

**HOUSE OF ASSEMBLY**

Thursday 8 November 1979

The **SPEAKER** (Hon. B. C. Eastick) took the Chair at 2 p.m. and read prayers.

**APPOINTMENTS**

The **SPEAKER**: I would like to draw to the attention of the House that in Executive Council this morning His Excellency the Governor was pleased to make the following appointments:

Clerk of the House, Mr. G. D. Mitchell  
 Clerk Assistant and Sergeant-at-Arms, Mr. D. A. Bridges  
 Second Clerk Assistant, Mr. G. R. Wilson  
 Parliamentary Officer, Mr. B. M. Serjeant  
 Clerk of Papers and Records, Mr. J. F. Fitzpatrick  
 Assistant Accounting Officer to the Legislature, Mr. P. Bruckner

I realise that all members would want to join with me in thanking these officers for the services rendered in the past and in recognition of what we expect of them in the future.

**PETITIONS: PORNOGRAPHY**

Petitions signed by 338 residents of South Australia praying that the House would legislate to tighten restrictions on pornography and establish clear classification standards under the Classification of Publications Act were presented by the Hon. D. O. Tonkin, and Messrs. Mathwin, Webster, and Millhouse.

Petitions received.

**PETITION: DUTTON BAY JETTY**

A petition signed by 540 residents of South Australia praying that the House would urge the Coast Protection Board to retain and repair the Dutton Bay jetty was presented by Mr. Blacker.

Petition received.

**QUESTIONS**

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

**INDO-CHINESE AUSTRALIAN WOMEN'S ASSOCIATION**

In reply to Mr. **ABBOTT** (18 October, Appropriation Bill).

The **Hon. D. O. TONKIN**: Following discussions held between the Indo-Chinese Australian Women's Association and Hindmarsh council, the association has been offered the use of Torrens Road Community Centre at 163 Torrens Road, Ridleyton. The association has accepted and has withdrawn its application to use premises at 2 Queen Street, Croydon.

**LIBRARIES BOARD DEBT SERVICING**

In reply to Dr. **HOPGOOD** (24 October, Appropriation Bill).

The **Hon. D. O. TONKIN**: The amount of \$50 000 provides for the first half-yearly instalment of interest payable on a loan of \$950 000 taken up in July 1979.

**BOTANIC GARDENS DEBT SERVICING**

In reply to Mr. **HEMMINGS** (24 October, Appropriation Bill).

The **Hon. D. O. TONKIN**: Actual debt service payments for the Botanic Gardens Board in 1978-79 were less than the amount voted because the board's loans were raised later in the year than had been expected. Where credit foncier terms are applicable, loans taken up by statutory authorities usually are repaid by half-yearly instalments. Therefore, a loan taken up in the second half of the financial year will not require debt servicing until the following year.

The amount of \$93 000 proposed in 1979-80 provides for the full year's cost of servicing loans totalling \$650 000 which were raised in 1978-79 and the estimated impact of the proposed borrowing programme of \$500 000 for 1979-80.

**PARLIAMENTARY STAFF SALARIES**

In reply to Mr. **PAYNE** (24 October, Appropriation Bill).

The **Hon. D. O. TONKIN**: The line "House of Assembly—Salaries and Wages and related payments—Clerk Assistant and Sergeant-at-Arms, Clerical and General Staff" has been budgeted for \$5 484 less this year than last year due to payment of \$5 644 for higher duty for Table Officers during the absence overseas of the former Clerk and sickness of another officer. Overtime payments to messengers due to late sittings of the House were in excess of the amount budgeted, and an additional amount of \$3 800 was provided by Treasury to meet that shortfall. Taking these figures into account, it can be seen that the increase this year to allow for inflation on the line is \$4 000. The honourable member can be assured that no officer will suffer monetarily as a result of the actual decrease in the line.

**QUESTION TIME****DEPARTMENT OF TRADE AND INDUSTRY**

Mr. **BANNON**: Is the Premier concerned that South Australia's economic recovery, which began earlier this year, will be retarded by the loss of morale and the downgrading of the status of the key Department of Trade and Industry, and what corrective action will he take? I will explain my question by adducing the following facts:

First, The confusing division of responsibility for economic development between the Premier, as Minister of State Development, and the Minister of Industrial Affairs, who is in charge of the former Department of Economic Development.

Secondly, the appointment of a Director of State Development reporting to the Premier with overall responsibility for State Economic Development, which overrides the role of the Director-General of Trade and Industry, who reports to the Minister of Industrial Affairs, who in turn is charged with co-ordinating the work of the Director of Industrial Development and the Director-General of Trade Promotion.

Thirdly, the conflict of roles, as evidenced by the Premier's statement in *Hansard*, page 381, that much of the work of the Director of State Development will involve "making a point of first contact with people who are interested in investing in South Australia, or who wish to make contacts with other markets", and the statement today by the Minister of Industrial Affairs that the new Director of Industrial Development will also be responsible for conducting negotiations with potential industrial investors.

Finally, a report by the respected Finance Editor of the *News*, Mr. Frank Moore, headed "Jobs for the Boys hits Public Service morale", which appeared today and refers to attempts by Treasury to dismember units of the former Department of Economic Development and statements by senior officers indicating discontent and low morale within the department, and gives details of a meeting held at the home of a senior officer of the Public Service attended by about 70 Government employees.

**The Hon. D. O. TONKIN:** I would have thought that the Leader had had enough of this topic, because he has been soundly caned on it every time he has raised the subject. He has been guilty of exaggeration, and of drawing tremendous inferences that have not been justified in this whole exercise of Public Service morale. So, what he has now done is slightly vary his tack, and he has asked what about this confusing division which he seems to find between the State Development Department and a branch of the department of the Minister of Industrial Affairs.

The confusion is entirely in his own mind; it must be. If he wants me to outline it again, I will outline it for him. Let me deal, first, with the question of morale and the alleged meeting between alleged top public servants that he refers to. I have not seen the report, and I do not know the details of it, but I would be surprised indeed if it were in any way the sort of meeting to which the Leader has referred.

*Members interjecting:*

**The Hon. D. O. TONKIN:** I do not care particularly much what is published in that order. I know what the Acting Chairman of the Public Service Board, in whom I have the utmost faith, has reported to me. I know from my own experience and questioning of people in the Public Service that they have a very high morale indeed; and so they should, because they enjoy the confidence of this Government. They provide very good service to the State and to the people of this State. It ill behoves the Leader of the Opposition to continue to knock the Public Service of this State, and I will not have it.

*Members interjecting:*

**The Hon. D. O. TONKIN:** If the Leader believes that a Government when it comes to office must have exactly the same style of Government that its predecessors had, he is sadly mistaken, because it will be a long time before he ever finds that out for himself. I doubt whether he will.

*Members interjecting:*

**The SPEAKER:** Order! There are too many interjections from both sides of the House.

**The Hon. D. O. TONKIN:** There is a different style of Government, and that different style of Government has become obvious. If that different style of Government means that there must be changes in departments, those changes will be made, and the public servants that we deal with have been most anxious to help in those changes. Let us talk about the particular matter the Leader has raised, namely, the matter of what he says is confusion between

the appointment of a Director of State Development and a Director of Industrial Development. The appointment of Mr. Rowe has been greeted by the senior officers of the Minister's department with approbation. They have welcomed it, and have said so publicly. One of the comments has been, "I'm delighted Lincoln has agreed to join our team." Another is, "I have had a very happy association with both Lincoln Rowe and Matt Tiddy for many years, and look forward to working with them."

Those are comments from the two senior members of the Minister's Public Service department. So much for the allegations the Leader has made across the Chamber today, and so much for the allegations made in the media. What a lot of rubbish! The position basically is this, and I will spell it out in simple terms for the Leader, who obviously does not understand or does not wish to understand. I have no doubt—

**The SPEAKER:** Order! I have already warned honourable members that there are too many interjections from both sides of the House and I will take action if there is a continuance of the activity. The honourable Premier.

**The Hon. D. O. TONKIN:** Obviously, the Leader is not as unbright as he appears to be. He obviously does not wish to understand, and that is putting it kindly.

**Mr. Wright:** Is there any such word?

**The SPEAKER:** Order! I warn the honourable Deputy Leader. The honourable Premier.

**The Hon. D. O. TONKIN:** The Leader obviously does not wish to understand. The Director of State Development will act as a point of first contact with people coming to inquire about investment opportunities in South Australia. He will act as a co-ordinator and ensure that those people are put in touch with the appropriate Government departments and bodies, such as the Chamber of Commerce, and he will co-ordinate that approach. The job of the Director of Industrial Development has been adequately explained by the Minister; it is to deal with the details. He will negotiate with contacts and make the day-to-day contacts with those firms. Once the first approach has been made and once agreement in principle has been reached, the Director of Industrial Development will move into the area and deal with the details.

In exactly the same way, the Director of State Development will make contact with those people wishing to enter the mineral exploitation field and, having made the first contact and having obtained agreement in principle, those people will be referred to the Deputy Premier's department, where the finer details will be brought together. This is entirely a matter for first contact and co-ordination and to make sure that those firms which come to South Australia and which are expressing interest in South Australia are helped in every way and well looked after. I make the final point that, because of the lack of economic development, and the tragic lack of industrial development and investment from interstate and overseas in this State during the past five or six years, it would not have mattered particularly much how well the officers of various public departments worked. They were not able to get past the restrictive and inhibiting policies of the previous Government, policies which have brought this State to its knees and which we intend to reverse. It is a situation we will not tolerate and the people of South Australia were not prepared to tolerate it, either.

#### WHEAT

**Mr. OLSEN:** Will the Minister of Agriculture indicate what the first advance on wheat will be for the forthcoming harvest? With the wheat harvest approaching, I have

received numerous inquiries from constituents in the Rocky River District, growers who are interested to know what their first advance will be and what arrangements will be made to pay this first advance.

**The Hon. W. E. CHAPMAN:** The Federal Minister for Primary Industry, Mr. Nixon, has informed me that the Australian Wheat Board will make the interim first advance of \$75 per tonne, less freight, to growers who deliver their wheat to the board prior to the determination of the guaranteed minimum delivery price for the 1979-80 season. The funding of the first interim payment will be drawn from credit funds from the board in respect to the earlier pools. Mr. Nixon said that, when the Rural Credits Department advances became available, these funds would be utilised to repay the Australian Wheat Board's own credit fund.

He also said that he would introduce the wheat stabilisation legislation in Federal Parliament, and I understand that that was done this week. At this stage, the Bills will provide for flexibility in the price of industrial and stock feed wheats, in line with the policy of the South Australian Government. Complementary South Australian legislation is before Parliament now, and I do not propose to comment on that now. Mr. Nixon also said that, if the State Government supported a ceiling on the price of industrial and stock feed wheats, he would consider amending the wheat legislation in the next session of Federal Parliament. However, I reiterate that the South Australian Government is in favour of total flexibility in this regard and that the normal market forces should govern the price policy for those wheats.

I also reiterate that in case any concern is felt by the industrial wheat and stock feed wheat processors in South Australia about this price flexibility policy, incorporated in the old Wheat Stabilisation Act in section 8 was a provision that gave the Minister for Primary Industry in Australia superimposed power over the Australian Wheat Board in regard to price-fixing. We believe that that authority should be maintained and incorporated in the new Wheat Stabilisation Act. In that respect, I have had an assurance from Mr. Nixon that, in new clause 18 of the Wheat Stabilisation Act, those powers of authority will be preserved. In view of that, we believe that the industry can be assured of protection against exploitation or overcharging by the Australian Wheat Board with respect to the prices that those industries have to pay.

**Mr. Payne:** I didn't hear him ask you that. He only asked what you were going to pay.

**The SPEAKER:** Order!

**The Hon. W. E. CHAPMAN:** This is a very real part of the overall pricing programme in relation to our wheat industry, and I believe that it is relevant to convey to the member for Rocky River, and indeed to the whole of this Parliament, what the full position is, not only in relation to the prices that wheatgrowers in South Australia might expect to enjoy, but also in relation to the prices that they may expect in their first payment and, accordingly, the prices that the community and the consumers may be required to pay for the product when purchasing from the Australian Wheat Board.

#### DEPARTMENTAL APPOINTMENTS

**Mr. CORCORAN:** My question is directed to the Premier, and it is supplementary to the question asked by the Leader of the Opposition. I had intended to ask a question on another matter but, in view of the Premier's reply, I think that I should ask this question. Will the

Premier explain to me what is the current role or what will be the future role of Mr. Bakewell and Mr. Davies in what appears to be the new arrangement? It seems to me, from the explanation given by the Premier, that we now have a Department of State Development, headed by Mr. Tiddy, for whom I have the greatest respect, as I am sure has everyone else who has any contact with him. We have a department dealing with industrial development, which I understand is now to be headed by Mr. Rowe. I heard last night that that appointment had been made. I am not sure whether the Department of Economic Development will continue, or what its role will be. However, I am concerned about the role Mr. Bakewell and Mr. Davies will play in future, particularly since the Premier has gone out of his way to attach no blame whatever—

**The SPEAKER:** Order! The honourable member is now commenting far beyond the degree necessary to explain his question.

**Mr. CORCORAN:** It is my birthday, Sir, so I hope you will be a little tolerant. I am 51 today. It is quite obvious that there is no blame attached to any member of the Public Service for the so-called failure to attract industry to this State. That has been blamed on the policies of the previous Government. If that is the case, will Mr. Bakewell and Mr. Davies have a positive role to play, and, if so, what will it be?

**The SPEAKER:** The honourable Minister of Industrial Affairs.

**Mr. Corcoran:** So the Premier can't answer it.

**The Hon. D. C. BROWN:** In fact, the Department of Trade and Industry is my responsibility—

**Mr. Corcoran:** I talked about trade and industrial development.

**The SPEAKER:** Order!

**The Hon. D. C. BROWN:**—so it is only appropriate, since the question related to the future role of Mr. Bakewell and Mr. Davies, who both come under my responsibility, that I should answer the question. Apart from congratulating him on his fifty-first birthday, I point out to the member for Hartley that Mr. Bakewell will carry on as head of the Department of Trade and Industry, in fact, as Director-General, which he prefers to be called as Permanent Head. Mr. Davies, previously Director-General of Development, will take the more specific title of Director-General of Trade Promotions.

**Mr. Corcoran:** So we have trade promotions—

**The Hon. D. C. BROWN:** If the honourable member will wait, I shall explain the specific roles. There was in the former Department of Economic Development also a Director of Development. There has been no change whatever in either the number of people being appointed, or the number of positions created within the department, or the relative positions of the people who fill those positions. I point out to the honourable member that the position of Director of Development has been renamed Director of Industrial Development, to be more specific, and to make sure that there is no confusion with Mr. Davies' title. Mr. Lincoln Rowe, an outstanding business man with an incredible record backing him up, and in fact, the marketing director of a major national company, is dropping—

*Members interjecting:*

**The SPEAKER:** Order! The honourable Minister has been asked a question; there is no place for supplementary questions. I ask the honourable Minister to answer the question and not incite comment.

**The Hon. D. C. BROWN:** Mr. Lincoln Rowe in taking this position, which was an existing position within the department, is dropping over \$20 000. I think that is a tribute to Mr. Rowe and also to the dedication of the new

Government in ensuring that industrial development takes place. I point out that the role Mr. Davies will take on is one of promoting trade both overseas and interstate, a role which he had under the previous Government and in the former Department of Economic Development. Therefore his role is very similar, except perhaps slightly more specific. The structure of the department has not been changed in any way whatsoever. All we have done is fill the vacancy that existed within the department, a vacancy which was in fact advertised by the previous Government.

I point out that the Opposition today is trying to incite trouble within the department, I believe quite falsely, and of course in trying to do so it is trying to dent the image of this Government in its endeavours to increase industrial development in South Australia. The Premier has pointed out the very favourable statements made by both Mr. Bakewell and Mr. Davies on the appointment of Mr. Lincoln Rowe. The role that all of the gentlemen will play has been fairly spelt out by the Premier and me. There is no need for any fear. The Department of Trade and Industry is delighted, I understand, at the appointment of such a senior person. I can assure the people of this State that, with a person like that, again South Australia is open for business and again there is some chance of getting major new development in this State—something which has not occurred for many years.

#### HOME HANDYMAN SCHEME

**Mr. MATHWIN:** I suppose I will be out of order in wishing the member for Hartley a happy birthday.

**The SPEAKER:** I request the honourable member to ask his question.

**Mr. MATHWIN:** Will the Minister of Public Works review the home handyman scheme in an effort to enable more flexibility to be applied to that scheme? The Minister will know that the ceiling maximum to councils is \$10 000, of which allocation most councils have taken full advantage. In a recent speech made in this House, I fully explained the main problems of the scheme, and also the problem of the rigid allowance of \$350 for each job. This makes it difficult in some cases to do justice to the—

**The SPEAKER:** The honourable member is asked not to debate the issue but to explain the question.

**Mr. MATHWIN:** Thank you, Sir. I am explaining to the Minister that it is difficult in some cases to continue with the intention behind the scheme of assisting those in need, particularly the aged people and those who are ill or infirm.

**The Hon. D. C. BROWN:** I point out that two weeks ago I announced an additional \$350 000 under the home handyman scheme, I appreciate the comments that the honourable member has made. He also made some comments in this House, I think on Tuesday, in which he raised certain points that need to be looked at in the application of the scheme. I point out to the honourable member that certain restrictions have been imposed and that these, I believe, need to be imposed. They include a maximum of \$10 000 for each local government authority. That is to ensure that the funds can be adequately spread across the State. Also, it includes a restriction of, I think, \$350 for each individual home. The reason for that is to make sure that one person does not have an entire house repainted both inside and out at a cost of, perhaps \$1 500, and to ensure that the money is adequately spread across the largest possible number of homes. I appreciate that some people would like to spend more than \$350 on their home but that could be done only to the disadvantage of many other people who may not get any assistance if such

a restriction were lifted. I am prepared to look at the honourable member's detailed criticism of the scheme, but I assure him that some sort of restriction must apply.

#### URANIUM

**Mr. McRAE:** Does the Minister of Mines and Energy agree with Mr. S. B. Dickinson, technical adviser to the Uranium Enrichment Committee, that international safeguards covering the sale of Australian uranium are fraught with loopholes and limitations; that security arrangements under International Atomic Energy Agency supervision have only limited application; and that the Federal Government is "tending to rush headlong into the marketing of yellow-cake without the full implications of the world concern for uranium use being fully appreciated"? In a report entitled "The Marketing of South Australian Uranium", which for reasons known only to himself the honourable Minister did not table in this House when, as he said he wanted to present the facts to the public, Mr. Dickinson said the complications and weaknesses in bilateral agreements were already obvious, and he said that security arrangements under I.A.E.A. supervision had only limited application. Mr. Dickinson said it was not possible at the present time for I.A.E.A. supervision to apply to uranium exports as required "by the Prime Minister in his policy statement in August 1977".

Pointing to the weaknesses in both safeguards requirements and security arrangements, Mr. Dickinson said that uranium did not come under I.A.E.A. supervision until it left an uranium hexafluoride plant or was delivered from an enrichment plant. Mr. Dickinson went on to say that the present indications point to the Australian Government tending to rush headlong into the Marketing of yellow-cake without the full implications of the world concern for uranium use being fully appreciated. Many loopholes and limitations, he said, have resulted in a policy which appeared to be clearly aimed to put the Ranger proposal into operation. Though pointing to progress overseas and his hopes for better safeguards, Mr. Dickinson said that, in the 12 months following the State Government's resolution in Parliament, supported by the Liberal Opposition, prohibiting uranium mining and processing, "there had been good reason to question the adequacy of the Commonwealth Government's policy".

Mr. Dickinson's report was presented on 10 August 1978, but there can be no question that it is out of date. Mr. Dickinson submitted this report, along with his own findings on the overseas fact-finding mission, to the former Premier in June 1979. In a letter to the former Premier, Mr. Dickinson said that his arguments relating to the shortcomings in Commonwealth export policies and contained in the 1978 report apply even more strongly today. Does the Minister agree?

**The Hon. E. R. GOLDSWORTHY:** The member for Playford has indulged in some selective quoting. I think that, if he took the trouble to read in full the Dickinson Report and the report of the other technical expert who accompanied Mr. Dickinson overseas, the full implications of those reports would be clear to him. I noticed that in an article in yesterday's *News*, Miss Wiese of another place also indulged in some selective quoting. I think that, if the member for Playford uses his undoubted intelligence and brings it to bear on the full impact of both those reports, he will come to an inescapable conclusion. The inescapable conclusion in Mr. Dickinson's report is to the effect that South Australia will be in a position to write into any agreement the required safeguards that we would

require, in conjunction with the Federal Government.

At the final page of his report, Mr. Wilmshurst said words to the effect that there is no technical reason regarding safeguards or ultimate disposal which would stop us from developing our South Australian uranium resources at the present time. So that the honourable member can get an overview I refer him to both these reports. I am sure they would help him considerably. I draw the attention of the honourable member to Mr. Dickinson's public statements in the past week or two in which he implied quite clearly that the statements given to the House by the former Premier were indeed not in accord with the facts they had agreed on while overseas.

### DOLPHINS

**Mr. BECKER:** Will the Minister of Fisheries obtain a report about allegations that dolphins are being slain for bait? A report in today's *News*, headed "Dolphins 'still slain for bait'", deals with statements by the manager of Marineland, Mr. Simon Lattimer. The report states:

Local fishermen are still killing hundreds of dolphins a year . . . Despite increased Fisheries Department attention and the fact that the playful mammals are protected Australia-wide, the killing goes on almost daily in South Australian waters.

I understand that dolphins are protected under the Fisheries Act, and that the penalty for anyone caught killing them is \$100 for a first offence and \$200 for a second offence. Mr. Lattimer suggested that the State and Federal Governments introduce legislation to impound boats involved in this practice. He suggests, also, that penalties be increased to between \$5 000 and \$10 000. Mr. Lattimer pointed out that when he first came to Marineland about eight years ago dolphins used to play in waters near metropolitan beaches. I can support that statement, but in the past few years we have not seen any dolphins in the waters near West Beach, Henley Beach South, or Glenelg. What Mr. Lattimer alleges may be the reason he is receiving complaints, following the success of Marineland—

**The SPEAKER:** Order! The honourable member is now commenting.

**Mr. BECKER:** He is receiving complaints from people who support Marineland and who are concerned about the activities of certain fishermen in this State.

**The Hon. W. A. RODDA:** I have seen the report to which the honourable member refers. It does, of course, refer to a species that is protected. Anybody engaging in this practice is putting himself outside the law. In the short time I have been Minister I have not received any complaints about this matter. The dolphin has a special place, I think, in the hearts of all of us. The trained mammals at Marineland give much pleasure and interest to people who visit that place; they are a tourist attraction. Mr. Lattimer has made a very positive assertion that this offence is happening on a large scale. The Department of Fisheries does not have the means for surveillance on the broadest base across the State's waters, but we hope that, with the declaration of the 200-mile zone, added means of surveillance will become available so that we can have a wider look at the problem raised by the honourable member. I will discuss this matter with the Assistant Director of Fisheries, perhaps in company with Mr. Lattimer, who is making a serious charge, and seek a report about where these offences are occurring.

### Mr. B. GUERIN

**Mr. HEMMINGS:** Will the Premier say whether the Minister of Health consulted him concerning the abolition of the position of Executive Commissioner of the South Australian Health Commission and the transfer of Mr. Bruce Guerin to another substantive position within the Public Service?

**The Hon. D. O. TONKIN:** Yes.

### DRUG REPORTS

**Mr. SCHMIDT:** Does the Government intend to examine Federal Government and New South Wales Government drug reports?

**The Hon. D. O. TONKIN:** Yes, we certainly do, and I am grateful for the honourable members's interest. I have not examined the reports from the Federal and the New South Wales Royal Commissions into the non-medical use of drugs or into drug abuse. We will certainly look at them very carefully indeed. They seem to vary in some respects from that produced by our own Royal Commission, but not in the major recommendations that were made. One of the most upsetting features, I believe, to everyone in the community, of the New South Wales report was the account of organised crime and of the heroin ring that existed in Griffith and elsewhere.

I believe that, when I stood in this place, I think in 1970, soon after my election to this Parliament, and spoke about my experiences in North America and the drug scene then, I said that there was no doubt in my mind that what was happening in the United States of America and elsewhere in North America would undoubtedly happen in South Australia and in Australia generally if we were not careful. I do not think there is much doubt that that situation has come to pass. We certainly will be examining the reports very carefully indeed.

**Mr. Duncan:** And acting on it?

**The SPEAKER:** Order! I warn the honourable member for Elizabeth.

**The Hon. D. O. TONKIN:** One of the first things that we will be doing is examining our own laws in relation to drug abuse and seeing whether or not the penalties set down, which are already very severe, are sufficient. I believe, too, that, when we have looked at those reports, we need to examine very carefully the forces that are available to us through the Drug Squad and the enforcement bodies to see whether or not they are adequately equipped to do their job properly.

We must also (and I will ask the Minister of Health to act in this regard) see whether or not our facilities for the treatment of drug dependants are adequate and whether or not they can be helped in any way. It is a problem which, I suspect, has grown up to some extent because the provisions of Royal Commissions themselves (the fact that they have been set up) has lulled the community into a sense of false security. People believe that, because there is a Royal Commission of inquiry, something is being done. However, I believe that in many ways, although that has been not a retrograde step, an unfortunate attitude has been adopted in the community generally, because our efforts in the fight against drug dependence should never have been relaxed.

### HEALTH COMMISSION

**Mr. BANNON:** Will the Minister of Health say whether she misled the House yesterday in replying to a question asked by the member for Ascot Park concerning the

decision to remove Mr. Bruce Guerin as Executive Commissioner of the South Australian Health Commission? In answering a question asked earlier today by the member for Napier, the Premier replied "Yes" to the question, "Did the Minister of Health consult with the Premier concerning the abolition of the position of Executive Commissioner and the transfer of Mr. Bruce Guerin to another substantive position within the Public Service?" However, in answer to a question asked by the member for Ascot Park yesterday on whether any Ministerial direction or advice was given to the Health Commission prior to the meeting which decided on Mr. Guerin's removal, the Minister said "No", implying naturally that there was no Ministerial involvement whatsoever in the decision.

**The Hon. J. L. ADAMSON:** The reply I gave yesterday was correct. I have not misled the House.

### ROBE

**Mr. LEWIS:** Before asking my question, on the occasion of the birthday of the member for Hartley, I wish him as much luck in the future as he has had in the past. I read in this morning's *Advertiser* a heritage study report on Robe, which is down in my electorate and which was the subject of a complimentary and detailed article. Does the Minister of Environment agree that Robe is to be commended for its interest and civic pride in its history as an important part of this State's heritage? Also, when can other important heritage towns in South Australia be given similar treatment?

**The Hon. D. C. WOTTON:** A detailed study on Robe has been produced, and the report was, in fact, released in the press last Tuesday. The whole exercise in regard to the Robe study is an excellent example of co-operation between all levels of government. Funds for the study were mainly provided by the Federal Government's Heritage Commission. The heritage unit of the Department for the Environment provided valuable assistance, and the study was managed by a project officer of the Department of Urban and Regional Affairs on behalf of a steering committee comprising councillors for the District Council of Robe and a local resident. As the honourable member would know, the work was undertaken by a firm of private consultants in Adelaide. During the course of the study, three public meetings were held, the last one being held last Monday at which approximately 130 people, I am told, heard the consultants present the result of that study.

The work that has been done is an excellent example of a comprehensive environmental and planning study. A detailed analysis has been done of the whole Robe area and policies for the various precincts have been suggested to the council. The report is in two volumes, and I understand that it will be published by the district council. Both the council and the Department of Urban and Regional Affairs will make the report available to the public. I recommend this study to members as an example of a co-ordinated approach to conservation and community planning. The report on Robe follows a somewhat similar and equally excellent report that has been done for the important historic town of Burra, and similar work is concluding with regard to Hahndorf. Studies for the towns of Moonta, Wallaroo, and Kadina are well under way. Work on a study for Strathalbyn is about to commence.

These studies are similar to the comprehensive planning work that has been done in the city of Adelaide. Each study requires considerable resources, and the resources

available are sufficient only to enable studies to be made of two or three towns a year. A prerequisite is that the local council and local community must want a study of that nature to be done. If funds are to be obtained from the Federal Heritage Commission, the town must have some important heritage aspects. Quite a number of such towns in South Australia would warrant such a study, so I think we can look forward to further studies of this type being carried out on various South Australian towns.

### HEALTH COMMISSION

**Mr. WRIGHT:** Will the Minister of Health say whether Mr. Guerin's removal from the position of Executive Commissioner with the South Australian Health Commission was discussed with him by the Minister or by the Chairman of the Health Commission prior to Tuesday's special meeting of the commission? Why was Mr. Guerin not invited to the meeting? Was he told of the purpose of the meeting before he was removed? In this House yesterday, the Minister said that there had been no haste in removing Mr. Guerin, even though the Chairman of the Health Commission, Dr. Shea, was recalled from sick leave to make up the quorum necessary to effect Mr. Guerin's departure from that position.

A special meeting was called to perform what the Minister has purported to be a simple administrative move, even though a regular meeting of the commission, which Mr. Guerin and the assistant commissioners would have attended, was scheduled for next Tuesday. Information regarding Mr. Guerin's impending removal was circulating among senior civil servants in other Government departments on Tuesday morning following the Cabinet meeting the evening before when, I understand, Mr. Guerin's position was discussed.

**The SPEAKER:** Order! I ask the honourable Deputy Leader not to comment.

**Mr. WRIGHT:** Mr. Guerin, a distinguished public servant whose performance and ability has been acknowledged by the Minister herself, was removed with indecent haste, under a cloak of secrecy more appropriate to a midnight coup.

**The Hon. J. L. ADAMSON:** The Deputy Leader seems to have a very vivid imagination, and appears somewhat paranoid, as are many of the members who sit on the front bench across the way. Let us take the questions in sequence. First, why was Mr. Guerin not invited to the Health Commission meeting? The Chairman of the Health Commission, Dr. Shea, has not been on sick leave but on long service leave. Mr. Guerin had a vote on the Health Commission by virtue of being deputy to the member, the member being Dr. Keith Wilson, who was deputy to the Chairman. Consequently, when the Chairman is in the chair there is no need for a deputy chairman to be replacing a member, and consequently there is no need for the Executive Commissioner to be standing in for a member. Therefore, Mr. Guerin would have had no right to vote at any commission meeting which was chaired by the Chairman of the Health Commission. I realise that that is a rather complicated situation, but an Executive Council Order was put through to create a situation whereby the commission would not be operating without a quorum. The problem was foreseen earlier this year when some members were away on leave and at least one member was overseas. There is no suggestion that Mr. Guerin was excluded from a meeting which he was entitled to attend. Secondly, was he told of the meeting? No, he was not told of the meeting.

**Mr. Wright:** Was he excluded from other meetings?

**The Hon. J. L. ADAMSON:** I am answering the question the Deputy Leader put when he addressed you earlier, Sir, and I think I have answered satisfactorily. If he wishes any further questions answered, I think he should put them on notice.

### RELIGIOUS EDUCATION

**Mr. GLAZBROOK:** Will the Minister of Education inform the House of any intention to review the matter of religious education in State schools? During the election campaign, it was made obvious to me by statements from some Brighton electors that a growing concern existed in relation to the teaching of moralities to our youth. It is felt by those concerned that the lack of positive direction in the teaching process on the great religions and moral philosophies from around the world contributes to limits of understanding and appreciation of the problems in our society today. Further, it is felt that the reintroduction of religious instruction would be a basis upon which our children could face society with an ever developing understanding. It has been said that some school principals have problems in ensuring that this subject is taught, and that some parent bodies have experienced difficulties in having the subject introduced into the school curriculum.

**The Hon. H. ALLISON:** I did indicate to the press recently that I was entering into dialogue with religious leaders of the State on this issue. Some two or three months ago, I think, I was given copies of the revised education curriculum by the former Minister of Education. The curriculum represented the culmination of several years of work by the Curriculum Development Division of the Education Department of South Australia. I am informed that the Anglican Archbishop of Adelaide, Dr. Rayner, is in fact pressing for the introduction of that syllabus into South Australian schools. If the Archbishop is happy for such a syllabus to be pursued within the Education Department, I do not think I would be so churlish as to slow down its adoption in any way. Nevertheless, I shall be discussing soon with religious leaders the implications of the introduction of religious education across the board in South Australia.

Also, I point out that recently I have received a spate of letters from what one may call the general public in South Australia, many of them addressing themselves to the very topic that the honourable member raised, that is, the relevance of religious education to manners and morals. While the curriculum that has been developed by the Education Department is generally much more broadly based in so far as it discusses the comparisons between the world's great religions, I believe that the Anglican Archbishop of Adelaide is quite correct when he says that the work of conversion and indoctrination is not so much the work of schools as it is the work of churches. Therefore, as to the suggestion that the old religious instruction of prayers and Bible studies is adequate in today's very modern needs for education of children into world-wide concepts, I certainly would not be happy to revert to the old system whereby clergymen were responsible wholly and solely for religious education in schools. The modern principle is more staff-based; it is comparative; it examines the answers given by a wide variety of the world's religions, and to that extent I shall be discussing the whole problem and the implications, the desirability and the practicality of adding to the existing curriculum as introduced by the former Minister, by way of a pilot scheme.

### CORONER'S INQUEST

**Mr. PAYNE:** My question is directed to the Minister of Education, representing the Attorney-General in another place. I hasten to assure those two honourable gentlemen concerned that I am not being paranoid in carrying out the duty of the Opposition, which is to ask questions of Ministers. Will the Minister ask his colleague to have discussions with the Coroner to ensure that an inquest is held into the death of Paul Mitchell, who died, apparently accidentally, on 16 August this year at Key Industries, South Road, Edwardstown? I wish to make clear in my explanation that there is no import in my question that the Coroner may not decide to order an inquest into this matter. It is simply that a considerable time has elapsed since the date of this tragic occurrence, and some concern has been expressed to me about this time lag. Even the details revealed in the *Advertiser* on 17 August suggest that an inquest should be held into this tragic occurrence. The report in the *Advertiser* states:

Police said it was possible the man had been in the vat—meaning a vat of corrosive degreasing material—

for more than four hours . . . He was seen at 10 a.m. near the vat, but the body was not discovered until about 2.15 p.m.

**The Hon. H. ALLISON:** I shall convey the honourable member's wishes to my colleague in the other place and bring down a report as soon as possible.

### QUARTERLY EMPLOYMENT STATISTICS

**Dr. BILLARD:** Has the Minister of Industrial Affairs had the opportunity to discuss the release of quarterly employment statistics collected by the Department of Trade and Industry and, if so, what has been decided?

**The Hon. D. C. BROWN:** I have had discussions with the department on this matter. I have found out from the Department of Industrial Affairs that quarterly figures collected by that department from select companies have been released when it was politically suitable for the previous Government to do so.

**Mr. Wright:** Is that the department's judgment, or yours?

**The Hon. D. C. BROWN:** That is the judgment of the department. It released the figures to the appropriate Minister, who was invariably the Premier, who then released them publicly. It was the Premier's judgment whether or not they should be released, and it was pointed out that they were released only if the figures were favourable.

A clear undertaking was given to the companies that supplied the figures that they would not be supplied publicly, either individually or as an aggregate. To honour that undertaking, I believe therefore that the figures, and even the aggregate figures, should not be released. I have looked at the figures for the September quarter and, if I released them, they would be acutely embarrassing to the previous Government, because there was a substantial drop in employment in South Australia in the September quarter.

### HEALTH COMMISSION

**Mr. MAX BROWN:** Can the Minister of Health say who instructed or requested Dr. Shea, the retiring Chairman of the South Australian Health Commission, to return from leave to attend a special meeting of the commission on Tuesday 6 November which removed Mr. Bruce Guerin as

Executive Commissioner of the commission?

**The Hon. J. L. ADAMSON:** When the honourable member talks about the removal of Mr. Guerin, I think that statement should be placed in the context of a policy decision taken by the Health Commission to abolish the position of Executive Commissioner. I think that the honourable member should bear in mind that that position is not a statutory position, and it never has been. It was not envisaged in the Health Commission Act. It was created at the direction of the former Premier for a specific purpose, namely, to assist the Health Commission fulfil the recommendations of the Public Accounts Committee and the Guerin Committee Reports. When the honourable member refers to removing a certain officer, I think it should be put in the perspective of its being a policy decision to abolish a position which has never had and was never envisaged by this Government as having any statutory basis whatsoever.

The honourable member asked who requested Dr. Shea to return from leave. I did: I believe that I need his advice over the next few days, and possibly weeks, in order to assess the future direction of the commission and its reorganisation following the fulfilment of most, if not all, of the recommendations of the Public Accounts Committee Report.

### HOSPITAL DOCTORS

**Mr. EVANS:** Can the Minister of Health say whether the facts about payments to specialists at public hospitals as reported in today's *Advertiser* are correct and, if they are, what action the Government proposes to take to save the taxpayer from a situation in which doctors are reported to be earning between \$50 000 and \$90 000 a year to attend public patients at public hospitals? I have been advised that some private doctors believe that doctors operating from public hospitals do not have the overheads of a private practitioner, that a 38 per cent to 40 per cent saving is involved, and that, if they are receiving the full normal fee for operations, they have a distinct advantage over private practitioners. Can the Minister give a detailed answer, even though some charges may be made for the use of some equipment at public hospitals?

**The Hon. J. L. ADAMSON:** The facts as reported in today's *Advertiser* are substantially correct. I think they give rise to deep concern on the part of the taxpayer. They certainly gave me great concern, and as soon as I was made aware of the situation I instructed the Health Commission that all approved hospitals should be advised that action should be taken forthwith to introduce a procedure whereby effective documentary recording of all medical services rendered should be made so that charges could be matched up against claims for services rendered.

I think it is an indictment of the previous Government that the system which is now operating has been allowed to develop unchecked over a period of five years, since the Medibank agreement in 1975. It is absolutely essential that we have proper accountability in this matter, and it is apparent that proper accountability has not been maintained. That is not to say that there is any suggestion at this stage that there has been fraud, excessive servicing or over-charging, but it is to say that doctors have not been required to account in the fine detail that this Government regards as necessary for those charges.

I have asked that, when a satisfactory procedure for checking is developed, a report on the procedure be sent to the Auditor-General, and I have also asked for a progress report to be provided in the middle of next month to see the efficacy of this action.

In relation to specialist services at Whyalla and Mount Gambier, I think that the honourable member should be aware that the hospitals make operating charges to those specialists who use the hospitals. The overheads to which the honourable member refers are in fact the overheads of the hospitals, and a charge is made to the specialist for those services. Nevertheless, the fees do seem to be inordinately high and, although the situation as it is operating is legal, it seems to me that in the interests of economy it should not be allowed to continue. Accordingly, I contacted the President of the Australian Medical Association this morning and called for urgent talks to see whether a way can be found whereby patients in approved country hospitals can have access to specialist services at a cost which is not the cost which I regard as prohibitive, as reported.

*Mr. Max Brown interjecting:*

**The Hon. J. L. ADAMSON:** The honourable member refers to salaried doctors at the hospitals, and I acknowledge that on the surface that appears to be a much more economical way. On the other hand, he might also agree that the residents in his city of Whyalla would certainly like to have their choice of specialist. It really is difficult to reconcile the patient's right to choose a specialist, a right which I think we all cherish and which the doctors themselves greatly value, with the economic necessity of keeping charges to patients and, indeed, the cost of the burden on the taxpayer, at the minimum level.

I regard it as extremely important that this be done, and that is why I have set these talks in train. When I have conducted the talks with the A.M.A., I hope to be able to advise that some solution can be found to what is obviously a problem that is causing the Government great concern, and I am quite sure the community at large shares this concern.

*At 3.8 p.m., the bells having been rung:*

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

### SUCCESSION DUTIES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

### GIFT DUTY ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

### CONSUMER TRANSACTIONS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

**The Hon. J. L. ADAMSON (Minister of Health):** I move: *That this Bill be now read a second time.*  
I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.  
Leave granted.



### Explanation of Bill

The purpose of this Bill is to replace section 35 of the Consumer Transactions Act with a more effective provision. Before the enactment of that Act, it was possible for a credit provider to protect himself against the delinquencies of a person to whom he had provided credit, either by retaining title to goods for the acquisition of which the credit had been provided, or by registering a bill of sale over those goods. But while this system afforded the credit provider adequate protection, it occasionally resulted in great hardship to purchasers of second-hand goods who subsequently discovered that they had failed to acquire good title to the goods and had parted with money to a person from whom they would have little or no prospect of redress.

The Consumer Transactions Act alters the balance very much in favour of the innocent purchaser by providing that, subject to certain exceptions, an innocent purchaser of goods subject to a consumer lease or a consumer mortgage acquires a good title to the goods. Obviously, if a provision of this kind is not to be abused, there must be an effective deterrent for those who might be disposed to sell mortgaged or leased goods, pocket the proceeds, and then default under their credit contracts. Section 35 was therefore designed to impose a heavy criminal penalty on those who sell or purport to sell mortgaged or leased goods without the consent of the credit provider.

The present difficulty is that the section requires the prosecution to prove an intention to defraud at the time of the sale or purported sale. This is a difficult onus to discharge for in many cases the consumer will allege that, at least initially, he intended to keep up the payments under his credit contract. The Bill therefore proposes to remove the onus of proving *mens rea* from the prosecution, but on the other hand to provide a defence for the accused if he proves that he did not know and could not by the exercise of reasonable diligence have ascertained that the goods in question were subject to a consumer mortgage or consumer lease.

Clause 1 is formal. Clause 2 repeals and re-enacts section 35 of the principal Act in the form outlined above.

Mr. McRAE secured the adjournment of the debate.

### PYAP IRRIGATION TRUST ACT AMENDMENT BILL

**The Hon. P. B. ARNOLD (Minister of Water Resources)** obtained leave and introduced a Bill for an Act to amend the Pyap Irrigation Trust Act, 1923-1974. Read a first time.

**The Hon. P. B. ARNOLD:** I move:

*That this Bill be now read a second time.*

Approval has been given to provide a \$94 000 grant and a \$40 000 loan to the Pyap Irrigation Trust to enable the replacement of existing open-earth channels with a closed pipe system of lands under the control of the trust. To make funds available, it is necessary, under the Public Finance Act, for the department or authority to which finance is to be made available to have in its special Act a section providing specific power to borrow or accept grants from the Treasurer.

At present no such power exists under the Pyap Irrigation Trust Act and, before the approved funds can be appropriated, it is necessary to amend the Act. The present Bill contains the necessary amendments.

Clause 1 is formal. Clause 2 inserts new provisions into the principal Act empowering the Treasurer to make

grants or loans to the trust. The Treasurer may also guarantee loans obtained by the trust from other sources.

**Mr. PAYNE (Mitchell):** In supporting the Bill, I think there are two or three minor points I must make. First, there was some difficulty researching this Bill, because of the age of the legislation. It dates from 1923 and the volume in which that Act was printed is no longer stored in the House. It was necessary to make some effort in the library to ensure that the Bill before us was satisfactory. It is a moot point whether the new provisions ought to be placed in Part IV, or whether they ought to be placed in Part V, which is headed "General Purposes and Powers of the Trust". I should have thought the ability to receive grants and loans and, in effect, to make them, might be covered under that heading. I am not begging the issue; I merely point that out.

One other small matter that I bring to the attention of the Minister is the fact that the Bill seems to have been incorrectly cited in being brought before the House. I point out that the Bill we are being asked to examine is to amend the Pyap Irrigation Trust Act, 1923-1974. In point of fact, the correct date is 1923-1978, because the Pyap Irrigation Trust Act was amended in 1978 by the Statutes Amendment (Irrigation Acts) Act, 1978, which was subsequently proclaimed. That Act refers to the new citation which should be used in presenting this Bill to the House. I sympathise with the Minister about this matter; it is a minor point, but it just shows that one's officers, with the best intention, can, on occasion, overlook what are very minor matters. I uncovered that fact, because I took the trouble to research the original Bill to make sure that the amendments placed before us during the second reading stage were in order.

**The Hon. P. B. ARNOLD (Minister of Water Resources):** The Government appreciates the consideration given to this measure by the Opposition in allowing it to proceed in such a short time. This measure, if it passes all stages of this House, will enable rehabilitation work to proceed. It will also mean that the rehabilitation work that is ready to proceed can proceed forthwith. If this measure was delayed until the resumption of this session in the autumn it would mean that the capital works available to persons in this State, and involved with this measure, would be delayed for that additional period. Also, the overall rehabilitation work for the benefit of trust members would be delayed for that period as well. The Government appreciates the consideration given to this measure by the Opposition.

Bill read a second time and referred to a Select Committee consisting of Messrs. Arnold, Glazbrook, Hamilton, Payne, and Schmidt; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on 13 November.

### SELECT COMMITTEE OF INQUIRY INTO PROSTITUTION

**The Hon. M. M. WILSON (Minister of Transport):** I move:

That a Select Committee be immediately appointed to inquire into and report to the House upon the following:

1. The extent of prostitution in this State, including the ownership and operation of premises in relation thereto and the receipt of profit therefrom.
2. Whether the law relating to prostitution should be altered in any way.

3. Whether it is desirable to introduce a licensing or registration system for massage services for reward by other than registered physiotherapists, legally qualified medical practitioners or chiropractors, where the massage is not connected with prostitution.

In making the said inquiries, publication of the identity of witnesses the committee may call, or material which would disclose the identity of those witnesses, shall be prohibited, unless authorised by the committee.

And, further, the evidence taken by the Select Committee of Inquiry into Prostitution appointed on 15 August 1978, shall be referred to the committee.

On 15 August 1978, a Select Committee of inquiry into prostitution was appointed by this House. Members of that committee were the members for Mitcham, Playford, Stuart and me, Mrs. Byrne, Mr. Nankivell and the former Chief Secretary, Mr. Simmons. In just over 12 months members of that committee heard evidence from almost 100 witnesses and sat on many occasions, including two interstate visits to investigate the situation regarding prostitution in Sydney and Melbourne. The Government has decided (and I am sure that all members will agree with that decision) that the evidence compiled and work done by the former committee should not be wasted.

The reason for the appointment of the present Select Committee is that it is a means of bringing forward the report of the former Select Committee. I pay a tribute to Mrs. Byrne and Messrs. Nankivell and Simmons, who are no longer in this place. It is because of the hard work that they put into the committee's procedures, along with the present members of the House who were members of the committee, that the committee was able to reach a stage where it was almost in a position to table its report, if it had not been for the premature calling of the election on 15 September. As members will realise, the prorogation of the House meant that the former committee was dissolved. As I have already said, the appointment of the new committee brings forward the intention of the Government (which, I am sure, is supported by other members in this place) of bringing forward the report of the former Select Committee which was almost completed.

However, there have been some complications and, without pre-empting a later decision of the House, it would probably be better for Parliament if a Select Committee were appointed, consisting of only four members, and it would be the Government's intention to have the remaining four members who were members of the former Select Committee. The former Select Committee required a special Act to be passed by Parliament to amend the Evidence Act, thus giving immunity to witnesses who appeared before the committee. This was an important provision, because it was felt by the Government of the day (and certainly by members of the House who supported the motion at that time) that it would be difficult to get certain witnesses before the committee unless they were provided with some specific immunity.

Having had an opinion on this matter, I point out that the prohibition on the publication of the identity of witnesses and any material that would disclose the identity of those witnesses that applied to the evidence taken by the former committee still applies to their evidence, pursuant to the amendments made to the Evidence Act last year. That is a complicating factor, and it is one of the reasons why it is not desirable to appoint any members outside of the former Select Committee to the committee we are debating now. If a member outside those four remaining

members was appointed, it would be necessary for the whole of the evidence to be re-examined for the benefit of one or two members and, I am almost sure, for the calling of fresh witnesses, in which case a further amendment to the Evidence Act would be required to make the situation legally watertight. I commend the motion to the House.

**Mr. McRAE (Playford):** The Opposition supports the motion. Like the new Minister, I place on record the view that the Opposition holds of the excellent work that was done by the various members of the committee, pointing out that, to the Opposition (and we took the view that it applied to the then Opposition, now Government members, and the member for Mitcham), it was not a Party matter but a conscience matter, and should be disposed of in the best interests of the community as individual members saw fit. I, like the Minister, pay a special tribute to the work done by the former Chairman (Mr. Don Simmons, the former member for Peake and former Chief Secretary), who worked long and hard on the detailed preparation and report, together with our then research secretary Ms. Mary McLeod, to whom I also pay a tribute. I also pay a tribute to Mrs. Molly Byrne, former member for Todd, who worked hard and conscientiously, as did Mr. Bill Nankivell (the former member for Mallee).

One of the important things about a Select Committee of this kind is that it promotes the capacity for a wide range of views within the Parliament. The committee was extremely realistic, while being dogged in its determination to get to the facts and truth of the matter. Anyone who ever knew Mr. Simmons would appreciate that the Chairman would most certainly have kept us on the ball in being determined and dogged in getting all the facts. What is most important is that we were realists, and concluded that the only way to reach a successful conclusion to the problem was to provide to the Parliament a consensus view and it was hoped, without binding any one member, that there might be general agreement. At the point of dissolution of Parliament, the committee had reached the stage where 16 sections of the report had been agreed to, and of the remaining three (I am not permitted to mention what they were) there was little question.

So far as the Opposition members are concerned (and I have Mr. Keneally's authority to say this, although in due course he will have his own conscience vote both there and in the House), we stand on the principle of what was agreed to at the point of the dissolution of the House as our starting point. We envisage a relatively short series of hearings.

I support the motion. I also support what the law officers have advised concerning the fairly complex matter of confidentiality. Members will quickly realise that, given the nature of the inquiry with which we were dealing, we simply were not going to get witnesses unless a wide range of immunity (confidentiality of matters and immunity identification and from tax prosecutions) was agreed to, and all those were dealt with. In the light of that, I fully agree with what the Minister has said.

Motion carried.

**The Hon. M. M. WILSON (Minister of Transport):** I move:

That a committee be appointed, consisting of four members, of whom three shall form a quorum.

Motion carried.

**The Hon. M. M. WILSON:** I move:

That the members of the committee be Messrs. Keneally, McRae, Millhouse, and Wilson.

Motion carried.

**The Hon. M. M. WILSON:** I move:

That the committee have power to send for persons,

papers and records, and to adjourn from place to place; the committee to report on Tuesday 19 February 1980.  
Motion carried.

#### CATTLE COMPENSATION ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 7 November. Page 814.)

**Mr. McRAE (Playford):** The Opposition, having considered this Bill and having consulted with our members in another place who are competent in these matters, and considering that this is an important matter that should be dealt with, supports the Bill. The only reservation which we have, and which I hope I can put briefly under Standing Orders, is that it is sad to us to see that a motion for cattle compensation should be introduced so swiftly at a time when there is a need for human compensation so evident in the area of workers' compensation. I know that that is not the Minister's field; it is directed at his colleague.

**The Hon. W. E. Chapman:** And it is quite unrelated, too.

**Mr. McRAE:** It is an unrelated matter, but there is a basic philosophy, and that is the only thing that disturbs me.

**The SPEAKER:** That line must not be pursued in relation to this Bill.

**Mr. McRAE:** I am not pursuing it. I make the point and leave it there. In summary, we support the Bill.

**The Hon. W. E. CHAPMAN (Minister of Agriculture):** I recognise the co-operation extended by the Opposition and commend the member for Playford for recognising the true merits of this Bill and the degree of urgency involved, as indicated by him in the brief debate on the Bill. There is, of course, no relationship between the Cattle Compensation Act and any other compensation Act of the type referred to by the member for Playford. In this instance, it is essential that provision be made for the cattle owners of South Australia to enjoy compensation for cattle which have been slaughtered and which have been found to be reactors to the brucellosis and tuberculosis testing, and that that compensation be in line with the market value of the cattle if they had not been so affected. It is on that basis that the Bill is brought to the attention of the House: it is to cover and protect the cattle industry now, and to make further provision for prevailing market prices to be taken into account in the future fixing by regulation of the maximum compensation level. I repeat that I appreciate the co-operation of the member for Playford in this measure.

Bill read a second time.

In Committee.

Clauses 1 to 11 passed.

Clause 12—"Costs of administration of the Act."

**The Hon. W. E. CHAPMAN:** This clause cements the clauses in the Bill that refer to future fixing of compensation by regulation. I place on record that it is the Government's intention to consult with the industry before bringing before the House any regulations to change the maximum compensation figure in the future. We have given that undertaking to the industry and I wished to convey to honourable members the details of this undertaking.

Clause passed.

Title passed.

Bill read a third time and passed.

#### ADDRESS IN REPLY

Adjourned debate on motion for adoption.  
(Continued from 7 November. Page 844.)

**The SPEAKER:** Before calling on the member for Mawson, I point out that this is his maiden speech, and I expect all honourable members to afford all possible courtesy to him.

**Mr. SCHMIDT (Mawson):** I support the motion. In so doing, I wish to congratulate you, Mr. Speaker. I know that you will bring a new measure of respect to the position of Speaker, and I trust that all will go well for you in that position. Secondly, I wish to congratulate the Premier on having led the Liberal Party to its rightful place on the Treasury benches. Congratulations must also be extended to the Premier for having shown that the Government is prepared to honour its election promises, many of which have already been implemented and are in the process of being carried out. Some of these measures were referred to by the member for Todd last night: they include Bills relating to gift duty, succession duties, stamp duty and pay-roll tax. Despite the Opposition's comments that the Bills were not introduced quickly enough, we must remind them that it has been only a few weeks since this Government came into office, and we have taken to heart the wishes of the electorate.

Thirdly, I congratulate the Leader of the Opposition for having been chosen from amongst his colleagues to lead the Opposition through the eighties and beyond. I trust that when the time comes for his retirement he will, with his colleagues, be able to say that he has been an effective Opposition. If that is his wish, he will have to devote many of his energies to keeping the factions within his Party, and particularly the influence from Trades Hall, on a positive and constructive line.

It has become patently obvious, and therefore disheartening, that the Opposition has not learned from its performance prior to the 15 September election. Honourable members opposite have persisted in wasting the taxpayers' money with the blatantly engineered delay tactics which they have perpetrated in this House. To date, we have heard nothing constructive from the Opposition; all we have heard is verbal diarrhoea, an incoherent mass of comment, and questions about matters which they, when in Government, did not have the courage, fortitude or presence of mind to sort out or come to grips with. It was this same attitude that brought about the demise of the former Government and its Premier.

I offer my condolences to the member for Hartley, who, I believe, was respected as a person but who unfortunately symbolised and upheld the wrong policies. I hasten to add my congratulations to him on his 51st birthday. I also congratulate honourable members on both sides of the House who were successful in the recent State election.

My final congratulatory remarks go to members of the splinter groups, both members in this House who represent splinter groups, a chip off the old block, so to speak. I say that with no disrespect to the Leader of one of those groups. Again, I would endorse the words last night of the member for Todd in his comments to the member for Mitcham, who is not here again today. It is rather distressing that a man who purports to uphold such great principles of virtue and honesty should treat this House with such disrespect as not to attend, but merely to flit in and out, like a dove, in search of some little olive leaf to show that it is a peacemaker, rather than being here to bring about any sort of standard in this House.

On 15 September 1979, the barren wastes of discontent, disillusionment, and frustration which prevailed across

South Australia were swept aside by the winds of hope, joy, fervour, and freedom of choice. The voice of the people dawned on South Australia with the brilliance of self-esteem and dignity. After years of depression and loss of hope, we were able to see the light of democracy rekindle the hopes of the people, and we can now look forward, like the great man after whom my electorate is named, who, against extraneous, bleak, and harassing circumstances, was able to forge his way across the barren Antarctic to a brighter future.

The man of whom I speak is Sir Douglas Mawson, the Antarctic explorer and geologist born in Bradford, Yorkshire, in 1882. In 1905, he became lecturer in mineralogy and petrology at the University of Adelaide. During the Australasian Antarctic expedition of 1911 to 1914, Mawson almost perished, but struggled back to base alone. On that trip he lost two of his companions. The expedition had mapped more than 1 500 kilometres of coastline and had gathered exceptionally valuable scientific data. He was knighted, and awarded the King's Polar Medal, the Founder's Medal of the Royal Geographic Society, and the first David Livingstone Centenary Medal. He was made O.B.E., became Professor of Geology at Adelaide University in 1920, and held that position until the day he died.

He led two summer cruises to Antarctica between 1929 and 1931. The movement of the south magnetic pole since 1909 was also calculated. Mawson's continuing Antarctic activities were largely responsible for the ceding to Australia in 1933 of Britain's Antarctic claims between the 45th and 160th eastern meridians. He was active in the establishment of the first Australian National Antarctic Research Expedition in 1947 and the Antarctic Division of the Department of External Affairs in 1948. When he died, on 14 October 1958, he was Chairman of the Australian National Committee on Antarctic Research, established by the Australian Academy of Science, and was given the rare honour of a State funeral.

Australia's senior Antarctic base was named after him, and the Mawson Institute was founded in Adelaide in 1961 to further Antarctic research. In the words of Lennard Bickel, in his book *This Accursed Land*, Mawson is described as a man with tremendous spirit and determination, and I believe that those comments can aptly be applied to what I regard as the renewed spirit and determination of the people of South Australia.

It would be remiss of me not to give credit where credit is due. I place on record my congratulations to the former member for Mawson, Mr. Drury. I believe he gave his all to his role, and he was greatly respected by many in the Mawson electorate. Unfortunately, some of his Party's policies were diametrically opposed to the moral aspirations of his electorate. One such example is the matter of abortion, to which I shall refer later.

It is with pride that I inform my electors that I will endeavour to uphold the name of Mawson and work with a renewed spirit and determination for the good of my electorate. I thank the electors of Mawson for their vote of confidence, and I congratulate them on their courage in being able to change, in many cases, a lifetime of voting behaviour, providing a very vivid example that a Government cannot take the people for granted. The Tonkin Government has been given a mandate to provide, as it has indicated, a positive and responsible form of government which will give value for the tax dollar and maximum benefit to the taxpayer, especially those in greatest need.

The member for Newland, in his maiden speech, made some interesting comments about why the Labor Party lost the election. He correctly said that many of the excuses

put forward by the Labor Party merely reflected the effects of a more deep-rooted cause. Last evening, we were told by the member for Baudin, who was expressing his grandiose ideas of electoral theory, some of the explanations of why he felt his Party had lost the election. He tried to explain it away as part of the electoral system. Had he been true to himself and his Party, he would have known that the great cause of his demise was that the Labor Party had ignored the people, it had forgotten what the voice of the people was about, and it had forgotten where to consult with the people.

This is evident from the fact that, prior to the election, the A.L.P. had a survey in the Federal seat of Kingston, from which it ascertained that one of the major concerns of the people related to union unrest and union control. Despite having that knowledge, the Labor Government went ahead and called an early election. It did nothing about the bus strike or its stand against the unions. When it was perceived that they were on the precipice of a great fall, the former Minister of Transport came out in great rhetoric and said, "I will stand up against the unions. I will oppose them, and we will stand down those members of the unions who do not abide by the rules." What a last-ditch stand for someone in such desperation!

More aptly, and more succinctly, I shall give a quote from Cicero's Moral Law. He depicts the real cause of Labor's loss at the elections, when he says:

There came into being an open gap of communication. Communication had broken down between the Government and the people. Cicero went on to say:

In order to build wisely and well, so must the people be guided, but we have abandoned our plan wrought by our fathers. Hence we have dictators, members who lust for centralised power in order to oppress us.

That is not more evident than in the fact that last year, to quote one example, the former Government tried to introduce legislation in the form of the Incorporated Associations Bill. That was a blatant example of a Government (although later its members said they had tried to consult the people) not really consulting with the people. Where there was a cause for the tightening up of legislation (and those areas of concern were quite aptly covered by the present legal system), the Government of the day thought that this was an opportune time to completely alter and restructure the legislation in order to give itself what I referred to earlier, in quoting from Cicero: the dictatorial centralised and oppressive power.

Through that legislation, they attempted to give the Government the right to intrude upon the freedom of clubs, especially in relation to churches. It surprised me last night to hear various Opposition members saying they were ardent supporters of the church system, yet they introduced legislation undermining that structure, and no comment came forth from the then Government to support the churches in that devastating legislation, which would have intruded upon the freedom of such organisations.

Last night we also heard many comments about the fact that members on the other side of the House classify themselves as social democrats, a term that I find quite strange. I shall make reference in a minute to what I believe is the demise of social democracy. Some members purport to be social democrats, notably the member for Salisbury, yet we know quite well that he quite openly refers to people as "comrade". He openly supports a Kampuchean relief fund that is directed towards the Vietnamese Government. Of course, we know that that Government would in no way call itself a social democracy.

I now refer to a book entitled *Ideologies and Modern*

*Politics*. If we are to talk about social democrats, I think that, first, members opposite, instead of being pedantic about the meaning of the words "social" and "democratic", should align themselves to what form of social democracy they adhere to, as there are many forms. I shall refer to the Fabian form, or what are called the practical visionaries. We know that one of the former members of the Opposition, no longer in this House, was regarded as a Fabian socialist. That philosophy is quite in line with a lot of comments that the Opposition has made in respect of what it claims to be its glorious achievements in the 1970's. Members opposite speak about how they brought about social reform; about how they improved education; about how various services were improved. Yet, if they were true to their philosophies or ideologies they would know (and I quote from *Ideologies and Modern Politics*):

The Fabians were socialists but not Marxists.

A lot of the Opposition have indicated they are not Marxists. The book continues:

They rejected Marxist labour theory of value, holding that value is primarily the product of the development of civilisation rather than the product of the workman's hands.

So we see that these claims to fame and glory about what they introduced is not so much what they introduced as "the product of the development of civilisation rather than the product of the workman's hands". These changes would have come to fruition by natural law. But if they still wish to regard themselves as social democrats, again I quote from the same book. The author speaks in this paragraph about whether capitalism and socialism will converge. He concludes that the two will converge mainly from the point of view that socialism, or more particularly democratic socialism, is a dying ideology. The book states:

Apparently, democratic socialism has ceased to be a distinctive ideology for a number of reasons, the first being that the working man is much less interested in economic equality than was once suspected.

I think this is where the Opposition members still tend to be running up the garden path seeking a tree to bark up. They all continue to say that the working man is oppressed and needs this and that. We do not deny that there are possibly certain things that the working man still does desire, but what we must always keep in mind is (to quote the book):

... the working man is much less interested in economic equality than was first suspected.

It continues:

Nor is he as interested as many socialists assumed he would be in the democratic management of factories.

This may be one thing to keep in mind for the Opposition theory of worker participation. The book states:

The worker wants good wages, job security, insurance against major economic hazards and personal dignity, while he also wants his views to be given respectful consideration. He seems quite willing for management to make most of the major decisions without consulting him. He will do his job. Let management do its. Economic democracy is not a particularly appealing idea to the average worker.

The second reason the writer gives here is that the humanitarian ideals of democratic socialism, long shared by many non-socialists, have now become so widely accepted that they no longer form the basis of a distinctive ideology. In other words, what we have done is to consider, in our own philosophy (and that is the non-socialist philosophy), the needs and aspirations of the average man, and the average man has seen this and therefore will no longer be beguiled by these rather grandiose ideologies of Opposition members, that they are there primarily for the working man.

If my memory serves me correctly, a man I respect

greatly, a Mr. Fred Daly, who served in the Federal Government, in one of his books also says that the Labor Party today no longer is the Labor Party that it originally was. Whereas it originally set out to be the Party of the working man, it has now become the Party of the technocrats and of men of higher position who have self-interests to preserve rather than the interests of the average working man.

On the subject of social democracy, I wish to refer to another man who I believe is still a social democrat, a man who is well respected throughout the world. In his own country, he experiences a 70 per cent popularity rating, which is something quite astronomical for any leader of any country to hold. This man, while he purports to be a social democrat, was quoted in a *Time* article in June of this year as saying that he is a conservative when it comes to economics, because he realises that for a country to be prosperous that country must keep inflation down and that, by keeping inflation down, we will keep unemployment down. Yet, our social democrats opposite have the completely opposite view, whereby they wish to pump money into the economy, thereby increasing inflation and unemployment.

Strangely enough, the name of the man to whom I refer has a familiar ring—

**An honourable member:** No relation?

**Mr. SCHMIDT:** No, he is no relation. His name is Chancellor Schmidt of West Germany. I do not pretend to put myself on a parallel with this man because he is far beyond my ability. He has some rather interesting comments to make. I shall quote from two areas of the interview published in *Time* magazine. The first is in the area of world economy. The question asked was:

What are the greatest problems facing the world economy? Chancellor Schmidt's answer was:

There are three. The first is the general notion in most countries, including the Communist countries, the developing and industrial countries alike, to consume more than we produce and to fill in the gap by printing money. [That leads to] inflationary monetary policies as well as inflationary fiscal policies.

The second factor rather suddenly broke upon all of us: namely, the oil price explosion and the insight that energy would become rather scarce much more quickly than anybody had foreseen. It misled a number of Governments to seek refuge—because they had to pay high energy prices—in printing even more money and creating even more inflation. This led to an upheaval in the fabric of the world economic system. I would prefer not to call it a system any longer. It is more a constellation than a system. At least it is a very unsystematic system.

Third a number of developing countries today produce their own steel and their own ships, not to mention their own textiles. This has led to the necessity for a rather wide-ranging restructuring of industrial capacities and professional capabilities in the developed world. This process is not going fast enough.

They are exactly the sort of comments we have heard from our Federal Government, in so far as it has put forward intensive schemes for our people and our industry to look abroad, to initiate new ideas, and to streamline productivity and come out with cheaper commodities, thus becoming competitive on the world market.

The other quote from the article on Chancellor Schmidt is his attitude towards the energy crisis. The question put to Chancellor Schmidt was:

What should the consuming nations be doing about the energy crisis?

His answer was:

We have to educate our societies and induce our

economies to conserve energy to a much greater degree than we so far have been able to bring about. One of the most important instruments in so doing is to let people feel the fast-rising real costs of energy. Second, to a growing degree we have to replace oil by other primary resources of energy, especially coal and nuclear energy. Foreseeably, we will within the next one or two decades get into a world-wide debate about the irrevocable consequences of burning hydrocarbons—whether oil or coal or lignite or wood or natural gas—because the carbon dioxide fall-out, as science more or less equivocally tells us, results in a heating up of the globe as a whole. This leads to the third point, namely the necessity to put up rather large sums of money in order to develop scientifically, and from the engineering side, sources of energy like nuclear, geothermal, solar energy all of which enable us to avoid the CO<sub>2</sub> consequences.

Along those lines it surprises me that Opposition members do not take heed of this great social democrat who is quite aware of the problems of the world. He sees that we are in a dichotomous situation. On the one hand, we have the rumour mongering or fear tactics of Opposition members who have suggested such things as uranium being left in the middle of Adelaide or have come up with rather grotesque stories about deformed babies, in order to scare the community into reacting against the use of nuclear energy, whereas Chancellor Schmidt says that we have a choice of using a clean fuel, for the sake of our atmosphere, or using the hydrocarbons which will in the long term bring about a destructuring effect in the atmosphere, causing greater problems on a global scale. I ask members to give much thought to that proposition.

The member for Baudin made his maiden speech in July 1970 when he was then the member for the much larger District of Mawson. In his praise of the district, he said:

Our knowledge of the uranium-bearing ores of Mount Painter and Radium Hill, of the physiographic history of Lake Eyre and the stratigraphy of the Moorlands coalfields is richer because of Mawson's pioneering work . . . Mawson epitomises the sort of pioneering scientific spirit which must inform all governmental programmes.

He also said:

We therefore welcome paragraph 5 of his Excellency's Speech, which states:

Encouragement and assistance will be given in the discovery, development and exploitation of the mineral resources of South Australia.

Do these words not sound familiar? Did we not hear similar arguments before the last election when we, as a Liberal Party, said that we would go ahead and discover, develop and exploit the mineral resources of this State? Many people in my district told me that we need Roxby Downs. Here is a blatant example of the former member for Mawson, now the member for Baudin, who seems to have forgotten what Mawson had done and what his Government had said in its address to the opening of that Parliament. He had forgotten, or did not want to know, what his constituents were saying—they want mineral development go ahead in this State. Without that development we will be lost; we will be behind the eight ball. We need that development to induce production in this State, to get the economy going again, and to get confidence back into the people. I am glad that this Liberal Government is prepared to go ahead with just those steps to improve mining in this State.

Another pleasing aspect of the Government's policy is that, when Roxby Downs goes ahead, we will use the royalties from that mining for greater research into alternative energy resources, and that is one of the matters that Chancellor Schmidt referred to in the article. We need to invest rather large sums in alternative energy

resources. If we as a community want all the social benefits, which we will not in any way want to deny, we must look carefully at where we will get the finance from to provide the luxuries and the social benefits we require, yet at the same time investigate or research other means of energy resources. One way to do that is to use the royalties from an existing mineral supply.

Another area which I believe is important in Australia is the resource of the human being, the resource of the individual. I endorse the comments of the member for Todd last evening when he said that we should be looking at a renewed quality of life. This renewed quality of life shows forth in many ways in our community, in the welfare departments, and in various laws we introduce in society and therefore make them the norm. The following quotes from Cicero could be applied generally during the remainder of my speech. He said:

The law is that which exists—at a given time.

In other words, if we introduce a law it is there as long as the people require it or as long as it serves the people. Members will note that I have used the words "serves the people" and not "controls the people", as we have seen happening with the previous Government, for instance, in the case of the incorporation of associations legislation, a step to control and not serve. Cicero also said:

There is a passive evil—speaking not, when a man should speak.

Here I might be so bold as to point the finger at our community and say that, whilst for a long time we have heard people express much disquiet and discontent at the things going on in the State, the big silent majority that is so often referred to did not come out and express itself loudly enough. Thank goodness at the last election this silent majority came to the fore. People in my district who all their lives had voted for the Labor Party could see where this State was heading and they could see that it was not what they wanted. They could see that it was time for the silent majority to become vocal, that we should no longer give way to the silent minority.

One of the things we need to look at in regard to quality of life is to try to create a better environment and promote the family unit. I know certain lobby groups within our community would say strongly that we should not support the family unit. Yet, most of the social ills are caused because the family unit has broken down. We know that the majority of acts of vandalism and petty crime involve latch-key children, children with nothing to do, children from broken homes, or children from families where parents do not have the time to give attention to the child. I am surprised that members of the Opposition, whilst they purport to be the voice of the people, the voice of the under-privileged, are not heard to speak in defence of the under-privileged, namely, the unborn child. I said earlier that I believed this was one of the reasons why the former member for Mawson lost his seat.

I have received many phone calls from people in my district who think greater consideration should be given to the unborn child. That does not mean, as the member for Baudin implied last night rather obtusely, that, because we want to tighten up certain legislation, we are (as a former Premier alleged) going back to the nineteenth century. That was an irresponsible and childish comment. Tightening up a law in many cases means respecting the views of people and preventing loopholes whereby great injustices can be perpetrated. In being responsible in that way, one is considering the needs of the people.

Abortion is one of those matters that should be looked at closely. I think mistakes were made in the past in relation to statistics which appeared in the Mallin Report on abortion. The breakdown of those statistics is rather

vague and the terminology is rather vague. It is stated, for instance, that 96.6 per cent of all abortions are carried out because of specified psychiatric disorders. Yet, when one speaks to social workers, it is evident that the reason behind many abortions is not a specific psychiatric disorder but rather a financial, cultural or other reason. The terminology should be more precise so that the reader can analyse that report and repair areas that need to be repaired.

If the reason for an abortion is financial distress in a family, surely what we should be doing, as a responsible Government, is looking at how that financial difficulty or stress can be alleviated. To take an unborn child away and then say to the woman, "We have now alleviated your financial stress" is not really a responsible attitude. From October 1978 until April 1979 (and this is one of the facts that does not come out in the Mallin Report) there were a number of repeat abortions: in October 1978 there were eight; November, 11; December, 11; January 1979, 12; February, six; March, seven; April, 11; and in May, 13. Where does responsibility lie? What advice is being given to women who are using this sort of law as a means of contraception? We, as a Government, and our society, are renegeing in our responsibility, because the responsibility for this is not with those women but with us in relation to the facilities and education we are providing.

One area we should be looking at quickly is the provision of better counselling for women after they have had an abortion, so that there is no need for them to have a repeat abortion. No doubt there are extenuating circumstances in some cases, but where abortions are being used as a means of contraception because of ignorance that area should be tidied up. I make a pledge that I will follow up this matter in the ensuing years of this Government.

Another area of concern relating to family life is the divorce rate. Figures showing the divorce rate are rather alarming. That sign boils down to the fact that we need to look at mechanisms and organisations within our society to improve and enhance the family unit in order to keep it together. A number of people who have come into my office are from broken families and need a home. This is one of the areas we need to look at closely, particularly in the District of Baudin, in the Housing Trust area, where there are many unmarried mothers lumped together. Social workers have often come to me voicing concern at the fact that, whilst those women are being provided with homes, they are worried about the future of those women and their children, because the mothers have to go to work and the children have to be left on their own, frequently without facilities. This might lead them to become involved in groups that go around vandalising, eventually getting on to the wrong side of the law and creating greater stress in the community.

Community workers point out to me time and time again the reasons (and this was made evident in a report last year which the former Government kept under wraps for a long time) for vandalism. The recommendation in that report is that we should be looking at prevention now rather than cure later. Surely, if we are looking at prevention, we should be looking at a more homogenised society, in which we can blend all of these people from their different levels, so that we do not create pockets or ghettos.

I have often had the experience where former students of mine, because of a lack of facilities in their areas, were left to sleep in shop doorways or were given handouts to disappear for a considerable time and so wandered the streets with nowhere to go and nothing to do. I wonder why, with the magnificent resources of this country, these

young people are left to become involved in undesirable behaviour, eventually becoming members of this community that we spurn, whereas, if we gave them the right direction now they would become a positive part of our future community.

I turn now to education. I commend the former Minister of Education for his incredible photographic memory of all the details and figures from his department. While I do not deny that the former Government made big inroads into education in this State (and I give them full credit for that because we are better off than many States), that does not alter the fact that there are many shortfalls in our education system. I have heard members on the other side refer to their Christian alliances or to various theologians, but none of them, at any stage, referred to the Bible, and that surprised me. The member for Salisbury, and other members, quoted from a book issued by the A.M.W.S.U. called *Australia Ripped-off*. The disturbing feature about this book is dealt with in the I.P.A. Review, of April-June this year, as follows:

It is directed at the innocent, the ignorant and the gullible. This in no way is to be regarded as a derogatory statement. I was perturbed early this year when I walked into the staff room at my school to find that this magazine had been distributed throughout that room. I wonder under what sanction that book can get into schools.

**An honourable member:** S.A.I.T.

**Mr. SCHMIDT:** That is right. Also, it disturbed me when I attended a university lecture earlier this year that the tutor was going to make the book compulsory for his first-year students. We are all aware that some first-year university students are at an impressionable age; some are still rather innocent, and certainly there is every possibility of influencing their thinking. I am not saying that they should not be allowed the opportunity of reading such a book but, if such a book is made available, surely it should be the responsibility of the lecturer, tutor, teacher, school or university to direct the students to an opposite point of view. This sort of thing is grossly lacking in some areas of our education system. A rather biased point of view is put forth.

Another area I will mention (and this has come to me from a number of students who have attended evening courses in order to matriculate) concerns young people who have been out in the work force and who have tried to improve their status in life by studying at night. They have studied a subject called Australian history, part of which is about the growth of the labour movement and the Australian Labor Party, but nowhere in the curriculum is there mention of the growth of the Liberal Party or of any alternative system. It is apparent that a rather biased point of view is put forth by various people in our education system.

Another matter that distresses me (and I was pleased to hear this afternoon the Minister of Education say that he was examining it) is religious education in schools. I endorse his comment that in no way should religious education retrogress to the system used previously. It should be taught by means of an objective and balanced point of view, and not as we have often been led to believe by certain persons, that it should take a certain line.

Particularly in the area of sex education, we have people coming in with a rather one-sided view, instead of giving alternative points of view in the same lesson. I have had parents telephone me, whose children have come home rather distraught. In one case a young girl was ashamed almost to be called a girl, because of the way the subject was put forward by that speaker. The girl had been taught by an outside tutor, not by one in the system.

Another matter that needs to be looked at in our

education system, particularly with regard to the recent election, is that our people are beginning to think more; they are more objective about what they read in the press, contrary to what the Opposition might say is the case with the media. If Opposition members spoke to their academic friends in higher places, they might realise that the media has only a small influence on the population at large. The election result showed that people who read the newspapers have been objective and selective about what they regard as the nitty-gritty of any issue.

What is lacking in our school system is a balanced and more objective course on politics and on basic law. Regarding consumer affairs legislation, whilst it does a good job, I am worried that at times it tends to flex its muscles too much and could reach the stage of over-legislating. If consumers were properly educated, we might not need such a department as that dealing with consumer affairs. If we were made aware of basic law, contractual procedure, and the pitfalls in purchasing goods, we might find that much consumer legislation would not be needed to help people in distressing situations. However, in the interim, we must continue with such a system because, from day to day, people, because of ignorance or poor public relations on the part of certain Government departments or manufacturers, are led into doing the wrong thing or buying or misusing a certain commodity.

Finally, I move to the area of vandalism which, we know, costs the State a small fortune. Again the Opposition tries to invoke fear tactics and emotionalism by saying, "We need this and that programme, because of the unemployed," and makes great play about the unemployed being potentially dangerous. A report on vandalism, at page 34, sets out vandalism offenders by occupation. Of the 157 offenders interviewed for inclusion in the report, 57 were students under the age of 12 years. So, the bulk, or 36.3 per cent, of offenders were young students. The unemployed constituted only 23.6 per cent of all offenders. Close behind, by only .7 per cent, at 22.9 per cent were the unskilled, who had no specific skill required to perform tasks. I question the allegations often made by the Opposition that the unemployed are such a potential threat to our society.

I commend the schools and the programmes of CITY and those involved in it, for caring for the needs of the unemployed and the youth of our society, preparing worthwhile programmes for them to do what they can in the community. Vandalism drops significantly as the level of expertise increases. The report should be examined closely, and many of its recommendations should be adopted. The sooner we can introduce programmes, particularly for the young, to keep them occupied, and provide the facilities, the sooner, we hope, the incidence of vandalism will diminish.

I move now, finally, to the area of trade unions. I see certain Opposition members pricking their ears at the mention of trade unions. I am not a union basher, but I point out that unions must act responsibly. What particularly distresses me is the number of demarcation disputes we have witnessed in the State, particularly a recent one earlier this year that affected the productivity of a well-known company in South Australia. Such disputes cause distress to our people and the economy, yet the unions go ahead and act indiscriminately and irresponsibly. How do demarcation disputes arise? How much injustice is done to the average worker, the union member, as a result of such strikes?

A woman came to me seeking help, because of a union dispute over membership at the factory at which she worked. She was told by one union, "We'll look after

you," and was told the same thing by another union. She paid her dues year after year, and she suddenly received a bill from one union stating that she owed so much for back union dues.

Surely, Trades Hall, if it is to flex its muscles, should say to unions, "How about growing up? Work out who you are going to represent and what is best for the people you represent and for those you service." If a person wishes to belong to one union or another, under a democratic system (and the member for Playford said the other day that democracy must override socialism) he should be allowed the right to decide which union to join.

That is surely an area where democracy and freedom of choice must be given so that a person can belong to whatever union he wishes to join. This wish must prevail over the whims of the union and over the union's so-called desire or greed to obtain funds from union membership. I urge members opposite who have contact and who work closely with the unions that they impress upon the unions the need to consider what is best for union members in the long term.

I endorse my earlier comments: I trust that this session of Parliament will be fruitful and that we, in all our deliberations, will work for the good of South Australia and the electors in our districts, no matter what side of the political fence they are on, and, more importantly, that we unite in the spirit as shown by Mawson, and go forth in a renewed and determined spirit to regenerate South Australia so that it becomes the great State it once was.

**Mr. ABBOTT (Spence):** I support the motion. The recent election saw many changes, which resulted in a number of changes within the House. I congratulate a new number of members on their election. As yet, I do not know new members on the Government side very well; however, I know new members on this side of the House, namely, the members for Albert Park, Ascot Park, Peake, Salisbury and Florey. All have acquitted themselves extremely well, and there is no doubt that they will enjoy a long and successful career in Parliament.

**Mr. Mathwin:** What about the member for Salisbury?

**Mr. ABBOTT:** I assure the honourable member that he will hear plenty from these new members. I know that they are deeply honoured to represent the Australian Labor Party and in particular the people of their districts. When I was first elected to this House, I said that I was proud to have joined what I believed was the most effective and progressive State Government in the Commonwealth of Australia. I still believe that. The Labor Government did much for South Australia, and it certainly did not deserve the treatment that it received at the recent election. I feel sure it will not be too long before the people become disillusioned and realise their mistake. I think the latest surveys published in the *Bulletin* only yesterday prove that point.

Reference should be made to those members who have retired: Mr. Dunstan, without doubt the most able Premier this State has ever known; and Messrs. Hudson, Virgo, and Simmons, all extremely capable Ministers. The Legislative Council members who retired included former Ministers Messrs. Banfield and Casey. In addition, Messrs. Harrison, Wells, Groth, Olson, Broomhill, and Nankivell also retired. All were well respected members and will be greatly missed in this House, along with those defeated members Mrs. Byrne, Terry Groom, Greg Crafter, Les Drury, and John Klunder. I pay a tribute to the work of all those retired members and the contribution that they made to this Parliament. I wish them all well in their retirement.

I have listened with interest to the speeches made by



new Government members. They all seemed to follow the same line of knocking the trade union movement. We hear about the militancy of the unions, strikes, secret ballots, Communist control, compulsory unionism and the greed of the trade unions. We never hear anything about the fact that this State has enjoyed fewer industrial disputes than has any other State. We never hear anything from Government members about the good record of industrial relations in South Australia, a situation that was the case for many years under the Labor Government. I give great credit to the former Minister of Labour and Industry for achieving that outstanding record in South Australia. All that the trade unions have ever asked is full employment and a fair standard of living—no more, no less. If the unions have to withdraw labour to achieve those standards after all other avenues have been exhausted, they have that right. It is the only weapon that the unions have.

Wages are the only fully controlled commodity, and to justify wage increases the unions have to go to the Arbitration Commission to try to obtain rises. Even then, they often get nothing. We never hear anything from Government members about increased prices—not one word. My wife comes home from the supermarket every week and says that prices of many articles have been increased. I guarantee that wives of all honourable members opposite do the same. There is no control of price increases, no arbitration and no tribunal, organisation or body that companies have to go before to justify those increases, yet nothing is said about this. All we hear from Government members is an attack on the trade union movement. Members opposite knock the unions as much as they can. I suggest that members opposite know little about the trade union movement.

An article in today's *Australian* stated that Australia Post had made profits amounting to \$22 600 000. A promise was made that there would be no further increases in charges this year. Big deal! The Australian public is being ripped off by Australia Post and many other people.

There has been an Australia-wide blitz on pensioner concessions by the Department of Social Security. The department has scared and confused thousands of age pensioners in South Australia. Over the past few months, my electoral office has been inundated with callers and telephone calls from pensioner constituents who have received computer notices advising of a pension reduction or the loss of some form of concession. From today, pensions rise to \$57.90 for a single person and \$96.50 for a married couple. The level of other allowable income, which is \$20 a week or less for the single pensioner, or \$34.50 for the married couple, does not alter. People of 70 years of age or more automatically receive the age pension, irrespective of other income. Cost of living adjustments will be subject to a means test in the future.

It seems that an anomaly exists between the pension of those 70 years old or more and the pension of those under 70. I believe that it is unfair not to raise the level of allowable other income on a proportionate basis, in line with the adjustments that have been made.

As a 62-year-old Brighton grandmother said, "I guess times must be tough if the Federal Government has to penny-pinch from people like me." Her saga of confusion began when she received a letter from the department informing her that her invalid pension was to be cut by \$1 a fortnight. What was the reason? The pensioner paid the penalty because she was receiving 69c a fortnight in interest from paying her pension cheque into a building society. That is 35c a week in interest—not much when we consider that Malcolm Fraser is on a salary of \$1 600 a week. It was Mr. Fraser who cancelled the May pension increase this year, costing the single pensioner \$60 and the

married pensioner \$100 in lost income.

A report by the Economics Editor, Edward Nash, appeared in the *Advertiser* on 25 October under the headline, "Beating the system for a pension", as follows:

South Australian pensioners are being encouraged to forgo interest on their savings to gain additional pensioner benefits. While no bank, building society or other financial institution is publicly recommending such a policy, the suggestions are being made privately and are being adopted by some pensioners. The Savings Bank of South Australia has hinted at it with an advertisement that says: "Although the Savings Bank pays interest on personal cheque accounts and savings accounts, customers may choose to have them made non-interest bearing if it suits their particular purposes."

For the borrower of interest-free funds, the gain is obvious. But the reality of any benefit for the pensioner can be calculated only after considering a host of factors. The basic idea of forgoing interest is that the pensioner can retain his capital—at least nominally—while still enjoying the full range of benefits. Undoubtedly, some pensioners with relatively little capital will be better off by adopting this "beat the system" policy but, for many others, the gains will be more apparent than real. Nonetheless, the attraction of having a "secret tax dodge" appears so great as to outweigh financial judgment for some pensioners.

The report continued, looking into certain cases to ascertain whether a pensioner would be better off accepting or forgoing interest on excess capital. This would not be necessary in most cases if other allowable income rose proportionately in conjunction with pension increases.

At the direction of the Federal Government, more than 28 000 pensioners throughout Australia have lost their telephone concession, almost 4 000 of them in South Australia. More than 50 400 South Australian pensioners had been receiving the concession before the review began in September 1978. About 10 000 pensioners lost their concession because they did not respond to the questionnaire from the Social Security Department. The rental concessions have also been cancelled for all pensioners living in a home where any other person has a weekly income of more than \$79.70. These benefits have been cancelled, irrespective of whether or not the income earner contributes to the cost of the telephone. According to Senator Guilfoyle, the pensioner, to qualify, had to live alone, with another eligible pensioner, or with some other person whose income did not exceed \$79.70 a week.

Most of the inquiries I have received in my district have arisen about this matter. Many elderly pensioners find it difficult to reply to the questionnaire, because they cannot cope with the bureaucratic demands. It appears that the Department of Social Security has ample inspectors to go around checking on unemployed people, but no-one to assist the aged or the elderly. An officer will visit a pensioner at home only if that pensioner cannot get to a department office, so it is left to the South Australian Council for the Ageing to send out a worker to discuss social services problems and to support the pensioner in seeking further assistance. Instead of confusing our elderly citizens, surely the department could do a little more to assist them.

I turn now to a matter that was brought to my attention when, as Minister of Community Welfare, I was responsible for the Aboriginal Co-ordination Committee. I refer to the habit of petrol sniffing at the Yalata Aboriginal settlement. This is a very real problem, and the Minister of Aboriginal Affairs should be made aware of it. It is also a barrier to learning. I understand that petrol sniffing is a problem among young Aborigines in a number of settlements, including those in the Far North of the

State. Because of heavy rain in the area, I did not get the opportunity to go to the Far North, but at Yalata I visited the school on the reserve and discussed the problem with some of the teaching staff. One of the teachers gave me a copy of his report, which reveals some of the alarming details connected with this habit and the dangers associated with it. That report states:

As early as 1976, adolescents at Yalata experimented with petrol inhalation. The main method employed by the sniffer is an aluminium beer can with the top cut off, containing petrol. Fortunately, the more dangerous method of sniffing under a blanket is rarely used by the children. As 65 per cent of the population of this community is below the age of 16, and 30 per cent of this group are regular inhalers, it is a problem which causes considerable concern. The majority of the sniffers are in the 10-15 age group. There seems to be an equivalent trend in America. Both sexes, in equal proportions, are involved in this quickest, cheapest, most easily obtainable form of intoxication available. Some of the oldest sniffers have told the writer that they will give up sniffing petrol when they can get drunk. Sniffing appears to be principally an activity of children. Most of the adults at Yalata resort to alcohol to achieve the same result.

The children's response to sniffing varies considerably. Confusion, dizziness and euphoria are experienced. Some become mildly intoxicated, others exhilarated and disoriented. There are distortion of perception, visual and auditory hallucinations, and delusional ideas as the concentration of the petrol in the brain cells increases. Other symptoms include tremors, locomotor ataxia, anorexia, weight loss, and drowsiness leading to unconsciousness. Teachers have indicated that frequent sniffers lack concentration and are incapable of responding to the simplest of questions.

One of the main concerns of teachers, apart from that of the damage the children are doing to their bodies, is the difficulty of maintaining discipline in the classroom. Several assaults on staff members can be attributed to aggressive behaviour induced by petrol sniffing. Tolerance develops within the body so that, to achieve the desired effect, increased inhalation is required. Children of Yalata have mentioned the "pictures" they see whilst sniffing. Those who have been sniffing for a longer period find it increasingly difficult to "see the pictures". After withdrawal, these children experience restlessness, irritability, and anxiety.

Bronchial problems are common amongst Aboriginal children, so teachers need to be alerted to the petrol sniffer who demonstrates breathing difficulties. Lung damage could be present in this case. Until the last 12 months or so, little notice has been taken of petrol sniffers except for warning them about the dangers, until a child was involved in a break-in or illegal use of a vehicle. It has been the delinquency rather than the addiction which has been responded to. A recent development amongst the 12-16 year age group seems to be that some offences are being committed in a deliberate attempt to confront any authority. A cult seems to be emerging which interprets the defiance of the police, the community manager and the school principal as an act of personal courage. Being sent to McNally is a meritorious achievement. One particular lad who caused havoc within the confines of McNally and was transferred to Yalata Prison was sent back to Yalata a few days later to bask in the status given him by the group. A disturbing fact that emerges is that there is an increasing tendency towards violent crimes as well as crimes against property. As these are recognised as more serious offences, the offender gains status amongst his peers. Sometimes placing the child before a court can be a meaningless exercise, because he does not recall the criminal activity committed whilst he was "sniffed up".

Nobody has devised a strategy or implemented a

programme to attempt to alleviate and hopefully eradicate the problem of petrol sniffing abuse at Yalata. A growing number of people contend that petrol sniffing will never be stopped until the problem of alcohol of the adults is stopped. Upon examination of other communities in Canada, United States of America and the Northern Territory it seems that the incidence of petrol sniffing is relative to the problems within the community. What then could be changed within the community which would decrease the prevalence of petrol sniffing? The writer believes that the lack of organised recreational activities on some settlements is a contributing factor. If the community council could be assisted to solve the problem for their own people, the advantages would be numerous. It has been said that the locking away of petrol on settlements using petrol cap locks on vehicles and padlocks on pumps would help, but experience has shown that petrol tanks have been ruptured and fuel lines under the vehicles have been cut when normal supplies have been curtailed. Avoidance of this addiction could be brought about by a chemical additive which would make sniffing very unpleasant. The Department of Health made inquiries from the Commonwealth Scientific and Industrial Research Organisation to determine what additives would make petrol highly offensive to the sense of smell without any toxic effect. The C.S.I.R.O. indicated in 1976 that different organic compounds do exist and could be added to petrol delivered to isolated Aboriginal reserves. This could be administered by the community councils, thus providing them with a method of solving a community problem. Little seems to have been done since 1976, however, and some communities are still waiting for the supply of the deterrent chemicals.

One Northern Territory community where petrol sniffing was rampant organised tribal activities for up to five hours per day with heavy parental involvement in a rehabilitation centre. A recreation based intervention strategy is needed at Yalata. There is a need for a wide range of activities, including recreational, educational, training and development programmes designed to develop a healthful lifestyle. The recommendations are:

- (a) The parents should be encouraged to take an active role in the community participating with their children in a variety of activities.
- (b) Parents should be kept well informed about their children.
- (c) Indigenous recreation officers should be trained at Yalata to take over the development and operation of activities in a recreation programme held after school each day, on weekends and in the school holidays.
- (d) Local leadership must be developed.
- (e) The community's sense of identity and culture must be reawakened.

I seek leave to continue my remarks later.  
Leave granted; debate adjourned.

### CONSTITUTIONAL POWERS (COASTAL WATERS) BILL

Received from the Legislative Council and read a first time.

**The Hon. H. ALLISON (Minister of Education):** I move:  
*That this Bill be now read a second time.*

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.  
Leave granted.

### Explanation of Bill

The Bill stems from a High Court case in which all States challenged the validity of the Commonwealth Seas and Submerged Lands Act. The High Court decided by a majority that the boundaries of the States stopped at the low-water mark and that the territorial sea was not part of the State.

Before the seas and submerged lands case there had been what the High Court called "a common misconception" that the territorial sea adjacent to each State was part of the State territory. Upon this basis there was Colonial and, after Federation, State legislation governing activities in the territorial sea as, until the High Court's decision, it had been considered to be the property of and under the control of the States. The States had previously believed that such resources as there were in the territorial seas belonged to the States.

The High Court held that this was not the position and furthermore that the Commonwealth has legislative power in respect of what lay beyond the low-water mark under its external affairs power, excluding internal waters. The States and the Commonwealth considered the decision to be very inconvenient—for example, the Commonwealth did not have the facilities or the wish to exercise responsibility over the territorial sea.

Accordingly, the Commonwealth agreed that the States should be put, so far as possible, in the position they believed they were in before the High Court case.

At the October, 1977 Premiers' Conference, it was agreed that the territorial sea should be the responsibility of the States and that, in order to overcome problems caused by the High Court's decision on the validity of the Seas and Submerged Lands Act, the limits of the powers of the States should be extended to embrace the territorial sea.

These problems are—

(i) The uncertainty of operation of State laws in the territorial sea—as a consequence of the High Court's ruling that the coastal boundaries of the States end at low-water mark, there arose the necessity for the Legislature to ensure that the civil and criminal law applies in the territorial sea by clearly evincing an intention that it should so operate. There is a presumption, however, that the Legislature intends laws to operate within the territorial limits of the State.

(ii) Uncertainty as to State extra-territorial legislative competence in the territorial sea—only those State laws which satisfy the necessary criterion of being for the peace, order and good government of the State may validly operate in the off-shore area. This requirement of nexus does not exist in relation to State laws which operate within State territory.

(iii) Possible invalidity of State laws with respect to such matters as seabed mining, marine parks, marine pollution and ports and harbours and sea protection works beyond State limits and so on. These laws may be invalid for inconsistency with the Seas and Submerged Lands Act and/or lack of nexus with the State. Doubts as to the validity of these laws would be removed if State territory included the territorial sea.

(iv) Practical legal problems which arise from the difficulty in determining the precise location of State maritime limits—it is difficult, if not impossible, to determine the closing lines of State internal waters in some parts of the coastline, because the High Court has not yet seen fit to expound the relevant legal principles. Elucidation is likely to be on a case-by-case basis. Furthermore, the location of low-water mark on the coast is also a matter of difficulty and uncertainty. By

taking the State boundary to the outer limit of the territorial sea, these legal problems will be considerably reduced.

(v) The potential problems arising from the Commonwealth's new found legislative power beyond low-water mark—the High Court decision confirmed to the Commonwealth an external affairs power which is larger than had been previously thought. The Commonwealth may now have the potential to pass laws to operate beyond low-water mark on any subject. If this potential were realised the valid operation of many State laws would be excluded by virtue of section 109 of the Constitution. An extension of State limits to embrace the territorial sea would result in the Commonwealth being precluded from enacting legislation under the external affairs power in the relevant area, except for the purpose of implementing a convention.

Various methods were considered to give effect to the Premiers' Conference decision, but the one that seemed to have general acceptance was an exercise under section 51 (xxxviii) of the Constitution whereby the States could request the Commonwealth to pass legislation giving to the States the same legislative powers in respect of the territorial sea as they have on the land mass. Section 51 (xxxviii) authorises the Commonwealth to make laws with respect to "The exercise within the Commonwealth, at the request or with the concurrence of the Parliaments of all the States directly concerned, of any power which can at the establishment of this Constitution be exercised only by the Parliament of the United Kingdom or by the Federal Council of Australia". This means, of course, that the territorial sea would be still subject to the possible exercise of Commonwealth legislation under section 51 of the Constitution as is the land mass at present.

The Bill has been drawn under the auspices of the Standing Committee of Attorneys-General at the request of the Premiers' Conference and has been endorsed by both those bodies.

The Bill is to be coupled with a further Commonwealth measure referred to as the "titles" legislation under which the Commonwealth, in exercise of its external affairs power and its sovereignty over the territorial sea, is to grant title to the States over the territorial sea. That measure is regarded as a safeguard as any subsequent expropriation will be subject to the payment of compensation under the Constitution.

The Prime Minister is most anxious to introduce Commonwealth legislation during this spring sessional period of the Commonwealth Parliament and can do so only when all States have passed the necessary request and consent legislation. The Standing Committee of Attorneys-General, at its July 1979, meeting, agreed that the Bill should be presented to State Parliaments as soon as possible. The opportunity is also taken in the Bill to confirm the extra-territorial legislative competence of the States beyond coastal waters in respect of subterranean mining from land within the limits of a State, port-type facilities and fisheries. This measure represent a milestone in Commonwealth-State co-operation.

The provisions of the Bill are as follows: Clause 1 is formal. Clause 2 requests the Parliament of the Commonwealth to enact an Act in the form set out in the Schedule.

The Schedule sets out the proposed form of the Commonwealth legislation. Clauses 1 and 2 are formal. Clause 3 defines the "coastal waters of the State" to be, in effect, the area of three nautical miles from the low-water mark of the State coast. Clause 4 provides that the coastal waters of the State will not, for the purposes of this Act, exceed three nautical miles, notwithstanding any future

international determination to extend the territorial seas of Australia. Clause 5 extends the legislative powers of the State to cover all matters relating to the coastal waters of the State and the seabed under, and airspace above, those waters. Paragraph (b) empowers the State to make laws relating to subterranean mining, ports and coastal works, even though those things may be beyond the three-mile mark. Paragraph (c) empowers the State to make laws relating to fisheries, even though those fisheries may be outside the coastal waters of the State, for the purpose of giving effect to Commonwealth-State agreements. Clauses 6 and 7 provide several important savings provisions.

Clause 6 provides that nothing in the Act is to affect Australia's international standing. Australia, the Federation, is still seen as having sovereignty over the territorial sea. Paragraph (a) of clause 7 states that nothing in the Act "extends the limits of any State". The significance of this is that, if the State's boundary were extended, then that would be in contravention of section 123 of the Commonwealth Constitution. That section states that a State may only be enlarged by the process of referenda. The legislation only increases the area over which the State has legislative competence. The Commonwealth will still maintain sovereignty over those areas. Paragraphs (b) and (c) recognise the existing position of the State's power to legislate extra-territorially, and the Commonwealth's supremacy in the event of inconsistent legislation—a restatement of section 109 of the Commonwealth Constitution.

**Mr. McRAE** secured the adjournment of the debate.

#### ADJOURNMENT

**The Hon. P. B. ARNOLD (Minister of Water Resources):** I move:

That the House do now adjourn.

**Mr. BECKER (Hanson):** I would like to make some points during the grievance debate following the statement that we have heard that "profits are a dirty word". Whenever anyone criticises or points out the activities of the trade union movement, we immediately get thrown back at us on this side of the Chamber comments about profits of certain companies and how nasty they are. Let us look at the classic example in what I would call a very moderate organisation and industry. I have before me an undated circular from the Federated Liquor and Allied Industries Employers Union of Australia, headed "To all liquor trade union members re S.A. State elections being held 15 September 1979", as follows:

This is to advise members that the assistant secretary of the South Australian Liquor Trade Union, Gordon Bruce, is an endorsed A.L.P. candidate for the Legislative Council in the forthcoming election. The Liquor Trade Union recognises the importance of having a representative in the State Parliament where so many decisions are made concerning the wellbeing of our members and working people of this State. Matters such as: long service leave, sick leave, Licensing Act, Department of Labour and Industry, workers' compensation, safety, health and welfare, rural aid, housing, and many other areas, are all of vital concern to the working people connected with the areas and industries we serve. While we will be sorry to lose Gordon Bruce as assistant secretary, it is our belief that the service he will be able to render to people in this new position will compensate for our loss and, in fact, he will still be available to us for consultation purposes should we wish it.

That is the first clear indication that we have that the union is putting people before the Parliament so that they can be

used in consultation on the matters that have been listed. They are going to tell everyone how to run the Licensing Act, the Department of Labour and Industry, workers' compensation, safety, health and welfare, rural aid, housing, and so on.

**Mr. Slater:** So what?

**Mr. BECKER:** This proves the point that we have been putting for years, that the unions are insisting on having nominations for the Legislative Council so that the union, through its contribution to the Labor Party, can ensure its protection. This is what they are doing. The circular continues:

Gordon's background and knowledge of industrial matters and dealing with people and their problems ideally suits him to assist them through his Parliamentary activities when elected. Therefore, we ask you on Saturday 15 September 1979 to vote for Gordon and the rest of the Australian Labor Party Legislative Council team as follows . . .

Then the seven nominees are listed. Unfortunately, three did not make it. The circular continues:

This information bulletin is put out by the union in the firm belief that the best interests of its members and the people of South Australia would be served by Gordon's election to the Legislative Council.

Fair enough, the members of the union are entitled to know what is going on and what happens to their funds and, if one of their lieutenants decides to put up for Parliament, it is fair and reasonable that they should ask for support.

*Members interjecting:*

**Mr. BECKER:** I was President of the Bank Officers Association but we did not put out a circular telling its members to vote for Becker. I have had support of the members of that organisation; in fact, I have converted thousands of them.

It is interesting to note the activities of a moderate union for which I have much respect. We have heard that "profit" is a dirty word. I would like to quote from the October issue of the *Hotel Gazette of S.A.* an article which is headed "Dismissal Reasons". This is what the employers think of the activities of the union. It is a situation into which they have been forced. Employers are now no longer masters of their own destiny, and we can see how profits are being squeezed. This is a moderate organisation, too. I am not an avid supporter of the A.H.A., because it plays political favourites when it suits it. The article states:

On terminating the services of any employee it is desirable the reasons be made clear at the time of dismissal. In all cases, whether involving redundancy or dismissal for other reasons, hotelkeepers should take care to see that the dismissal is made only after a careful consideration of the situation and that it is based on reasonable grounds.

In other words, you cannot sack an employee if you want to. If an employee is incompetent, lazy, or knocking off the profits, you have to be careful.

*Members interjecting:*

**Mr. BECKER:** Plenty of people in certain Government departments have been apprehended for pilfering and are still employed; they will not sack them. The article continues:

Our remarks on this topic are limited to "full-time" and "regular part-time" employees. Casual employees, in our opinion, are in a different category.

In situations where there is a termination of services we suggest hotelkeepers adopt some written form incorporating reasons for termination of service and perhaps including a certificate of service. The Chamber of Commerce and Industry suggests the following reasons for termination could be set down in writing:

1. Retrenchment—Redundancy.
2. Restructuring of business.
3. Unsatisfactory conduct.
4. Unsatisfactory work performance.
5. Not punctual in attendance.
6. Absenteeism.
7. Voluntary resignation or retirement.

**Mr. McRae:** They are in real trouble over that, you know.

**The SPEAKER:** Order!

**Mr. BECKER:** No wonder the union was so keen to get one of its colleagues into this establishment; we can see what pay-off is coming here.

**The SPEAKER:** Order! The honourable member must not make any unfair or unparliamentary implication about a member of another place.

**Mr. BECKER:** The point I was making is about the reason for the union supporting solidly a person, no matter who that person might be. The association's article continues:

Item 3 would cover such things as dishonesty, which employers would be reluctant to state specifically. Items 4 to 6 include matters of which an employee could reasonably expect to receive a warning and be given an opportunity to improve.

You can imagine how many warnings you would have to give. The article continues:

This also may be the case in some instances covered by Item 3, although others of a more serious nature might be grounds for instant dismissal. Instant dismissal can only be justified on the grounds of serious or wilful misconduct and in such cases the reasons should always be given.

Now comes the important crunch. The article states:

The Chamber says: "We stress the importance of maintaining a record of events and what is said in dismissal situations, rather than relying on memory".

That is the problem facing our hotels and hospitality industry, which is trying to build up the opportunity of attracting tourists to South Australia. That organisation, like every other section of free enterprise, is trying to keep its head above water. I find it extremely difficult to understand the remarks of the members of the Opposition when they decry free enterprise and organisations for making a profit, because, if industry does not make the profits, I want to know how they will employ the people, the people who are required to join the unions and contribute part of their salary to the union, which in turn contributes to the Australian Labor Party.

The whole thing is one great circle and it is about time members of the Australian Labor Party really woke up to the whole system. It is in their interest that free enterprise survives in this State. Members opposite did very little during the past 9½ years. Now they have a chance to support free enterprise because the more people free enterprise can employ the more members the unions get, and the more funds they can get into A.L.P. coffers so that they can pay for their last State election advertising campaign.

**Mr. WHITTEN (Price):** I want to draw the attention of the House to 1977 when the State Labor Government gave approval for the redevelopment of Port Adelaide. In that year, a sum of \$903 000 was made available by this Government for the redevelopment of Port Adelaide, and the Port Adelaide council put in \$444 000 over a three-year period.

The redevelopment of Port Adelaide has gone from strength to strength, and a fortnight ago the Minister (Mr. Wotton) opened the first stage, the Quebec Mall, of which we are very proud, as we are of all the developments

taking place in Port Adelaide, especially the new Coles store which has been erected in the city.

One of the things I want to bring to the attention of the House is that at the first council meeting after the election the Mayor of Port Adelaide—

**Mr. McRae:** Who is that?

**Mr. WHITTEN:** Squadron Leader Marten. He mentioned the possibility that with a change of Government the council should lobby the Government to ask Myer to do something about the Queenstown site.

**Honourable members:** Good idea.

**Mr. WHITTEN:** I am pleased to hear Liberals now saying that it is a good idea to attract Myer to Queenstown, because they are going against the statement of their own Minister and destroying the confidence of business people in Port Adelaide.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr. WHITTEN:** I do not want to be put off by interjections by the other side. On the same day as the opening of the Quebec Mall, the Minister gave an assurance that it was the intention of the Government to carry on with the worthwhile project of redevelopment of the core centre at Port Adelaide. Unfortunately, that evening, by accident or design, someone got to him, and unfortunately he made some statements on the radio and on television that would appear to be contrary to what he had said at the opening of the Quebec Mall.

Subsequently, I have discussed the matter with the Minister who has assured me that that was not his intention, but unfortunately he did that. It created a great furore and the Port Adelaide Retail Traders' Association requested me to seek a deputation with the Premier. Since then (over a week ago), I have received no answer from the Premier to my correspondence. I am hoping that the Premier will make some statement that will dispel the fears of the Port Adelaide retail traders and make a deputation unnecessary. I think he could do this with only a few words.

I will read from the letter that I sent to the Premier, because it reflects the attitude of the people of Port Adelaide. It is addressed to the Premier, over my name, as follows:

I wish to advise that I have received a request from the Port Adelaide Retail Traders' Association, to arrange for a deputation to meet you to discuss the continued planned development of Port Adelaide. The deputation would consist of three members—

And it gave the names. My letter continued, later:

The Minister of Environment (David Wotton) generated a large measure of confidence on the occasion of the opening of the Quebec Mall and the fine new building for G. J. Coles on Tuesday 30 October 1979 when he announced that the planned redevelopment of the Port Adelaide district business zone would continue to be supported by the Government. I then talked about how that was shortlived, and that the Minister had assured me that there would not be a major development of the Queenstown site by Myer. I continued, later:

... the report has resulted in such anxiety and trauma among the business community and developers in Port Adelaide that one company director has advised me that he has instructed his architect to not proceed any further at the present time with plans for a new building in the central business zone. I trust that you will treat this matter as of extreme importance and endeavour to arrange to meet the proposed deputation and dispel their fears, at your earliest convenience.

I have not yet received a reply to that letter. The next episode occurred on Tuesday when the Mayor of Port

Adelaide, the leading citizen of the district, instead of creating confidence in the Port Adelaide area further destroyed it (for what reason, I do not know). In the *News* of Tuesday 6 November an article by Ben Hickey, headed "New look at site that started row: Queenstown talks under way—Mayor," states:

Port Adelaide Mayor, Mr. Roy Marten, has confirmed that Myer has reopened negotiations about Queenstown. And Mr. Marten, who supported the Queenstown plan earlier this decade, said: "My opinion has not changed." He said he is to have talks with Environment Minister, Mr. Wotton, about the Myer plan.

Members can imagine what sort of furore and lack of confidence that created in Port Adelaide, where we have major development and promised major redevelopment, and where millions of dollars are to be spent. If that vacant allotment, owned by Myer at Queenstown, is given over to a new shopping complex it will destroy Port Adelaide and the confidence of the people who have spent millions of dollars already. The State Government is committed for \$903 000, and the Port Adelaide ratepayers have contributed \$444 000. This money will be lost, because I can assure members that the retailers in Port Adelaide will not go on with their plans. I am very much concerned for the small businessmen. The members for Hanson and Glenelg can laugh.

**Mr. BECKER:** On a point of order, Mr. Speaker. The honourable member said that I laughed. I have not laughed; I am not even smiling.

**The SPEAKER:** I do not uphold the point of order. That was a figure of speech. I can accept the honourable member being incensed, but there is no point of order.

**Mr. WHITTEN:** Thank you, Mr. Speaker. Today the Retail Traders Association endeavoured to meet with the project manager, Mr. Speechley, Chairman of the Port Adelaide Centre Joint Committee. I will read out the five points made by that committee, when complaining about the remarks attributed to the Mayor of Port Adelaide in the *News*, as follows:

(1) The Port Adelaide Centre Joint Committee was formed for the sole purpose of the redevelopment of Port Adelaide and everybody on this committee should have this as their prime objective which obviously is not the case in respect to our Mayor.

(2) If Myer were to proceed with their Queenstown project of necessity it must be to the detriment of retailing in Port Adelaide and all planned projects for the city centre could be jeopardised and even be abandoned, as developers would not be prepared to invest.

(3) The Mayor in his remarks was quoted as saying "my opinion has not changed" regarding his prior support for the Myer Queenstown development.

(4) We pose the question: can a person who is so in favour of the Queenstown development, which must be to the detriment of Port Adelaide, in all honesty support the redevelopment of the business centre of Port Adelaide?

(5) It is our association's opinion that any such person should not be permitted to sit on the Port Adelaide Centre Joint Committee.

He is one of the persons sitting on the committee, and he should be taken off of it. To give some indication of the feeling in Port Adelaide, I will quote from a letter received from the Reverend Father Petersen Hunter, Rector of St. Paul's Church, St. Vincent Street, Port Adelaide. This letter, which he sent to the *News* and which was not printed, states:

The article relating to the proposal to reopen the Myer-Queenstown issue (the *News* 6 November 1979) brought with it a sense of incredulity. We are concerned with the people of the Port and adjacent areas, and the conditions

under which they live. Nothing seems more conducive to the further depersonalisation of our community than the aspirations of those whose fundamental consideration would appear to relate essentially to profit, than to the quality of the environment of the ones who make possible that profit.

The final paragraph states:

The Mayor of Port Adelaide expresses a view as to what is good for the entire council area. I believe he is quite wrong. In order to build a competitive area of new shops, he must ultimately share in the responsibility of bringing about the closure of the old; and the cloud of despair will settle upon the people as their environment becomes more and more decimated—

**The SPEAKER:** Order! The honourable member's time has expired.

**Mr. MATHWIN (Glenelg):** I rise to congratulate some of the Judiciary on the hardening of their attitude to some criminals, particularly in relation to the sentencing of those criminals. This problem, particularly in relation to rape, has increased over the past few years. One has only to refer to the *Advertiser* of 29 October in which a report, under the heading "Courts not on our side—police", states:

Police felt the courts were not on their side, the Acting Police Commissioner, Mr. J. B. Giles, said yesterday. They felt that, in most cases, the penalties applied by the courts were not sufficient to provide the proper deterrent in the community. "A lot of policemen feel the courts are not on our side, either in terms of admissibility of evidence or in the penalties that are handed out," he said.

I agree with Mr. Giles. This position deteriorated rapidly over recent years while the previous Government was in office.

**Mr. Keneally:** What are you going to do about it?

**Mr. MATHWIN:** I'd happily gaoil the member for Stuart if he gave me the least opportunity.

**Mr. Slater:** Without a trial.

**The SPEAKER:** Order! There are too many interjections, and interjections are out of order.

**Mr. MATHWIN:** Another article which appeared in the *Advertiser* under the heading "Mockery of suspended sentences: Judge", states:

Authorities were making a mockery of suspended sentences by not revoking suspensions when bonds were breached, a Supreme Court judge said yesterday.

Mr. Justice Sangster said a probation and parole officer had given evidence that, in some cases, the Department of Correctional Services had recommended that suspended sentences not be revoked when bonds were breached.

We all know, particularly in relation to juveniles, that bonds are absolutely ridiculous and farcical. That situation was helped along considerably by the previous Government. That article continues:

This had happened even when a further criminal offence carrying a maximum sentence of several years imprisonment had been committed.

There we see departmental recommendations being followed as a matter of policy by these parole people within the department. The report continues:

"I regard that as scandalous," Mr. Justice Sangster said. He said courts suspended gaol sentences on conditions, including good behaviour, for a certain time. "In future, when I suspend a sentence, should I say to the prisoner, 'If you commit a further crime you will have to serve your present sentence as well as any sentence imposed on you for your further crime, unless, of course, some probation officer recommends that you needn't,'" Mr. Justice Sangster said.

That is exactly what is happening. The report continues:

No wonder so many people regard a suspended sentence as no sentence at all.

He is absolutely correct. I compliment both Mr. Justice Sangster and Mr. Justice Cox on two recent sentences they handed out to worthy recipients. One report appeared in the *Advertiser* about a man who had been gaoled for seven years for rape and who, after an appeal and a retrial, was sentenced to nine years gaol. He richly deserved the punishment given to him. The *Advertiser* report states:

Anthony Duke, 31, builder's labourer, of Parker Street, Seaton, had pleaded not guilty before Mr. Justice Cox to having vaginally and orally raped the woman, 20, near Largs Bay on January 19, last year.

Duke was found guilty by another Supreme Court jury on May 9 and sentenced by Mr. Justice White to seven years gaol.

However, he appealed, and the Court of Criminal Appeal ordered a new trial on August 14 after ruling the trial judge had failed to direct the jury as to the evidence capable in law of amounting to corroboration . . .

In sentencing Duke, Mr. Justice Cox said girls who worked shifts and had to walk home at night needed any protection from such attacks the courts could provide.

This person received what I believe he richly deserved, namely, an added sentence, totalling nine years. The other case on which I compliment His Honour Judge Sangster involved five years gaol for a pair in a pack rape. We all know the horrors caused to the victim of a pack rape which, over recent years, has become one of the favourite pastimes of absconders (although the position has tightened up) from McNally. We have not had the massive number of absconders over the past 12 months, although during that time absconders have walked out of the institution. Their favourite pastime is to steal someone's car, and go on what they term a gang bang. The *Advertiser* report states:

A judge said yesterday he regretted that only two out of 12 to 15 men who had gang-raped a woman had been charged.

He gave full justice to these people in sentencing them to five years gaol for their part in the shocking crime they committed on this poor unfortunate woman.

**Mr. Becker:** I wonder what the member for Mitcham thinks about that.

**Mr. MATHWIN:** I do not know.

**Mr. Becker:** He's not here.

**The SPEAKER:** Order! The honourable member must come back to the adjournment debate.

**Mr. MATHWIN:** Thank you, Mr. Speaker. I was led on.

**Mr. Keneally:** You'll have to send a copy to Len King.

**Mr. MATHWIN:** Funnily enough, the member for Stuart is a mind reader, because Mr. Justice King is mentioned in the next quote I will give. I appreciate that my friend from Stuart knew what I was going to say. The *News* of 26 October 1979, under the heading "Government to study judges idea", states:

A suggestion that judges should be allowed to impose stronger court sentences will be investigated by the State Government. The Attorney-General, Mr. Griffin, said today an appeal yesterday by the Chief Justice, Mr. Justice King—A friend, no doubt, of the honourable member's.

**Dr. Hopgood:** And of yours, I hope.

**Mr. MATHWIN:** Yes, indeed. I am not saying that because I need protection. The report continues:

was in line with Government thinking. Speaking in the Court of Criminal Appeal, Mr. Justice King said judges were able to make only two sentences cumulative in a case. Other sentences had to be served concurrently.

I believe that that was backed up by the Attorney-General. I believe that, over the past few months, the Judiciary has seen an opportunity (and it will get this Government's support) to take a hardening attitude to criminals, particularly those convicted of capital crimes. I believe that the punishment ought to fit the crime.

Motion carried.

#### APPROPRIATION BILL (No. 2)

Returned from the Legislative Council without amendment.

#### PUBLIC PURPOSES LOAN BILL

Returned from the Legislative Council without amendment.

At 5.27 p.m. the House adjourned until Tuesday 13 November at 2 p.m.