

**HOUSE OF ASSEMBLY**

Tuesday, October 18, 1977

The **SPEAKER (Hon. G. R. Langley)** took the Chair at 2 p.m. and read prayers.

**MOUNT GAMBIER OUTFALL  
SEWER REPLACEMENT (STAGE II)**

The **SPEAKER** laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Mount Gambier Outfall Sewer Replacement (Stage II).

Ordered that report be printed.

**MINISTERIAL STATEMENT: FOOD LOSSES**

The **Hon. D. A. DUNSTAN (Premier and Treasurer)**: I seek leave to make a statement.

Leave granted.

The **Hon. D. A. DUNSTAN**: Last week members opposite asked me whether I would lay on the table certain documents in relation to the food losses at Northfield Hospital in 1975. I have examined that question. First, I was asked whether I would table the report of the special investigation into Northfield food costs, which was supplied to the Public Accounts Committee. That is a report within the Auditor-General's Department, and it has been made public by members opposite. I see no reason why it should not be tabled, and I do so.

**Mr. Goldsworthy**: It was pilfered.

The **Hon. D. A. DUNSTAN**: That may be so. I was further asked whether I would table the report of the Director-General of Medical Services relating to this matter. I have ascertained that that reply of the Director-General was sent to the Auditor-General as well as to the

Public Accounts Committee on the same day. In those circumstances I see no reason why it should not be tabled, and I do so.

**QUESTIONS**

The **SPEAKER**: I direct that the following written answers to questions be distributed and printed in *Hansard*.

**HOUSING TRUST**

**Dr. EASTICK (on notice)**:

1. What is the 1977-78 programme for the South Australian Housing Trust in respect of the towns of Gawler, Freeling, Kapunda, Saddleworth, Clare, and Eudunda?

2. What is the waiting list for each of these towns, identifying each of the house types available from the trust?

3. What programme, beyond 1977-78, has been accepted for each of the towns listed?

The **Hon. HUGH HUDSON**: The replies are as follows:

1. Building Programme 1977-78

	Starts
Gawler .....	6 timber single units 24 double units
Freeling .....	5 timber single units
Kapunda .....	Nil
Saddleworth .....	Nil
Clare .....	3 timber single units
Eudunda .....	2 timber single units Under Construction
Gawler .....	29 brick-veneer single units 3 timber single units
Freeling .....	3 timber single units
Kapunda .....	Nil
Saddleworth .....	Nil
Clare .....	3 timber single units
Eudunda .....	1 timber single unit
Total units .....	79

2. Waiting Times

Town	Type	Waiting Time	Applications
Gawler .....	C/F 1	June, 1974	14
	C/F 2	Sept., 1974	20
	R.G.H. (2 bedroom)	Dec., 1974	11
	Higher rental (1 SM etc.)	Dec., 1975	144
5 room double unit	Dec., 1975		
Freeling .....	Timber single units	March, 1976	7
Kapunda .....	Single units	March, 1976	10
	Double units	March, 1976	
Saddleworth .....	R.G.H.	Vacancy	4
	Timber single units	April, 1977	
Clare .....	Timber single units	Sept., 1975	22
	R.G.H.	April, 1969	6
Eudunda .....	Single units	Dec., 1974	5

3. Future Building Programme

Town	1978-79
Gawler .....	29
Freeling .....	4
Kapunda .....	Nil
Saddleworth .....	Nil
Clare .....	10
Eudunda .....	Nil
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**COMMERCIAL ROADS**

**Dr. EASTICK (on notice)**:

1. Has the Federal Government advised the State Government of the roads in South Australia currently registered as "commercial roads" and therefore eligible for the allotment of special road funds and, if so, what are those roads and the allocation made to each so far?

2. What criteria is used to qualify a road for recognition

as a "commercial road", and which authority is responsible for proposing any such road for recognition?

3. If applicable, what roads has the Government proposed for such recognition but which are not currently so recognised or are awaiting recognition?

**The Hon. G. T. VIRGO:** The replies are as follows:

1. The following roads are currently declared as "National Commerce Roads" in South Australia:

- Lincoln Highway (Lincoln Gap to Whyalla section)
- Walleroo—Port Pirie main road (Esmond Road—Wandearah Road, Port Pirie section).

It is proposed to spend the full 1977-78 Commonwealth allocation of \$1 300 000 for national commerce roads on these roads. Approval has only been received to spend a proportion of these funds on these roads in the period July, 1977, to September, 1977, although approval for the balance of the financial year is expected.

The estimated expenditure on these roads in 1977-78 is the Lincoln Highway \$1 400 000 and Wallaroo to Port Pirie main road (\$90 000), which will mean that the expenditure of some State funds will be required if the estimates are achieved.

2. Roads that facilitate, or would facilitate if constructed, trade and commerce, or the development thereof, among the States may be declared as national commerce roads. The programme containing proposals for declaring such roads is submitted by me on the recommendation of the Commissioner of Highways to the Commonwealth Minister for his approval.

3. Nil.

**LOCAL GOVERNMENT GRANTS**

**Dr. EASTICK** (on notice):

1. What was the total sum received from the Federal Government as local government's share of the federalism policy for 1976-77 and 1977-78?

2. What is the individual council by council comparable rate of funds allocated in this State for the financial years 1976-77 and 1977-78, and what is the percentage variation in each case?

3. What specific criteria were used in making the

allocation and is any change contemplated for the next or subsequent financial years?

**The Hon. G. T. VIRGO:** The replies are as follows:

	1976-77	1977-78
	\$	\$

1. Total amount distributed to local government in Australia 140 000 000 165 328 036

Total amount distributed to local government in South Australia ..... 11 925 000 14 219 864

2. Table showing grants allocated for 1976-77 and 1977-78 and percentage variation is attached.

3. The financial assistance to councils was distributed on a two-part basis:—

- (i) One part (element A) was a per capita distribution to all councils "as of right" and;
- (ii) A second part (element B) was distributed to councils on the recommendations of the South Australian Local Government Grants Commission as a "topping up" or equalisation grant.

The Government decided in 1976 that the element A per capita grant should account for 30 per cent of the total financial assistance to local government in South Australia. In 1977-78 this was \$4.266 million of \$3.47299 per head of population distributed to all councils on an unweighted basis.

The remaining 70 per cent or element B was distributed according to the recommendations of the Local Government Grants Commission. Specifically, the commission's methods are aimed at providing equalisation grants of a revenue nature to councils in such a way as to make appropriate allowances for differences in fiscal need, that is differences in revenue raising capacity (revenue equalisation) and differences in expenditure needs (expenditure equalisation). The financial assistance is therefore intended to assist councils to provide services at a level provided by other councils in relatively better favoured circumstances. The commission discussed in detail its methods in its annual report 1976-77, and will further discuss these in its annual report for 1977-78 in which the methods of the commission will again be canvassed.

**S.A. Local Government Grants**

	1976-77	1977-78	% Increase
	\$	\$	
<b>Northern Metropolitan Region—</b>			
Elizabeth City Council .....	201 000	217 000	8.0
Gawler Town Council .....	70 000	93 000	32.9
Munno Para District Council .....	231 000	275 000	19.0
Salisbury City Council .....	548 000	609 900	11.3
Tea Tree Gully Council .....	448 000	535 000	19.4
<b>Western Metropolitan Region—</b>			
Glenelg City Council .....	106 000	132 000	24.5
Henley and Grange City Council .....	127 000	150 000	18.1
Hindmarsh Town Council .....	78 000	99 000	26.9
Port Adelaide City Council .....	390 000	465 000	19.2
Thebarton Town Council .....	109 000	126 000	15.6
West Torrens City Council .....	299 000	324 000	8.4
Woodville City Council .....	445 000	514 964	15.7
<b>Metropolitan Central Region—</b>			
Adelaide City Council .....	480 000	554 000	15.4
Enfield City Council .....	431 000	485 000	12.5
Mitcham City Council .....	231 000	261 000	13.0
Prospect City Council .....	127 000	160 000	26.0
Stirling District Council .....	93 000	116 000	24.7
Unley City Council .....	179 000	218 000	21.8
Walkerville Town Council .....	22 000	27 000	22.7

	1976-77 \$	1977-78 \$	% Increase
<b>Metropolitan Eastern Region—</b>			
Burnside City Council	115 000	143 000	24.3
Campbelltown City Council	280 000	337 000	20.3
East Torrens District Council	67 000	81 000	20.9
Kensington and Norwood City	55 000	71 000	29.1
Payneham City Council	128 000	157 000	22.7
St. Peters Town Council	65 000	74 000	13.8
<b>Southern Metropolitan Region—</b>			
Brighton City Council	147 000	187 000	27.2
Marion City Council	466 000	525 000	12.7
Meadows District Council	134 000	164 000	22.4
Noarlunga City Council	425 000	505 000	18.8
Willunga District Council	28 000	47 000	67.9
<b>Eyre Peninsula Region—</b>			
Cleve District Council	77 000	93 000	20.8
Elliston District Council	42 000	50 000	19.0
Franklin Harbor District Council	39 000	48 000	23.1
Kimba District Council	42 000	53 000	26.2
Le Hunte District Council	62 000	74 000	19.3
Lincoln District Council	90 000	112 000	24.4
Murat Bay District Council	106 000	138 000	30.2
Port Lincoln City Council	195 000	233 000	19.5
Streaky Bay District Council	81 000	96 000	18.5
Tumby Bay District Council	88 000	105 000	19.3
<b>Yorke Peninsula Region—</b>			
Bute District Council	14 000	20 000	42.9
Central Yorke Peninsula District	58 000	70 000	20.7
Clinton District Council	11 000	16 000	45.4
Kadina Town Council	31 000	—	—
Kadina District Council	38 000	90 000	30.4
Minlaton District Council	38 000	50 000	31.6
Moonta Town Council	21 000	25 000	19.0
Port Broughton District Council	25 000	32 000	28.0
Port Wakefield District Council	22 000	24 000	9.1
Walleroo Town Council	39 000	45 000	15.4
Warooka District Council	35 000	39 000	11.4
Yorketown District Council	56 000	64 000	14.3
<b>Northern Region—</b>			
Carrieton District Council	20 000	25 000	25.0
Crystal Brook District Council	31 000	36 000	16.1
Georgetown District Council	22 000	25 000	13.6
Gladstone District Council	19 000	27 000	42.1
Hallett District Council	17 000	19 000	11.8
Hawker District Council	19 000	20 000	5.3
Jamestown District Council	28 000	33 000	17.9
Jamestown Town Council	20 000	24 000	20.0
Kanyaka-Quorn District Council	45 000	52 000	15.5
Laura District Council	19 000	20 000	5.3
Orroroo District Council	29 000	34 000	17.2
Peterborough District Council	25 000	28 000	12.0
Peterborough Town Council	45 000	54 000	20.0
Pirie District Council	53 000	62 000	17.0
Port Augusta City Council	200 000	238 000	19.0
Port Germein District Council	52 000	60 000	15.4
Port Pirie City Council	185 000	212 000	14.6
Redhill District Council	17 000	19 000	11.8
Spalding District Council	14 000	17 000	21.4
Whyalla City Council	340 000	420 000	23.5
Wilmington District Council	24 000	28 000	16.7
<b>Mid-North Region—</b>			
Angaston District Council	66 000	83 000	25.8
Balaklava District Council	28 000	32 000	14.3
Barossa District Council	41 000	54 000	31.7
Blyth District Council	22 000	28 000	27.3
Burra Burra District Council	45 000	52 000	15.5
Clare District Council	56 000	65 000	16.1
Eudunda District Council	23 000	30 000	30.4
Freeling District Council	31 000*	—	—
Light District Council	—	71 000	29.1
Kapunda District Council	28 000	35 000	25.0
Mallala District Council	31 000	40 000	29.0
Mudla Wirra District Council	24 000*	—	—
Owen District Council	20 000	24 000	20.0
Riverton District Council	22 000	28 000	27.3
Robertstown District Council	20 000	22 000	10.0
Saddleworth and Auburn District	28 000	36 000	28.6
Snowtown District Council	32 000	37 000	15.6
Tanunda District Council	28 000	38 000	35.7
Truro District Council	17 000	23 000	35.3

\*Light District Council

	1976-77 \$	1977-78 \$	% Increase
<b>Southern Hills and Kangaroo Island—</b>			
Dudley District Council . . . . .	19 000	20 000	5.3
Gumeracha District Council . . . . .	50 000	61 000	22.0
Kingscote District Council . . . . .	67 000	82 000	22.4
Mt. Barker District Council . . . . .	73 000	88 000	20.5
Mt. Pleasant District Council . . . . .	24 000	34 000	41.7
Onkaparinga District Council . . . . .	67 000	79 000	17.9
Port Elliot and Goolwa District . . . . .	38 000	55 000	44.7
Strathalbyn District Council . . . . .	41 000	53 000	29.3
Victor Harbor District Council . . . . .	52 000	72 000	38.5
Yankalilla District Council . . . . .	32 000	41 000	28.1
<b>Murray Lands Region—</b>			
Brown's Well District Council . . . . .	22 000	23 000	4.5
Coonalpyn Downs District Council . . . . .	49 000	63 000	28.6
East Murray District Council . . . . .	19 000	20 000	5.3
Karoonda District Council . . . . .	35 000	41 000	17.1
Lameroo District Council . . . . .	46 000	56 000	21.7
Mannum District Council . . . . .	62 000	68 000	9.7
Meningie District Council . . . . .	83 000	100 000	20.5
Monarto Development Commission . . . . .	1 000	1 000	—
Mobilong District Council . . . . .	54 000	—	—
Murray Bridge Town Council . . . . .	90 000	—	—
Murray Bridge District Council . . . . .	—	186 000	29.2
Peake District Council . . . . .	22 000	25 000	13.6
Pinnaroo District Council . . . . .	42 000	52 000	23.8
Ridley District Council . . . . .	46 000	54 000	17.4
<b>Riverland Region—</b>			
Barmera District Council . . . . .	81 000	94 000	16.0
Berri District Council . . . . .	106 000	123 000	16.0
Loxton District Council . . . . .	118 000	140 000	18.6
Morgan District Council . . . . .	28 000	31 000	10.7
Paringa District Council . . . . .	25 000	27 000	8.0
Renmark Town Council . . . . .	101 000	119 000	17.8
Waikerie District Council . . . . .	81 000	100 000	23.4
<b>South-East Region—</b>			
Beachport District Council . . . . .	32 000	43 000	34.4
Lacepede District Council . . . . .	52 000	71 000	36.5
Lucindale District Council . . . . .	52 000	63 000	21.1
Millicent District Council . . . . .	113 000	131 000	15.9
Mt. Gambier City Council . . . . .	108 000	133 000	23.1
Mt. Gambier District Council . . . . .	53 000	78 000	47.2
Naracoorte District Council . . . . .	41 000	51 000	24.4
Naracoorte Town Council . . . . .	81 000	97 000	19.7
Penola District Council . . . . .	62 000	80 000	29.0
Port MacDonnell District Council . . . . .	41 000	49 000	19.5
Robe District Council . . . . .	24 000	30 000	25.0
Tatiara District Council . . . . .	171 000	205 000	19.9
Total . . . . .	\$11 925 000	\$14 219 864	

### MURRAY RIVER WATER

**Mr. BECKER** (on notice):

1. What studies have been undertaken of the water received from the Murray River?
2. Is the quality dangerous to public health?
3. Is there a constant testing programme of Murray River water entering the reservoirs?
4. Is there a constant testing programme of chlorine levels in our water supply?
5. Have these levels reached danger-point at any time and, if so, where and by what amount?
6. Have any complaints been received of ill-health caused by chlorine in our water since inception and, if so, how many?

**The Hon. R. G. PAYNE:** The replies are as follows:

1. The Engineering and Water Supply Department carries out regular sampling and analysis of the Murray River water at 28 locations on the Murray River, three locations on Lakes Alexandrina and Albert and nearly 50 locations on the various larger pipelines. The frequency of sampling varies from daily to monthly according to location and parameter under investigation. The tests

made are physical, chemical, biological and microbiological. At certain times such as periods of extensive algal growth or high turbidities in the river, daily measurements have been made. The more important parameters considered are turbidity, salinity, plant nutrients, total coliform bacteria, E.coli and amoebae.

Within the metropolitan distribution system, 104 measurements of chlorine residuals are made on a total of 61 locations to ensure bacteriologically safe water. The frequency ranges from daily, with the exception of Sunday, to weekly depending on location. The chlorinated supplies in about 20 towns on the Murray River are sampled either fortnightly or monthly, and 15 country chlorinated supplies served from the river are sampled for chlorine residuals to ensure a microbiologically safe water either three times a week or once a week depending upon the season.

2. No.
3. Yes.
4. Yes.
5. No.
6. Yes, two.

## TENANCIES

**Mr. BECKER** (on notice):

1. How many summonses have been issued by the Public and Consumer Affairs Department for tenancy matters, for the year ended June 30, 1977?

2. How do these figures compare for each of the past three financial years?

3. How many landlords have been prosecuted for non-repayment of bond money?

**The Hon. PETER DUNCAN:** The replies are as follows:

1. No summonses were issued by the Public and Consumer Affairs Department for tenancy matters during the year ended June 30, 1977.

2. Only one summons was issued during the past three financial years, and that was late 1975.

3. The non-repayment of bond money does not currently constitute an offence under any consumer legislation.

The honourable member's question is timely in that the component answers thereto highlight the need for the early introduction of legislation covering all aspects of residential tenancies. In the face of an ever-increasing number of requests from tenants for assistance or advice and in some instances, from landlords, the Consumer Affairs Branch, because of the inadequacy of present legislation and the resultant futility of relying on voluntary negotiation, has accepted for formal investigation, less than 5 per cent of the matters referred to it by tenants.

Requests for assistance or advice will number in excess of 4 250 for the year ending December 31, 1977, half of which relate to the alleged wrongful retention of rental bonds and half to a wide range of matters touching on the rights and obligations of both tenant and landlord. The branch has, of course, given advice on all matters referred to it. Another major difficulty confronting the Consumer Affairs Branch has been the uncertainty whether the investigation of residential tenancy disputes is within its jurisdiction. It is mainly for this reason that the branch has avoided taking legal action on such matters.

## GOVERNOR

**Mr. BECKER** (on notice):

1. What were the recommendations made to the Premier on the abolition of the position of Governor of South Australia?

2. Would the position of Governor be replaced by that of an administrator?

3. What legislative measures were envisaged?

**The Hon. D. A. DUNSTAN:** The replies are as follows:

1. 2. and 3.: I am at a loss to know to what recommendation the honourable member refers.

## UNIONS

**Mr. BECKER** (on notice):

1. How many unions were registered with the South Australian Industrial Commission as at June 30, 1977, and what is the total number of members of the respective unions?

2. How do these figures compare to the previous year?

**The Hon. J. D. WRIGHT:** The replies are as follows:

1. and 2. A total of 72 unions were registered as at June 30, 1977, which is the same number as at December 31, 1976. Section 128 (1) of the Industrial Conciliation and Arbitration Act requires each registered association to send to the Industrial Registrar, in January each year, a

return of members as at December 31, of the preceding year. Information concerning the numbers of members of any registered association is only available as at December 31 in any year, and can be obtained on request to the Industrial Registrar on the giving of reasonable notice.

## "CUMMINS"

**Mr. BECKER** (on notice):

1. What are the recommendations of the Cummins Advisory Committee to render the property suitable for accommodation and general purpose use?

2. What is the present estimated weekly cost of maintaining the property?

3. Has a residential caretaker been appointed and, if so, on what salary and conditions and, if not, why not?

4. If a residential caretaker has not been appointed, is it proposed to appoint one and, if so, at what proposed salary?

**The Hon. D. A. DUNSTAN:** The replies are as follows:

1. The report of the Cummins Advisory Committee is currently under consideration by the Government. Further information will be available when the committee's proposals have been assessed.

2. The costs associated with maintaining "Cummins" are at present principally attributable to the salary of the resident caretaker and of a miscellaneous assortment of garden requirements. See 3.

3. Mr. A. L. Ward commenced duty as the resident caretaker on August 22, 1977, his weekly salary being \$142.40. His duties include the provision of adequate security, housekeeping and gardening services.

## THIRD PARTY PREMIUMS

**Mr. BECKER** (on notice):

1. What were the totals of third party premiums received and claims paid for the financial year ended June 30, 1977, in the following categories:

- (a) motor cycles;
- (b) motor vehicles; and
- (c) motor trucks?

2. What are the total amounts in claims outstanding in each category?

**The Hon. G. T. VIRGO:** The replies are as follows:

1. Motor cycles	\$
(a) Premiums .....	1 493 404
Claims paid .....	309 583
(b) Claims outstanding .....	5 460 212
2. Motor vehicles (motor cars)	
(a) Premiums .....	39 731 049
Claims paid .....	8 781 634
(b) Claims outstanding .....	75 011 043
3. Motor trucks (including utilities)	
(a) Premiums .....	5 436 059
Claims paid .....	1 562 329
(b) Claims outstanding .....	11 242 334

## PLANNING AND DEVELOPMENT ACT

**Dr. EASTICK** (on notice):

1. Is it envisaged that amendments will be required to the Planning and Development Act to permit interim development control to be extended beyond five years and, if so, why has the alteration become necessary and when is it expected that it will be presented to the House?

2. When is it expected that the present Planning and Development Act will be withdrawn in favour of a rewritten Act?

**The Hon. HUGH HUDSON:** The replies are as follows:

1. The extension of interim development control is under consideration. Such an extension for a further limited period would obviate the need for local councils to prepare planning regulations whilst the Government has its review of the present development control system under way.

2. The Government intends to await advice from the Inquiry into the Control of Private Development before proposing major changes to the current legislation.

### QUEENSTOWN SHOPPING COMPLEX

**Mr. BECKER** (on notice): What was the total cost to the State of the legal costs involved in the Myer Queenstown shopping complex?

**The Hon. PETER DUNCAN:** The case involving the Myer Queenstown shopping complex commenced when the two companies involved, namely Myer Queenstown Garden Plaza Proprietary Limited and Myer Shopping Centres Proprietary Limited, sought from the Supreme Court declarations that certain planning and building consents granted by the city of Port Adelaide had been validly granted. The defendant to the action was the council and the pleadings disclosed that the council assented to the validity of its consents, and thus the judge ordered that "the Attorney-General be joined in the principal action" and that "the joinder of shall be of the Attorney-General, *virtute officii*, and not of him as upon the relation of any person". The judge made this order as the action involved matters of public importance, and, unless the Attorney-General was joined, the issues might not be properly tried.

When the action came to trial, the hearing lasted 27 sitting days. The then Deputy Crown Solicitor attended the whole hearing on behalf of the Attorney-General, and at various times the Solicitor-General and an Assistant Crown Solicitor also attended. The services of a Government investigations officer were also used to investigate the facts surrounding the validity of two council meetings, namely, those meetings held on June 9 and 10, 1972. The validity of these meetings was crucial to the proceedings, and with respect to them the court found, on the evidence produced on the Attorney-General's behalf, that the meetings were not properly constituted meetings of the council and that accordingly all proceedings conducted thereat were null and void.

The use of the services of the officers from the Crown Law Office involved the State in no expenses other than those ordinarily involved in the normal running of that office. I am not now able, without substantial research to give the total costs involved in witness fees, but I am able to say that the total expenses incurred by way of witness fees and costs was less than \$1 000. The court made no order as to costs, which meant that the other parties to the case paid their own costs.

### WORKMEN'S COMPENSATION

**Mr. DEAN BROWN** (on notice):

1. Does the Minister acknowledge the existence of major anomalies under the Workmen's Compensation Act in relation to claims for hearing loss?

2. Is the Minister aware that claims for hearing loss in noisy industry may include a claim for total hearing loss,

even though portion of that hearing loss may have occurred in previous employment, or through causes unrelated to work, or through failure of the employee to wear hearing protection equipment which is supplied?

3. Is the Minister aware that many employers are now carrying out audiogram tests on applicants for work in noisy areas, and, that, if the applicant already suffers from a hearing loss, he is unlikely to be given employment?

4. Does the Minister intend to introduce legislation to amend the Workmen's Compensation Act to correct anomalies relating to hearing loss and, if not, why not, and if so, when will legislation be introduced?

**The Hon. J. D. WRIGHT:** The replies are as follows:

1. 2. 3. and 4. Some problems relating to claims for noise-induced hearing loss that have been brought to my attention are being considered in drafting a Bill to amend the Workmen's Compensation Act. The Premier in his policy speech, promised that this Act would be amended during the life of this Parliament, and it is anticipated that the Bill will be introduced in 1978.

### ELECTRIC CAR

**Mr. DEAN BROWN** (on notice):

1. Did the Government establish a committee to report on the feasibility and progress of the electric vehicle project at Flinders University and, if so, who were the members of this committee?

2. If a committee was established—

(a) has this committee made a report or recommendation and, if so, what was its final recommendation; and

(b) will the report or recommendation be made public and, if not, why not?

3. How much Government money has been given to this project for each of the last five years, and what is the allocation for the current financial year?

**The Hon. G. T. VIRGO:** The replies are as follows:

1. The Government established the Electric Vehicle Concept Committee to help determine the role that the Government of South Australia should play in the future developments of electric vehicles. Members of the committee were: R. J. Taylor, Department of Economic Development, Chairman; J. J. Holden, Consultant; D. B. Rice, Australian Electric Vehicle Association; P. Skene, Department of Transport; W. J. Stamm, Simpson Pope Limited (alternate Mr. K. Bishop); C. R. Webber, Electricity Trust of South Australia; D. Whitford, Flinders University of S.A. (alternate Mr. D. A. Atkinson); Dr. M. Zokel, University of Adelaide.

2. (a) The committee presented a report, *The Status of the Flinders University Electric Vehicle Development* to the Director-General of Transport on June 2, 1977. The recommendations of the report are:

Recommendations:

The South Australian Government should:

(a) Contribute to research and development work where this is likely to be of benefit to industrial development in South Australia. It should not provide further financial assistance to the Flinders University Electric Vehicle Group for electric vehicle development work unless there is a firm indication that an electric vehicle or related component industry is to be established in South Australia.

(b) Encourage and where necessary, assist in negotiating the exploitation of the Flinders University/Department of Transport technology in South Australia or elsewhere. It would give considerati-

on to making any funds so generated available to the Flinders University Electric Vehicle Group for further research and development.

- (c) In view of the longer term petroleum shortages, encourage specific companies, semi-Government bodies and Government departments to purchase appropriate electric vehicles for the purpose of commercial evaluation; some vehicles may possibly be supplied by the Flinders University Group as part of its research and development work.
- (d) Consider action in the following areas to make the manufacture and use of electric vehicles more attractive:
- (i) Reduce registration and/or stamp duty fees for electric vehicles in comparison with equivalent IC vehicles.
  - (ii) Provide pay-roll tax rebate for employees engaged fully on electric vehicle or component manufacture.
  - (iii) Request the Electricity Trust of South Australia to examine the feasibility of making off-peak electricity tariffs available for the recharge of batteries in all classes of electric vehicles.

(b) The report is available to the public and was released in September, 1977.

	\$	\$
3. 1976-77—		
Grant—Flinders University . . . . .	66 666-00	
Patent fees . . . . .	957-07	67 623-07
1975-76—		
Grant—Flinders University . . . . .	30 000-00	
Royal Show exhibit . . . . .	1 879-43	
Patent fees . . . . .	160-00	32 039-43
1974-75—		
Grant—Flinders University . . . . .	55 000-00	
Indust. Design Council . . . . .	12-00	
I.R.I. Institute . . . . .	15 000-00	
Internal departmental exp. . . . .	78-70	70 090-70
1973-74—		
Internal departmental expenses . . . . .	190-82	190-82
1972-73 . . . . .		Nil

This financial year \$15 000 has been allocated to the project.

### STUART HIGHWAY

**Mr. GUNN (on notice):**

1. What stage have negotiations reached between the State and Commonwealth Governments in relation to the sealing of the Stuart Highway?
2. When is it anticipated that the final announcement will be made of the route that the new highway will take and the commencement date?
3. Has consideration been given to one gang to commence work at Coober Pedy and to work south?

**The Hon. G. T. VIRGO:** The replies are as follows:

1. Sealing of the Stuart Highway is dependent on the provision of National Highway funds by the Commonwealth Government. Several other continuing and committed National Highway projects of high priority in South Australia compete for these funds and the Commonwealth Government has been advised that special

priority could be given to the Stuart Highway only if additional National Highway funds are made available for this purpose.

2. No firm decision can be made on the route to be taken until an environmental impact statement has been finalised. A draft environmental impact statement is open for public comment until October 31, 1977, and the time required for its completion will depend on the volume and nature of comments received. Commencement of work will depend on the availability of funds as in 1.

3. The distribution of the work force will depend on the rate at which funds become available and will be considered when information on funding is to hand.

### DEVELOPMENT TRUST

**Mr. GUNN (on notice):**

1. When is it anticipated that the Outback Areas Development Trust will be established?
2. Will there be local representatives on the trust?
3. How will the members of the trust be appointed?
4. Will the trust qualify for Commonwealth Government funds on the same basis as local government bodies?

**The Hon. D. A. DUNSTAN:** Work on establishment of the trust is currently in hand. Further details will be announced subsequently.

### EXPLOSIVES

**Mr. GUNN (on notice):**

1. Are explosives under price control and, if so, when were they placed under price control?
2. Who determines what price can be charged for explosives?
3. Who determines the amount of freight that can be included in the cost?
4. How often are prices reviewed?

**The Hon. PETER DUNCAN:** The replies are as follows:

1. Gelignite was declared a controlled item under the Prices Act, 1948-1976, on August 18, 1977. Other explosives are not subject to price control. Prices orders fixing maximum retail prices of gelignite have been issued only to retailers at Coober Pedy to operate from September 12, 1977.

2. As with all goods and services declared under the above Act, the Minister of Prices and Consumer Affairs or his delegate the Commissioner for Consumer Affairs has the power to determine the maximum prices or rates to be charged for such goods and services.

3. Officers of the Consumer Affairs Branch investigate applications for price increases and, where applicable, built-in allowances for freight are examined at the same time.

4. Prices of all commodities under price control normally are examined only when an application is made for an adjustment by the trader or group of traders affected by any prices order. In the case of gelignite, no review of prices has been requested or undertaken since the item was declared last August.

### DENTAL FACILITIES

**Mr. GUNN (on notice):** When is it anticipated that child dental facilities will be provided at Coober Pedy?

**The Hon. R. G. PAYNE:** 1978.

### YOUTH CLUBS

**Mr. GUNN** (on notice):

1. Who determines the allocation of money to youth clubs?
2. What are the criteria laid down for the allocation of these funds?
3. Who made the application for funds for the Copley Youth Club?
4. Who is responsible for the spending of this money?
5. Are vouchers and statements requested by the department, to ensure funds are properly spent?

**The Hon. D. J. HOPGOOD:** The replies are as follows:

1. The Childhood Services Council, through its Vacation Care Programmes Subcommittee, determined the allocation of grants for the August-September, 1977, Vacation Care Programme.
2. The (Federal) criteria area:—
  - (a) Priority to needy children (for details see paragraph two of attached document).
  - (b) Service available to the general community.
  - (c) Programmes generally to operate for at least eight hours per day.
  - (d) Programmes generally to operate for at least five days per week.
3. Application signed by J. van Caspel, on behalf of the President of the Copley Youth Club, supported by the District Officer of Community Welfare Department.
4. "All activities related to the employment of staff and care of children shall be the sole responsibility of the programme sponsor (Copley Youth Club)". This is interpreted as including the administration and spending of money.
5. The Childhood Services Council demands of each sponsor:
  - (a) "... a certified statement of income and expenditure, prepared by a qualified accountant . . .".
  - (b) "A statement . . . to the effect that Commonwealth moneys have been used for the approved purpose . . .".
  - (c) A report pertaining to the programme.
  - (d) That all unspent funds be returned to the State Treasury Department by way of the Childhood Services Council.

### THORNDON PARK SCHOOL

**Mrs. ADAMSON** (on notice):

1. Is the Minister aware that children at Thorndon Park Primary School have been deprived of the use of an activities room throughout the whole of this year because of lack of classroom accommodation at the school?
2. Will the Minister undertake to provide additional temporary accommodation immediately to relieve this extremely unsatisfactory situation?

**The Hon. D. J. HOPGOOD:** The replies are as follows:

1. The accommodation problem at the Thorndon Park Primary School has been known by the Education Department and the Regional Office of Education, and everything possible has been done to provide additional classrooms. The demand for classroom accommodation far exceeds our ability to provide such rooms, and the school has accepted this and has appreciated the action that has been taken to provide two additional classrooms during this year. Unfortunately, Thorndon Park is not the only primary school which has had to use an activity room for classroom accommodation.
2. An additional room has been programmed for the

school, and it is anticipated that the room will be on site either late November or early December. This will overcome the accommodation problems for 1978 and satisfy the priorities established by the Regional Director. Of course, our ability to provide classrooms has been seriously inhibited by the Federal Government's actions in restricting capital funds both through the Schools Commission and the Loan Council.

### INSURANCE COMMISSION

**Mr. DEAN BROWN** (on notice):

1. Does the State Government Insurance Commission have access to Police Department records on car accidents and, if so, what is the extent and nature of their access to information?
2. Does the State Government Insurance Commission have access to records or information held by the Labour and Industry Department on industrial accidents and workmen's compensation claims and, if so, what is the extent and nature of their access to information?

**The Hon. D. A. DUNSTAN:** The replies are as follows:

1. No. Any information required must be obtained through normal channels at the prescribed fee.
2. No.

### INDUSTRIAL LEGISLATION

**Mr. TONKIN:** Can the Minister of Labour and Industry say when the Government intends to introduce its promised legislation providing for all matters arising from industrial action to be heard before the Industrial Court? What protection does it intend for workers who choose to exercise their right to work and who, for instance, may suffer physical assault and injury at the hands of the pickets? Several recent instances of picketing have involved violence. I wish the Government to make clear whether the proposed legislation will provide that charges of assault will no longer be heard in the Magistrates Court, contrary to the present position, but will instead be heard in the Industrial Court.

**The Hon. J. D. WRIGHT:** The legislation referred to, which involves the tort law, will not be ready until next year. It is a long and arduous task to get this type of legislation prepared. The matter referred to by the Leader involving assaults on members of the building industry is presently before the Magistrates Court, and I think any discussion on it must be *sub judice*.

### APPRENTICES

**Mr. SLATER:** Can the Minister of Labour and Industry now provide the information I sought last week in relation to the pilot scheme for the Government to train extra apprentices for one year and for private employers then to be asked to employ them for the remainder of their training period?

**The Hon. J. D. WRIGHT:** Yes, I promised the honourable member last week that I would be in a better position this week to give him a reply. Last March, Cabinet approved of an interdepartmental committee being appointed to report on the most efficient method that South Australian Government departments and instrumentalities can adopt for selecting and training apprentices. The committee has submitted its first report on the training part of its terms of reference.

The combined planned intake in 1978 of apprentices to



meet the normal needs of all State Government departments and instrumentalities is 288. In December, 1976, Cabinet directed that departments should take on as many apprentices, additional to their own requirements, as they had the capacity to absorb. This resulted in 117 apprentices, additional to the needs of departments, commencing a four-year indenture from the beginning of 1977. The State Government is meeting the whole cost of employing these 117 apprentices who are additional to their own needs for tradesmen.

The employment of these 117 additional apprentices has substantially absorbed much of the spare training capacity that had previously existed in State Government departments. The governing factor in determining the number of apprentices who can be trained by the Government is the number of job placements available for apprentices to gain experience while working with skilled tradesmen.

The committee reported that, in addition to the 288 apprentices planned to be employed to meet normal needs, there was capacity for a further 52 apprentices, additional to their own requirements, being employed in State Government departments and instrumentalities in 1978. Following discussion at a recent conference of Commonwealth and State Ministers of Labour, the Commonwealth Government is considering introducing a pilot scheme in South Australia, in 1978, to evaluate the practicability of State Government departments using their spare training capacity for the training in their first year of some apprentices indentured to private employers. This is similar to a scheme that has operated for two years in Commonwealth departments and instrumentalities.

Cabinet has agreed to co-operate in this scheme by providing first-year training in State Government departments and instrumentalities, to a maximum of 52 additional first-year apprentices who are indentured to private employers, if the Commonwealth Government pays the wages of those apprentices during their first year. At the conclusion of their first year of training these apprentices will work for the employer to whom they are indentured. Should it not be possible to obtain sufficient private employers to participate in this scheme, the State Government will still train 52 additional apprentices in 1978 and will pay the wages of those apprentices who are not placed with private employers.

#### GOVERNMENT OFFICE ACCOMMODATION

**Mr. GOLDSWORTHY:** How does the Minister of Works account for the fact that \$454 000 was paid out in rent for Government departments for premises that were not occupied during the past 12 months? The Auditor-General's Report indicates that Government rental payments have increased from \$2 860 000 in 1974 to \$5 400 000 in 1977, and that this year \$454 000 was paid for offices that were not used. This appears to be a scandalous waste of taxpayers' funds.

**The Hon. J. D. CORCORAN:** If the Deputy Leader understood the situation, he would not have made the statement he made at the end of his explanation. The main reason for the increase in rental that the Government now pays for office space in the city is that the Government has a policy of upgrading accommodation for the people who work for it, although whether or not the honourable member agrees with that policy is another question. If he cares to examine the total scene, he will see that we have substantially upgraded accommodation for the people who work for this Government, and we make no apology to him or to anyone else for doing that.

*Mr. Mathwin interjecting:*

**The Hon. J. D. CORCORAN:** When I want the pig, I will rattle the bucket.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J. D. CORCORAN:** The sum that has been paid out by the Government for space that has not been occupied is just one of those things that happens. If we rent an office in, for example, the Gateway Inn, in order to fit that office out for people to occupy it and to have telephone and other facilities such as toilets and other necessary things (not only for Ministers) installed in those buildings, it takes considerable time, with the best will in the world. The other matter that causes delay is furnishings. I have already asked my department to give a full explanation of the criticisms contained in the Auditor-General's Report. This is not the first time criticisms have been made, and the same explanation can be given. If the honourable member appreciated the practical difficulties that face the Public Buildings Department in commissioning these offices for use, he would have a better understanding of the matter. I have not yet received from the Public Buildings Department a detailed report on exactly why this instance has occurred, although I know that the Auditor-General has drawn attention to it. However, when I receive a detailed report, I will make it available to the Deputy Leader.

#### HENLEY BEACH WELFARE OFFICE

**The Hon. G. R. BROOMHILL:** Can the Minister of Community Welfare say whether consideration has been given to establishing a full-time branch office of his department in the Henley Beach area? I am aware that the department has visiting officers to the area for half a day three times a week, and that this office is run through the Henley and Grange council area. However, the area of Henley Beach is rapidly expanding, with much flat development taking place, and it would seem that there is a need to consider at some stage in the future establishing a full-time office in the area. I will be grateful for any advice the Minister can give.

**The Hon. R. G. PAYNE:** I am aware of the honourable member's interest in providing welfare services in this area. Consideration is being given to providing branch office facilities in Henley Beach. The Henley and Grange council is planning to build a two-storey office and community building in Main Street, Henley Beach, and recently I have authorised the officers of my department to negotiate with the council with a view to leasing sufficient accommodation in the proposed new building to establish a branch office. The site for the proposed building in Main Street, being centrally located, is considered to be ideal for the future development of departmental services. Departmental staff are already quite active in the Henley and Grange area, despite the lack of a full-time office. Support and activities are provided for local unemployed youth through the job-hunters' club, intensive group activities are provided for youth placed under supervision by the department, contact and liaison are maintained with several community organisations, and some family day-care facilities are also being provided in the area. Provision of a branch office facility, as requested by the honourable member, would obviously enhance these activities and allow for further expansion by the department.

## MANNUM INDUSTRY

**Mr. WOTTON:** The Premier is aware of the current employment crisis in Mannum resulting from the retrenchment of more than 300 workers by the Horwood Bagshaw organisation. This extremely serious situation has developed because of Mannum's dependence on this one industry for employment, and of course that one industry depends very largely on rural industries. Because of the seriousness of the situation, will the Government declare Mannum a growth centre so that financial incentives can be provided to attract new industries to the town and so diversify and create employment? At the outset, I commend the Minister of Labour and Industry for attending the public meeting at Mannum last night, and also for his attitude regarding the matters discussed at that meeting. I should like to quote from a letter written to a resident of Mannum by the Director-General for Trade and Development concerning decentralisation incentives for Mannum, as follows:

You will note that the incentives which could be applicable to a Mannum location are: provision of factories on a lease/purchase arrangement; Government guarantees and financial assistance through the South Australian Industries Assistance Corporation.

Moreover, in exceptional circumstances—such as a major development proposal of State significance—the specific incentives (pay-roll tax rebates, relocation grants) applicable in growth centres or major service centres could be considered for a Mannum location.

No person, industry, or Government can be blamed for the situation regarding retrenchments at Mannum, but I believe that positive action must be taken to improve the employment situation at Mannum in future.

**The Hon. D. A. DUNSTAN:** The Government is prepared to look at any incentive for industry for Mannum that will attract industry there. The Government has already spent more money in providing industry in Mannum than has been spent in any other part of the State. The assistance given originally to David Shearer's and then to Horwood Bagshaw's in order to retain employment in Mannum is more significant than is the assistance being given to any other specific industry, and that, of course, was beyond the normal incentives that we applied. The same situation would apply in the case of any other opportunity we saw to provide industry there. In the neighbouring town of Murray Bridge in the negotiations which were held with Oliver J. Nilsen for relocation of plant from Victoria, the incentives exceeded those which were normally listed for growth centres. If we find anything in Mannum where incentives of the kind the honourable member mentions (either relocation grants or pay-roll tax remissions) would be an incentive to the establishment of an additional industry, we will certainly negotiate on that basis.

I assure the honourable member that the general guidelines laid down in these areas are not hard and fast, and where we find an opportunity we are willing to negotiate with the particular company concerned. It was not only the Horwood Bagshaw or David Shearer factories that we assisted in Mannum. Earlier, the Housing Trust bought a business in Mannum to establish a haulage business at one stage, and we financed the operative into that. I assure the honourable member that, if he is able to find any opportunity to establish additional employment in Mannum that will be viable and economic, we will consider it and will not be hard and fast about incentives. We will negotiate on any basis that will get the industry there.

## LOCAL GOVERNMENT ELECTIONS

**Mr. HEMMINGS:** Has the Minister of Local Government considered, in light of recent events, that it may be opportune now to legislate for compulsory voting in local government elections? Members will be aware of the recent Gallup poll in which more than 50 per cent of those interviewed indicated that voting in local government elections should be the same as in State and Federal elections—compulsory. The Lord Mayor of Adelaide (Mr. Josephs), if the report in the *Advertiser* was correct, has stated that in his opinion, too, compulsory voting should be introduced in local government elections. Also, there is the question that since 1972, local government has been given more financial assistance by receiving annual grants from the Federal Government and generous assistance from the State Government in the form of State Unemployment Relief Scheme funding. As these extra grants come directly from the taxpayer, taxpayers should exercise their democratic right to decide who should be their representatives to administer these grants. Apathy at the local government level has been the worst enemy of the third arm of government in Australia.

**The SPEAKER:** Order! The honourable member is now commenting. I should like him to finish the question.

**The Hon. G. T. VIRGO:** The question of compulsory voting for local government has been exercising the minds of many people for a long time. Statistics show clearly that voluntary voting, a system that now applies and has always applied, as far as I know, in South Australia for local government produces a result in which many people are elected to council with a vote of something less than 10 per cent of the people who are entitled to vote. This position perhaps will be more clearly shown now that the franchise provisions have been broadened to enable every citizen of a municipality or a district council to exercise a vote. This matter has concerned me for a long time. I provided in a Bill that I introduced two or three years ago a provision that councils could, if they so elected, have either compulsory or voluntary voting. However, the Liberal Party in the Upper House used its majority to discard that opportunity to allow people to make a free choice of their own.

Honourable members: Hear, hear!

**The Hon. G. T. VIRGO:** I expected Opposition members to say that because they do not believe in people being given the opportunity to exercise a decision. I know there has been, and still is, a vast change in the attitude of people in local government in relation to this question. Now, there is more support than there has ever been before for a change from voluntary to compulsory voting. I will continue to discuss this matter with representatives of local government, and I hope that the day will come when they will be prepared to accept as the only course that the method of electing people to local government should be no different from that used in electing people to State or Federal Parliaments. Of course, no-one of a sane mind would suggest that voting for either State or Federal Parliament ought to be voluntary.

## EPPS REPORT

**Mr. ALLISON:** I ask the Premier to explain on what basis he made the following statement, which was reported in the *Advertiser* of September 6, 1977, as follows:

The Auditor-General's investigations showed that food costs per patient at Northfield were not excessive and indeed were around the average for institutions of a similar nature within South Australia.

In fact, the Epps report on food costs at Northfield indicated that they were excessive and were not around the average. The Epps report states:

A comparison of food costs between Northfield Wards and the Mount Gambier Hospital has been made. The control over foodstuffs at Mount Gambier was generally good and provided a satisfactory standard for comparison.

Cost per meal: The cost of foodstuffs per meal served at Northfield was 93 cents. This cost was 44 cents per meal (91 per cent higher) than for Mount Gambier.

Estimated losses at Northfield: The estimated losses at Northfield through thefts, wastages and lack of quality control were \$80 000 per annum. Those losses could have occurred for several years. As a result of these deficiencies the department incurred losses through thefts, excess wastages and lack of quality control. It is estimated that the extent of these losses was approximately \$80 000 per annum.

As the control over requisitions from wards has not changed, the significant drop in consumption per meal since April, 1975, must be largely due to improved controls over kitchen. This would indicate that a large proportion of the estimated losses were due to thefts.

It is also considered that an investigation should be made into the control over food costs at some other hospitals.

**The SPEAKER:** I hope the honourable member is coming to the end of his reading, because it is a little lengthy.

**Mr. ALLISON:** I have only four more lines from the report. The food supplies and costs per bed per day for Mount Gambier Hospital were \$1.66; Glenside Hospital, \$2.63; Royal Adelaide Hospital, \$2.77; and Northfield Wards, \$3.33. In fact, the Epps report on food costs at Northfield indicated clearly that they were excessive and not around the average.

**The Hon. D. A. DUNSTAN:** I find it interesting that the honourable member should be reading from a document which I was asked to table in this House and which I tabled only a few minutes ago. If it is in the possession of honourable members opposite I am not sure why they wanted it tabled. The Mount Gambier food costs of \$1.66 per patient were, from memory, either lowest or next-to-lowest of the major hospital institutions. There were one or two places which were lower but which were not hospital institutions of this kind. It was certainly well below the general run of food costs in hospital institutions in South Australia. To take that as a measure against which to put the Northfield food costs quite frankly is not a sensible basis of comparison, with due respect to Mr. Epps. The other thing is that, if the honourable member bothers to examine the report, he will find that the food costs per patient at Northfield were not the highest of comparable institutions; in fact, there were institutions with higher costs. That is why I made the statement that I did.

#### ELECTRIC CAR

**Mr. WHITTEN:** Can the Minister of Transport say whether any research has been conducted by Transport Department experts into an electric car manufactured by Hannan Brothers of Adelaide in 1939 and, if it has been, could the Minister give any details? On October 3, 1977, a letter in the *Advertiser* from a Mr. H. P. Rosenhain of Magill criticised the electric car being developed by the Flinders University with the aid of State Government funds. Mr. Rosenhain compared the Flinders electric vehicle with an electric car built by Hannan Brothers in 1939 with parts from a Wilson electric delivery van. According to the letter, the 1939 electric vehicle was

capable of travelling a maximum distance of 140 kilometres at a speed of 60 km an hour under normal conditions; travelling a distance of 170 km at a speed of 60 km an hour on a test track on Anzac Highway; and being capable of being driven to Mount Lofty with relative ease. Mr. Rosenhain indicated that the performance of this vehicle was in excess of that capable by the Flinders University electric vehicle, which he noted took four years and considerable expense to develop. Can the Minister say whether this is true?

**The Hon. G. T. VIRGO:** After the publication of that letter the Transport Department and Darryl Whitford, who is involved in the research at Flinders University, had discussion with Mr. Rosenhain to verify the points that he made in his letter to the press. I am not criticising Mr. Rosenhain, but it is regrettable that, because of the passage of time, he could not support the claims that he made. It became apparent in the discussions that the department and Mr. Whitford had with Mr. Rosenhain that several of the features of the vehicle that he referred to as being built by Hannan Brothers were no longer applicable. The vehicle that Mr. Rosenhain referred to had been developed principally for the carriage of goods rather than for the carriage of people. The development of the vehicle by Flinders University has been slanted towards carrying people; this applies also to its attendant equipment. A comparison of the two vehicles revealed that it would have taken 1½ tonnes of batteries for the vehicle referred to by Mr. Rosenhain to operate as the Flinders University vehicle is intended to operate. It was not possible to make a true comparison between the vehicles. The Government is extremely proud of what has been done by Flinders University under the guidance of Darryl Whitford and another gentleman, whose name I forget. We have patented the vehicle, and we believe it has a great future. At present the question of commercial production of the vehicle is being pursued actively.

#### EPPS REPORT

**Mr. RUSSACK:** Has the Premier today tabled the two Epps reports to which he referred last Thursday, or was there only one Epps report and a summary containing the same information? The question I asked last week and the reply thereto are as follows:

**Mr. RUSSACK:** Can the Premier say why, during an interview with Mr. Mike McEwen of 5DN, on Friday, September 9, 1977, he denied that he had seen the report prepared by Mr. Epps on the Northfield Wards and later in the same interview clearly indicated that he had "been through Mr. Epps's report"?

**The Hon. D. A. DUNSTAN:** The honourable member is evidently not aware that there are two Epps reports. My information is that there is only one Epps report with an attached summary, both of which disclose exactly the same information, including the one fact that the Premier has constantly denied—that the Auditor-General discovered that \$80 000 worth of food was missing from the Northfield Wards and that this figure had been repeated for several years.

**The Hon. D. A. DUNSTAN:** There is a summary document signed by Mr. Epps, which was shown to me and which I think runs into three or four pages. I had seen that document. There is an extended report to which that summary refers and which I had not seen, but I had been through its contents verbally with the Chief Secretary. I hope that clears up the matter for the honourable member. I had read the summary. I had been through the attachment to which he refers verbally with the Chief

Secretary without actually having seen or read it; the Chief Secretary related its contents to me. The honourable member is quite wrong in saying, as I pointed out to the House last week, that that report actually shows that there is a loss of \$80 000 a year from the particular institution. I point out to the honourable member that the conclusion which is arrived at, that there is a loss of \$80 000 a year, is simply an arithmetical extension of a view of contrasting costs at certain dates, and contrasting the costs at Northfield with the costs at Mount Gambier.

**Mr. Chapman:** Are you saying it doesn't reflect the position?

**The SPEAKER:** Order! The honourable member is out of order.

**The Hon. D. A. DUNSTAN:** As I pointed out to the House last week, the particular calculation is quite insufficient even to prove a general deficiency in accounts. If one tried to put that before a court of law, one would not prove a general deficiency in account. It is simply a notional extrapolation of some contrasting costs at certain times, but it makes a whole series of assumptions and, quite frankly, without further evidence we cannot say (and no-one can say or prove) that there have been losses of these dimensions. In fact, the contrasts are on the basis of an assumption that the costs at Mount Gambier are correctly applicable to the view which should be taken of the standard of food, the mode of its preparation and the ordering in relation to it in any hospital institution, a point which is disputed within the Hospitals Department.

Because of this, the report of the Auditor-General simply showed (and this was the only thing that could be proved from it) that the accounting system was gravely deficient; that is certainly shown. Action had been taken by the Government long before there was any investigation by the Public Accounts Committee in relation to that matter. It was discovered by Government officers themselves.

That is the conclusion which one comes to and about which action needs to be taken. The only alternative action available to Government in relation to an allegation of this kind is to put material before criminal investigators to discover whether in fact there is anything on which further criminal charges could be laid. The plain fact is (and the member for Alexandra ought to have known this before he made his grandstand play in going off to the Police Commissioner), that there was absolutely nothing in that on which any police officer could lead to further queries of a criminal nature. I suggest that honourable members stop this kind of attempt at nonsensical contrasts and get to the nitty-gritty of this matter. There were two courses of action open to Government in relation to what was discovered regarding Northfield: one was to tighten up the accounts system, and the other was to try to find anyone who could be shown to be guilty of any criminal action. We did both.

### CROWN LANDS

**Mr. KLUNDER:** My question is directed to the Minister of Works, representing the Minister of Lands.

**Mr. Goldsworthy:** He is—

**The SPEAKER:** Order!

**Mr. KLUNDER:** I hesitate to say this, but it was a constituent of the member for Kavel who asked me to ask this question. Will the Minister of Works ask the Minister of Lands to investigate the possibility of permitting the use of Crown lands in good rainfall areas to be used for agistment purposes by stockowners in more marginal rainfall areas? I was approached on October 14 by a

farmer in a marginal rainfall area who, like many others, has been adversely affected by two successive dry seasons. Having bred stock up to a certain quality over the years, he is therefore reluctant to sell them. He has said that he and others in the same district would be willing to transport the stock at their own expense and to pay agistment fees rather than be forced to sell stock. He added the relevant point that, if Crown lands were so used, they would be less liable to grass fires.

**The Hon. J. D. CORCORAN:** I shall be pleased to refer the question to my colleague and perhaps, too, the Minister of Forests could be involved in this matter, so I shall ask him, too, to examine the question.

### PREMIER'S STAFF

**Mr. CHAPMAN:** Can the Premier say whether members of his personal staff who resigned during 1976-77 have been paid three months termination pay, or any other sum of termination pay, as the result of the Government's taking advantage of a clause contained in the journalists award and, if they have, how much was paid out and what are the names of the people involved?

**The Hon. D. A. DUNSTAN:** The Government has not taken advantage of anything in the journalists award. The position is that some of the people who have resigned from the department were employed under the journalists award.

**Mr. Dean Brown:** Who were they?

**The Hon. D. A. DUNSTAN:** I shall come to that in a moment. Under the provisions of the award, they give three months notice. If, however, the Government concludes that they should not remain in the employment for any reason during that three-month period, it is obliged, under the terms of the award, to pay them a sum in lieu of notice. If we did not pay them that, we could be sued for it.

**Mr. Chapman:** So, therefore—

**The SPEAKER:** Order! The honourable member for Alexandra has already asked his question.

**The Hon. D. A. DUNSTAN:** The Opposition ought to know about this matter, because this situation occurred in relation to the Leader's Press Secretary, and was voted on specifically in the House. All Opposition members voted for it. There is no different provision for members of my staff from the treatment given to the Leader's Press Secretary: exactly the same provision was given.

**The Hon. J. D. Corcoran:** In accordance with the award.

**The Hon. D. A. DUNSTAN:** In accordance with the award. The people who have resigned from my staff and who could claim that sum of money and who were duly paid were as follows: Tony Baker (I give these names from memory; I am not certain that I am covering every one), Kevin Crease, Adele Koh, and Peter Ward, but I am uncertain as to the exact provisions in relation to Mr. Ward. He resigned from the department, but he had a part-time contract in the department thereafter, and I am uncertain, without checking it, what provisions applied to him. The provisions have also applied to Mr. Templeton, who resigned in the same circumstances. In each of the cases, the Government determined that it was inappropriate that they stay in their jobs. In relation to the people who resigned and went to the press, obviously they should not remain in a confidential position in the Government when going to an outside press or media organisation. In relation to Ms. Koh, a decision was made as to the appropriateness of a member of a Minister's family remaining in the job concerned. That is a statement of policy which has already been made to the House.

### SPARE PARTS

**Mr. ABBOTT:** Will the Minister of Prices and Consumer Affairs say whether his department has received a report on or assisted in any way with a recent call by the Prices Justification Tribunal for a review of all motor vehicle parts prices by major manufacturers? In August, the P.J.T. recommended that car companies review prices of their own spare parts sold to distributors with mark-ups of 75 per cent, with special attention to items marked up at 100 per cent and more. A spokesman for Chrysler Australia Limited said that, if some prices exceeded P.J.T. recommendations, they would be adjusted accordingly, and a spokesman for General Motors-Holden's said that G.M.H. would comply with the P.J.T. recommendations but was studying the report in detail to ascertain what was required. I ask this question because I am concerned that many mark-up prices appear exorbitant, and some of my constituents have expressed concern to me on this matter.

**The Hon. PETER DUNCAN:** The short answer is that the State Government Prices Commissioner was not involved in the application before the P.J.T., and we were not involved in any way with the decision that was brought down. For some long time it has been a matter of concern to the State Prices Commissioner that the prices of automotive components seemed to be rather excessive. The difficulty faced by the State Prices Commissioner in doing anything about that situation was that the pricing structure and the manufacture and importation of automotive components as spare parts are done on a national basis. It is an integrated national matter, so it is difficult for a prices setting authority in one State to ascertain exactly the cost structure of manufacturers and distributors in such circumstances. Accordingly, it has not been possible to apply satisfactory pricing policies to this area. I understand that the result of the decision of the P.J.T. is that manufacturers and distributors will be given a reasonable period of time in which to adjust their prices in accordance with the recommendations. At some later stage, a further inquiry will be made by the P.J.T. with a view to ascertaining whether or not the recommendations it has now brought down have been adopted by the manufacturers, distributors, and wholesalers concerned.

### HOUSING TRUST

**Dr. EASTICK:** Will the Minister in charge of housing say, with the announcement by the Federal Minister for Housing that satisfactory arrangements have been concluded for the release for sale of more stocks of Housing Trust homes, what, if any, specific detail will be provided to Housing Trust clients for them to benefit from the arrangement should they so desire? In reporting on the recent meeting of Housing Ministers, the Federal Minister has indicated that Housing Trust (or Housing Commission, or whatever may be the title in the various States) stocks will be more readily available for sale than necessarily has been the case in the past. On this basis, I seek information from the Minister as to whether he, as the Minister responsible in this State, has made any arrangements to allow the present clients of the Housing Trust to benefit from the new arrangements entered into.

**The Hon. HUGH HUDSON:** There is nothing specifically in the housing agreement that could lead the honourable member to quote the Federal Minister as making the remarks that he has just stated. The Federal Minister was concerned to secure agreement from the States that any funds obtained from the sale of public

housing rental stock would be put back into the provision of further rental housing and, secondly, that the sales should be for cash and not financed in a way that would reduce the amount of funds the public housing authorities had for further construction.

I think the provisions that he was concerned to secure related to policies that were being followed in States other than South Australia. In a sense, the sale of public housing is made somewhat more restrictive in that it would not be appropriate to use Commonwealth-State Housing Agreement money to fund the purchase by a Housing Trust tenant of public housing that he occupied. The point that is made in this is that, if the sale of public housing rental accommodation can be financed by the tenant in another manner, the public housing authority obtains an addition to its cash flow which can then be used to expand the rental stock.

I will obtain any further information that can be made available to the honourable member at this stage. A meeting of officers is to take place at the end of next week in Adelaide at which further details of the new agreement will have to be finalised. Any definite conclusions about this matter at this stage may well be premature as a consequence of that situation. However, I should like to make quite clear that the interpretation that the honourable member has put on Mr. Newman's statement is quite misleading: I am saying directly that it is wrong.

**Mr. Gunn:** But you always say that.

**The SPEAKER:** Order!

**The Hon. HUGH HUDSON:** I certainly have to say that to the honourable member for Eyre, because he always sets out to make deliberately misleading statements. I will obtain additional information that may be available for the honourable member, first in relation to the Housing Trust's specific policies on sale, and, secondly, in relation to how the new agreement can impinge on that position.

One additional point worth mentioning is that under the new agreement it may be a little more difficult for the South Australian Housing Trust to continue with its rental-purchase homes, because that is something that is not apparently favoured by the Commonwealth. However, I will bring down a more detailed reply later.

### BIKIES

**Mr. VENNING:** Will the Chief Secretary say whether he is concerned about the reported behaviour (or lack of it) of bikies from time to time throughout the State and, if he is, whether he will do something about it? I received a three-page letter from a constituent who owns a store. I will not say where the store is located, except to say that the constituent is a store-keeper who runs the post office in the area and is also an agent for the Commonwealth Bank. He writes as follows:

Dear Sir,

I wish to bring to your notice a growing problem we have in our area at holiday times. Over the holiday weekend just concluded we had a group of "bikies" here on the Sunday (October 11), and their behaviour is disgraceful to say the least.

Firstly, their appearance with dirty, filthy clothes, unwashed bodies, bad language is obnoxious and should not be allowed in any community. It spoils the whole holiday atmosphere for everyone, and most of all creates a bad public image of our Australian youth.

Also, prior to these so-called humans leaving our area they broke beer bottles, some of which smashed in front of the public phone box, making it impossible for anyone to enter same. Also, their food bags, cans, etc., were scattered everywhere except in the bins which were close handy.

It is with regret that I missed taking their cycle registration numbers, as they left in a hurry going flat out up the road. These people usually come here on the specific holiday times, namely, October holiday weekend (usually Sundays), Easter time (Saturday or Sunday), long weekend in January (Sunday end January), and during the Christmas week from December 25 to January 1.

We don't seem to have them at any other times, thank goodness, but this problem has reached a head and calls for prompt investigation and corrective measures, as it is a State-wide problem. I would appreciate your answer at your earliest convenience.

In yesterday's *News* I noticed under the heading "Residents fear bikies" the following report:

Some Port Noarlunga residents are frightened after they were abused and threatened by a bikie gang. One man, who did not want his name published because he feared reprisals, said a couple had already vacated their home in Benny Street after a clash with two bikies.

He said many people have had little sleep recently because of late night drinking binges which have involved up to 40 men breaking bottles and sometimes throwing them at neighbours' homes.

**The SPEAKER:** Order! I thought that the honourable member was going to read only part of it.

**The Hon. D. W. SIMMONS:** The activities of groups known as "bikies" from time to time cause distress. It is obvious, from the nature of the problem, that they are fairly mobile and, therefore, difficult to catch up with. It would seem, from the letter read out by the honourable member, that bikies are most troublesome at holiday weekends when the Police Force is flat out in a range of activities, such as coping with traffic. I have every confidence that the police are doing all they can to curb the problem.

If the honourable member's correspondent believes that he can anticipate trouble in future, I suggest that he notify the police in advance and take the precaution of getting the registration numbers of any offending vehicles so that they could perhaps be followed up. As I say, by the very nature of the problem, these people come into an area and get out of it again fairly quickly, and it is sometimes difficult for some of the police to take action, even if they are available. I will ask the Commissioner of Police for a report on the matter to see what steps are being taken, and if they can be updated I am sure they will be.

### SEX VICTIMS

**Mr. KENEALLY:** Has the Attorney-General's attention been drawn to comments which were made by Federal Parliamentarian Mr. John McLeay and which were reported in today's *Advertiser*, and, if it has, whether he can inform the House whether the comments bear any relationship to the true position? Mr. McLeay was reported in today's *Advertiser* as being critical of the establishment of a 24-hour medical service in Adelaide for sex attack victims. Mr. McLeay is reported to have described the service as another socialist phenomenon. The man is obviously a fool. Mr. McLeay further described the service as ludicrous and said that the State Government established it because it was hell-bent on protecting the criminal from just punishment. I should like to see Mr. McLeay get some just punishment.

**The Hon. PETER DUNCAN:** I read the comments reported in this morning's *Advertiser* that were attributed to the Federal Minister for Construction, Mr. John McLeay. Frankly, I could not conceive of any sane person's having made those remarks and, in the light of

that, I was not surprised to see that they were attributed to Mr. John McLeay. I found those comments to be utterly reprehensible. It seems to me—

**Mr. Gunn:** You make some—

**The Hon. PETER DUNCAN:** Would the honourable member like me to—

**The SPEAKER:** Order! The honourable member for Eyre is out of order. The honourable Attorney-General.

**The Hon. PETER DUNCAN:** It seems to me that for any responsible citizen of this State to have made those comments is utterly appalling. If one looks at the actions of this Government in setting up the service to which the member for Stuart has referred, one can see that the motives that we had in setting it up arose out of our concern for the victims of this quite horrible crime. It was this Government (the first Government in Australia) that urgently sought a report into the situation with regard to the laws of rape, and Justice Mitchell's committee was asked in late 1975 to produce an urgent report on that matter. Arising out of that report, this current service has been set up.

It is a service that has been applauded by all the interested groups, particularly the women's groups in society, and it has certainly been applauded not only by the more radical women's groups but also by all groups in the women's movement. I would be most interested to know whether members opposite, or any members in this House, agree with Mr. McLeay's comments, because I think that, apart from being misguided, they were totally and utterly ludicrous.

If the setting up of this service is a socialist phenomenon, I make no apology for it, and I am sure the community at large applauds it. The reasons for setting up this service are, first, it is an attempt to reduce the trauma suffered by the victims of the crime of rape, and secondly (and this is something that Mr. McLeay quite obviously misunderstood and did not appreciate), it is tremendously important in endeavouring to prove the crime of rape in a court to obtain evidence at the earliest possible time. The sort of evidence that can be obtained through a specialist medical service of this sort, which is readily available 24 hours a day and which can conduct tests and ensure that, regarding the pathological aspects of the matter, the evidence can be obtained in the best possible way, of course is an attempt to ensure that fewer people escape conviction for the crime of rape. I would have thought—

**Mr. Becker:** There wouldn't be if—

**The Hon. PETER DUNCAN:** That is the sort of idiotic comment from the honourable member one expects. I would like to know—

**Mr. Becker:** Don't—

**The SPEAKER:** Order! The honourable member for Hanson is out of order. The Attorney-General is not to answer interjections.

**The Hon. PETER DUNCAN:** No, Sir, but it is a pity that some members of the community do not think a little more deeply about the problem and appreciate what a serious social problem it is. This Government is gravely concerned about the situation. I would be interested to know whether members opposite in fact support the State Government in setting up this service for the people of this State or whether they support the comments of their colleague John McLeay.

### EVIDENCE ACT

**Mr. GROOM:** Will the Attorney-General consider introducing legislation to amend section 69 of the Evidence Act to protect innocent members of the public

from receiving embarrassing publicity in the media arising out of court proceedings? Section 69 appears to empower a court to prohibit publication of any evidence that is likely to offend against public decency or, where it is in the interests of justice to do so, to prohibit publication of the name of any party or intended party or witness or intended witness in any proceedings.

There are many instances where innocent persons not party to the proceedings are maligned in court proceedings. For example, the situation often arises where an accused person being questioned by police officers will put the blame quite unjustifiably on an innocent person. This is then given in evidence, and it may be the subject of comment by prosecuting counsel or defence counsel during the course of submissions, and the item duly appears in the newspapers. The innocent person is not present when the allegation is made and is not given an opportunity to refute the claim. A later retraction has little effect, because there is an old saying that mud sticks.

**The Hon. PETER DUNCAN:** The matter raised by the honourable member has already been the subject of report in the second Mitchell committee report, and the Government criminologist is preparing legislation to give effect to the major recommendations of that report. Many amendments will be made to the Evidence Act, including an amendment to section 69. I imagine that that legislation should be ready to be presented to Parliament next year: it will be presented to the House at the earliest possible time. I appreciate that this is a matter which members might think is of some urgency, and I share the honourable member's concern, but there are many recommendations which need to be considered by the Government, and at the earliest possible time we will be introducing legislation to give effect to all those recommendations. At that time we will be giving effect to amendments that will overcome the problem to which the honourable member has referred.

*At 3.7 p.m., the bells having been rung:*

**The SPEAKER:** Call on the business of the day.

#### LAND TAX ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2—After clause 4 insert new clause 4a as follows:

4a. *Amendment of principal Act, s. 12a—Partially exempt land*—Section 12a of the principal Act is amended by striking out subsection (5).

No. 2. Page 3 (clause 7)—After line 27 insert the following paragraph:

(a1) any decision of the Commissioner under section 10 or section 12a of this Act;

No. 3. Page 4 (clause 7)—After line 6 insert the following subsections:

(4) An appellant who is aggrieved by a decision of the Treasurer under subsection (3) of this section may, within thirty days after notice of the decision of the Treasurer and his reasons for making that decision is served personally or by post upon him, appeal against that decision to a judge of the Supreme Court.

(5) In any appeal under subsection (4) of this section, a judge of the Supreme Court may—

(a) dismiss the appeal;

(b) reverse or vary the decision appealed against;

(c) make any order as to costs or any other matter that the justice of the case requires.

Consideration in Committee.

**The Hon. D. A. DUNSTAN (Premier and Treasurer):** I move:

That the Legislative Council's amendments be disagreed to.

The amendments are mainly directed to the question of providing a further appeal to the Supreme Court of South Australia from the appeal which is made to the Treasurer. Quite frankly, these are absurd amendments. It is quite obvious that decisions which have to be made by the Commissioner on whether there is a scheme which is in avoidance of the Act are administrative and discretionary decisions which cannot be defined in such a way as to mean that there can be a question of law which is the subject of an appeal. One simply cannot then substitute a court as a body which is going to use an administrative discretion, because that is simply not appropriate to court procedure.

**Mr. Goldsworthy:** But the Commissioner has to make a judgment on the purpose.

**The Hon. D. A. DUNSTAN:** He has to make a judgment, but it must be administrative and discretionary. One cannot lay down a series of legal tests, and that is why all taxation legislation of this kind is expressed in this way. These provisions occur in other taxation measures in South Australia, and they occur perfectly properly. Appeals are taken from time to time to me. I have allowed some appeals and not allowed others, but they have to be upon a basis of discretionary judgment. There is certainly no means by which we can lay down the rules which could be argued before a court.

**Mr. Goldsworthy:** Doesn't intent come into it?

**The Hon. D. A. DUNSTAN:** Again, that has to be an administrative decision. One simply cannot use the normal procedures of an appeal court to go through this kind of decision. It would make the whole administration of the Act ludicrous if we are going to have an appeal to the Supreme Court and thereafter leave to appeal to the Privy Council over a discretion of the Taxation Commissioner in matters of this kind. The proposal in this legislation is entirely in line with the discretion provided to the Commissioner in other similar legislation where he has to look at questions of aggregation and the like. In these circumstances, the Government is not prepared to accept that amendment. I make it quite clear the Government will not accept these amendments to this Bill. We do not intend to budge from that position. If others choose to insist on amendments that would defeat the Bill, so be it; that is on their heads.

**Mr. Tonkin:** It won't defeat the Bill.

**The Hon. D. A. DUNSTAN:** The Government is not prepared to accept the writing into the measure of an amendment of this kind. Therefore, the Bill will not become law if people try to insist on amendments of this kind, and I make that clear.

**Mr. Chapman:** That, in effect, is blackmail.

**The CHAIRMAN:** Order!

**The Hon. D. A. DUNSTAN:** I point out to the honourable member that the Government has introduced a measure it proposes to put into effect to improve the situation for people here, but it will not accept the writing in of an amendment of this kind to establish this kind of principle in taxation measures. If it were insisted on, we would not be able to proceed with the measure generally, and that is not a new statement for a Treasurer to make. The honourable member was not in the House when Sir Thomas Playford was Treasurer, but he made that



statement frequently in relation to another place, and I am accepting a Playford tradition.

**Mr. TONKIN (Leader of the Opposition):** I find the explanation, which the Treasurer has gradually whipped up into a table-thumping exercise at the end of his performance, quite interesting and enlightening. I cannot subscribe to the reason of a statement that says that the writing in of an appeal to the Supreme Court from a decision of the Treasurer or of the Commissioner can in any way be defeating the Bill. It is a fundamental fact of justice that a right of appeal should exist. The Premier and Treasurer has said that other taxing provisions have a similar restriction contained in them, but he has not mentioned the scores of Statutes which, as a matter of course, apply an appeal to some court or other, particularly to the Supreme Court. How on earth is the Premier justified in saying that there shall be no right of appeal? What he is really saying is, "I've said there'll be no right of appeal, and I'll not accept this right of appeal that seriously undermines my right as Treasurer to determine what shall and shall not be done." This is the epitome of arrogance.

Once again, the Premier has shown exactly what the Government stands for. He will not stand for an appeal to the Supreme Court. There is no rhyme or reason or rational thinking in a statement such as that. Whether he really believes that we will be convinced by his assertion that there should be no right of appeal, I do not know. If he thinks that the Opposition will be cowed and perhaps browbeaten into accepting that we should not challenge his statement that there should be no right of appeal, I assure him that that is not so. This is a fundamental principle of justice under the system under which we have lived for many years, a system which seems to be being bent more and more by the Premier and his Ministers. This system of impartiality ensures that justice be not only done, but seen to be done. It is a fundamental principle that there should be a right of appeal, and I referred to this matter in my second reading speech. I insist again that there can be no question of the Bill's being defeated, although the Premier has said that the object of the Bill would be defeated by writing in an appeal provision to the Supreme Court. That is a load of cods wallop.

**Mr. GOLDSWORTHY:** Is the Premier prepared to give more information to the Committee on the kind of circumstance that has led him to exercise his authority to uphold appeals? He said that a court was the last place in which appeals should be heard, and that it had worked satisfactorily for him, as Treasurer, to hear appeals, as he had heard them and, on occasions, upheld them. That indicates an unsatisfactory state of affairs. The Premier and Treasurer has this arbitrary power which he says it is his right to exercise. He then, for some reason, upholds an appeal against the decision. That opens up a whole area of conflict. Who will be let off—subscribers to the Australian Labor Party, or hardship cases?

**The Hon. D. A. DUNSTAN:** Mr. Chairman, that is a gross breach of Parliamentary privilege, and I demand a withdrawal. The honourable member is accusing me of corruption. He is saying that, in the administration of a decision as Treasurer, on appeal, I have specifically let off members of the A.L.P. I demand a withdrawal and apology immediately.

**The CHAIRMAN:** I uphold the Premier's request, and I ask the honourable Deputy Leader to withdraw the statement.

**Mr. GOLDSWORTHY:** I am happy to withdraw what the Premier thinks I said. I was asking for the kind of circumstances that would warrant his coming to a judgment in a case that was contrary to that of the

Commissioner, who, he says, is competent to adjudicate in these cases, and I put that case forward as one of a number.

**The CHAIRMAN:** I take it that the honourable Deputy Leader has made an unqualified withdrawal.

**Mr. GOLDSWORTHY:** I did not actually accuse the Premier, but I will withdraw any accusation the Premier thinks I may have made. What logical explanation is there for the Premier to uphold an appeal when he is pleased to vest in the Commissioner this somewhat arbitrary authority to make a final decision in the matter? What does the Premier and Treasurer have that a court of law does not have in circumstances such as these to allow him to uphold appeals, whereas he thinks that the court is not competent to do so?

**The Hon. D. A. DUNSTAN:** There have been some cases, although not very many, in which the Commissioner has reported to me on the basis of which he made the decision, but he has also reported that, in his view, the matter has been a borderline one. He has come down on one side of the border, but it would have been possible to come down in favour of the taxpayer. On examination, in some cases, I have thought it fair to come down on the side of the taxpayer and to give the benefit of the doubt in those circumstances, after discussion with the Commissioner and the Treasury officers. That is the sort of thing that has occurred. Again, it emphasises that this must be a discretionary and an administrative decision.

**Mr. TONKIN:** The Premier, by his reaction to the Deputy Leader's remarks (and, I think, a mistaken reaction), has demonstrated quite clearly how necessary it is that a right of appeal to the Supreme Court should be written into the Act. He has shown quite clearly, and perhaps understandably, that it is too much to ask that a Treasurer should bear this tremendous burden of being accused, perhaps, of partiality. I should have thought that the Premier would be more than happy to have an appeal to the Supreme Court, an independent body of the highest reputation, written into the Act so that he will not at any time be seen or thought to be partial in any way.

**The Hon. D. A. Dunstan:** There is no suggestion of partiality at all, and you know it.

**Mr. TONKIN:** I trust not, and that is the very point the Premier is bringing forward now.

**The Hon. D. A. Dunstan:** In that case, the subject should never have been raised.

**Mr. TONKIN:** He is adding further strength to the argument from this side and the argument that has come from another place. During the past few days, I have spoken at length to members of the legal profession on this matter. I deliberately did not raise this subject when I first rose to speak, but I have asked members of the legal profession their opinion as to what should be the situation. Has the Premier been in contact with members of the Law Society, for instance; has he had advice from them; if so, what has been that advice; has he heard from them at all? I have had an almost unanimous view expressed by people well versed in this part of legal practice that a right of appeal is desirable and should be written in.

It has been put to me that there should be a right of appeal direct to the Supreme Court from the Commissioner's findings, and it has been suggested by others that there should be a right of appeal to the Supreme Court from the Treasurer's determination. I have found no-one in the legal profession in the past few days since this matter has come before us who has said in any way that there should be no appeal. It seems odd that the Premier should be the only legal practitioner so far (although I suppose the Attorney-General supports him) who should be out of step in this matter.



**Mr. CHAPMAN:** What administrative evidence cannot be made available to the court that is available to the administrators or to the Premier, as Treasurer, in the first instance? The Premier has said this is an administrative matter which must be handled by the Commissioner and that any decision resulting from an appeal must be made, and the opportunity for the decision must be retained by the Treasurer so that he may exercise in future what he says he has exercised in the past. I am stunned by the dictatorial reply the Premier has given and by his reaction to the comment of the Deputy Leader. I fail to understand what sort of administrative evidence could not be passed on to the court in the ordinary course of events during an appeal compared to the situation that would apply to an appeal against someone seeking another opinion on any other matter, relating either to any other department or to any other subject whatever. It seems to be not in that category of uniqueness that it should be retained under the canopy and control of the Treasurer, as an individual.

**The Hon. D. A. DUNSTAN:** There are large areas of decisions in administration which have to be discretionary. It is not possible to deal with these as a matter of law; they have to be dealt with as administrative decisions. The appeal provisions normally applying are that no court will undertake the substitution of its own discretion for something which was properly within the discretion of the court appealed from. Even though a court disagrees, it does not substitute its own discretion. It will overrule only if, under rules of law, the body appealed from could not have come to the conclusion which it did.

**Mr. Chapman:** Surely that is an opportunity the people should enjoy.

**The Hon. D. A. DUNSTAN:** I am sorry. These are wholly matters of discretion. One simply cannot lay down rules of law in relation to it, and that is what the whole argument is about.

**Mr. TONKIN:** One other matter has come out of this most unfortunate statement of the Premier's in the first instance; that is what I believe to be a gross libel or criticism of the Supreme Court itself. The Premier has virtually said in this Chamber that the writing in of the right of appeal to the Supreme Court will defeat this Bill. He is virtually saying that an independent judicial body of the highest possible standing is not (he assumes) going to uphold decisions which he makes as Treasurer or which his Commissioner makes. That is a disgusting reflection on the integrity of a fine body of people, our Supreme Court judges.

The Committee divided on the motion:

Ayes (25)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Drury, Duncan, Dunstan (teller), Groom, Groth, Harrison, Hemmings, Hoppood, Hudson, Klunder, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Noes (18)—Mrs. Adamson, Messrs. Allison, Arnold, Becker, Blacker, Dean Brown, Chapman, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Nankivell, Russack, Tonkin (teller), Venning, Wilson, and Wotton.

Majority of 7 for the Ayes.

Motion thus carried.

The following reason for disagreement was adopted:

Because the amendments adversely affect the administration of the Act.

*Later:*

The Legislative Council intimated that it insisted on its amendments Nos. 1 and 2; it did not insist on its amendment No. 3 but had made an alternative amendment and an alternative suggested amendment.

## APPROPRIATION BILL (No. 2)

(Continued from October 13. Page 209.)

In Committee.

Parliamentary Committee on Land Settlement  
\$5 000—passed.

Legislature, Miscellaneous, \$938 000.

**Mr. GOLDSWORTHY:** I seek more information than is on the line. I realise I will not get it now, but I would like a detailed breakdown on the rates and charges associated with the running of this building. I refer to the item "Parliament building—Fuel and light, rates, cleaning, etc."

**The Hon. J. D. CORCORAN (Minister of Works):** I will obtain that information.

Line passed.

State Governor's Establishment, \$256 000—passed.

Premier's, \$4 851 000.

**Mr. TONKIN (Leader of the Opposition):** This line covers much ground, and a number of items need to be looked at carefully. I intend to take action later on the line "Chief Stipendiary Magistrate and Stipendiary Magistrates". I believe this provides an opportunity to ventilate whether or not magistrates should be within the Premier's Department or under the Public Service Board at all. For that reason I want to put clearly on notice now that I intend to move that the vote for "Premier's" be reduced by the sum of \$100 to allow this matter to be ventilated further. I realise that if I do that now I will take away the right of questioning and further debate on these lines from honourable members, but I want it clearly understood that when the time is appropriate I shall be moving in that way.

I am surprised that the Premier is not here. Although I know that the Deputy Premier will do the best he can, I think it is unfair that he be asked to carry this load, for which the Premier should be responsible. I am surprised that the Premier and Treasurer of the State is not here when his own department is under discussion. I sympathise with the Deputy Premier for having to carry this load.

I refer first to the line "Policy Division, Administrative, Committee Secretariat, Publicity and Clerical Staff". This relates to the administration of the Premier's Department. The sum of \$1 129 026 is allocated this year compared to \$980 548 spent last year. How many members of that staff are Ministerial appointments (contract appointments) and how many are members of the Public Service? I think, in the first instance, that that breakdown would be important.

**The Hon. J. D. CORCORAN:** First, I would like to explain to the House that the Premier is absent because he has had to go to the airport to meet the Crown Prince of Jordan, who is arriving this afternoon. I hope that he will not be there for the whole of the afternoon but will be back.

The line to which the Leader has referred provides for national wage and other salary increases in 1977-78. The Committee Secretariat is amalgamated with the Policy Division, and the Economic Intelligence Unit has been transferred to the Economic Development Department. Provision has been made for an additional four personnel to be included (Policy Division, two, and Publicity and Design, two). The staff numbers are as follows: Ministerial staff, 20; Administrative Division, 26; Policy Division, 20; and Publicity and Design Services, 26. That makes a total of 92.

**Mr. TONKIN:** I accept the explanation. For the Unit for Industrial Democracy, almost a doubling of last year's amount is proposed for this year—the amount is necessary from \$111 000 to \$212 000. That increase is reflected in

lines 60.01 and 60.45; the total last year was about \$20 000, and this year it is about \$71 000. This seems to be an inordinate increase, unless it indicates that there is to be some tremendous surge in activity within the Unit for Industrial Democracy. I would like to hear what the Deputy Premier has to say about that.

**The Hon. J. D. CORCORAN:** The increase provides in part for national wage and other salary increases. I do not know what percentage has been allowed in each case, because I suppose that would be consistent right through. It also provides for a senior research officer, a clerk and three project officers to be recruited. The staff number is presently 14, and five officers are to be recruited.

**Mr. TONKIN:** It is obvious that there is to be an upsurge in activity in the Unit for Industrial Democracy. It is certainly a marked increase. Under the heading "Administration", for "Administration expenses, minor equipment and sundries" last year \$124 300 was voted and actual payments were nearly \$173 000. This year's proposed expenditure is nearly \$240 000. That seems to be a tremendous increase. I suppose that it could be explained by the increase in the Premier's staff. We have heard that 26 staff members are in the Publicity and Design Services. The Auditor-General's report referred to the sum of \$16 000 as opposed to \$13 000 last year for entertainment, the purchase of liquor, and working luncheons. Again, that seems to be a large sum. The provision also includes \$12 000 for travelling expenses for the Premier which, I understand, is in addition to line "Overseas visits of Premier and officers" and other lines where overseas visits of officers and the Premier are mentioned.

I notice that the Publicity and Design Services, about which we have heard and in which there are 26 staff members, will incur this year an expenditure of \$250 000 as opposed to \$56 000 last year when nothing was actually voted. It seems to me that a colossal upsurge has occurred in expenditure in the Premier's Department, in what is basically publicity and design, in relation to entertainment, travelling expenses and the staffing situation generally.

Is the sum of \$50 000 for the publication of a quarterly magazine for four issues in a year? That sum seems to be large. I understood that the magazine was to be sold as a commercial proposition. In some way it must be subsidised, but I wonder whether the taxpayers of South Australia can afford that sort of expenditure, an expenditure that seems to be surrounding totally the promotion of the Premier and the Government. The lines to which I have referred amount to well over \$500 000 in that small section and all revolve around administration, entertainment and promotion of the Premier and his department.

**The Hon. J. D. CORCORAN:** Regarding "Administration expenses, minor equipment and sundries", the reason for the increase in the sum spent in 1976-77 over and above that voted was the additional payment for non-Budget items. In other words, the Premier's travelling expenses, etc., were provided previously under "Parliamentary salaries and allowances", and they have been transferred to this line. Additional funds have been allowed for the same purpose. There has also been an increase for the Director-General's allowances and for entertainment.

No doubt either the Premier intends to step up his activities this year or similar activities this year will cost more. Regarding "Charges for the Publicity and Design Services", the payments of accounts from contractors and printers are compensated under revenue from income received from client departments who are recharged for the cost of the total job performed. In other words,

revenue benefits from that. Various departments who obtain services from this section are responsible to pay for that work. The sum collected goes back into general revenue. During 1977-78 it is intended that there will be a significant increase in the cost and volume of jobs undertaken.

Regarding overseas visits of the Premier and his officers, the sum of \$25 000 is separate from "Administration expenses, minor equipment and sundries" to which the Leader first referred. I am not aware of the trips the Premier intends to take this financial year. I know that some time in November he intends, at the invitation of the Prime Minister of Singapore, to go there. It would probably be better for the Premier to give those details, because I am not aware of them. Hopefully, the Premier will be back to do that before the line is passed.

Regarding the quarterly magazine, my information is simply that that sum provides for the publication of the magazine *Vantage*.

**Mr. Dean Brown:** Are you whitewashing it?

**The Hon. J. D. CORCORAN:** I do not know exactly what the magazine will contain, how it will be printed and who compiles it, nor do I believe that members will expect me to be aware of that. The member for Davenport believes that I am whitewashing that question, but I can assure him that I am not. The sum relates to the cost of that publication. If the honourable member wishes to criticise the publication he is entitled to do so. The Premier will probably not be able to tell the honourable member much more about the publication than I have. Matters relating to that publication lie in the future. The Leader has criticised the sum spent on entertainment by the Premier. I have previously invited the Leader or some of his colleagues to consider the scene in any other State and make a direct comparison between the sums spent there and here to see whether or not they should be critical.

**Mr. Dean Brown:** Ha, ha!

**The Hon. J. D. CORCORAN:** I would expect a cynic such as the member for Davenport to snigger, as he has done. No-one would expect anything different from him, but I invite him to make that comparison. I imagine that he would already have done so but, because it was not of advantage to him, he did not use it. If he made such a comparison he would see that that is the case. I do not believe that anyone could point a finger at the Premier and say that he has been wasteful. I mean that seriously. The Premier goes to great pains to ensure (as he should) that only proper items are charged to that line.

**Mr. Dean Brown:** He's the most extravagant Premier in Australia!

**The Hon. J. D. CORCORAN:** I want the honourable member to back up that remark. I am sure he would not be able to do so. Such a remark is untrue, and he knows it. I have issued the challenge and honourable members can accept it if they wish. It would be ascertained that the expenses of Premiers in other States are much higher than they are for the Premier of this State. The Premier's actions are justified clearly in this matter. I make no apology about the amount spent, because it could relate to the entertainment of an important visitor. I expect that the Leader and some of his colleagues will be recipients of some of that hospitality from the State this evening when the Crown Prince of Jordan is entertained. I suppose that they think that that costs nothing.

**The Hon. G. R. Broomhill:** They won't offer to pay.

**The Hon. J. D. CORCORAN:** I am sure they will not. That is the sort of expenditure for which the State is responsible in that area.

**The CHAIRMAN:** The Chair was in error in allowing the honourable Leader of the Opposition to ask questions on item 20 40 when there was no vote on that item. Items 18 01 to 20 60 should be dealt with under the "Economic Development" line.

**Mr. TONKIN:** I mentioned those in passing because they happened to fit in with the travelling expenses. I would like information about the Publicity and Design Services Department. Nothing was voted for that department last year, but there has been an expenditure of \$56 000. Obviously this is a new department.

**Mr. Mathwin:** It's doing a good year this year, isn't it?

**Mr. TONKIN:** It is certainly updating its activities. I would like to know more about the exact duties of the department. It seems to be an extraordinary situation when the Premier of the State constantly denies having a large publicity staff, and yet we understand there are 26 people in publicity and design services. As \$252 000 has to be regenerated through revenue on publicity and design services, why is this department within the Premier's Department? Is it simply an offshoot of the policy division? What is the reason for the sum of \$40 000 provided for payments to consultants for services by the Unit for Industrial Democracy?

**The Hon. HUGH HUDSON (Minister of Mines and Energy):** Regarding the Publicity and Design Services Branch, the Government took a decision some time ago to centralise publicity services in the Government within the one organisation, rather than have the services duplicated in many departments. I think centralisation applies to virtually all Government departments other than the Education Department, whose publications represent such a large organisation anyway that it was decided that they should remain within the department. For the remainder, the same procedure works as with the Film Corporation. If a particular Government department wants a film it has to budget for it and include it in its estimates of expenditure. That would then appear as a revenue item to the Film Corporation.

In this case, the publicity branch is part of the Premier's Department, and any publicity work that that branch does for other departments requires an expenditure authority voted by Parliament, even though the arrangement is that the other departments pay for it. The sum of \$250 000 will in fact appear twice and will be offset once by revenue.

**Mr. Tonkin:** Why is it in the Premier's Department?

**The Hon. HUGH HUDSON:** Because a decision had to be taken about where it should be located. It was thought appropriate by the Government (and the Public Service Board was consulted on the matter) that the Premier's Department was the appropriate place for it to be. The publicity services of the Government are to be centralised there. That is a decision made by the Government. If the Leader thinks the branch should be located somewhere else, no doubt he can make that case, but at this stage the Government has decided that the appropriate department for the centralisation of these publicity services that would upset other departments (which were having their own control of publicity removed and centralised) was the Premier's Department. It is a judgment I am happy to support.

The expenditure queried in relation to the Unit for Industrial Democracy is a provision for the engagement of outside legal and financial consultants in relation to the work proposed to be undertaken by the unit. I guess it is probably partly a notional provision, as no-one at this stage is sure just how much outside consulting work will be undertaken. If the Leader thinks that outside consultants should not be appointed but that additional staff should be

appointed instead, perhaps he might care to say so. Obviously, if the Unit for Industrial Democracy is to be kept reasonably small, the use of outside consultants is a sensible way to achieve that, in order to cater for peaks in the work that require special expertise. Consultants are employed in many areas. I recall on a previous occasion during a debate in relation to Monarto claims being made by the Opposition that consultants should be employed to a greater extent than they were. I guess this is a case of when things are different they are not the same.

**Mr. TONKIN:** The sum provided for administration expenses in the Premier's Department includes \$16 000 for entertainment, purchase of liquor and working luncheons. Will the Minister obtain for me a breakdown of the expenditure of \$16 000 particularly in relation to who has incurred expenditure? What proportion has been incurred by the Premier and what proportion by his officers? If his officers are involved, who are those officers, and where has the expenditure been incurred? Has it been largely the practice to have working luncheons in the Education Building complex, or are these working luncheons outside Government departments?

**The Hon. HUGH HUDSON:** I will ask the Premier to provide that information. Many of the luncheons undertaken by the Premier relate to visiting dignitaries to the State. For example, the Burmese Ambassador will be here on Thursday and there will be a luncheon for him. Surely the Leader would not be so churlish as to suggest that the Burmese Ambassador should not be entertained by the State of South Australia.

**Mrs. ADAMSON:** What proportion of the \$56 000 (and this seems an excessive sum) spent on publicity and design services is incurred by way of salaries to employees of the Premier's Department and what proportion is fees for services to outside consultants? Will any cost benefit analysis of this amount of expenditure be undertaken by the Premier's Department?

**The Hon. HUGH HUDSON:** This item is under contingency so it does not contain provision for wages and salaries but it does relate to charges that have had to be made when various items are printed for other departments. No doubt the main element in the item is the payment of bills to contractors and printers that do the actual printing work that is done outside the Government. I point out again that the publicity work of the Government is now being centralised within the Premier's Department. This item would have previously appeared as separate smaller items in provisions for other departments. I will ask the Premier to see whether he can estimate the extent to which this item repeats items that occurred previously in other departments and to what extent it involves an expansion.

**Mr. GOLDSWORTHY:** The provision for "Arts Development Officer and Clerical Staff" indicates a considerable escalation that I do not think can be accounted for by inflation, the vote having increased from \$68 900 to \$119 600. I take it that that is Mr. Amadio's group. What officers comprise that staff?

**The Hon. HUGH HUDSON:** The current staff number is nine, and it is proposed that an additional four staff be employed in the Arts Development Division.

**Mr. Goldsworthy:** What will they all do?

**The Hon. HUGH HUDSON:** They are involved in the various aspects of the Government's arts development policy, which is wide ranging and which covers many areas. If the honourable member would like a report on the division's activities, I shall be pleased to obtain it for him, but I can assure him that the division's staff do a very fine job, and that is a fundamental reason why the

Government has maintained such good relations with the various areas of artistic endeavour. It is worth recognising publicly that Mr. Len Amadio is an officer of this Government whom New South Wales tried to steal but who has decided to remain in South Australia. He performs a very valuable function indeed in ensuring that the Government's work in this area is undertaken effectively and competently.

**Mr. DEAN BROWN:** Regarding "Terminal leave payments", who is expected to receive payment in the current year and who received payments under this line last year?

**The Hon. HUGH HUDSON:** Such a line appears in several places. I have no information regarding the \$34 000.

**Mr. Dean Brown:** Is this an attempt to sweep it under the carpet?

**The Hon. HUGH HUDSON:** The honourable member is incredibly unpleasant. I will ask the Premier for the information.

**Mr. BECKER:** I draw the Committee's attention to page 241 of the Auditor-General's Report, as follows:

The item "Charges for Publicity and Design Services" (\$57 000) related to the costs associated with work undertaken for Government departments and statutory authorities. The charges are recouped from those clients by the department and credited to Consolidated Revenue (\$47 000 in 1976-77).

That explains in a nutshell the role of this section of the Premier's Department. It is interesting to note that the staff has increased in size. What is the estimated income from this section during the financial year?

**The Hon. HUGH HUDSON:** It is intended that, where work is done for an outside client (that is, for another Government department or statutory authority), the costs of the total job will be recouped. The difference between the recoup to which the Auditor-General refers, namely \$47 000, and the actual expenditure of about \$57 000, is either because of work done for the Premier's Department itself or, alternatively, because there is a delay in receiving this sum into Consolidated Revenue. I can obtain an estimate, I think, for the honourable member of how much of the \$250 000 is likely to be recouped. The difference that appears in relation to the past financial year would not all be due to work done for the Premier's Department; some would be due to the fact that the outside department or authority had not arranged for the payment to be made.

**Dr. EASTICK:** The vote of the Planning Appeal Board will increase from \$251 500 last year to \$389 400 this year. Actual payments last year were \$323 633. Why should there be this marked increase in the board's activity? Is it a reflection of an increase in the number of cases coming before the board or are cases of a type that the board has heard over a long period more expensive to administer? The major increase is in secretarial and clerical staff fees, and it would appear that the increase from \$183 676 in actual payments to a vote of \$246 300 means that there is to be a considerable increase in the number of staff employed. The expenditure for operating expenses, minor equipment and sundries, and purchase of motor vehicle does not reflect quite the same degree of increase as is shown under the line I am questioning.

**The Hon. HUGH HUDSON:** Provision is made for an additional two persons to be employed. I think that a large part of the increase last year and this year is because the Planning Appeal Board has taken on additional functions; for example, it has taken over the Builder's Licensing Board appellate jurisdiction. I do not think that the appeal

board is shown separately, because it is all done virtually through the Planning Appeal Board. The other aspect is that it is influenced by the number of cases that must be heard, and that is a function of our planning appeal system. It might be argued that the system is too expensive, but the costs of planning appeals are governed by the number of cases, the complexity of them, and the number that must be heard by a board of three, under the legislation. It is also worth noting that an additional judge was appointed during the past financial year, and additional secretarial staff would have been appointed at that time when Judge Taylor was appointed to the board. He was appointed during the financial year, so the full impact of his appointment would not have appeared in last year's expenses. There is a carry-over for a full year impact into this year.

**Dr. Eastick:** Would you be able to get for us a breakdown as between the two jurisdictions?

**The Hon. HUGH HUDSON:** I shall ask the Premier for that information.

**Mr. DEAN BROWN:** I am looking at the overall increase for the provision of payment of salary of staff within the Premier's Department. If we put this on a comparable basis, this year there is no allocation under the Development Division and under the office of the Director-General for Trade and Development. If we subtract those relevant amounts, we come back to the actual allocation last year of less than \$3 000 000 and the actual expenditure of \$3 180 000. The allocation for this year is \$3 846 000, an increase of 23 per cent to 25 per cent in the allocation for staff within the Premier's Department. That is a frightening increase, especially when we consider that the wage increase component is likely to be at the most about 13 per cent or 14 per cent. Obviously, the Premier has allowed a further 10 per cent increase over and above that for staff increases. That needs some justification to the Committee and to the State. How can the Premier continue to claim that he is a responsible Premier who is not the most extravagant Premier in this country, and yet carry on with such an increase in expenditure, not only in this year, but preceded by even greater increases in the past three or four years?

**The Hon. HUGH HUDSON:** A significant part of the increase is due to the Planning Appeal Board, a matter that is not subject to the kind of strictures that the honourable member would make against the Premier.

**Mr. Dean Brown:** That's only \$60 000.

**The Hon. HUGH HUDSON:** The honourable member is again fiddling with figures, as is his wont. His comparison was between what was proposed last year and what is proposed for this year. If the honourable member compares the figure of \$251 500 proposed for the Planning Appeal Board last year and the figure of \$389 400 proposed for this year, the increase is \$138 000, or more than 50 per cent. The honourable member cannot shift the basis of comparison when he makes a point and when I reply on the same basis as his comparison. If he wants to switch the basis of comparison, the change is significantly different. A large part of the increase—

**Mr. Dean Brown:** The difference—

**The Hon. HUGH HUDSON:** Perhaps the honourable member for Davenport will let me give him his serve, and then he can come back again if he wants to. I have spoken previously in this Chamber about his willingness to abuse the English language and to turn it around to mean whatever he likes it to mean. Now, he is fiddling with the figures as well.

**Mr. TONKIN:** On a point of order, Sir, I should have thought the Minister had been here long enough to know that he should be addressing you in the Chair.

**The ACTING CHAIRMAN:** There is no point of order.

**The Hon. HUGH HUDSON:** No doubt the member for Davenport is opposed to the establishment of an Ethnic Affairs Branch, which is responsible for an increase of \$83 600 over last year, when nothing was provided. I seem to recall some mention in the policy speech of the Leader of the Opposition about ethnic affairs. I should like to hear whether the Opposition is opposed to the work done by the Women's Adviser and her unit. If so, would members opposite please make it clear? Again, \$29 000 of the increase is expenditure by the Women's Adviser Unit. An increase is also proposed for the Unit for Industrial Democracy, and members opposite should indicate their attitude on that point.

The Government has made certain decisions. One is that it is going to expand the effort undertaken by the Unit for Industrial Democracy on a co-operative and voluntary basis with a large number of organisations. It is involved in an expansion with the Immigration Section, with the Women's Adviser, and with the Ethnic Affairs Branch. The Planning Appeal Board expenditure is not really totally under the Premier's control, because it is governed largely by the number of appeal cases and the overall jurisdiction of the judges on the board. I do not think it is good enough for the honourable member to make an overall comparison without looking at the detail, making allowance for inflation, and indicating where he would be opposed to expansion taking place. The Government has made its priorities clear. It is in favour of expansion in the areas I have indicated. Those decisions taken by the Government are supported by all members of the Government.

**Mr. DEAN BROWN:** The Minister has thrown me a challenge and I shall meet it. I was referring to what was spent in 1976-77 and to what is proposed for this year.

**The Hon. HUGH HUDSON:** I rise on a point of order, Mr. Acting Chairman. Why has the honourable member deducted the Development Division, if that is what he is concerned with? That figure is in the lines showing the amounts voted, and not the payments. He yacked about those deductions.

**Mr. DEAN BROWN:** If the Minister takes the difference between what was spent last year and what is proposed for this year, he will see a difference of \$660 000 in the Premier's Department. The Minister has the gall to stand in this place and explain that away, and his prime example is the Planning Appeal Board, where the difference was only \$60 000. There is a difference of \$660 000, and the one example involves \$60 000. The Minister totally ignored, in all his meanderings, that the Premier's administration expenses in his own department incurred an increase of about \$200 000, a third of that amount. The Minister challenged me over issues such as the \$20 000 for the Women's Adviser and other trifling amounts elsewhere, but he ignored the \$200 000 about which I wanted an answer.

It is the Minister who has served this Committee with shabby figures and who has tried to twist the facts. The actual amount spent in 1976-77 was \$3 186 000. Obviously, one cannot subtract the amount for the Development Division and the Director-General for Trade and Development from the actual amount paid. Irrespective of which figure one takes, that figure or the amount voted, the end result is similar and it is about \$660 000. That is the lesser figure. If the Minister wishes to take the other figure, that was \$850 000.

I again ask the Minister whether he will (and obviously from his previous answer he cannot) at least attempt to try to justify why the expenditure for the Premier's Department has increased by such a huge amount. I do not

want trifling amounts. He has asked me to indicate one area where I would not approve of such expenditure. The one area in which I would not approve of such expenditure is in the Unit for Industrial Democracy; I would not accept that at all. The figure was given previously that it is intended to increase the staff of that unit to 19. Twelve months ago the staff was six, so we have an increase in that one unit of 300 per cent in a period of 18 to 24 months. That also indicates where the Government is placing its emphasis at present. I think this sort of increase needs some sort of justification by the Minister.

**The Hon. HUGH HUDSON:** I explained the bulk of the changes that have already taken place. If the honourable member wants to refer to the increases in the administration division, the increase is largely due to the national wage and salary increases. There is also a proposal for an increase of four in the staff, two for the Policy Division and two for the Publicity and Design Services Branch in an existing staff of 92, so that any expansion that occurs under "Administration" is relatively minor.

I am sure that the honourable member is aware that we are living in a world of inflation, despite Mr. Fraser and his colleagues in Canberra, and that means that there is some increase in expenditure, anyway. I have already gone through the other major items in the increase either in answer to other members (for example, in relation to arts development) or in my previous answer when I dealt with the Planning Appeal Board, Immigration, the Unit for Industrial Democracy, Women's Adviser Unit and the Ethnic Affairs Branch. They are the bulk of the increases that have taken place. Even the Agent-General in London involves an increase of \$30 000, almost 20 per cent, despite no mention of any increase in staff; I think that is just for the existing staff. The London costs have increased by almost 20 per cent without any increase in staff. I do not intend to repeat the other points I have already made.

**Mr. BECKER:** For "National insurance for South Australian staff of the Agent-General", \$3 100 is proposed. I seek the reason for that payment. Will it establish a precedent in the department in that area?

**The Hon. HUGH HUDSON:** That is a payment required under United Kingdom law in respect of South Australian employees in London.

**Mr. Becker:** Does the employer pay?

**The Hon. HUGH HUDSON:** Yes.

**Mr. MATHWIN:** Regarding "Administration", the Minister passed an increase off as being due to four extra staff and the rest to inflation. The Minister was talking about a figure of \$193 157. For "Administration expenses, minor equipment and sundries", there is an increase of \$86 989, so in the two lines the increase is well over \$200 000, yet the Minister wishes to put that down to inflation. I do not agree.

I disagree with the increase for the Unit for Industrial Democracy of \$100 658. If that is coupled with what is shown on page 16 for the Unit for Industrial Democracy there is an extra \$71 000. I wonder whether the "Payment to consultants for services" includes the fee for Mr. Ted Gnatenko's trip, from which he will return with all the great news of the operations of industrial democracy in Yugoslavia. There must be provision for his trip somewhere, and I am wondering how much the Government has put aside for that trip. How much of that \$40 000, if any, is going towards that trip?

The Minister also mentioned the Agent-General in England. He said that there is no increase in staff there. That may be so, but there are a number of items that do not relate to inflation, either. For instance, he explained

the amount for insurance of \$3 100, and there is also the purchase of a motor vehicle. What kind of motor vehicle the Minister will get for \$1 000, I do not know.

**Mr. Becker:** Perhaps they've got a trade-in.

**Mr. MATHWIN:** Maybe they are going to trade something in, but everybody knows the position regarding motor vehicles in the United Kingdom, and trade-ins are not as good as they are in Australia. I am amazed at the vast increase in the cost of running the Premier's Department. When one sees a separate increase of \$45 154 for staff, under "Arts Development", combined with administration costs amounting to well over \$200 000 in the Premier's Department, it certainly tells the tale of where expenses are going and explains why we have high taxation in this State. The Government, in its pre-election advertising, said that we were the least taxed of any State in Australia, which is absolute piffle. The payment of high administration costs and the like has to come from the taxpayers' pockets; that is why we in South Australia are paying the highest taxes in Australia.

**The Hon. HUGH HUDSON:** I will get the honourable member's statement analysed and give him the information.

**Mr. TONKIN:** I move:

That the vote "Premier's Department, \$4 851 000" be reduced by \$100.

I take this action to highlight the invidious position in which magistrates have found themselves in recent years. I refer to the line "Justice Division", which is part of the Premier's Department. Magistrates have found themselves in a most invidious position over the past few years because of their position in the Public Service. Special magistrates are appointed pursuant to sections 11, 12 and 13 of the Justices Act, 1921-1975. Since 1931, they have been appointed only on the recommendation of the Public Service Commissioner, and in recent times the Public Service Board, with the approval of the Chief Justice.

They have always been subject to the Public Service Act. That fact has not given them any undue cause for alarm until relatively recently. For many years special magistrates were appointed to the Adelaide Local Court Department, the Country and Suburban Courts Department, or the Adelaide Police Court Department. The Attorney-General was responsible for each of these departments. In about 1963, the name of the Adelaide Police Court was changed to the Adelaide Magistrates Court. Later, in 1969 or 1970, the Adelaide Magistrates Court, Local Court and Country and Suburban Courts Departments were amalgamated as the Local and District Criminal Courts Department. This department was still responsible to the Attorney-General, as was the Crown Law Department, which employed Government prosecutors.

In 1974, the Corbett committee recommended the amalgamation of these and other departments in a new Legal Services Department. This recommendation was implemented and, for the first time, it brought both magistrates and prosecuting counsel within the same department and under the same permanent head. For this reason, Mr. L. C. Grieve, S.M., stated a case to the Supreme Court in response to a writ of *mandamus*.

**Mr. Millhouse:** I did that.

**Mr. TONKIN:** I am pleased that the member for Mitcham has come into the Chamber, because I know that this matter is of particular interest to him. As a result of that case the magistrates were transferred to the Premier's Department. On August 3, 1976, Mr. Grieve, sitting in the Adelaide Magistrates Court, said that the amalgamation of the Attorney-General's Department, the Crown Law Department and the Local and District Criminal Courts

Department had caused serious problems. He said, "Whether justice can be seen to be done when the prosecutor and the tribunal are members of the same Government department is a matter I feel certainly needs clarification." The Attorney-General is quoted at that time (and I am pleased to see that he has come into the Chamber, too) as saying that he was somewhat surprised in the light of the discussions the Government had conducted that Mr. Grieve had seen fit to desist from hearing a matter on his own motion when the question of the standing of magistrates and prosecutors had not been raised by the defence.

That statement, whilst it typifies the attitude of the Attorney-General that unless someone complains it must be all right, is not at all correct. The cardinal point of our entire system of justice is that not only should justice be done but it should be seen to be done. There is no room for any suggestion or possibility that anything could impair this concept.

It is essential that our system is not only as good as it can be but that it be seen to be as good as it can be. Courts must always be independent and be able to exercise their discretion independently. Magistrates, in particular, have an extremely difficult and responsible duty to perform at any time, and being saddled with the additional burden of the possibility of being seen to be partial, even though they are not, simply as a result of an administrative arrangement, is totally unnecessary, unjustified and untenable.

Mr. Grieve's attitude was upheld by the South Australian Full Court on August 30, 1976, when His Honour the Chief Justice said that the case was one of great and far-reaching importance. That is in sharp contradiction to the remarks made by the Attorney-General before and since that time. The Chief Justice continued:

To some minds it might seem anomalous that a magistrate should be subject to the Public Service Act and that, in view of the important functions he has to perform, touching so nearly and so often the ordinary life of the citizen in so many aspects, should be given the same independence and freedom from administrative control as were enjoyed by Supreme Court judges.

Quite definitely His Honour was of the opinion that this was something that should be considered deeply, but in a most commendable way he refrained from making positive statements on the matter for the fear that he might enter the political arena.

All three judges held that a fair-minded observer might reasonably conclude that a magistrate might not resolve the questions before him with a fair and unprejudiced mind because of the common departmental head. The report continued:

Mr. Justice Wells and Mr. Justice Sangster said the department's permanent head had powers that could be exercised in such a way as to harm the career of any officer in his department.

He had the power, in the administrative sphere, to control or affect a number of aspects of a magistrate's and Crown counsel's daily life as a Public Service officer.

"We congratulate ourselves daily upon living in a free society," they said. "We have learnt to acknowledge the necessity for, and to bow voluntarily to, some regulation of that freedom. But whatever liberties men and women retain . . . they are all as nothing if courts do not have their complete independence assured to the extent that they own no master save that of the law, and are subject to no external influence save that exerted upon them by the principles and precepts of intellectual and personal integrity.



But courts cannot perform their task effectively if they are not respected and their decisions accepted without question—save of course, by appeal in due course of law. Courts are today generally respected, but that respect cannot be taken for granted, or expected to survive facts or circumstances that prove, or even lead reasonably to the suspicion, that a court is biased.

The community is entitled to expect a high standard from all courts. Because the standard is so exacting, any departure or reasonably suspected departure from it must be seen as the more serious."

Those words by Their Honours have an immense depth of meaning that has obviously been completely lost sight of by this Government. One would have thought, with the situation so clearly summed up, that action would be taken by the Government to remove magistrates from the control of the Public Service. However, that was not to be. The Government indulged in one of its famous public relations or face-saving exercises: it must be seen to be doing something, so what it did was transfer magistrates from the Attorney-General's Department into the Premier's Department so that the permanent head was thus changed.

Executive Council, by proclamation, undertook that change, which cleared the way expeditiously for the resumption of business in the lower courts. Of course, it did nothing either to solve the real problem or to acknowledge that there was a real issue at stake—that is, whether magistrates should be or seem to be under Government control.

Apparently, the Premier holds the same views as the Attorney-General in spite of Their Honours' opinion. The Premier did not believe that it was necessary to indulge in any more than a token gesture. The magistrates have found themselves in a position that has not changed fundamentally. Certainly, they have lost the acute pressure of being under the same departmental head, but they are still subject to control under the provisions of the Public Service Act. It is a position which, as far as I am aware, the great majority of them find untenable. They have every reason to be concerned, and that has been shown up in the most recent episode involving Mr. D. F. Wilson, S.S.M., a matter which has been ventilated widely in recent weeks and which I do not intend to go into in depth.

The point of the matter is that, following a remark by the Attorney-General on a radio programme that there seemed to be one law for the rich and one law for the poor, directly after comments that had been made about penalties handed down by Mr. Wilson on Medibank charges, the magistrate took the remarks (and I believe quite justifiably) as a direct reflection on his probity and judicial integrity. Rightly he disqualified himself from hearing cases that involved any State connotation.

As a result he was, on September 20, transferred from the Magistrates Court to the Adelaide Local Court by direction of the head of the Premier's Department—the permanent head of the department.

We have heard at least the correspondence that has passed between Mr. Wilson and his Ministerial head—the Premier. That correspondence has been tabled in this Chamber. It was tabled piecemeal, but it was tabled. We have heard the magistrate's point of view. He believes that he has been treated shabbily, with which I totally agree. There is no question that the Attorney-General should have made a far more definite retraction and apology than he did in this place, although Mr. Wilson, I understand, was quite willing to accept the statement that was made by the Attorney as an explanation.

It was an unfortunate remark which was made and

which has given rise to the most unfortunate consequences. It has highlighted beyond any doubt that the place for magistrates is not the Public Service and that they should be given the same rights of independence as are enjoyed by justices of the Supreme Court, as has been recommended quite clearly in a judgment of the South Australian Full Court. The leader of the *Advertiser* on Wednesday, September 21, is headed "An unworthy slur". It sums up the situation very well. It states:

There are some highly unsatisfactory aspects of the circumstances which led yesterday to the transfer of Supervising Stipendiary Magistrate, Mr. D. F. Wilson, from the Adelaide Magistrates Court to the Local Court. He appears to have become the victim of a serious indiscretion by the Attorney-General (Mr. Duncan).

I could not agree more. The leader continued:

Commenting on a case previously dealt with by Mr. Wilson, Mr. Duncan agreed with a radio questioner last month, as he confirmed yesterday, that there seemed "to be one law for the rich and one for the poor". Mr. Wilson, not surprisingly, has interpreted that as an allegation of bias in the performance of his judicial duty. And he has not been content, as some others may have been, to let the matter rest there. He has complained to the Premier and refused to hear cases involving State prosecutions on grounds which broadly concern the requirement that justice must be seen to be done.

I do not intend to go any further into the matter except to say that 19 magistrates met to discuss this matter. They have, I understand, expressed yet again their extreme concern about the most invidious position in which they are situated by virtue of being in the Public Service and therefore under the control of individual Ministers of this Government. Therefore, one could say they could be seen to be under the direct control of the Government itself. That is the last thing that anyone wants to see in our community. I repeat that justice must not only be done, but it must be seen to be done, and, where there is any suggestion, no matter how unlikely, of Government direction and control of magistrates, justice is not seen to be done.

There is always that doubt which may arise, and we are not doing what we should be doing for our magistrates, that is, giving them the backing they need of total and complete independence of Government control. We depend on them for the administration of much of our justice system. I think it is only fair that they should be given that independence, and given it quickly. I would like to hear the Premier (because his department is involved) say that he will take action, as the Attorney-General has been quoted as saying he has had it in mind to consider removing them from the control of the Public Service Board. I think that is the only logical thing that can be done.

I do not in any way attribute any bias or partiality to the actions of any of our magistrates in the past and, I would trust, in the future. I think they perform a superb job. I think it was most unfortunate that that reflection was cast on Mr. Wilson, but, to make quite certain that it can never be done again and that we can never have any suggestion of Government control, I suggest that action be taken as urgently as possible to remove magistrates from the Public Service.

I move this motion, which is virtually a motion of no confidence, to draw attention to the matter and show how seriously the Opposition regards it. I hope that it will be supported and, if it is not won (and the vote probably will not be won because of the realities of political life), that the Government will nevertheless do what ought to be done and what is clearly its duty.

**Mr. GOLDSWORTHY:** I second this motion, which in effect amounts to a motion of no confidence in the Government. I think all members are familiar with fairly recent events in which the Attorney-General has been involved. In fact, many members are aware of the questionable activities of the Attorney-General over the years he has been a member of this House.

This motion in effect brings to a head events on which the Opposition has been questioning the Government and which have led to an unsatisfactory situation in relation to the courts that we believe should be resolved in the long term. We know that the recent dispute arose from the ill-chosen words of the Attorney-General in a radio broadcast. It is not the first time his words have been ill-chosen publicly and have led to motions of no confidence in this House, but this has led to a situation in which the senior magistrate believes he has been scandalised by the Attorney-General—

**Mr. Millhouse:** Not scandalised!

**Mr. GOLDSWORTHY:** Maligned, if that suits the member for Mitcham better. Other magistrates held a meeting to discuss this matter and, from what one can gather, they are far from satisfied with this situation. In effect, to discipline the magistrate the Premier's Department had him shifted from the job to which he was appointed. I have read the correspondence from start to finish, and it seems to me that the Premier read far more into Mr. Wilson's correspondence than he read into the Attorney-General's statement on radio. I do not wish to traverse the same ground as that traversed by the Leader. I certainly second this motion of no confidence in the light particularly of recent events involving the Attorney-General and his relationship with magistrates.

**The Hon. D. A. DUNSTAN (Premier and Treasurer):** I oppose the motion. I do not imagine that that surprises honourable members opposite. As to the matters relating to Mr. Derek Wilson, the suggestion, as I understand it, from the Opposition is that the action of the head of my department in making arrangements that Mr. Wilson should carry out duties in the Local Court is somehow or other an interference with his judicial independence. It is not; it cannot be.

The magistrate concerned is not only perfectly able to hear and determine the case in which he disqualified himself and in which, by the way, he no longer disqualifies himself, but he could hear and determine independently any other matter which properly came before him. There was no interference by the Government in that at all. There was no interference with judicial independence, and the Government does not propose to submit to allegations of interference with judicial independence which are quite baseless and about which in recent times we have had a Royal Commission. At that time the Opposition happened to be in full cry about the matter of judicial independence, about which they went very quiet when before the Royal Commission the judicial officer proceeded to withdraw his original allegations.

**Mr. Tonkin:** Do you say—

**The Hon. D. A. DUNSTAN:** The honourable member knows perfectly well that the allegation in that matter was baseless, as was proved by the Royal Commission.

**Mr. Tonkin:** That was good reason for having it, wasn't it?

**The Hon. D. A. DUNSTAN:** I do not think that, for his own sake, the Leader had better pursue that matter very far. The fact was that quite clearly there was no interference with judicial independence. There never had been an attempt to interfere with judicial independence, and there has not been in this case, either.

As to the question whether the chief law officer of the Crown should say on occasions that he disagrees with penalties in courts or with the degree of consistency in penalties which is shown by the courts generally, I do not believe there is anything wrong with that. It is entirely within the tradition and practice of chief law officers of the Crown to do a thing of this kind. The Opposition has nothing to complain about on that score.

However, what they are now arguing about, as I understand that part of the debate I heard, is that somehow or other this incident means that the earliest possible opportunity should be taken to remove magistrates from the Public Service. The Government has had discussions with the Chief Stipendiary Magistrate, representing the magistrates, on that subject, but it has not as yet had put to it a satisfactory means by which this might be achieved. The door is open, and I have invited the Chief Stipendiary Magistrate to make further submissions, but the Government cannot be in a position where there is no effective administrative means of seeing to it that magistrates carry out the duty they have to the public.

The Leader of the Opposition says that all magistrates at all times, in his view, have done the right thing by the people before their courts. With great respect, I do not believe that they have, and the magistrates themselves do not say that that is the case. Indeed, the Chief Stipendiary Magistrate put to me that some actions by some magistrates in the past had been an embarrassment to the magistracy.

**Mr. Tonkin:** There's always an appeal.

**The Hon. D. A. DUNSTAN:** The Leader does not practise law and does not know very much about it, as he has demonstrated in the House constantly. Many people dealt with by magistrates courts are not in a position to go to the expense of an appeal. Members of the legal profession know very well that in numbers of cases actions have been taken by magistrates in some circumstances which, frankly, have been, to say the least, eccentric and which have disadvantaged the people who have come before their courts.

**Mr. Millhouse:** I think you ought to give some examples of this, or it will be taken outside as a slur on the lot of them.

**The Hon. D. A. DUNSTAN:** It is not a slur on the lot of them; it is an accusation against a few, but a few have happened in the past. When magistrates have lined up people in the court and dealt with them in summary form and not according to the normal proceedings of the court (and that has happened, as members of the legal profession know), it is necessary to take some administrative action at times to ensure, either through the Chief Stipendiary Magistrate or by shifting someone to another jurisdiction, that that kind of thing does not recur.

**Mr. Goldsworthy:** So you discipline them?

**The Hon. D. A. DUNSTAN:** It is a question not of disciplining them but of protecting the public and seeing to it that the normal processes of the law are administered in a lawful way. It is necessary in any administrative change that is made (if magistrates are to be taken outside the Public Service) that some administrative structure exist in order to ensure that, if some magistrates act in a way described by the Chief Stipendiary Magistrate to me as being an embarrassment to the rest, some action can be taken that falls short of removing them from the bench and ensures that the service to the public for which they are appointed is, in fact, given.

At this stage of proceedings, we have not been able to conclude a satisfactory means of ensuring this, and, as I have pointed out, the door is open to the magistracy to put forward an alternative proposal which would ensure not



only that the overwhelming majority of members of the magistracy who perform unexceptionally have a judicial independence which is not interfered with, as things stand now, and an independence from the Public Service, but that there is an administrative means of seeing to it that magistrates can be changed from one jurisdiction to another if, in fact, the way in which they are acting in a particular jurisdiction is not following the tradition of the law or is not in the best interests of the people who come before them. Someone has to do that somehow.

I point out that the people who are appointed to the magistracy are in many cases people who are not particularly senior in the profession, and it has not been the case that we have always had from all the magistrates quite the same standard of service as we have had from judges in the Local and District Criminal Court or in the Supreme Court. Any member of the legal profession, I think, would have to agree with those remarks. In consequence, we have to ensure that there is some way of making certain that the administration of the court proceeds in a proper and orderly manner.

**Mr. Goldsworthy:** You appoint them, and then can't trust them.

**The Hon. D. A. DUNSTAN:** That is not so; that is simply not the case. The overwhelming majority of magistrates, as I have said, behaves unexceptionally but, historically, it is the case (admitted by the senior magistrates themselves) that there have been a few unfortunate exceptions to that rule.

**Mr. Millhouse:** You could probably, of course, say the same thing of judges, at all events. There'll always be lapses.

**The Hon. D. A. DUNSTAN:** There was a lapse in the case to which I adverted earlier.

**Mr. Millhouse:** That wouldn't be the only one.

**The Hon. D. A. DUNSTAN:** That would not be the only one, certainly, but some of the wilder shores of departure from the standards of judicial conduct which we all do not wish to see have occurred in the case of the magistrates rather than with judges.

**Mr. Goldsworthy:** The Attorney wasn't too kind to the Chief Justice in the case of the shooting of the policeman, was he?

**The Hon. D. A. DUNSTAN:** I do not know what the honourable member is talking about, and I do not think that he does, either.

**Mr. Goldsworthy:** Yes I do.

**The Hon. D. A. DUNSTAN:** It would be unusual for the honourable member to demonstrate it to the House. In consequence, I do not intend at this stage to take this matter further. Discussions have taken place with the magistrates, and the door is open for them to discuss the matter further with us. We have no firm proposal for the removal of the magistrates from the Public Service at this stage. If we can devise a satisfactory means of doing so, we are certainly interested in doing so, and that remains the position.

**Mr. MILLHOUSE:** I am indebted to the members of the Liberal Party for keeping the debate going this afternoon until I was able to be present and to the Leader of the Opposition for moving this motion as soon as I was able to arrive.

**Mr. Goldsworthy:** Quite by chance.

**Mr. MILLHOUSE:** I was giving the Leader the benefit of the doubt on this occasion, in a determined attempt to be charitable. I also appreciate the Liberals taking up this matter in the way they have. I suspect that they know that I would have raised it on this line if they had not done so, and they were anxious to get in before me. However, the important thing is that the matter should be aired. First, as

the Premier has implied in what he said (and I certainly do not agree with everything he said, but his implication is right: it is not an easy matter), it is by no means the simple matter that has been painted by the Leader.

The Premier is right: if the Leader knew a little more about this matter, he would not have spoken in the simplistic terms in which he has spoken about it today. This is not a new matter. Let the Liberals remember that the magistrates in this State have been members of the Public Service for as long as any of us know (I think probably always), and there is one significant distinction between South Australia and the other States.

I think it is still true that South Australia is the only State in which all magistrates (except Mr. Langcake, whose appointment on that ground alone I protested about most vigorously) are legal practitioners. Successive L.C.L. Governments have allowed the situation to stay as it is because they have not been able to work out, as the Premier says he has not been able to work out, a satisfactory alternative to magistrates being in the Public Service.

When I was Attorney-General in the late 1960's this matter was brought to me, of course, as it had been to my predecessors, by the magistrates themselves. I was attracted to the idea of taking them out of the Public Service and giving them the appearance of judicial independence for which they asked and to which they are entitled if we can find a way of doing it. Ironically enough, my enthusiasm for finding a way to effect this was very much dampened by the opposition from a group of magistrates to the Bill which I introduced into this House to set up an intermediate jurisdiction of the Local Court and to set up the District Criminal Court. Even more ironically, those same magistrates (and the Premier knows whom I am talking about) aided and abetted him in this place in his opposition to that legislation.

I felt myself that, if I were having such difficulty with public servants over a piece of legislation that I brought into the House with the almost unanimous support of the legal profession, how much more difficult would it be for a Government if they were not in the Public Service and not at all amenable to any administrative discipline. I say that quite frankly to illustrate the difficulty of the matter. My suspicion is that my successor, now Mr. Justice King, felt the same way. I believe that, when he went into office, he thought the magistrates should come out of the Public Service but he was not able to find a method of doing it.

Even more (it may be that this was one of the instances the Premier was speaking about), only a few weeks before the 1970 election I found it necessary to speak to Mr. Wilson about one of the other magistrates, who was then moved from the Juvenile Court to a suburban court, because of the way in which he was carrying out his duties. I have been a little surprised that that has not been used in the present controversy. I felt that it was necessary and Mr. Wilson, as the then head of the department, agreed and carried it out. These are difficult things. The system, however (and now we are getting to the nub of it), although imperfect, has worked up to now because there has been a degree of tact. I was going to say there has been toleration, but I am not sure that that is the right word.

**Mr. Tonkin:** Respect?

**Mr. MILLHOUSE:** Perhaps that is a better word, and I am indebted to the Leader. There has been a degree of tact and respect towards the magistracy by successive Governments in this State. We have known that the situation was not perfect and that the magistrates would like to be out of the Public Service, and there are powerful arguments for taking them out. We have not been able to find a way of doing it, but people have been careful not to

inflare a situation that might arise, to bring it to the point where it is now (as I said on television after I was chucked out of this place last Wednesday) a matter of controversy in the community and one we have to thrash out. I am glad that we are thrashing it out now.

Before I get on to the matter which brought this to a head, I want to say something about the attitude expressed by the Full Court. I have not got the judgment with me, but I refer to the Christian Ivanoff case of a few months ago. I read parts of the judgment (I hope the relevant parts of the judgment) of the Full Court. I am speaking from memory, but the Full Court said, first, that Mr. D. F. Wilson was a magistrate of complete integrity and impartiality. The Chief Justice went out of his way to say that.

The judges also said that in their view it would be better if the magistrates were out of the Public Service, but they said this was an administrative not a judicial matter. That, I think, is the point the Leader omitted to mention. The courts concede that this is not a matter for them to decide upon—this is a matter of Executive Government.

Let us come to the sorry events (and I do not propose more than other speakers have to go over them all) that have caused this debate to take place today. We know now, because the Attorney-General has said so, rightly, I think, that he made some remarks on a radio programme, that they were properly reported in the *Advertiser*, if not in other newspapers, and that Mr. Wilson took, to use the Premier's word, "umbrage" at them.

I have known Mr. Wilson for a long time, and I am sure that he will forgive me for saying that he is not, on occasion, an easy man. He does take offence, perhaps more easily than other people, but we all have our own particular characteristics and this happens to be one of his. I say that, in my view, he had some reason to take offence at what had been said because, as the Attorney has admitted, this was an accurate report of what the Attorney said:

In answer to listeners' questions, Mr. Duncan said he felt the sentences imposed on three doctors for misuse of Medibank moneys had been too light. "Those penalties weren't satisfactory and the penalty that should have been applied in my view should have been significantly greater."

I agree with the Premier: any Attorney-General is entitled to say that sort of thing, although it may annoy the judicial officer who has imposed the penalty. If it was subject to an appeal (and I am not sure of that here, one of them may be appealing, I think), it is an indiscreet thing to say, but there is nothing wrong with it and those sorts of thing have been said before. This is the rub; the report continues:

Mr. Duncan agreed with a listener's proposition that there seemed to be one law for the rich and another for the poor. However he said it was generally a dangerous practice to compare sentences.

That sentence standing on its own might be defensible but the real trouble was its juxtaposition with the sentence, that went before it, when the Attorney had been talking about a matter that Mr. Wilson had heard and disposed of. It was the fact that that sentence (and apparently that conversation on radio took place immediately after he had been discussing Derek Wilson's court) caused, and rightly caused, the offence. Let us not take too fine a point on this—most people who read that report thought, because of the juxtaposition of the two sentences, that the Attorney was referring to Mr. Wilson's court and that what, in effect, he was saying was that here Mr. Wilson had been dealing with three wealthy, or at least professional, men and that they had been more lightly dealt with than if they had not had the money that they had to defend themselves, or if they had not had the

position in the community that they enjoyed. That was the implication behind it, and of course that is at the least a very mischievous thing to say about a court.

The corollary of that is that if the Attorney were not referring to Mr. Wilson specifically he was referring to the whole system of justice and other magistrates, too, were entitled to protest about the reflection on them all. Of course, the more widely it is spread the less I suppose the reflection is on any particular magistrate. That is the position and that was the mischief of the thing. Had the Attorney been wise he would have quickly, when this was brought to his attention (because it was given very great prominence in the press, an indication of how it was taken by other people), he would have made a soft answer and got out.

Instead of that (and this is where both he and the Premier are much at fault), instead of remembering the sensibilities of the magistracy, especially of this magistrate, they did not do anything to try to overcome the situation. That is the problem. I now refer to the tabled documents, the letters that have been laid before the House. On August 17, Mr. Wilson wrote to the Premier, and that was within a week of this having happened, and his first sentence states:

I have made repeated attempts to see you this week about a matter which has caused me considerable concern and distress.

He tried to see the Premier and talk to him as the Ministerial head of his department. After all, if the Premier takes seriously the fact that the magistrates have been landed on him because of the decision last year, he has to undertake the responsibilities of his position. This man repeatedly tried to see the Premier during that week, to talk about it. There need not have been anything in writing at all. Not only could he not get to see the Premier but, worse, insult was added to injury. He goes on:

The appointment which I was eventually able to make for this afternoon had had to be cancelled by your secretary.

He grudgingly got an appointment, and it was then cancelled. That was an inflammatory thing to allow to happen. There is no-one that I know of but the Premier who is responsible for that. Then came the letter, and it was a long and strong letter. The Premier was able to pick out one paragraph in it and, in his reply, he complained about this to Mr. Wilson.

If he had been sensible enough to see Mr. Wilson in the first place it would never have been written and the matter could have been ironed out there and then. Worse still was to come because, while that letter was written on August 17, it was not until September 20 that the Premier answered the letter. He let a whole month go by, and waited until after the election (whether by accident or design we do not know) before he replied to the letter, or gave any reply in any form that I know of. That letter with the date stamped September 20, 1977, states:

Dear Mr. Wilson, I received your minute of August 17, and have seen your statements reported in the press since.

There is no doubt that five weeks elapsed before there was an answer. The Premier knows Mr. Wilson as well as I know him, and even better, for all I know. He knows what sort of a man he is—that he is sensitive and proud, that he takes great pride in his position.

Yet, having refused to see him, having received a letter from him to which he took objection, he waited five weeks to answer it. It was during this period that the matter built up publicly. There was the refusal to sit and so on, on this case. All this could have been avoided if the Premier, as Ministerial head of his department, had been willing to see Mr. Wilson and talk it out. There was then that letter, and I do want to say something about this, because this is the

rub of the thing, and the Premier has glossed it over. On page two of the letter he deals with what the Attorney-General had said on radio, as follows:

Your second complaint is that in relation to the cases you mention the Attorney-General in the course of interrogation on this point agreed that there seemed to him to be an inconsistency in penalties applied to different classes of persons in the community.

That in itself is a gloss on what was said, and puts the best possible interpretation on it. I am not sure that it stands up to the Attorney's explanation given last week. Still, that is what the Premier said in his letter, and he went on to make the following statement:

That of course is his personal view as to consistency and the application of penalties. I have no doubt that his view on consistency may well differ from yours.

He excuses it by saying that it is his personal view; whether that means to say it is not the view of the Government, I do not know. The Premier was careful not to express his personal view, nor has he ever expressed his personal view whether he agrees with the Attorney-General. I suggest that the Premier knew when he wrote these sentences that he was skating on fairly thin ice.

I know that the Premier has a loyalty to a Ministerial colleague to defend him, and I know that at some times he must find it pretty damned difficult to do so. It was not easy to do it this time. He went on to say:

I do not believe, however, and I cannot agree with your proposition that in stating his opinion he was stating that, in the exercise of your judicial duties, you had been guilty of partiality and a lack of integrity and had violated your judicial oath.

I have already dealt with that, so I will not go over it again. It is a juxtaposition of the two ideas that gave rise to the complaint. It continues:

I do not see anything more in this matter than a difference in social outlook.

God knows what that sentence means! It has no meaning that I know of, and it could not have been calculated to soothe the feelings of an outraged magistrate. Still, there it is. That is all the Premier could say about the substantial matter for complaint.

It continued, and the other extraordinary thing to which I refer (I am not going right through everything, as I said) is the direction that Mr. Wilson should be moved from the Magistrates Court, where he has always sat since his appointment, I think, in 1950. He was moved arbitrarily and sent to the Local Court to hear civil cases in which he does not claim to be an expert. He claims to know very little about those matters, because he has no experience in that jurisdiction. That is certainly wasting the talents of a man who has spent the whole of his judicial career in the criminal jurisdiction.

That was bad enough, but again it was the juxtaposition of his refusal to go on with the hearing of the case and the direction within a few hours which gives rise to the disquiet that there is an attempt here to influence him in his judicial duties via the administrative chain of command. The two things followed so closely: the refusal to go on with the case and "bang", the direction from Mr. Inns, the head of the department, that he should sit in the Local Court across the road. That was a most unwise thing to do one on the other.

There is a good deal of scepticism amongst the legal profession about the Premier's protestation that this was done by Mr. Inns off his own bat. I find it hard to believe that, knowing how these things work. Here we have a matter that has become a controversy in the community, quite a highly political matter, and the Premier comes into this place and says that, on such a matter as this, the head

of the department, off his own bat without any consultation with the Premier, did something that would obviously inflame the situation.

I know Mr. Inns and I have a respect for him. If he did do it, he acted most unwisely in not consulting the Premier about it. I should like to hear the Premier on that point, and, if he had been consulted, on whether he would have counselled the same course, because he would be foolish if he did. The theory of the matter is that he is the Minister responsible and, whether or not Mr. Inns acted without consultation with him, he is responsible to Parliament for what was done. The Premier may not care about the situation, but if he wishes to convince the legal profession that this was done by Mr. Inns without consultation with him or any other Minister, he will have to talk pretty hard, because there is much scepticism about that now. All these matters show a chapter of accidents, an exacerbation of a situation which, almost at any stage, could have been damped down and could have disappeared.

Then we had the final point that I shall mention; that was the extraordinary lack of efficiency in the Premier's office. He said to me on Thursday week ago, in answer to a question in this House, that he would not table the correspondence that day and that he intended to make a statement last Tuesday, because he had written a letter to Mr. Wilson and he wanted to give Mr. Wilson an opportunity to reply to it before he made his statement in the House.

We now know that that reply was delivered to his own office just after 3 o'clock on the Friday afternoon. He came into the House on the Tuesday, went through all the correspondence, but said nothing in the House about a reply from Mr. Wilson. It was not until, on my information (and I may be wrong here), he was tackled later that day by a newspaper man as to whether Mr. Wilson had replied that he said, "Yes; I have had a letter from Mr. Wilson, but it was not available to me in the House this afternoon. I will table it tomorrow." It may be that the Premier had discovered this before he was approached by the newspaperman; I do not know.

**The Hon. D. A. Dunstan:** Not long before actually.

**Mr. MILLHOUSE:** I have checked on this personally; there is no doubt about it. The letter was delivered to the eleventh floor of the State Administration Centre a little after 3 o'clock on the Friday afternoon in an envelope addressed to the Premier. In some way his department was so ineffective that the letter could not get from his reception desk to his bag to be brought down here by Tuesday afternoon.

**The Hon. G. R. Broomhill:** The Monday was a public holiday.

**Mr. MILLHOUSE:** Of course, but there was the rest of the Friday afternoon and the whole of the Tuesday morning. It was not as though this matter was of no concern. The Premier had said on the Tuesday that he was expecting a reply. His officials ought to read *Hansard*; if they did not know from what he himself had said, they would know then that he was expecting a reply. I assume that someone slipped up badly and that the Premier did not deliberately avoid using the letter here.

The effect was another unfairness to Mr. Wilson because that letter is strong in his own defence as to what happened. The Premier read out extracts from all the other letters, but that one was missing. The next day, when he did table it, he did not read out any of it; he just tabled it and told me in a cavalier fashion that I would have a chance to read it.

**The Hon. D. A. Dunstan:** It was reported fully in the press.

**Mr. MILLHOUSE:** Yes, but not in this House; it was

reported in the press after the Premier had read out the earlier letters here in the House, but the Premier did not read that letter, which (to Mr. Wilson) was the key letter. If the Premier had had any regard for the feelings of a fellow practitioner and a senior man in the magistracy, he would have gone out of his way to ensure, first of all, that that did not happen and then, if it did happen, that he read out the letter, but he did not; he just let it go. That is the chapter of accidents that has brought us to this situation, and I regret it.

We were going along all right. Everyone knew that the situation was not satisfactory, but we were prepared to tolerate it, because we knew no better. I am told that the Solicitor-General, in arguing the Christian Ivanoff case, said it was unthinkable that a magistrate should ever be interfered with in the course of his judicial duties; everyone thought it was. Now, it looks as though that has happened because of the summary transfer of Mr. Wilson from the Magistrates Court to the Local Court after he had stood up to the Government. Whether he was right or wrong to stand up to the Government, that is what it looks like. That is the situation, and I have no solution to it. If I had a solution, I would have tried to do something about it when I was in office.

I support the motion because I think the Government has handled the situation shockingly, and it is the Premier and the Attorney-General who are responsible. I want to know whether Mr. Wilson is to return to the Magistrates Court to sit there, as he had sat there for so long with distinction before all this unhappy business arose, whether he is to be left in the Local Court or whether the Government intends to seek the Chief Justice's sanction to get rid of him, because no magistrate can be dismissed without the Chief Justice's sanction.

That matter has not been mentioned by the Premier or by any other honourable member. If the Attorney-General is going to speak next, perhaps he can tell us what is now to happen to Mr. Wilson. The Attorney has very late made a grudging apology in his statement, and I understand that Mr. Wilson has accepted that. What is going to happen to Mr. Wilson now? Will bygones be allowed to be bygones, or what?

One final point: I greatly disapproved of the way in which the Premier said that there had been unsatisfactory conduct by magistrates in the past but did not give any instances as to time, place or name. I hope that that does not appear as a reflection on the magistracy, because it would be a very unfair one. He knows, but he did not say it, that there are remedies within the judicial structure to bring any judicial officer to his senses if he does something which he should not do, namely, by an appeal or by the prerogative writ of *mandamus*, which could have been used in this case. However, I suspect that it was not used because the Government was not too sure what the Full Court would say about the Attorney's comments on radio if *mandamus* proceedings had been taken against Mr. Wilson to compel him to hear the case in question. I may be wrong, but that is what I suspect, and what many others in the profession also suspect. That is the way in which junior or inferior judicial officers are kept in line by superior courts. To say, as the Premier said earlier this afternoon, that there had been instances of magistrates doing this, that and the other thing that they should not have done was an intemperate thing to say and, unfortunately, simply the latest in a long line of instances of the mishandling of this matter.

**Mr. TONKIN:** I simply make the point that I think it was unfortunate that the Premier should have made such statements. They may be true on occasion, and he obviously would have far better knowledge of that than

would I. I think it unfortunate to make such statements about magistrates in general, even though one singles out only a section of the bench. I point out to the member for Mitcham that, in one of the examples he has given (and I must admit to having forgotten about that one that occurred when he was Attorney-General and a magistrate was moved from one particular jurisdiction to another), the move was made by a magistrate (the Chief Stipendiary Magistrate), as I understand it, who was head of the department.

**Mr. Millhouse:** At my request.

**Mr. TONKIN:** Nevertheless, that makes a difference, in that a magistrate was being directed by the head of the department who was himself a magistrate. There is a tremendous difference in that instance, and it points out clearly the need for devising some form of administration in which magistrates can themselves be responsible for managing their own affairs and for setting the standards, to which the Premier referred previously, for their own actions on the bench.

I thank members for considering the motion. I have no reason to think, from anything the Premier has said, that it is impossible to devise such a system whereby the magistrates could be removed from the Public Service. I say that the sooner this is done and devised the better it will be for them and for the community as a whole.

**Mr. MILLHOUSE:** I had hoped that either the Premier or the Attorney-General would speak again in the debate. When I rose, you, Mr. Chairman, gave me the call, although the Attorney-General was about to get up. I asked at least one specific question about the future of Mr. Wilson.

I take it, as neither gentleman has risen now, that they are unwilling to answer that question. However, I should like to know in this debate, because I may not get another chance for some time, what now is proposed for Mr. Wilson, as he has now indicated that he is willing to hear this case and the Attorney-General has said what he did. The Committee is entitled to know something. Even if the Government says it does not know, it has made a decision. If we hear nothing, perhaps a wrong construction will be put on it: one that the Government is going to be vindictive, has not made up its mind, is trying to get rid of him, or something. I ask the Premier or the Attorney-General to tell the Committee what is now planned for Mr. Wilson.

**The Hon. D. A. DUNSTAN:** At this stage, I do not know. I am advised by the head of my department that he has received the recommendations of the special committee examining the staffing of the magistracy. That committee has made a whole series of recommendations about staffing. It is therefore unlikely that final determinations will be made regarding the position of magistrates until its report has been examined. It is being examined urgently, although at this stage I have not received a report regarding what is specifically proposed.

**Mr. Millhouse:** So, Mr. Wilson will be left in the Local Court *pro tem*?

**The Hon. D. A. DUNSTAN:** I am not certain what is happening on that score at present. I believe that Mr. Wilson has been scheduled to hear part-heard cases that he had in the Adelaide Magistrates Court, and I presume that that includes the case that he had previously adjourned. Therefore, he may be dividing his time between the Magistrates Court and the Local Court for a period. I am not exactly certain what will happen in this matter. The future of the magistracy will be the subject of a recommendation after the report of the special committee, which was headed by a Supreme Court judge, has been considered.

**Mr. Millhouse:** That could take many months.

**The Hon. D. A. DUNSTAN:** I do not expect so.

The Committee divided on the motion:

Ayes (19)—Mrs. Adamson, Messrs. Allison, Arnold, Becker, Blacker, Dean Brown, Chapman, Eastick, Evans, Goldsworthy, Mathwin, Millhouse, Nankivell, Rodda, Russack, Tonkin (teller), Venning, Wilson, and Wotton.

Noes (25)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Drury, Duncan, Dunstan (teller), Groom, Groth, Harrison, Hemmings, Hopgood, Hudson, Klunder, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Majority of 6 for the Noes.

Motion thus negatived.

Line passed.

Economic Development, \$1 242 000.

**Mr. DEAN BROWN:** I seek information about the Director-General of the department. Can the Premier indicate whether the Director-General, now that he can take a private board position with companies, receives additional fees for that and, if he does, whether he keeps the money? I am not criticising the move, but would the Premier outline anything that has been laid down as to the conditions on which he can take positions on boards of private companies? My concern is that, as head of the department, he needs to be seen as independent.

**The Hon. D. A. DUNSTAN:** The conditions laid down are that, while acting within the terms of the Companies Act, he is there to act in the public interest as well, and that this is acknowledged by the company concerned. He has taken a position on the board of one company in South Australia, at the invitation of that company. I believe that the company saw advantages in having a close tie with a director who is also in a position of being the director of the major financial institutions in the State, and this is common in the case of companies in the private sector having banking directors and insurance directors on their boards. I believe that this was perfectly proper.

I will get details about the ruling as to payment. Mr. Bakewell, in these matters, deals with a board of this kind in the same way as he deals with boards of Government instrumentalities. I know that there is a specific limitation, and that he does not get paid certain amounts which otherwise would be payable to him, but I shall get the details for the honourable member.

**Mr. GOLDSWORTHY:** For the Trade and Development Division, the amount in actual payments for technical, promotion, project and research officers was \$290 876 last year, while the amount proposed for this year is about \$425 000, which involves much more than escalation due to inflation. What increase in staffing is proposed there?

**The Hon. D. A. DUNSTAN:** There is an increase in staffing providing for project officers to implement the Government's economic development policy. These officers have been proved necessary. I have not with me at the moment the number and specification of them, but I shall get that for the honourable member. They were approved after quite a stringent investigation by the Public Service Board. The original proposal put up by the department was larger than the establishment approved. I assure the honourable member they are all necessary in order to provide the service to industry and industrial development in South Australia which members opposite have urged. Our establishment in this area is markedly smaller than those of comparable States. Even with this increase, it is markedly below the establishment in Western Australia or in Queensland.

Line passed.

Public Service Board, \$3 103 000.

**Mr. TONKIN:** I should like to speak briefly about the comment made by the Auditor-General on page 7 of his 1977 report, as follows:

For some time it has been apparent that a number of Government departments would benefit greatly if their establishments provided for internal auditors. In the Commonwealth and some other State Public Services such positions have been established for some years, while in private enterprise it has long been the practice to have internal audit sections.

He goes on to say:

I have raised the matter of lack of internal audit in Government departments with the Public Service Board. I understand that the board, as a matter of policy, favours strengthening the responsibility and accountability aspects of departments and I consider that an adequate internal audit team is an essential management tool in achieving that objective.

It is quite apparent, as I have pointed out only recently, that the system of budgeting, inventory control, and accounting generally in Government departments (I suppose there are some areas where it does not apply, but there are others where it does) is quite appalling and very lax indeed. The suggestion of the Auditor-General that an internal audit team should be set up is a sound one. I know the Premier has set up a committee within the Public Service to help with internal auditing, but to what extent has this suggestion of the Auditor-General been taken into account; is any such suggestion reflected in the expenditure under the line for the Public Service Board; if so, what proportion of that vote is devoted to such internal audit? If it has not been done, will the Premier give the Committee an assurance that it will be done and that we will as soon as possible institute the closest possible check on all Government expenditure in all Government departments and strengthen the internal audit provisions where they are at present unsatisfactory? The Auditor-General's Report provides countless examples of where they are unsatisfactory.

**The Hon. D. A. DUNSTAN:** The honourable member is quite right in saying that I have set up a committee specifically to deal with the efficiency of the Public Service, including the accountability and the accounts systems in the Public Service. The committee not only has the Chairman of the Public Service Board, but also the Auditor-General, on it. They are proceeding to make recommendations after investigations of particular departments. The proposals in the manpower budget at the moment do not provide for additional staff for internal auditing. The number of additional staff that may be required for such a purpose is as yet unclear.

There are some provisions in a number of departments for additional accounts staff, but that does not mean to say we have a full provision in this year's Estimates to cover a full internal auditing system. That would not be the case at this stage, simply because we do not have the specific recommendations for staffing as yet which will cover it, but the investigation is under way and I expect to have recommendations from that committee, which, as I said, includes the Chairman of the Public Service Board, the Auditor-General and the Under Treasurer, before the end of this year.

**Mr. TONKIN:** I feel bound to say, in those circumstances, that, in view of the repeated comments made by the Auditor-General over at least the last seven years since I have been in this place about unsatisfactory accounting procedures, it has taken an inordinately long time for the Premier or Treasurer to take this action and to

be in a position where he still does not know how many people will be necessary efficiently to conduct these internal audits, which we have referred to and all accept as being very necessary, that is absolutely reprehensible. I cannot understand why no action has been taken up until now.

It would probably be far better that people be employed on this task rather than in building up the Publicity and Design Services in the Premier's own department and some of his other Ministerial advisers, and so on. The whole question of accountability and getting value for the taxpayers' money is what Government should be about, and the Auditor-General has made these points forcibly every year for the past seven years. It is high time the Government got stuck into doing something positive about it.

**Dr. EASTICK:** I take a similar point. The Premier and Treasurer, under the heading "Effective use of resources" in the statement that accompanied the document we are considering, indicated that it was the intention of the Government to make certain that there was a better understanding of the financial affairs of the State and that there was a forward planning arrangement, first of a two-year basis, then moving on to a three-year basis.

I ask the Premier whether in these deliberations it has been possible to determine how effective any change in the system will be unless there is an accountability of stores and supplies on hand at a given date, June 30; in other words, until there is a method of accounting which simulates or parallels that which is recognised as a proper balance sheet in the business world. Unless there is to be a vital change in the accounting system of the State, I question and doubt very much whether the proposals currently under consideration will be worth anything when they come forward.

I hope I am wrong in this, because I am on record as saying (and I continue to say) that there is a need for forward planning and better understanding. But unless there is an indication of the amounts of money outstanding (that is, accounts not met but rendered) and an indication of the supplies on hand at the accounting date, the normal cash flow system which is currently in vogue will not provide worthwhile answers to any Government of any political persuasion in the future.

**The Hon. D. A. DUNSTAN:** We try to do our best to provide an accounting system of this kind. The honourable member completely underestimates the complexity of accounting systems which necessarily vary from department to department because of the nature of those departments. For example, we are now running a system in the Education Department under which actual purchasing is done by the local schools.

To run a central inventory on the whole of their purchases and stores is a task which, for the most part, is fairly useless. What we do need is a continuing check on the way in which each section is following its own accounts. The whole accounting system in consequence is so complex that it simply cannot be dealt with in a simplistic way that the honourable member referred to. Some particular departments one can deal with in that way certainly, but for many others it is simply not possible to do that.

The forward planning which is being done by the Treasury Department is an extremely good financial control. It gives information of the kind which was never previously available in financial control to the State, and I believe that what has been achieved to date has served us extremely well. It gives us a much better idea from month to month exactly how the accounts of the State are going, and how departments are actually going in their own areas so that we know during the year what is likely to occur rather than getting some fairly unpleasant shocks from time to time towards the end of the year, which has always previously happened to every previous Treasurer in South Australia.

The new accounting system being worked in this way by the Treasury is, I believe, an extremely good system and is an improvement on our previous accounting system in this State.

Progress reported; Committee to sit again.

#### ADJOURNMENT

At 5.55 p.m. the House adjourned until Wednesday, October 19, at 2 p.m.