interest in this proposal?

**The Hon. C.J. Sumner:** This is a matter that is being considered by the judges, as I understand. I am not aware what consultation there has been with the profession on this matter. I assume that there has been consultation. I will draw the honourable member's comments on this and earlier matters to the attention of the court to ensure that, in so far as it is thought appropriate, these issues are canvassed before being finalised.

**The Hon. H. ALLISON:** Can the Minister say whether finance will be available for the micrographic system mentioned in the papers at page 76 as coming into operation by December 1983?

**The Hon. C.J. Sumner:** Funds are available and introduction of the system is almost complete.

**The Hon. H. ALLISON:** On page 89 of the programme papers there is mention of prevention of discrimination on the grounds of sex or marital status. Under the heading 'Issues and Trends' there is mention that the workload has increased steadily since appointment of the present Board in August 1979. Therefore, will the Minister make available details of the number of matters heard in 1981-82, 1982-83 and the number awaiting hearing during the current year?

**The Hon. C.J. Sumner:** I will obtain that information for the honourable member.

**The Hon. H. ALLISON:** There seems to be no mention of handicapped persons in the programme papers. Has that mention been omitted for some reason? Following the International Year of the Disabled Person, the former Attorney-General placed great store on handicapped persons legislation and spoke about it at great length in the Council a short time ago.

**The Hon. C.J. Sumner:** I can assure the honourable member that the Government attaches great importance to this legislation as well. This legislation was drafted as a result of a Committee established by a former Attorney-General, Mr Duncan, which was fully supported by Government members in the Parliament when introduced in 1981. I can assure the honourable member that the Handicapped Persons Discrimination Board has not been abolished. For some mysterious reason that I can only put down to the vagaries of bureaucracy it has not found its way into the programme papers. I am advised that it has not sat, so it has not, in terms of the programme, consumed any resources. It certainly should be mentioned here for the sake of completeness, and I thank the honourable member for drawing this matter to our attention.

**The Hon. H. ALLISON:** Can the Minister say when the tribunal is expected to sit?

**The Hon. C.J. Sumner:** It will sit as required. If complaints are brought to the tribunal's attention, it will sit. My recollection is that it does not have the power to take matters up on its own motion as the Sex Discrimination Board does. However, it will be activated when a complaint is placed before it. I am advised that there have been no complaints and no hearings by the Board. When I ascertain the information that the honourable member requires on the Sex Discrimination Board, I will also confirm that information for him.

**The Hon. H. ALLISON:** The yellow book (page 93) refers to the Licensing Court magistrate. Is that position funded by the Courts Department? I realise that the magistrate who sits in the Licensing Court is only part-time.

**The Hon. C.J. Sumner:** No, that position is not funded by the Courts Department. Apparently, that sum is a carry-over from last year when one of the magistrates who sat in the Licensing Court was a magistrate on the complement of the Courts Department. The Licensing Court magistrate is engaged under the Department of Public and Consumer Affairs. The Acting Judge of the Licensing Court and the Licensing Court magistrate both come under that Department, but from time to time a magistrate, funded by the Courts Department, sits in the Licensing Court. I understand that that notation resulted from a carry-over from last year and that it has no significance for this year.

I am advised that a magistrate has been made available to the Licensing Court on one occasion this year, so I suppose that the notation is technically correct, but it does not refer to the Licensing Court magistrate. It refers to a general magistrate who was made available to sit on the Licensing Court. The Full Court of the Licensing Court has always required a judge and two magistrates, so from time to time the Courts Department makes available a magistrate to make up the Full Court of the Licensing Court. In addition, from time to time the Courts Department makes available a magistrate to fill in in the licensing jurisdiction.

**The Hon. H. ALLISON:** On previous occasions, in fact quite recently, the Minister has expressed some concern at the length of coronial investigations into the bushfires of February 1983. I note from page 96 of the yellow book that \$795 000 has been allocated for the coroner's investigations. Does the Minister envisage that that sum will be considerably overrun?

**The Hon. C.J. Sumner:** I understand the point that the honourable member is making. It is very difficult, of course, to make accurate estimates in this area when such extraordinary events such as the bushfires must be investigated. I understand that the inquiry into the South-East bushfires will conclude at the end of October and that hearings in regard to the other fires will be called on before the end of the year. The Government had to determine what to do.

The alternatives were, first, to appoint another coroner to investigate the Adelaide bushfire and perhaps the Clare bushfire concurrently with the inquest into the South-East bushfire. That would have ensured that both inquiries were dealt with more quickly than would otherwise have been the case. The disadvantage was that the one coroner would not have undertaken all investigations. If the coroner hears all the cases, he builds up a certain overall picture of what happened throughout the State, and therefore any recommendations that he makes reflect the benefit of that experience.

The second disadvantage in regard to the first suggestion was that parties before the coroner in such inquiries are often the same in relation to different areas. For instance, I believe that ETSA will be represented before the coroner in relation to all the fires. Thus, there would be some difficulty in regard to ETSA witnesses if two or three inquests were run concurrently.

I appreciate the difficulties, and the Government is concerned to ensure, so far as it is within its power, that inquiries are completed as quickly as possible. If it was thought that the South-East inquiry would not conclude until early next year (which was envisaged at one stage), I think we would have appointed a coroner to commence the Adelaide bushfire inquiry, because a delay into next year would be unacceptable. However, after consultation, the coroner has advised that he hopes to complete the South-East bushfire inquiry by the end of October and at least start the other inquiries by the end of this year. Therefore, it was believed that the advantages of having one person undertake all bushfire inquiries outweighed the disadvantage of a delay.

The honourable member asked specifically whether that figure would be overrun, and it is quite possible that that will happen. It is really extremely difficult to estimate accurately the length of hearings in these matters, and I can vouch for that in connection with another matter that is currently the subject of inquiry in this State. I should also add that procedural instructions relating to distribution of statements in relation to the Hills bushfire have been circulated in advance so that all parties will be aware of what witnesses will say. That will speed up the proceedings.

**The Hon. H. ALLISON:** The yellow book (page 102) refers to infra-agencies and the specific targets for 1983-84, which include the preparation of a preliminary implementation plan for the Justice Information System for the Courts Department. Is it envisaged that the courts will be part of that system?

**The Hon. C.J. Sumner:** That is a good question. I am not sure whether the honourable member had anything to do with the Justice Information System when he was a member of the previous Government. At this stage it is not possible to say with any certainty whether the Courts Department will be part of the system. The Chief Justice has appointed two judges to act as a liaison group with the steering committee of the Justice Information System, but the view has been expressed (and whether or not it has been expressed publicly I do not know) that it might be inconsistent with the independence of the Judiciary and the courts if they were to participate in the Justice Information System. If that view is upheld, it would constitute a significant derogation of the original design. That issue has not been finally resolved.

I would hope that the courts, and the Judiciary at least, as opposed to the Department, would see the access to information that a Justice Information System would provide as being nothing more than an improvement and a way in which to provide more efficient access to information that is already available by manual means. If the Justice Information System is seen in that light, the potential objections from the Judiciary should be overcome. I merely indicate that a query has been raised on this issue.

**The Hon. H. ALLISON:** On page 102 of the yellow book, under the heading '1983-84 Specific Targets', the following appears:

To review the effects of new legislation on the Appeal Tribunals Branch.

Does the legislation referred to include the Casino Act? Does the Attorney-General expect to have to make a judge available for this purpose?

**The Hon. C.J. Sumner:** The statement referred to is related not to the casino, but rather to something that is futuristic at this stage: the possibility of an administrative appeals tribunal in an overall rationalisation of the appeals system. The Law Reform Committee is currently inquiring into that matter, which was one of the projects listed in the Attorney-General's Budget Papers. When the committee's report is presented, the Government will have to decide whether it wants to proceed with an administrative appeals tribunal. If and when that is done, legislation will be required.

**The Hon. H. ALLISON:** On page 102 of the yellow book, under the heading '1983-84 Specific Targets', reference is made to the development of a succession plan for the Courts Department. To what does that refer?

**The Hon. C.J. Sumner:** I will ask Mr White to explain that.

**Mr White:** The succession plan relates to the identification of people within the department who can effectively carry on the administration of the courts. We have identified officers throughout the various ranges who will retire soon, and we want to identify and train people ahead of time so that they can take over.

**The Hon. H. ALLISON:** At page 102 of the yellow book, one of the factors said to be responsible for the variation in expenditure is the carry-over effects of additional staff, which accounts for an increase of \$50 000 and three manpower levels. To what staff does that refer?

**Mr White:** The three positions are as follows: Management Services Officer in the Support Services Division of the Department; Assistant to the Senior Finance Officer; and Building Services Officer for the Sir Samuel Way Building.

**The CHAIRMAN:** Are there any further questions? There being no further questions, I declare the examination of the vote completed.

Attorney-General, Miscellaneous, \$693 000.

**Chairman:**

Mr G.T. Whitten

**Members:**

The Hon. H. Allison  
Mrs J.E. Appleby  
Mr S.G. Evans  
Mr T.R. Groom  
Mr G.A. Ingerson  
Ms S.M. Lenehan  
Mr M.K. Mayes  
Mr W.A. Rodda

**Witness:**

The Hon. C.J. Sumner, Attorney-General.

**Departmental Advisers:**

Mr G.F. White, Director, Courts Department.  
Mr N.I. Stephenson, Acting Senior Finance Officer, Courts Department.

**The CHAIRMAN:** I declare the proposed expenditure open for examination. Are there any questions?

**The Hon. H. ALLISON:** What effect will the \$100 000 paid by the Legal Services Commission to the Government for the Splatt inquiry have on the finances of the Commission?

**The Hon. C.J. Sumner:** It should have no effect. The Commission had a large surplus and it was from that surplus that it agreed to make the payment to the Government following a request from the Government. The surplus was accumulated in previous years. Because there was a surplus in respect of State-funded cases in the Commission, the former Government last year reduced its contribution to the Legal Services Commission by a certain amount, which was then allocated within the Attorney-General's Department to criminal injuries compensation.

So, the problem of the surplus occurred in 1981-82 and was dealt with by the previous Government by reducing the allocation to the Legal Services Commission and to transferring funds within the Attorney-General's budget to criminal injuries compensation. In 1982-83, there was still some surplus in the Legal Services Commission arising from an increase in commitment on Commonwealth cases. With increasing unemployment more people became eligible for assistance as Commonwealth cases through the Legal Services Commission than as State cases.

The criterion for the distribution of aid is the same for State cases as it is for Commonwealth cases. Hitherto it has been considered that a distinction should not be drawn between the two types of case as to the criterion required for legal aid. This meant that, with the increase in the number of Commonwealth cases and the funding picked

up by the Commonwealth Government, a surplus resulted from State-funded matters. That surplus will be applied partly to the establishment of regional offices for the Legal Services Commission, and I understand that that money will be spent on some other items. It was considered that some of the money could be returned to the State Government to help pay Splatt's legal costs. A further \$50 000 has been requested by the Government and I understand that that sum will be forthcoming, making a total of \$150 000. The understanding was that the Commission could apply to the Government subsequently for funding if it found itself in difficulty.

In view of the surplus, the Commission felt that it could make a contribution. I point out that, in effect, the Legal Services Commission acted for Mr Splatt in the lead-up to the Government's decision to appoint a Royal Commission. The Government has been concerned about the question of the distinction between State and Federal cases. The Government has also agreed that \$100 000 could be contributed this financial year, I think out of surplus State moneys, to assist Commonwealth cases. I believe that is an unprecedented decision. Nevertheless, the Commission took the view that it was justified as a one-off payment.

As I have said, more generally the Government is concerned about the distinction between Commonwealth and State cases. I believe that the Legal Services Commission shares that concern. There is a proposition now that there be a lump sum payment from the Commonwealth and the State to the Legal Services Commission and that it should disburse the funds irrespective of where the applicants come from. That would overcome the problems associated with a large surplus in relation to one class of client and it would remove that distinction. That is still in the process of discussion between the Legal Services Commission and the Department with the Commonwealth Government. The Commission was prepared to make money available to the Government out of its surplus, and it has used the surplus funds for other purposes as well.

**The CHAIRMAN:** There being no further questions, I declare the examination of the vote completed.

Corporate Affairs Commission, \$2 882 000

**Chairman:**

Mr G.T. Whitten

**Members:**

The Hon. H. Allison  
Mrs J.E. Appleby  
Mr S.G. Evans  
Mr T.R. Groom  
Mr G.A. Ingerson  
Ms S.M. Lenehan  
Mr M.K. Mayes  
Mr W.A. Rodda

**Witness:**

The Hon. C.J. Sumner, Minister of Corporate Affairs.

**Departmental Advisers:**

Mr K.I. MacPherson, Corporate Affairs Commissioner, Corporate Affairs Commission.

Mr T.J. Bray, Manager, Registration Division, Corporate Affairs Commission.

**The CHAIRMAN:** I declare the proposed expenditure open for examination.

**Mr INGERSON:** I refer to page 111 of the yellow book, as follows:

The introduction of revised legislation for co-operatives and associations . . .

Have the regulations been drafted? When will the regulations be exposed for public comment? What period, if any, will be allowed for comment?

**Mr MacPherson:** As yet, the regulations have not been drafted. The proposal is that in the preparation of the regulations, which will cover some major aspects of the legislation (including the formulation of accounts and other returns required), we will seek to consult with the industry to ensure that the regulations as drafted are practical and commercially acceptable. I understand that they will be exposed for general comment.

**Mr INGERSON:** The next paragraph on the same page states:

Late in 1982-83 the administration of building societies and credit unions was transferred to the Commission.

Is national legislation proposed for building societies and, if so, when will it be introduced? What format is that legislation likely to take? Will South Australia retain control over building society activities in this State? Is this type of national legislation a threat to South Australian societies?

**The Hon. C.J. Sumner:** There has not been a great deal of action in terms of national legislation in relation to building societies. Therefore, it is difficult to answer the honourable member's question. I think it is true to say that the economic and financial situation in Australia and the fact that the States are becoming more interdependent one upon the other (and more interdependent in Australian terms on the international scene) means that there is some move to achieve uniformity in a national approach to these types of matters, whether it be the companies and securities area (which has already occurred) or in other areas such as building societies. However, it really has not developed to any great extent at this stage. To my knowledge there is no concrete proposal. However, when and if it does occur it will receive publicity and I am sure that the honourable member will be made aware of it at that stage.

**Mr INGERSON:** The next paragraph states:

Proposals for significant reorganisational arrangements have been made to the Public Service Board . . .

What are those arrangements, do they involve extra staff and, if so, at what cost?

**The Hon. C.J. Sumner:** The Government felt that there was a need for some reorganisation, in particular, to give greater emphasis to the investigation and enforcement side of companies legislation. There is something of a backlog in investigation terms and in terms of legal proceedings that may flow from any investigation. It was felt that some additional emphasis should be given to that side of the Commission's activities. In addition, there was a need for some improvement in the policy advice that was available to the Commission and to the Government, particularly in relation to the national scheme. Some improvement in staff for policy purposes was approved.

The current reorganisation proposals have not yet been approved by the Government. I anticipate that that will occur in the next couple of weeks. I suppose that I should not be too specific about these matters, given that things tend to drag on in the system, particularly once the Public Service Board and the Treasury have their say on whatever is proposed. Nevertheless, I hope that the reorganisation proposals can proceed.

They envisage the establishment of an Assistant Commissioner so that the composition of the Commission would then be the Commissioner of Corporate Affairs, The Deputy Commissioner of Corporate Affairs and an Assistant Commissioner of Corporate Affairs. That Assistant Commissioner

would be an admitted barrister and solicitor at an E.O.2 level in the Public Service who could take charge of that aspect of the Commission's activities—the investigation and legal enforcement area. That is basically what is in mind there. I understand that the Commission will be able to cope with that reorganisation within existing resources, for which we are all very thankful. If it cannot, I understand that the increase would not be particularly great in terms of the overall Budget.

**Mr INGERSON:** The next question comes under 'Implications for Resources'. In the first paragraph it also suggests additional staff to improve the technological services. How many and at what cost is that?

**Mr Bray:** I understand that the proposal is to redevelop the a.d.p. system, and within the Department's 1983-84 allocation an amount of \$150 000 has been included. The proposal to redevelop the a.d.p. system does not involve any additional staffing resources in 1983-84. The whole of that of \$150 000 will relate to development expenses and equipment for the system.

**Mr INGERSON:** In the next paragraph is a reference to an 'increase in fee revenue depending on adjustment of levels of enforcement above'. What fees, if any, were proposed to be increased? When, and by how much?

**The Hon. C.J. Sumner:** As the note indicates, the fees are now set by the Ministerial Council, and I am only one of its seven members. The Ministerial Council approved a 10 per cent increase in fees effective from 1 October this year. The 10 per cent is not precisely accurate; there are some variations, but in general terms it is an increase of 10 per cent, which was to be wound up in some situations. At the lower levels there may not have been any increase in fees. Basically, it was 10 per cent rounded up to the nearest dollar, but there may have been some slight variations in that. That was the basic decision taken by the Ministerial Council, to operate from 1 October. It was estimated in South Australia to bring in \$500 000 per annum.

The Ministerial Council is also looking at a system of trying to relate fees to increases in costs. It is currently conducting an inquiry as to what is the best method of determining that increase—whether it should be related to the c.p.i. or some other cost increase indicator to try to ensure that fees keep pace with increasing costs.

**Mr INGERSON:** What is the South Australian contribution to the N.C.S.C. in the year 1982-83 and the estimate for the year 1983-84? Also, what is the total Budget of the N.C.S.C. for 1982-83 and for 1983-84?

**Mr Bray:** The contribution by South Australia to the National Companies and Securities Commission for 1982-83 was \$153 000. That contribution in 1983-84 will increase by \$23 000 to \$176 000. South Australia's share of the total cost of operation of the National Companies and Securities Commission and its associated bodies is 4.5 per cent of its total operating costs. I do not have the final, approved budget figure for the National Commission in 1983-84, but it is in the vicinity of \$4 million.

The other part of the question related to its budget in the previous year. I also do not have that exact figure, but the increase is relatively small, from recollection, because the Ministerial Council approved of the staff ceiling of the National Companies and Securities Commission remaining at 62 for 1983-84.

**Mr INGERSON:** The last paragraph, 'Implications for Resources', on page 111 again mentions additional staff and technological resources proposed for 1983-84. How many staff here are likely to be put on, and at what cost?

**The Hon. C.J. Sumner:** The hope expressed in that paragraph is that resource levels will be adequate to cope with the additional resource levels that have been applied to the Commission. The final sentence, relating to constant review,

is, I suppose, a cautionary note in case there are increased pressures which mean that resources will need to be reviewed, but at this stage nothing specific is anticipated by the constant review and keeping an eye on the demands on the Commission.

At the last Ministerial Council meeting it was determined that there should be a review of all the agencies operating in this area, from the N.C.S.C. down to the various State Corporate Affairs Commissions—delegates of the N.C.S.C.—to try to ascertain what resources were available for dealing with the scheme legislation and with a view to giving the N.C.S.C. some overall directions as to the priorities that it should pursue, and to determine whether or not N.C.S.C. staffing levels were adequate.

But, it was felt that it was impossible to look at the N.C.S.C. in isolation because below the N.C.S.C. there are the State bureaucracies which carry out a lot of the work in this area. It was felt that there was a need to look at the whole scheme and the whole of the bureaucracy from the N.C.S.C. down. That is proceeding at present.

**The Hon. H. ALLISON:** At page 112 of the programme papers this statement is made:

Anticipated expenditure on the agency's principal programme . . .

It refers to the proposed A.D.P. redevelopment costs. What is the proposal in relation to A.D.P. redevelopment and are any savings expected as a result? Proposed increases in staffing are expected to generate additional revenue, but will any savings result?

**Mr Bray:** The preliminary indications of cost-benefit analysis for the proposed computer system indicate that it will be a very cost-effective system. We would look to break even within about 2½ years after implementation. In terms of numbers of staff, we would expect to be able to save nearly the equivalent of nine persons from the proposed A.D.P. system.

**The Hon. H. ALLISON:** Again at page 112, two additional staff were appointed to the Building Societies and Credit Union Division late in 1982-83, and there is the proposed expansion of seven full-time equivalent staff. In what areas will that increase occur?

**Mr Bray:** The increase in staffing of two in the Building Societies and Credit Union Division was related to additional resources required to undertake monitoring and examination of the operations of such societies and unions. The actual approval for that increase occurred prior to the Division's becoming part of the Corporate Affairs Commission.

The additional seven positions for the Commission in 1983-84 comprises four positions related to proper collection and follow-up of revenue entitlements, policy officer as previously referred to, and two staff to support the national scheme administration—that is, to cope with the additional workload that has arisen in the administration of the National Companies and Securities Scheme.

**The Hon. H. ALLISON:** Can the Minister advise what are the current investigations and inquiries? Can we have a list, if not now then later, and can he say what is the current position in regard to Elders, Kallins, and Swan Shepherd? Can he also indicate whether any prosecutions are pending?

**Mr MacPherson:** The approach taken in these matters in the past has been that it has not been the policy to indicate what actual investigations are being undertaken by the Commission. This is because often a person can be the subject of an inquiry and the conclusion of that inquiry can reveal that the original complaint was either vexatious, frivolous or otherwise, as a result of which it is dismissed. For that reason it has not been our policy to indicate which matters are currently the subject of investigation.

I refer specifically to the matters raised. The first matter concerned the Von Doussa Report. We have sought the advice of senior counsel and have requested certain persons to provide statements to us. Those persons have indicated that, before statements are made available to us, they wish to seek the advice of their own solicitors and counsel. We are at present awaiting the return of those statements before any further steps can be taken in respect of this specific inquiry.

With respect to the Kallins special investigation, the report on that matter was made to the Minister in November last year. The advice tendered to the Minister at the time of presentation of the report was that it would be prejudicial to potential criminal proceedings that we hoped to institute if any matter relating to that report was made public at this time.

The Swan Shepherd special investigation is being undertaken in two phases. The first phase of the investigation at this stage is almost completed and we anticipate that a report will be made available to the Minister in the near future. The question of publication or otherwise of that report will have to be determined when it is presented to the Minister.

The Minister has asked me to amplify on the Kallins investigation. At this time the report has been given to our legal advisers and the police, who are following up certain matters that were identified by the special investigators. Certain persons named in that report may well be the subject of criminal proceedings and, because of that possibility, we do not seek to make public at this time any further information which we believe would prejudice those proceedings.

**The Hon. H. ALLISON:** We appreciate the need for confidentiality and respect that. We also wonder whether any comment can be made on the position in regard to Southern Cross Commodities. Are any prosecutions pending?

**The Hon. C.J. Sumner:** The position relating to confidentiality is that we cannot provide a list to the Committee of all matters that the Commission may be investigating for reasons that the Commissioner has outlined. On the other hand, there are a number of issues which are already in the public domain and which the member mentioned such as Elders, and there is no objection to giving a report on those matters in so far as it is possible without prejudicing what the Commission may wish to do or what the courts may actually determine. In that context, we have commented on Elders, Swan Shepherd and Kallins.

**Mr MacPherson:** In regard to Southern Cross Commodities, that company was subject to a joint raid by Commonwealth and State police in October 1982. It is a very complex investigation involving the analysis of an enormous amount of material, which is currently being analysed by police, accounting and legal advisers. The police are utilising a computer to assist them in the analysis, and at this stage no definitive position has been reached as to whether or not charges are to be laid.

**The Hon. H. ALLISON:** Can the Minister say whether there is any proposal to recover costs of special investigations in regard to any of the cases to which we have referred?

**Mr MacPherson:** The recovery of costs is currently being examined in regard to the Kallins special investigation. At this stage we have not specifically addressed the issue in relation to the Von Doussa Report, but I believe that we will be looking at that question in the near future.

**Mr INGERSON:** I refer to page 120 of the programme papers and the 1982-83 specific targets. The first paragraph refers to the backlog of insolvency matters awaiting review. What is the position regarding the current backlog?

**Mr MacPherson:** In relation to the insolvency area, the break-up for the past four years from 1980 to 1983 shows

that there are still 14 insolvency matters that originated in 1980; 19 that originated in 1981; 45 that originated in 1982, and 52 so far this year, making a total of 130.

**Mr INGERSON:** How many prosecutions have there been for non-lodgment of annual returns in the past couple of years?

**Mr MacPherson:** In 1981-82 there were 511 and, in 1982-83, 410. The reason for the reduction in the 1982-83 financial year was that resources were diverted toward the implementation of the national scheme so far as the companies code was concerned.

**Mr INGERSON:** How many take-overs was the Corporate Affairs Commission involved in prior to July 1981 and since?

**The Hon. C.J. Sumner:** We will need to research that matter. I will attempt to get that information for the honourable member.

**Mr INGERSON:** Can the Minister give comparison figures on the number of prospectuses and company registrations in which the Commission has been involved in South Australia up until July 1982?

**Mr MacPherson:** I can provide some of that information now and the balance later. As at 30 June 1983, 62 204 business names were registered; there were also 39 713 locally incorporated companies, and 7 162 recognised and foreign companies, making a total register on the company side of 46 875. In the past financial year, new company incorporations fell significantly and were down 43 per cent, the total figure for the year being 2 036. A large part of that down-turn related to the change in methodology of people organising their taxation affairs. A large number of company incorporations relate to tax minimisation arrangements, and I think that the thrust over the past 12 months or so has led people to desist from the degree of activity in which they have been involved in the past in this area. I think also that the fact that we have been through an economic recession has had an impact on the number of company incorporations.

**Mr INGERSON:** Half way down page 124 it is stated that there will be a review of the business names legislation. When will this occur?

**Mr Bray:** Preliminary steps have been taken to commence work on review of the Business Names Act. One of the main preliminary steps was to survey up-to-date legislation in other States and to put together a list of administrative problems that exist in the present legislation, which is now 20 years old. This work is proceeding, and the Registration Division aims to increase its input into this project within a matter of months.

**Mr INGERSON:** Will the Minister say whether or not there has been any proposal to extend trustee status to building societies and credit unions?

**The Hon. C.J. Sumner:** There are proposals, but they have not yet been acceded to. We expect the question of trustee status for institutions to be at least partially addressed by the inquiry currently proceeding into the collapse of Trustee Executor Agency in Melbourne. There may be some matters that arise out of that investigation that will give us information on which to look at the policy of the trustee status of various organisations that currently do not have that status.

This matter was put to the Government, which adopted the view that for the moment there should be no alteration to the current situation. The Co-operative Building Society, Hindmarsh Building Society, Adelaide Permanent Building Society and the R.E.I. all have trustee status in terms of money deposited with them.

**The Hon. H. ALLISON:** On page 131 of the programme papers under the heading 'Credit Unions' it is stated that there will be an assessment and revision of current legislation

as necessary. Does the Minister have any immediate proposals to amend this legislation?

**The Hon. C.J. Sumner:** Following the transfer of the Building Societies Credit Unions administration from the Department of Public and Consumer Affairs to the Corporate Affairs Commission, the Commission has been having discussions with representatives of building societies and credit unions with a view to getting their views on any up-date of the legislation that might be required. That process is continuing. I cannot give any time table as to when legislation may be introduced, but consultations are proceeding.

**Mr INGERSON:** The yellow book (page 134) refers to the use of microfiche copies to improve response time. What progress is being achieved in putting all files on microfilm?

**Mr Bray:** The Commission has completed about 70 per cent of the microfilming of company files. The 30 per cent that remains relates to the older incorporated companies, and a large amount of documentation is contained on the files. At this stage the target completion date for microfilming of all company files is December 1987.

**The Hon. H. ALLISON:** The Opposition has no further questions, and we thank Mr MacPherson and Mr Bray for attending.

**The ACTING CHAIRMAN (Mrs Appleby):** There being no further questions, I declare the examination of the vote completed.

Public and Consumer Affairs, \$10 892 000

**Chairman:**

Mr G.T. Whitten

**Members:**

The Hon. H. Allison  
Mrs J.E. Appleby  
The Hon. Peter Duncan  
Mr S.G. Evans  
Mr T.R. Groom  
Mr G.A. Ingerson  
Ms S.M. Lenehan  
Mr W.A. Rodda

**Witness:**

The Hon. C.J. Sumner, Minister of Consumer Affairs.

**Departmental Advisers:**

Mr M.A. Noblet, Director-General, Department of Public and Consumer Affairs.

Mr W.A. Pryor, Chief Management Services Officer, Department of Public and Consumer Affairs.

Mr P.F. Young, Deputy Director-General, Department of Public and Consumer Affairs.

Mr C. Noble, Acting Prices Commissioner, Department of Public and Consumer Affairs.

Mr B. Krumins, Chairman, South Australian Ethnic Affairs Commission.

**The CHAIRMAN:** I declare the proposed expenditure open for examination.

**The Hon. H. ALLISON:** How many complaints about builders were made by owners of properties to the Builders Licensing Board in the past financial year?

**The Hon. C.J. Sumner:** I do not have those statistics, but I will supply the information. The system of dealing with complaints has changed. The complaints now go to the Consumer Services Division of the Department of Public and Consumer Affairs, and the initial investigation of com-

plaints is carried out by the Consumer Affairs Division of the Department, which attempts to conciliate in disputes. If action is required, the matter is referred to the Builders Licensing Board by officers of the Department. In other words, there has been a split between the investigation function and the adjudication function, and that reorganisation occurred because of a decision taken by the previous Government.

So, inspectors were no longer attached to the Builders Licensing Board as such: they were transferred to the Consumer Services Division, which carries out investigations. Any legal action flowing from such investigations was referred to the Builders Licensing Board, which acts more as a judicial type of body, whereas officers of the Consumer Services Division act as conciliators and as prosecutors if a matter must go to the board.

**The Hon. H. ALLISON:** How many complaints were made by homeowners to the Builders Licensing Board in the past financial year including complaints that had been addressed to the Consumer Affairs Division and probably resolved by conciliation? How many cases were resolved and how many remain unresolved? The most usual complaints addressed to the Board concern delay. Has action been taken by the Minister to resolve that matter?

**The Hon. C.J. Sumner:** There are two areas of potential delay: first, in the investigation of complaints by the Consumer Affairs Division; and, secondly, in the hearing of complaints by the Builders Licensing Board. As to the former, there is some cause to be concerned about delays in dealing with complaints within the Consumer Affairs Division. However, we must realise that there was a substantial and significant reduction of staff in the Department of Public and Consumer Affairs between July 1979 and July 1982 and no additional staff was made available for any new initiatives taken. The reduction in staff levels has been halted during the past financial year and during this year but, unfortunately, the substantial reduction in manpower between 1979 and 1982 has affected the extent to which the Department can deal with complaints. So, there is no cause for complacency in the area of building dispute complaints and we must keep our eye on the position continually.

Currently, the Builders Licensing Act is being reviewed and it is hoped that procedures that may be introduced as a result of the review will help streamline procedures. It is intended that the Builders Licensing Board shall be subsumed into the Commercial Tribunal, which will at some future time be the one occupational licensing body in the Department. It will deal not only with builders but also with motor vehicle dealers, credit providers, land agents, land brokers and the like. Work on the establishment of that one tribunal is proceeding. In his latest report the Ombudsman notes a considerable improvement and states that far fewer complaints were made in the past financial year, and I point out that a review of the Builders Licensing Act may result in improved procedures of the Board.

**The Hon. H. ALLISON:** Is membership of the Builders Licensing Board strongly representative of the building industry at present? What is the membership?

**Mr Noblet:** The Board comprises a legal practitioner as Chairman (at present Mr David Thomas, an Adelaide solicitor, is the Chairman); two industry representatives, one nominated by the Master Builders Association and the other by the Housing Industry Association; and two persons representing the interests of persons who engage builders to do work for them.

**The Hon. H. ALLISON:** Will the representation on the proposed streamlined Board be much different from the present representation?

**Mr Noblet:** The Commercial Tribunal Act provides for panels of persons to be appointed to sit on the tribunal for

matters of any kind arising. When the Commercial Tribunal sits to hear a matter under the Builders Licensing Act, it will have to include, in addition to the Chairman, a member from the panel representing the builders and another member from the panel representing consumers.

**The Hon. C.J. Sumner:** In 1979-80, the staff of the Consumer Services Division, which deals with these and other consumer complaints, numbered 95, whereas in 1982-83 (as provided for by the last Budget prepared by the previous Government) the number had fallen to 73.7. So, there was a reduction of about 20 staff in the Consumer Affairs Division during the term of the previous Government. By 1983-84 the number had increased to 76, so the rot has been stopped. Staff levels cannot be reduced to that extent in a department or a division without delays being experienced in dealing with consumer complaints.

There was also a reduction in the Standards Branch. In 1979-80 there were 41 officers. In 1982-83 the number was reduced to 34.6—a reduction of some six officers in that branch. The division that was particularly decimated was the Consumer Services Division. As I have said, over 20 staff members were lost in that area. If there are delays in dealing with consumer complaints, and I agree that matters have to be kept under review, I think that we should look at the reduction of staff levels that occurred at that time.

**Mr GROOM:** I refer to 'Programme II—Industry-Occupational Licensing and Regulation' on page 68 of the Estimates of Payments, and I refer specifically to the Residential Tenancies Act. I notice in the Auditor-General's Report that the interest received by the Residential Tenancies Fund for the year ending 30 June 1983 amounted to \$789 601. The Tribunal reimburses the Treasury. I am referring to administration costs paid to the Treasury. It also appears from the Auditor-General's Report that the Residential Tenancies Tribunal is quite successful.

I also note from the report that the number of applications received amounted to 4 670, of which 1 630 were referred to the Tribunal. The remaining 3 040 resulted in orders without a hearing being required. It appears, as I have said, that the Tribunal is successful. As the Minister knows, I have an interest in the Tribunal in another area. Will the Attorney comment on the proceedings of the Tribunal in light of what I have said and in the light of additional expenditure of \$35 000 for the conduct of a research and education programme in respect of the Residential Tenancies Act? That programme is detailed on page 163 of the yellow book.

**Mr Young:** The current balance of the Residential Tenancies Fund amounts to \$6.841 million. It has substantial investments, mostly in South Australia. I can detail those investments if that is required. The average income of those investments is currently in excess of 11 per cent, and the income has already been outlined. The income is sufficient to pay for the costs of the administration of the Residential Tenancies Act with a small surplus. It also enables the Minister to approve certain compensation payments pursuant to section 86 of the Act in relation to landlords and tenants and to pay other related expenses, bailiffs fees, and so on.

**Mr Noblet:** The Department conducted a small survey some time ago into attitudes to the Residential Tenancies Act on the part of landlords and tenants. It was not a large-scale survey; it was done on a small scale. The survey found that those who properly understood the Act were generally satisfied; that includes landlords and tenants. However, there was a lack of understanding about the legislation and, in some cases, positive misunderstanding about the effects of the legislation. Recommendations were made that there should be an education campaign, particularly directed at migrants, to try to explain not only the regulatory requirements of the Act but also some of the benefits that landlords

can derive under the Act. The small survey also indicated that some further research was required in some of those areas to help to programme specific corrective measures. The amount of \$35 000 has been allocated in the Budget this year for further research and for an education programme to be directed particularly at migrant landlords.

**Mr GROOM:** I refer to 'Consumer Services' on page 158 of the yellow book, as follows:

The Builders Licensing Act has been amended to provide for the establishment of a scheme to indemnify home owners in cases where they suffer loss through the death, disappearance or insolvency of a builder.

Can the Minister outline the effects of that change and its current status?

**The Hon. C.J. Sumner:** The effect is to provide indemnity in the situations outlined; that is, where a builder dies, disappears or becomes insolvent. The regulations relating to the scheme have been drafted in an initial form and are currently being looked at by the Department. Action is proceeding to implement the scheme as soon as practicable. I am advised that the draft regulations should be available for interested parties to comment on within a month.

**Mr GROOM:** I refer to 'Price Control' on page 170 of the yellow book. I am not necessarily seeking information in depth. Page 170 states:

A review of the bread industry was undertaken and the recommendations are being examined.

What is the current status of that review? Is any action intended at this stage?

**The Hon. C.J. Sumner:** That was done. Actually, that statement is a bit of talking up of the activities for 1982-83. It would not be true to say that a formal review of the bread industry was undertaken in the sense of a formal inquiry that was due to produce a report which would be made available to the public. If it is interpreted in that way, clearly the statement in the yellow book is not entirely accurate. Over a period of some months representations have been received by the Government from various sectors of the bread industry and particularly from manufacturers and unions. There is some considerable concern about the future of the bread industry. Those matters were actively under what I will term a departmental inquiry, as opposed to any formal review.

When it refers to recommendations that is probably an overstatement of what has happened. A number of options have been considered, not just by the Department of Public and Consumer Affairs but also by the Department of State Development and the Department of Labour, which all have an interest in this area. So, it would be true to say that the options available for action by the Government are being examined at present. In response to the honourable member's question, yes, the bread industry was the subject of some consideration by the Department during the year, and options have been put to Government and are currently being considered, which I would consider to be a rewrite on the run of that sentence.

**The Hon. H. ALLISON:** Can the Minister advise the Committee of the number of complaints that were received about the Builders Licensing Board itself? There are a number of allegations that even where the Board was satisfied that a builder was at fault the Board did not necessarily carry out the necessary disciplinary measures by ensuring that remedial work which was ordered was then carried out. Can the Minister say the extent to which this type of complaint still prevails, and what sort of remedies his Department is undertaking?

**The Hon. C.J. Sumner:** I understand the concern of the honourable member. It is a concern that is prevalent, and probably arises to some extent from a misconception as to what the Builders Licensing Board is there to do. As I said,



there will be a review of that Act and of the procedures of the Builders Licensing Board which I hope will to some extent overcome the problems that are being identified. It should be possible to get statistics showing the number of matters referred to the Board and the manner in which they were dealt with by it (that is, whether rectification work was ordered and whether or not subsequently the licence was cancelled, or some other action taken). Those figures should be available, and I will certainly ascertain whether they are. I assume that that is the information that the member requests.

**Mr Noblet:** I cannot give the figure about the number of complaints received about the Builders Licensing Board. The honourable member referred to cases in which the Board had made an order for rectification work and had not followed that through and taken steps to see that the order was complied with. There are only two ways in which the Board can follow that through, although a lot of consumers seem to think that once they have made the order someone from the Builders Licensing Board should beat the builder over the head with a stick until he complies with it. The two options that the Board has are: first, to prosecute the builder for failure to comply with an order, which means going through the magistrates court in the usual way; and, secondly, to refer the matter to the Builders Appellate and Disciplinary Tribunal, because failure to comply with an order of the Board is also a ground for disciplinary action.

The problem is that in neither case does that help the consumer in whose favour the order was made. We get some complaints from people who say, 'Look, the Board made this order. All right, it may be taking action of a penal nature against the builder because he did not comply with the order, but that does not help me.' Unfortunately, there is no easy way out of that at the moment under the Act as it presently stands.

One solution that is being examined—and it will be examined further at the time the jurisdiction is transferred to the Commercial Tribunal—is to give the Tribunal the power to make an order for rectification work and, at the same time, to say that in default of carrying out that rectification work the builder shall pay to the consumer the sum of X dollars, being what it would cost the consumer to have the work done. Then that order could be registered in the local court if it were not complied with and enforced in the normal way, but at the moment the Act is structured in such a way that the consequences of failing to comply with an order are penal only, and if the consumer wants to take further action for breach of contract or for a claim of that nature he really has to start all over again in a separate legal action.

The other point that I want to make is that the Builders Licensing Board is an independent statutory authority, and if complaints are received about it obviously that is a matter of concern to the Department and to the Minister and reports are obtained from the Board, but neither the Minister nor the Department has power to tell the Board what to do. It derives its powers direct from the Act.

**The Hon. C.J. Sumner:** From the Government's point of view, we certainly would like to see that procedure changed in line with the proposal outlined by Mr Noblet.

**The Hon. H. ALLISON:** The next question relates either to page 144 or page 164, relating to the Landbrokers Licensing Board—the Deputy Director of Commerce line: can the Minister say how many justified complaints have been made against landbrokers? We understand that they have been minimal. We wonder whether the Minister would consider that there is no justification for a full licensing system. This point of view was accepted over a year ago by the Land Brokers Association and the Land Brokers Division of the Real Estate Institute. Is the Minister currently considering

that matter or has he just discounted that point of view and intends to continue with the present system?

**The Hon. C.J. Sumner:** I can advise the honourable member that I have it under consideration and have decided to cancel the project which was instituted in the Department to deregulate landbrokers. There seems to be no particular enthusiasm amongst landbrokers for deregulation and so-called negative licensing. Some considerable amount of the resources of the Department is needed that ensure that this project is taken to fulfilment. The Government has other priorities. In any event, I am not convinced that landbrokers are an appropriate body to be handled by means of negative licensing.

I should say that one problem that one has with negative licensing is that unless one finds some way of financing it the cost of regulation falls on the Government and on the taxpayer. With direct licensing, brokers, or the occupational group, pay a fee to the Government to establish a board and whatever administrative structure is needed to pursue the licensing. With negative licensing, unless one has some system of registration tied in with it, the cost falls on the Government and, in effect, on the taxpayer, so that the Government has to run the tribunal that takes disciplinary action against the person who breaches the code of conduct, and the Government has to monitor the code. That is a cost to the taxpayer.

With direct licensing one at least recovers the costs of the licensing procedure. It may be that a system of negative licensing can be joined with a system of registration so that fees can be collected to cover the licensing system. As I said, I do not know that landbrokers are an appropriate group for deregulation and a negative licensing system. I think that all would agree that the medical and legal profession should not be registered by a system of negative licensing. Brokers have to undergo certain examinations in order to get their professional status. They have an important job dealing with the public's funds.

There is nothing wrong with a direct licensing system for landbrokers. If the industry felt an overwhelming enthusiasm for a system of deregulation, the Government would consider it because we do not *prima facie* reject negative licensing as being inappropriate in all circumstances. Indeed, we support the notion of joint industry-Government consultation to develop codes of conduct, whether those codes form a basis for a direct licensing system or so-called negative licensing system.

In the case of brokers, I did not detect any overwhelming enthusiasm for a negative licensing system, although it may have been accepted by the Brokers Association at some time. Before I disbanded this project I wrote to interested parties to get their reaction, and the reaction was very mixed. In the light of that and in the light of other priorities which the Government and the Department had and in view of the limited resources in policy terms, that project has been disbanded.

**The Hon. H. ALLISON:** Reference is made to the Public Trustee on page 182 of the programme papers. Can the Minister say whether he has had any complaints from the legal profession about advertising practices of the Public Trustee, particularly in regard to the making of wills? There was much criticism previously from Riverland members of the legal profession and we wonder whether there was any return to that type of advertising or whether the Public Trustee is considered to be a fair competitor with the legal profession.

**Mr Young:** In 1983 there have been no complaints received from legal practitioners to my knowledge. I am aware that previously complaints had been received particularly from practitioners in some country areas but steps have been taken to delete the offensive advertising material; namely,

the word 'free' which has now been struck out of all advertising material. It was previously indicated that the Public Trustee may have operated free of charge. In the main advertising takes the form of advising people in country communities when a visiting officer will be in the area and where he can be contacted. It gives a telephone number that can be used for the purpose of making an appointment to interview that officer.

[Sitting suspended from 5.59 to 7.30 p.m.]

**Ms LENEHAN:** On page 147 of the yellow book, under 'Consumer Services Programme', there is a provision for \$18 000 for the revision of consumer education material. Which consumer education material was revised?

**Mr Pryor:** Of the \$18 000, \$10 000 was for a revision of the consumer education film *Good Buy*. There was also provision for a new brochure called 'Buying a Used Car' which would incorporate the amendments to the Second-hand Motor Vehicles Act. I think that the remaining amount of \$3 000 was for upgrading various publications. I cannot be specific about those publications.

**Ms LENEHAN:** How is it proposed that this revised material be disseminated, and to whom?

**Mr Noblet:** The film *Good Buy* was shown as a filler in cinemas some years ago when it was first prepared. It was also made available to schools and various community groups for consumer education purposes. It was also used as a support to public speaking engagements that the Department undertakes for various community groups. The booklet on buying a used car, which will become obsolete when the new Second-hand Motor Vehicles Act comes into operation, will be distributed through as many sources as possible. Members of Parliament have a complete set of our booklets in their offices. Community welfare officers have a complete set, and there is a mailing list for people who request booklets of this kind. They will be distributed as widely as possible through as many sources as possible.

**The Hon. C.J. Sumner:** I ask Mr Noblet to give the Committee some information on the activities of the Education Division of the Department.

**Mr Noblet:** The Education Division has a senior officer responsible for co-ordination of all education, publicity and promotion programmes. Another officer specialises in consumer education alone. He writes all the check-point articles for the *Advertiser*, does public speaking engagements, has a regular programme on 5EBI-FM (ethnic radio) and helps the senior officer prepare booklets of this kind, such as the one we recently put out on building an inground swimming pool. A teacher has been seconded from the Education Department full time, who does nothing else but liaise with schools on the introduction of consumer education content into curriculum subjects. He is also on various curriculum committees with a view to trying to introduce into the curriculum as many consumer education oriented aspects as possible. Finally, another officer is an experienced social worker who specialises in consumer education for disadvantaged groups.

In the loose classification of 'disadvantaged groups' we include migrants, people on low incomes, people of low educational standards, and so forth. His work has been mainly concentrated on seeking out what we call 'opinion leaders' in the community: people whom disadvantaged people tend to look to for advice when they encounter some sort of problem because it is very difficult to get the messages through direct to certain classes of disadvantaged people. We concentrate on holding seminars and getting the message through to the 'opinion leaders' so that they can, in turn, pass the message on.

**The Hon. H. ALLISON:** I refer to the Programme Estimates, page 147, and seek reconciliation with figures on

page 72 of the Estimates of Payments. The proposed expenditure for 1983-84 is \$12.481 million on page 147 of the yellow book. It also states that the recurrent expenditure is to be \$11.911 million. On page 72 of the Estimates of Payments it states that the total Department of Public and Consumer Affairs expenditure is \$10.892 million. Can the Minister explain the discrepancy between the two books?

**Mr Pryor:** The figure of \$11.911 million used in the programme presentation includes inter-agency support services not paid for, whereas the figure in the printed Estimates is purely the allocation made to the Department of Public and Consumer Affairs. So, the allocation is \$10.892 million. If one compares that to the total figure on page 153 of the programme papers, one will see a figure of \$10.952 million. The difference there is the salary for the Judge of the Licensing Court. It is shown in the programme papers under 'Industry/Occupational Licensing and/or Regulation Programme', but under 'Special Acts' in the Estimates.

**The Hon. H. ALLISON:** There is nearly a \$1 million difference.

**Mr Pryor:** The figure of \$11.911 million includes inter-agency support services which this Department has not paid for and which, therefore, are not included in our allocation.

**The Hon. H. ALLISON:** I refer to page 183 of the programme performance papers. The Public Trustee used only a small number of land agents when advertising the sale of house properties from deceased estates. In more recent years it has been the practice of the Department to advertise for land agents in the city and suburbs to register their interest if they were prepared to sell properties for disposal by the Public Trustee. Can the Minister say whether or not this practice is still continuing or whether the Public Trustee has reverted to using a few selected land agents?

**Mr Young:** It was previously the practice of the Public Trustee to employ only a few selected land agents because of their expertise in particular areas and because some land agents specialised in auctions. Following an approach from the Land Agents Association, all land agents were circularised and asked to register an interest if they desired to participate in this activity. Following that response, the list of agents employed was increased significantly. With the passage of time, I think it is true to say that that list has decreased, but it has not decreased significantly. At present, the list is substantially larger than it was 12 months ago, and the agents, depending on the areas in which they operate, are engaged in Public Trustee sales.

**The Hon. H. ALLISON:** The yellow book (page 179) refers to a review of the Licensing Act. When will the review be completed, when will the report be made public, and when will legislation be introduced to implement any recommendations?

**The Hon. C.J. Sumner:** Mr Young, who is conducting the review, will be able to comment on the time scale without referring to the substance of the evidence that has been received.

**Mr Young:** The review has been operating for some months, and more than 100 written submissions have been received. More than 80 groups and individuals have been interviewed following submissions. A number of people did not want to present written submissions but preferred to give oral evidence, and those groups or individuals have given evidence. A few more submissions are expected. We have commenced writing the report and, in the normal course of events, we expect that the report (which is a report to the Minister of Consumer Affairs) will be in the Minister's hands before Christmas.

**The Hon. C.J. Sumner:** From then on, it is a matter for the Government.

**The Hon. H. ALLISON:** Will the report be made public?

**The Hon. C.J. Sumner:** Yes, there is no question of that. It will then be a matter of exposing the report for public comment for some period, although we hope that it will not be a lengthy period in view of the extensive consultative process which the review team has already gone through. The report would be made public, and there would be an opportunity for the community to comment on it. The Government would then get down to drafting the legislation. It would be a bit hard to envisage that the Bill will be available much before the middle of next year.

**Mrs APPLEBY:** What is being pursued this financial year to encourage self help by consumers?

**The Hon. C.J. Sumner:** The Director-General will comment in that regard.

**Mr Noblet:** Some concern has been expressed in recent times that the early publicity that the Department gave to its services and consumer education in general was of necessity of the type that encouraged people to approach the Department. If one sets up a new Government service, one has to publicise the fact that it exists and what it can do so that people know about it and can avail themselves of it if necessary.

However, if that sort of publicity continues for too long, it can be self-defeating in that it generates its own complaints. In recent years we have been looking to publicity of a slightly different kind. I believe that the level of community awareness of the Consumer Services Branch and the services that it offers is now very high. Therefore, we concentrated on discouraging people from using the service too freely or from rushing to the department when they faced a problem.

We made a series of radio commercials before Christmas last year designed to give people useful information as to how they can help themselves when they have a consumer problem with a view to minimising the number of complaints which we receive and which can, with appropriate advice and assistance, be handled by the consumers themselves. The theme was, 'The Department is here to help you, but it should be regarded as a last resort.' We believe that people should not come rushing to us straight away: they should go back to the trader first, discuss the matter with him, speak to someone in a senior position and, only if discussions of that kind fail to resolve the problem, come back to us to lodge a complaint.

That sort of publicity has been well received in the community by both consumers and businessmen. We intend to continue either the same radio commercials or to use additional commercials, especially in the Christmas shopping period. A similar line is being taken in regard to consumer education material in the form of leaflets, booklets, and so on.

**Mrs APPLEBY:** What non-government consumer organisations receive support, and what is the form of that support?

**The Hon. C.J. Sumner:** The only non-government body that receives financial support is the Consumers Association of South Australia, and last financial year the Association received \$10 000. That sum is actually paid in a calendar year, and \$10 000 has been allocated this financial year. That sum is due to be paid in the 1984 calendar year, but the Government has agreed to advance payment of that \$10 000 to the Consumers Association of South Australia from the commencement of this financial year. I understand that the payment is about to be made. The sum has not increased, but it has been advanced to some extent.

**Mrs APPLEBY:** Are there any figures on consumer complaints which show that pensioners have been disadvantaged or are the target of any specific group?

**Mr Noblet:** Unfortunately, we do not have hard data in that regard. We are considering the complaints statistics system with a view to making better use of it. In fact, the present Commonwealth Government has generously offered

to make available additional computer facilities so that individual consumer affairs agencies in the States can make better use of the information that they collect by way of statistics. There is no hard data in that regard.

The only area that immediately springs to mind where pensioners seem to feature highly among the number of complaints is in relation to door-to-door sales. Itinerant roof painters and tradesmen of various kinds tend to prey on pensioners and elderly people who live alone, because those people are vulnerable to the kind of high pressure tactics that these tradesmen use. Some tradesmen have been known to knock on the door, offer to do a job around the house, insist on payment in advance, if necessary take the person to the bank to have the money withdrawn, take the person back to his or her home, and say that he will be back tomorrow, but he is never seen again. That is the only area that I can think of immediately where pensioners seem to figure perhaps disproportionately in the complaints statistics. Hopefully, these sorts of figures will be available in greater detail when we improve our statistics system.

**Mr RODDA:** On page 146 of the yellow book, under the heading 'Issues', the following appears:

The national wage pause has necessitated the introduction of a more vigorous system of price surveillance to encourage price moderation. A continuing need exists for consultation with industry, particularly in relation to occupational licensing systems and legislative initiatives affecting the business community. The lack of understanding of landlords' and tenants' rights and obligations under the Residential Tenancies Act, resulting in avoidable disputes, is cause for concern.

The increased demand for rental accommodation caused in part by high interest rates and rising unemployment, has contributed to an increase in the incidence of undesirable practices.

There continues to be a significant increase in non-compliance with weights and measures and packaging legislation. The severe economic climate has contributed to some consumers adopting an aggressive and unrealistic attitude and some traders becoming unco-operative in relation to consumer complaints.

The significant thing is stated on page 146, as follows:

To meet this need, greater emphasis will need to be given to staff development.

That is obvious. It would seem that there is more than a grain of truth in the statement that staff development is needed in this area. What is proposed by way of staff development?

**The Hon. C.J. Sumner:** The first significant initiative in the area of staff development has been to retain staff. That is a significant improvement on past policies that have operated in this area. The Director-General may care to comment on specific staff development programmes within the Department.

**Mr Noblet:** Staff development tends to be an *ad hoc* function because advances in technology occur in so many different areas. However, we are trying to keep abreast of new technology in as many areas as possible because, if we do not, the investigating officers who receive and investigate complaints will not have credibility in the industries that they are investigating if they cannot talk the same language as that of the people against whom the complaints are being lodged. As there have been many advances in building technology, we regularly arrange for building inspectors to attend courses conducted by various institutions on the new methods of building.

The technology in such areas as computerised checkouts and electronic funds transfer systems is something that we will have to grapple with in future in order to ensure that staff are properly qualified to deal with it. Various courses are available and we try to use them wherever we can.

Another example is the tendency to introduce word processors into large organisations, including Government departments. There is an understandable apprehension on the part of some typists who do not understand the new

technology, and it is important that they should be given the chance to learn about it rather than having it foisted on them with no chance to understand it properly. We are taking steps to ensure that typists in the Department attend such courses so as to be better equipped to handle the new technology.

**Mr Pryor:** In the past three weeks, the Department has appointed a senior management services officer to oversee staff development in the Department. We are looking at certain initiatives including sending one of our senior managers to the Mount Eliza staff college. We are co-operating with industries to try to utilise their training facilities. The sum of \$5 000 has been provided within the intra-agency support services line for training courses and the like. We also have a heavy commitment to the release of staff members for part-time study at the universities, the South Australian Institute of Technology or the various colleges of advanced education. In some areas that are heavily clerically orientated, such as the Public Trustee Division, we have active staff development job rotation programmes so that all officers are exposed to a wide range of functions.

**Mr RODDA:** In these times, cash flow and the roof over the head are two ingredients that make for a stable home life and a harmonious community. What success has been achieved up to the present in these areas?

**The Hon. C.J. Sumner:** Regarding prices, the resources available to the Prices Division of the Department were substantially reduced from 1979 onwards. In fact, I believe that the staff was reduced from 10, which was the approved establishment in the Division in July 1979, to eight in 1979-80 and that it was then reduced further until in 1982 it numbered only 4.6 full-time equivalents, which means that in the terms of approved establishment the staff of the Prices Division was reduced by over 50 per cent.

During the wages pause, three officers were seconded to the Prices Division from other departments to undertake a specific price monitoring duty: that is, to monitor prices generally in the community, especially specific consumer items being sold at supermarkets, delicatessens, and the like.

That monitoring proceeded during the whole period of the wages pause. The object of that exercise was to ascertain whether there was any price exploitation and to ensure that, if there was, action could be taken by the Government to publicise excessive price increases during that period. That programme has now been completed with the finalisation of the wages pause, and those three officers will return to their substantive departments.

The basic objective of their work, which will be analysed, was to ensure that increases in prices were not excessive but justifiable, especially in the basic consumer area of supermarkets, delicatessens, and the like.

There was a commitment by the Government to increase price surveillance during the wages pause. The Deputy Director-General, Mr Young, will provide further information about the residential tenancies aspect.

**Mr Young:** As was mentioned earlier, an amount of \$35 000 has been put aside for a proposed education programme to increase the understanding of landlords, tenants and the community generally about the provisions of the Residential Tenancies Act. There has also been an increased allocation for resources, particularly in the area of the conciliation function. An additional officer has been appointed to assist in the conciliation function, and that has proved to be most helpful. Additional members have been appointed to the Residential Tenancies Tribunal, resulting in a shortening of the waiting list for hearings. They are the efforts that have been made to improve the community's understanding and to assist in the residential tenancies area generally.

**Ms LENEHAN:** I refer to 'Programme 2—Industry-Occupational Licensing and Regulation' on page 68 of the Estimates of Payments. My question also relates to page 149 of the yellow book. In 1982-83, 86 equivalent full-time staff were proposed for industry/occupational licensing and/or regulation. The proposed employment level for 1983-84 is 82.5. Can the Attorney-General explain the decrease in staffing in that section?

**The Hon. C.J. Sumner:** I cannot, but Mr Pryor assures me that he has a good explanation.

**Mr Pryor:** The employment level for 1982-83 of 86 included six positions for the Registry of Building Societies and Credit Unions. That function was transferred to the Department of Corporate Affairs early in 1983, with the effect of an average of 3.4 positions being transferred out of the industry/occupational licensing programme, together with the expenditure incurred up until that time.

**Ms LENEHAN:** I refer to the section on building and construction. Has the Attorney-General considered separate licensing and regulations for swimming pool builders? At the moment, I understand that swimming pool builders are licensed under general building licence regulations (although I may be wrong about that). Given the nature of the complaints that have flooded into my office in the 12 months that I have been a member—

**The Hon. C.J. Sumner:** I hope that they have now stopped.

**Ms LENEHAN:** No, I am still receiving some. It appears to me that there is a great need for separate licensing of swimming pool builders and separate regulations to control firms and individuals who build swimming pools. Has the Attorney-General considered such a proposal?

**The Hon. C.J. Sumner:** I appreciate the honourable member's interest in this matter. Indeed, she is to be commended for the action that she took early this year on behalf of constituents who approached her. Her action led to an extensive investigation of the swimming pool industry by the Commissioner of Consumer Affairs. However, I am not so sure whether the Commissioner was so happy about the honourable member's representations, because it led to an investigation by the Ombudsman.

Be that as it may, there is no doubt that the issues that the member brought to the Department's attention did lead to the inquiry that was conducted. Indeed, if the honourable member is still receiving complaints, I am sure that the Commissioner would be pleased to hear about them, because they might assist his defence against the Ombudsman's current inquiry. In fact, the Commissioner assures me that he does not need any assistance in that respect.

The specific point raised by the honourable member was whether there should be a separate licensing system for swimming pool contractors. I would resist that suggestion. There is a tendency now to attempt to rationalise occupational licensing rather than to establish separate categories. The fact is that to build a swimming pool a number of different skills are required, and they all relate to building in some way or other. For persons to be licensed to build swimming pools they need to establish criteria to obtain a restricted builder's licence. The construction of swimming pools is a category under a restricted builder's licence. I see no compelling need for a separate licensing system. I believe that there is a tendency, which I support, towards greater rationalisation of occupational licensing. The honourable member's suggestion tends to go against that trend. It is something that we could look at. Perhaps the Director-General can add further information.

**Mr Noblet:** I think that it would be difficult to take out swimming pools and treat that area entirely differently under the legislation as it now stands. It would be a substantial departure from the present situation. Under the present system a person can obtain a general builder's licence, which

enables one to build anything from a carport to a multi-story building (unless the applicant agrees to have a restriction endorsed on his licence). Generally speaking, the holder of a general builder's licence can build whatever he likes. Alternatively, a person can apply for a restricted builder's licence under any one of some 46 separate classified trades.

The building of swimming pools is a classified trade under a restricted builder's licence. Although it is a separate classified trade under the Act, the building of swimming pools involves a number of trades, including plumbing, electrical work (when connecting a filter), tiling, and concreting. The expertise of the Builders Licensing Board and eventually the Commercial Tribunal in respect of those trades is useful in the case of swimming pool complaints. The real answer lies in the improvement of present procedures before the Builders Licensing Board along the lines mentioned earlier.

In fact, one of the honourable member's constituents is well aware of one of the deficiencies I pointed to some time ago in answer to the member for Mount Gambier. The honourable member's constituent was in the position of having obtained an order from the Builders Licensing Board that faulty work on a swimming pool be rectified. The builder refused to comply with the order. He may have gone out of business; no-one is quite sure of his present status. The only recourse left to the woman was to begin proceedings again before the courts to recover the cost to have someone else complete the work.

If we streamline procedures before the Builders Licensing Board or eventually the Commercial Tribunal and minimise the delays that are occurring at the moment and, most importantly, provide for the payment of an amount of money in default of compliance with an order so that a consumer does not have to start all over again. That is probably a better solution than treating swimming pool contractors entirely separately.

**Ms LENEHAN:** I would like to thank the Minister and the Director-General for the answer to that question. That seems to be one way in which we can address ourselves to the problem. My third question is in respect of licensing as well, but in a different area. Is the Minister at the moment proposing either at a State level or in conjunction with the Federal Government a system of requiring the licensing of travel agents and the associated setting up of an indemnity fund? I do not think that I really need to explain that question. We are all aware of the number of travel agents who have gone out of business and the need to protect travellers. Would the Minister like to comment on the need to have a Federal licensing system, with the establishment of a fund, because we are talking in many cases about overseas travel?

**The Hon. C.J. Sumner:** This is a matter of some concern and needs to be addressed. It is recognised throughout Australia that it needs to be addressed. At the last meeting of Consumer Affairs Ministers in Perth a couple of weeks ago it was agreed that work would proceed on the development of legislation to license travel agents and to establish a national indemnity fund. The current thinking is to establish uniform legislation in each of the States with a fund that would have some recognition in the legislation in each State. The Federal Minister for Tourism has undertaken (or his officers, at least) to chair a committee of officers. Representatives of officers of each of the States will be on that committee or working party. As I understand it, they have been given the brief to work on the subject as a matter of urgency.

On the precise date of implementation, in Perth there was a fairly tight time table on the completion of the committee's work and for the preparation of legislation, but whether that time table will be met I do not know. Certainly, it is hoped that by the end of the year there will be some

concrete proposals, if not a draft Bill, that will be available for State Parliaments to consider. Mr Noblet has the specific time table. I must confess that, given the way in which these things work, I am not entirely sure that the time table will be adhered to. We can only try, I suppose.

**Mr Noblet:** It is, indeed, a very ambitious time table. I can comment in my capacity as a member of the joint working group on regulation of travel agents, which includes Commonwealth and State officers, and officers both from the tourism area because of their expertise in relation to the business of travel agents and from the consumer affairs area because of their expertise in occupational licensing and regulation generally.

I have on my desk at the moment a discussion paper which sets out the few general principles that Ministers agreed to at their recent meeting, to which the Minister has just referred. That discussion paper is expected to be finalised and circulated to industry and consumer groups within about a week. The present time table from then on, which, as the Minister has said, is exceedingly ambitious, is for responses to that discussion paper to be received by the end of October, and for the working group to meet and put up some specific recommendations by the end of November for consideration and hopefully agreement by Tourism and Consumer Affairs Ministers. It makes it difficult when one is dealing with two separate sets of Ministers—not that Ministers are hard to obtain agreement from, but the logistics of it are much more difficult when one has two separate sets of Ministers to deal with. Then the final stage, if the Ministers agree, is for the working group to prepare the package of legislative measures that could be picked up by each of the States on a uniform basis by the end of the year.

**Mr INGERSON:** Going back to page 146, it has mention of a vigorous system of price surveillance, and I would like to have an explanation of how that system works. It also mentions price moderation. I am interested in what price moderation is and in how it is defined, and in what sorts of goods and services are involved in this price surveillance.

**The Hon. C.J. Sumner:** I thought that I had answered that in response to the member for Victoria. That issue related specifically to the national wage pause. I indicated that the staff complement of the Prices Division had been increased by three during the period of the wage pause to carry out surveillance, particularly of consumer items in supermarkets, delicatessens and the like. I am not sure whether the honourable member requires anything more specific.

**Mr INGERSON:** How is the area of price moderation defined, and what guidelines are used to decide that a price is moderate? That is really what I was interested in. And, what sort of goods and services are covered in this survey? Is it a broad range of goods and services?

**The Hon. C.J. Sumner:** As I say, that programme was completed at the finish of the wage pause. I have asked for a report to be done on the activities of the Branch during that period and, in particular, the people who were seconded to it. That report is not yet available, but from time to time figures were provided to me and, I think, to the House in response to questions from at least one honourable member—there may have been others—as to just what the activities of that particular group of three were.

As I say, the surveillance was of general foodstuff items in supermarkets and delicatessens. It was an attempt to ascertain whether there was any significant unjustifiable increase in prices during the period of the wage pause. If during that time this group had found that supermarket prices overall had jumped by 20 per cent, that would have been inconsistent with price moderation. It is not possible specifically to define what we mean by price moderation or

to give any specific guidelines in relation to it, but it was a general monitoring exercise, the instructions for which were that, if there was that sort of dramatic increase in prices across the board in supermarkets and delicatessens, they would have been brought to the attention of the Government for whatever action was considered appropriate. But, generally, when inquiries were made during the period of surveillance it appeared that while in supermarkets and delicatessens items, particularly in supermarkets, tended to go up and down, overall the level of prices was not inconsistent with the policy objective of moderation.

**Mr INGERSON:** My next question on page 146 relates to the comment that there had been a significant increase in non-compliance with weights and measures and packaging legislation. I wonder whether these particular areas could be explained in more detail.

**The Hon. C.J. Sumner:** I hinted at this problem earlier when I mentioned the problems of staffing which the Department of Public and Consumer Affairs has had since 1979. I indicated then that there had been a reduction of six people from 1979-80 to 1982-83.

The Standards Branch, the Branch responsible for weights and measures matters, had an approved establishment in July 1979 of 44 and, on that basis, it was a reduction of 10 officers. Of course, that has had an effect on the degree of monitoring that can occur. I understand that the previous Administration had a policy of transferring people from the Standards Branch when other areas of the Department were in trouble in regard to staffing. It was felt that standards monitoring was one of those areas that was dispensable.

One can argue about the wisdom of that particular policy, but the fact is that, if one reduces staff in these areas, one will get less monitoring. If one gets less monitoring, one is likely to get an increase in non-compliance. Also, once these staff reductions have occurred, how does one get staff replaced in the current stringent economic circumstances? As I said before, in regard to staff numbers in the Consumer Affairs Division, both Branches were reduced by 30 persons in the three years under the previous Administration. Once one is faced with such a reduction, how does one restaff the division? As I said earlier, we stopped the rot. There are no further reductions and I will be pressing for no further reductions, but it is a fact of life that they occurred and, to some extent, that leads to the sort of comment that we have in the Budget papers.

**Mr INGERSON:** I am sorry if my question was misunderstood. I seek information about areas of non-compliance. Whence do most complaints come? What products were involved? What sort of packaging caused problems?

**The Hon. C.J. Sumner:** I can assure the member that I did not answer the wrong question deliberately. I am also advised that the administration of the Trades Standards Act was an additional function taken on by the Standards Branch and absorbed within additional resources. It was estimated that that involved seven positions. I want the Committee to have the full information on this topic. The Department estimates that in addition to the six Standards Branch officers that were reduced from 1979-80 (or 10, depending on what you take on as the approved establishment) there were a further seven that diluted the work that the Standards Branch could do in the area of monitoring weights and measures matters because seven people were at least notionally allocated to the administration of the Trades Standards Act. I am pleased that the member indicated that he wants an outline of areas where there has been increasing non-compliance. Mr Noblet can give more information on that matter.

**Mr Noblet:** I can only answer that in general terms. Non-compliance has been right across the board in many areas. There have been some areas in which it has been slightly

more prevalent. Petrol pumps are one, probably because economic conditions in the industry have been difficult. A number of cases have been discovered where petrol pumps have been fiddled with and were not delivering the measure required. The difficulty with weights and measures is that standards require constant monitoring. It is easy for a consumer to be disadvantaged in the weights and measures area without even knowing about it.

If the consumer buys a pair of shoes and loses a sole after a week, it is obvious that a complaint is soon made. If the consumer buys 5 kilograms of potatoes and gets only 4.8 kilograms because the scales have been fiddled with, the consumer often does not know that he has been disadvantaged. There needs to be a continuous programme of monitoring to ensure compliance with weights and measures. Experience in the past tends to show both here and elsewhere that unfortunately there are some business men who are only as honest as they are made to be when it comes to such activity. As soon as it becomes known that levels of monitoring enforcement are substantially reduced and the risk of detection is much lower, undesirable practices start creeping in to a much greater extent.

**The Hon. C.J. Sumner:** Mr Pryor can be a little more specific, and I will ask him to comment.

**Mr Pryor:** The weights and measures and packaging legislation is controlled by our Standards Branch which covers a wide range of instruments. For example, in the area of wholesale packaging for the first nine months of the 1982-83 year, the Branch detected about 3 500 offences and noted that the compliance rate for packaging had dropped from about 90 per cent in 1980-81 to 81 per cent in 1982-83. Not only did the compliance rate drop but the incidence that that non-compliance rate represented increased significantly, that is, the short weight was also increased. That was in the wholesale packaging area. In regard to weighbridge testing we have noted that the compliance rate, which was one of the best in Australia, has now dropped to 61.4 per cent as a consequence of our having only one weighbridge test unit operating in 1982-83.

An area of concern to most people involves petrol pumps and flow meters used in the petroleum industry. Rates in that area dropped by about 4 per cent from 84 per cent to 80 per cent; flow meters dropped from about 77 per cent to 75 per cent and, because of the amount of petroleum flowing through petrol pumps, that represents a significant cost to the people of South Australia. With scales used in industry, compliance has dropped as low as 75 per cent and that, again, represents a significant impost on the people of South Australia. The Commissioner of Standards has detailed records of how compliance rates have varied over the past four or five years.

**Mr INGERSON:** As the Minister is obviously so dissatisfied with the numbers in the Department and as he has shown his ability to put a good argument forward, can he explain why we have a standstill Budget and how long it will be before we can expect the Department to increase in numbers to operate effectively?

**The Hon. C.J. Sumner:** I thank the member for the compliment. The argument I put is that we have stopped the rot and, to my mind at least, that was an achievement because we have very stringent economic times.

No-one can be completely satisfied with the resources allocated in a whole number of Government areas. A dramatic staff reduction of 54.7 full-time equivalents occurred during a three-year period, which was largely the period of the previous Government. This financial year the Department will be increased by 7.4 full time equivalents in real terms. So, there has been an increase in staff. In other words, we have not just stopped the decline, but there has been some modest increase. All I can say is that we cannot

work wonders when there has been a reduction of 54 staff in a three-year period.

I consider it a significant indication of this Government's priorities in the area, as opposed to the priorities of the previous Government, that we have managed to hold the line on staff levels and, indeed, constitute a modest increase. I do not think that anyone in their right mind would believe, in the current climate, that we could reverse the trend in the immediate future to the levels of staff that existed in 1979.

**Ms LENEHAN:** I refer to page 170 of the yellow book, under '1983-84 specific targets/objectives', where it states:

Review price control administration in South Australia with a view to implementing stated Government policy to establish a flexible price control system covering basic necessities or industries with a tendency to monopoly.

Which basic necessities or industries is it proposed to review in the future?

**The Hon. C.J. Sumner:** The first aspect of that was obtaining additional resources for the period of the wages pause. I have explained to the Committee what happened during that period. For the future we have to take into account what is happening at Federal level. Before any action is taken in this area we need to look at what authority is finally established as a result of Federal legislation and the proposal for a prices surveillance authority. Once that has been established, we will be in a position to see how the State Prices Division can mesh in with the actions taken at the Federal level.

In answer to the member's question, there was an improvement in the staffing level of the Prices Division for a specific purpose. The activities of the Division will be kept under review in light of the actions taken by the Federal Government.

**Ms LENEHAN:** Is it proposed to look at any specific industries or basic necessities?

**The Hon. C.J. Sumner:** Price control on basic necessities already exists; for instance, beer is subject to price control. Other basic necessities subject to price control include school clothing, bread and petroleum products. If the member would like a list of basic necessities under formal price control, I can obtain it for her.

Presently, three mechanisms operate under the Prices Act. First, there is price control as such, where companies must submit an application for a price increase on goods before it is granted. The second level of price control is justification, where the company can put up prices and then those prices must be justified by the Prices Division. If they are not, a price order to reduce the price can be brought into effect. In relation to the latter area of price control, it is worth noting that some companies submit their prices for increase even though they are under justification, as opposed to formal control.

The third area is monitoring, which is a general surveillance that is carried out to ensure that, if there are any particular industries where price control is necessary, because prices may be increasing in an unwarranted fashion, price control orders can be introduced.

It is conceded that where there is a competitive market, there is a query over the effectiveness of price control. Price control is important in the areas of monopoly or semi monopoly. I will provide the member with a detailed list of items which come under those three categories of price control. Certainly, in the area of basic necessities, particularly where there is some kind of semi-monopolistic position, there is still price control.

**The Hon. H. ALLISON:** I have a problem with the reconciliation to which I referred earlier. The judges' salary under 'Special Acts' is \$60 000. We have been told on a

number of occasions that the Licensing Court Judge is purely a part-time position.

**The Hon. C.J. Sumner:** The Licensing Court Judge was a part-time position from, in round terms, July 1982 to approximately February 1983. From February 1983 there has been a full-time Acting Judge in the Licensing Court.

No permanent appointment was made, because the review is being conducted, and we did not want to make a permanent appointment until the review had been completed. The Acting Judge is a special magistrate, and he has been seconded from the magistracy.

**The Hon. H. ALLISON:** Is he full-time?

**The Hon. C.J. Sumner:** Yes.

**Mr INGERSON:** What will be the cost of the development of the corporate computer plan, and what is the time scale?

**Mr Pryor:** This refers to the development of the Department's corporate computer plan. We approached the Public Service Board to seek the assistance of consultants from the Board. The Board will supply the consultants free of charge, so the only cost to the Department in developing this corporate computer plan will be the time of departmental and Public Service Board officers.

**Mr INGERSON:** How far advanced are proposals for the control of letting agencies, and when will a Bill be introduced? Will there be a registration system or a negative licensing system? What is the expected cost of implementing the system in the first year, and has that cost been included in the Estimates?

**The Hon. C.J. Sumner:** Approval has been given to draft legislation to control the letting agents by a system of negative licensing. That legislation is currently being drafted. I am advised that the cost to the Department will be minimal, because there are only three or four letting agents. The situation is not similar to that which I outlined previously where a negative licensing system would, in fact, impose a significant burden on the resources of the Department, because there are only three or four letting agents. It was felt that for the moment a negative licensing system was appropriate. A code of conduct has been developed, and the legislation is currently being drafted.

**The Hon. H. ALLISON:** I wish to raise a procedural matter. We have no further questions on consumer affairs generally, but programme 9, which deals with ethnic groups and the promotion of multiculturalism, comes under the Department of Public and Consumer Affairs. Therefore, we would prefer not to discharge this line but to complete it after consideration of ethnic affairs. We would like to thank Mr Noblet and the other officers for their attendance. **The CHAIRMAN:** We will now consider ethnic affairs.

**The Hon. H. ALLISON:** In the Government's policy statement of ethnic affairs under 'Discrimination', item 1, it is stated that Labor would amend the South Australian Racial Discrimination Act to bring it in line with other anti-discrimination legislation and to place its administration with the Commissioner for Equal Opportunity. Is this proceeding?

**The Hon. C.J. Sumner:** I am pleased to say that that policy is proceeding. A committee has been established within Government, chaired by Mr Ian Bidmeade, and the Commissioner for Equal Opportunity and an officer from the Ethnic Affairs Commission are members of that committee. The terms of reference of that committee are to consider anti-discrimination legislation in South Australia and in particular the Racial Discrimination Act with a view to introducing procedures into that Act which exist in the Sex Discrimination Act and the Handicapped Persons Discrimination Act.

The committee is looking basically at two options at present. The first option is to have three separate Acts, one dealing with sex discrimination, one dealing with handi-

capped persons discrimination, and one dealing with race discrimination, with similar procedures in each, or, secondly, one anti-discrimination Act with common procedures relating to conciliation, receipt of complaints, references to the Anti-Discrimination Board, and the composition of an Anti-Discrimination Board which would have a common Chairman and two different members, depending on which area of discrimination was being dealt with. Specific parts of that Act would deal with the substantive law on discrimination in the three areas I have mentioned.

So, there would be one Act with, for example, four parts, one part dealing with sex discrimination substantive law, one part dealing with handicapped persons discrimination substantive law, another part dealing with race discrimination substantive law, and the fourth part dealing with the procedural aspects, which would be common to each of those topics. That committee is still meeting, and a report will be produced. The Government will follow through, I hope, with action to put that policy into effect.

I should also say that the Commissioner for Equal Opportunity will be acting as a delegate for the Federal Human Rights Commission in the area of race discrimination and that an agreement is currently being negotiated to enable the Commissioner to take that action. Financial and staffing arrangements are being considered. It may also be that, once the Federal Sex Discrimination Act is in place, similar arrangements will be entered into by the Federal Government with the State Governments.

**The Hon. H. ALLISON:** The Government's policy statement on ethnic affairs under 'Interpreters and Translators' states that the Government would improve interpreting and language aid services. Is there provision for that improvement in the Budget? The Minister also promised that legislation would be introduced to ensure that a person had legal right to an interpreter in police interrogations and in court proceedings, with such a person being independent of the police. Is that legislation proceeding?

**The Hon. C.J. Sumner:** Both of these matters have been addressed by the review into the Ethnic Affairs Commission, which was appointed by the Government. Regarding the second issue raised by the honourable member, the Government accepted in principle the recommendations of the police/migrant working party, the report of which was released some months ago and made public.

That topic will be addressed when amendments are introduced as a package following the release of the report of the Ethnic Affairs Commission Review. Further, the subject of interpreters and translators, including the placement of interpreters in the area of police interrogation, will be addressed by that review. Although the Government has not yet made a specific decision on the implementation of the recommendations of the review, these issues will be addressed when that report is released and subsequently.

**The Hon. H. ALLISON:** The present Government promised that *per capita* grants in respect of children attending ethnic schools would also be available in respect of pre-school children aged four years and over who were attending ethnic schools. Has that policy been implemented? Is such a grant included in the Education budget? The *per capita* grant made available by the previous Government was \$28, and this Government promised to increase the grant to \$36 to bring it into line with inflation since 1979. Will the Minister comment?

**The Hon. C.J. Sumner:** I understand that the commitment still stands, but I suggest that the honourable member address such questions to the Minister of Education, within whose ambit they come.

**Ms LENEHAN:** On page 154 of the yellow book, under the heading '1982-83 Specific Targets', the following appears:

A committee was established to examine the funding and advisability of registering ethnic schools.

Can the Minister say what results have been achieved by that committee?

**The Hon. C.J. Sumner:** That matter, too, is within the ambit of the Minister of Education. Although the Committee has been established and has commenced its work, it has not yet produced a report.

**Ms LENEHAN:** When is that report expected to be available?

**The Hon. C.J. Sumner:** I cannot say, but we would not want the inquiry to drag on. Although I could get the information for the honourable member, it might be better for her to ask the Minister of Education a question on the matter.

**Ms LENEHAN:** At page 154 of the yellow book, under the heading '1982-83 Specific Targets', the following appears:

A Speak Out for immigrants and refugee women in South Australia was held by the Migrant Women's Advisory Committee of the Commission.

The Speak Out was an obvious success. Which of the proposals from the Speak Out will be examined with a view to their implementation and when will they be implemented?

**The Hon. C.J. Sumner:** A few days ago I received a report on the proceedings of the Speak Out, which included its recommendations. That report is now available for the Ethnic Affairs Commission and other agencies to consider. The Migrant Women's Committee, an advisory committee of the Ethnic Affairs Commission, will deal with the report and make specific recommendations to the Commission.

Irrespective of what comes out of the report, the Commission will be responsible for trying to motivate other Government departments on this subject. The Speak Out did not identify new issues in respect of immigrant women. For some years, I have taken the view that problems of migrants have been examined in considerable depth over a long time and that we now need concrete programmes of action to address the issues that have been dealt with by innumerable reports, probably as far back as the reports on multi-culturalism that were produced by the first task force established by a former Minister for Immigration and Ethnic Affairs (Mr Grassby).

So, in 1979 I took the view that we should be getting down in Government departments to ensure that these recommendations were taken up by those departments and, in so far as they could be implemented in the light of financial constraints, to have them implemented. In accordance with that policy, a task force was established in 1979 between the Ethnic Affairs Branch and the Health Commission. Unfortunately, that task force did not do much between 1979 and 1982. On taking office again in November last year, the Government established another joint task force in the health area. That task force quickly produced a report, which is now with the Health Commission for detailed implementation.

Although I do not suggest that all these problems can be addressed overnight (because, after all, there are clearly financial difficulties), we have been able to increase the awareness of departments to the problems faced by immigrants and ethnic groups generally, and that will be our approach over the next three years. In addition to the health task force, we have also established task forces in the welfare area and in the area of multi-cultural education, and I hope that during this Government's term of office we can duplicate that activity in other Government departments.

The Ethnic Affairs Commission Report, which I have received, will be released publicly as soon as sufficient copies have been printed. I believe that it will indicate an attitude of main-streaming service delivery to ethnic minority groups. In other words, the policy should not have to be a



separatist or apartheid approach (unless this is unavoidable, as it is in some cases); it should be to establish separate service delivery systems for people of ethnic minority origin.

We have to try and ensure that those services are delivered in the main-stream Government Departments. The reports and the recommendations are there, including the recommendation relating to immigrant women. The recommendations must now be inserted into main-stream Government activity, whichever Department is involved. That is the philosophy behind the task force approach that we have implemented.

**Mr RODDA:** I refer to page 71 of the Estimates of Payments, 'Programme 9 - Services to ethnic groups and the promotion of multi-culturalism'. Contingencies under that programme amount to \$322 000. Is the Minister planning any overseas trips this financial year in relation to his work as Minister of Ethnic Affairs? If so, where is the provision of expenditure for such trips shown in the Estimates and what is the proposed expenditure?

**The Hon. C.J. Sumner:** I am pleased that the honourable member has raised that question. At present, there is no allocation in the Ethnic Affairs Commission budget for overseas trips. I am concerned that at some stage I should take the opportunity of visiting those areas from which our immigrant groups originated. I am particularly concerned that the former Minister, the Hon. Murray Hill, has visited a number of these countries twice. In fact, I feel at a great disadvantage when I attend functions with the Hon. Mr Hill, because he is able to announce to everyone that he has visited these countries and viewed their sights. In view of the fact that I am placed at that disadvantage, I feel compelled to follow in the honourable member's footsteps. I understand that the Hon. Mr Hill, with the Chairman of the Ethnic Affairs Commission, made quite an extensive visit to Italy last year while the Hon. Mr Hill was Minister.

I do not feel that I have to get the handkerchief out in relation to Italy, because I have visited Italy on a number of occasions (I must confess that all those trips have been at my own expense). I have visited a large number of places in Italy, as well as studying in Perugia and Florence. There is no specific proposal at this time for me to travel overseas. There is certainly no allocation in the Budget lines relating to any overseas travel. Facilities are available for study tours. I would like to take the opportunity of visiting some overseas countries. I understand that the Hon. Mr Hill was fortunate enough in the past 18 months or so to visit Italy, Yugoslavia (where I am reliably informed that he was welcomed with open arms), Greece, and Cyprus. I certainly think that I should visit some of those countries. At this stage, I have no specific plans to do that. I hope that such plans can be developed in the reasonably near future.

**Mr RODDA:** I will not be so unkind as to offer the Attorney-General a one way ticket, but I wish him *bon voyage*. Are any changes envisaged by the Attorney in the senior administrative staff of the Ethnic Affairs Commission for the current financial year and, if so, who may be affected?

**The Hon. C.J. Sumner:** There may be some changes to the Ethnic Affairs Commission. As I have already said, the Government established a review of the Ethnic Affairs Commission. I have received the review team's report, which will be made public as soon as sufficient copies are available. The report will be made public to overcome any criticism of the Government that it has released a report without making sufficient numbers available for the many interested members of the public. Some changes will arise out of the report, and they will be recommended to the Government. It would not be fair for me to pre-empt the report at this stage.

To some extent the budget for ethnic affairs is in a state of flux because of the report. The report may have resource

implications that will have to be addressed by the Government. Treasury recognises that situation. It is hoped that the report will be released within the next week or so. The Government will then establish an implementation plan in relation to the report. That may affect certain staffing positions in the Commission. Overall, I hope that it will achieve the more efficient delivery of services on policy advice.

**Mrs APPLEBY:** My question relates to the report on the ethnic disabled, prepared by the Ethnic Disabled Advisory Committee for the Ethnic Affairs Commission. What is happening in relation to that report? Will it be referred to the special adviser on disabilities and, if so, when?

**The Hon. C.J. Sumner:** The report was made available to the public and to interested agencies. Again, it is similar to the situation relating to the Speak Out on problems of immigrant and refugee women. The Ethnic Affairs Commission is not in a position to implement the recommendations of the reports. I see the role of the Ethnic Affairs Commission as getting the reports into the main-stream of Government activity so that the services can be delivered through main-stream Government Departments, wherever that is practicable. That will be done with the Ethnic Disabled Report, and also in relation to other reports that have been prepared.

To answer the honourable member's question, yes, the report will certainly be referred to the adviser to the Premier on disability, when that position is created. It will also be made available to Government Departments that are concerned with the delivery of services to the disabled to ensure that the particular problems of ethnic minority groups are recognised in the delivery of those services.

**Mrs APPLEBY:** I refer to deafness, which is a disability that will rely heavily on the provision of subtitles for programmes screened on Channel 0-28 when it is transmitted to South Australia. Can the Minister give any indication of what is happening in that situation?

**The Hon. C.J. Sumner:** Yes I can. For the first time in a Federal Government Budget there is a commitment to the purchase of transmitters to enable the extension of Channel 0-28 to Adelaide. The programme as currently envisaged is that Channel 0-28 should be available in Adelaide some time after the end of 1984 and before 30 June 1985. That is a specific commitment arising out of the last Federal Government Budget. As I say, for the first time there is a commitment of funds to the purchase of equipment which will lead to the extension of Channel 0-28 to Adelaide.

**Mr INGERSON:** On page 155, as recurrent expenditure is increased by \$65 000 from \$899 000 to \$964 000 and as this is explained in some detail, would the Minister agree that no funds are being provided this year to expand the provision of services by the Ethnic Affairs Commission to the migrant communities of this State?

**The Hon. C.J. Sumner:** The situation in relation to the Ethnic Affairs budget is in a state of some flux because of the review team's report, which I have mentioned. The budget was specifically taken up with the Treasury officers prior to its promulgation in the light of the report which, at that stage, had not yet been finalised. So, while, literally, what the honourable member says may be correct, I am quite hopeful that this will not be the end of the Ethnic Affairs budgetary process and that there will be some additional commitment, at least, to the budget arising out of the report.

**Mr INGERSON:** Do pages 156 and 157 of the yellow book involve the Ethnic Affairs Commission only or the Department of Public and Consumer Affairs generally? If this is so, does that mean (page 157) that the staff remains at 32 for this year?

**The Hon. C.J. Sumner:** That has already been answered by the answer that I have just given. There may be some

increase in staff, but whether there is will depend on the Government's response to the Ethnic Affairs Commission review and any additional funds that may be made available. I cannot pre-empt the review. I am sorry that the report is not available at this time—I hoped that it would be—but, as I said before, while I have received the report, I understand that it is currently being printed and that it will be released to the public in the very near future.

Once it is released, the shadow Minister, among others, will be in a position to peruse it, as will the ethnic minority groups and the rest of the community who showed such an interest in the review's activities. At that time I should be in a position to indicate to the public that the Government will prepare an implementation plan. That implementation plan may involve some increase in staffing in this financial year. So, as I say, the situation in that area is in a state of flux, but will be clarified by the Ethnic Affairs Commission review report and subsequent Government decisions.

I should say, to avoid any misunderstandings, that when the report is made public the Government would not, I believe, be able to commit itself to complete the implementation of the report in this financial year, but the objective would be to ensure implementation of it over a period. I am hopeful that it will include some additional commitment of funds in this financial year.

**Ms LENEHAN:** Following the original questions that I asked earlier, I would like to take this opportunity of thanking the Attorney-General for his answer to my question, and particularly to congratulate him on the establishment of the task forces in the areas that he outlined. However, one area that was not mentioned—and I would be grateful to have some more information about this; as the Minister pointed out, it has been very well documented in the past—is the discrimination and, indeed, the exploitation that migrant women have suffered in the employment areas. While this has been very well documented and many programmes have been put forward to redress this situation, can the Minister tell the Committee whether it is envisaged that a specific task force will be set up within the Department of Labour, and how closely does the Ethnic Affairs Commission work in with the Department of Labour in South Australia?

**The Hon. C.J. Sumner:** That is a very good suggestion and question. Up to the present, I do not think that there has been a great deal of interchange between the Ethnic Affairs Commission and the Department of Labour. A number of areas have come up where advice has been sought between the two bodies. One area would be that of the Fry

Committee, which was established by the Federal Government and which included State representation, including from South Australia the Chairman of the Commission (Mr Krumins). That committee dealt with the recognition of overseas qualifications. So, there was some relationship and passage of information between the two agencies on that topic.

The other area in which some attention will need to be given, if possible, within the constraints which exist is that of industrial inspectors and whether we can provide bilingual industrial inspectors. Generally, the honourable member's point is well taken. A number of issues could be addressed by the Department of Labour in conjunction with the Ethnic Affairs Commission, including the one that the honourable member has mentioned relating to working conditions of immigrant women.

We can only move so quickly in the area of the task forces because of the resources which we have—the physical resources of getting people with time to participate in the task forces and to research the topics at which the task forces are looking. But, certainly within the life of this Government—and I would hope sooner rather than later; in fact, I hope that it could be established say, early next year—there will be a task force in the Department of Labour.

**The CHAIRMAN:** There being no further questions, I declare the examination completed. In doing so, on behalf of the Committee I thank the Minister and all of the staff that he has had with him today for the concise manner in which they have answered or responded to all the questions. It has made the task of this Committee so much easier. In fact, of the three meetings that we have had, this is the earliest that we have finished.

**The Hon. C.J. Sumner:** Thank you, Mr Chairman. On behalf of the Government and the officers who have had the pleasure of appearing before the Committee, I thank you and the other members for their assistance. If any other matters occur to honourable members, arising out of questions which have been asked, I am sure that we will attempt to obtain replies.

**The Hon. H. ALLISON:** We thank you for your chairmanship, Sir, and we thank the Minister and his staff, and especially Mr Krumins for his attendance this evening.

#### ADJOURNMENT

At 9.20 p.m. the Committee adjourned until Tuesday 4 October at 11 a.m.