HOUSE OF ASSEMBLY

Tuesday 16 February 1982

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

QUESTION

The SPEAKER: I direct that the written answer to a question as detailed in the schedule which I now table be distributed and printed in *Hansard*.

NATIONAL PARKS FIRES

In reply to **Mr LEWIS** (10 December).

The Hon. D. C. WOTTON: As the Hon. W. E. Chapman stated when informing the House on 10 December, the co-operation between the National Parks and Wildlife Service, the Country Fire Service and neighbouring landowners was a model of how this type of fire-fighting situation should be conducted. Prior to the arrival of National Parks and Wildlife Service units from Adelaide and other districts, Country Fire Service units from Tintinara, Coonalpyn, Keith, Macullum, Lameroo, Wirrega/Lowan Vale, and Parilla had contained the fire in extremely difficult circumstances. Damage occurred to numerous units, in particular, one from Lameroo. The National Parks and Wildlife Service is funding the repair costs for all Country Fire Service units damaged during this fire.

Not only should all local Country Fire Service volunteers be thanked and congratulated for their efforts, a special note of thanks must go to the apiarists in the area, whose assistance in transporting water to the fire-front throughout its duration was invaluable. National Parks and Wildlife Service equipment resources and staff at the fire were three Toyota slip-on units; two bulldozers; one water tanker; one International fire-truck unit; the communications command vehicle; and 20 personnel.

Brief discussion took place between area Country Fire Service supervisors and the department's Protection Management Officer concerning the continuation of fire-break works along the south-eastern, southern and western boundaries of the park. Future hazard reduction and the assistance of the Country Fire Service in fuel reduction burn programmes were also discussed.

All these matters are to be considered in detail at a meeting between local Country Fire Service representatives and officers of the department, to be arranged during the next two months, prior to the work being carried out in the autumn/winter period.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. D. O. Tonkin):

Pursuant to Statute—

Public Finance Act, 1936-1981—Regulations—Approved Dealers.

By the Minister of Forests (Hon. W. E. Chapman):

Pursuant to Statute—

Forestry Act, 1950-1974—Proclamation—Part of Second Valley Forest Reserve Resumed.

By the Minister of Agriculture, on behalf of the Minister of Environment and Planning (Hon. D. C. Wotton):

Pursuant to Statute—

City of Mount Gambier By-law No. 32—Hire of Motor Vehicles.

MINISTERIAL STATEMENTS

The Hon. W. E. CHAPMAN (Minister of Agriculture): I seek leave to make two brief Ministerial statements.

The SPEAKER: Is leave granted?

Mr Millhouse: No.

The SPEAKER: Leave is not granted.

The Hon. D. O. TONKIN (Premier and Treasurer): I move:

That Standing Orders be so far suspended as to enable Ministers to make statements.

Mr MILLHOUSE (Mitcham): The Minister was decent enough to let me know that he wanted to make these Ministerial statements, and he spoke to me yesterday, or it may have been last Friday (I cannot remember when it was), to say that he wanted to make them. I must say that, as for these statements, I have no objection at all. I have not seen them, but the Minister assures me that they are short and in order.

When he spoke to me I told the Minister of my objection to the practice of Ministerial statements, and I suggested that he should speak to his colleagues in order that perhaps we might be able to get to some compromise on the matter, and I believe that he did so. However, no approach has been made to me by any other Minister at all, so my objection remains and it will continue to remain until the matter can be resolved. I make clear to the Minister of Agriculture that I am not necessarily opposed to his giving of these particular statements.

I might say that, since I began this course of objections to Ministerial statements, most of the statements have pretty well conformed so far as length is concerned, anyway, and so far as content is concerned there have been some political tilts in some of them and there has been some interpolation of stuff that was not in the written word. However, by and large Ministers have behaved themselves since I took this step. There is no reason at all why this matter should not be cleared up, either in the way I have suggested, by putting a time limit on these speeches, or, better still, simply by providing under Standing Orders that leave can be withdrawn during the giving of a statement if it causes offence. The solution either way is a quite simple one, but, until there is some solution to the problem, I propose to continue to oppose the giving of leave, as I do on this occasion.

The SPEAKER: The question before the Chair is that Standing Orders be suspended. Those of that opinion say 'Aye', against 'No'. There being a dissentient voice, there must be a division. Ring the bells.

While the division was being held:

The SPEAKER: There being only one member on the side of the Noes, I declare that the Ayes have it.

Motion carried.

MINISTERIAL STATEMENT: FRUIT FLY

The Hon. W. E. CHAPMAN (Minister of Agriculture): While travellers entering South Australia, either as tourists or for business purposes, are most welcome, the Government is becoming increasingly concerned at the number of those travellers bringing fruit fly into this State, despite widespread publicity about the danger of fruit fly to our horticultural industry and to home orchards.

An advertising campaign designed to alert South Australians, particularly metropolitan residents, to the danger of

the pest, has been most successful. So far this season only two outbreaks have been reported in the metropolitan area. However, this record has been very much overshadowed by the interception of fruit at our State borders.

In the first six weeks of this year officers of my department confiscated 10 parcels of infested fruit, four more than reported in the six months to the end of December last. Each one of these cases could have placed in jeopardy the State's $74 000 000 a year horticultural industry, as well as the estimated $10 000 000 a year production from home orchards.

If the fruit fly reported in Victoria became established in the Riverland it would indeed be disastrous. Four of the interceptions this year were during the Australia Day holiday period, and extremely heavy infestations were found in peaches at Oodlawirra on the Broken Hill highway. None of the travellers realised that they were carrying dangerous fruit, and this demonstrates that even heavily infested fruit can appear quite normal on the outside while harbouring a mass of maggots within.

At Pinnaroo, two separate travellers were found to be carrying infested tomatoes during the same holiday period. Although the number of maggots was less than those found in the peaches at Oodlawirra, these interceptions show the danger that exists with some vegetables as well as fruit.

I appeal once again to travellers not to bring any fruit or vegetables into South Australia. Anyone who suspects that fruit or vegetables are infested with fruit fly should telephone (08) 269 4500. This number operates 24 hours a day, and any reports of suspected infestations are investigated.

MINISTERIAL STATEMENT: CANNING FRUIT ASSISTANCE

The Hon. W. E. CHAPMAN (Minister of Agriculture): On 11 June 1981, the Government announced a guarantee to Riverland canning fruit producers assuring them of payment for 7 100 tonnes of fruit at the Fruit Industry Sugar Concession Committee (FISCC) prices applying for the 1981-82 season. This quantity was made up of 6 000 tonnes of peaches, 600 tonnes of pears, and 500 tonnes of apricots. The tonnage quoted at that time was based on likely quota information provided by the Australian Canned Fruit Corporation.

Since that statement was made, the amount of fruit able to be processed by Riverland Fruit Products has dropped dramatically. It is now anticipated that some 3 750 tonnes of peaches will be canned. There may still be several hundred tonnes of pears that cannot be canned, either. There has been no problem with apricots because a shortage eventuated and the FISCC prices for 1982 are the same as those for 1981.

The Government, however, will honour its June 1981 guarantee. To this end $282 000 will be provided from State funds for the payment to growers for their fruit at current FISCC prices. This includes $159 000 to be paid to growers on delivery of fruit to the cannery, to be processed either for paste or for a West German order. Also in this figure is an amount of $105 000 to be paid for 700 tonnes of peaches and $18 000 for 200 tonnes of pears that will not be delivered to the cannery.

In the absence of Federal Government support, the South Australian Government will provide a further $282 000 (making a total of $564 000 in offered assistance) for hardship loans to growers who may suffer cash flow shortages as a result of lower FISCC prices in 1982.

The 1982 FISCC prices are $45 a tonne and $30 a tonne less than the 1981 FISCC prices for peaches and pears respectively. For those growers who qualify for this loan assistance, the interest will be at a rate of 6 per cent per annum. The terms, conditions and procedures to be followed in applying for these loans will be announced within the next few days.

QUESTION TIME

The SPEAKER: Before calling on questions, I indicate that any questions that would normally go to the Minister of Environment and Planning for the remainder of this week will be taken by the Minister of Agriculture.

PRISONS ROYAL COMMISSION

Mr BANNON: Will the Chief Secretary say whether any charges have been laid against Mr Alex Stewart following allegations made against him as a result of the findings of the Royal Commission into Prisons, and what is the current status of Mr Stewart pursuant to the Public Service Act?

Following the report of the Royal Commission into Prisons, there was widespread concern in the community about allegations of illegal conduct by senior prison officials. According to press reports, Mr Graham Inns, Director-General of Tourism, was made temporary officer in charge of disciplinary matters in the Department of Correctional Services and vested with powers normally conferred on the Director of Prisons to hear charges against the officers as a matter of urgency. On 9 February it was reported in the *Advertiser* that the Attorney-General, speaking for the Chief Secretary, said that the Chief Secretary had not yet determined whether action would be taken against Mr Stewart. The Public Service Act requires that only the Minister can act against the head of a department.

The Hon. W. A. RODDA: It is quite inappropriate to use this forum to raise questions about people—

Mr Millhouse: Why? What's wrong with that?

The Hon. W. A. RODDA: If the honourable member would listen, he might hear something. He always asks questions to which he knows the answer. That has been his form, and we all know what he is like. He should just consult that macroscopic mind of his.

The Hon. E. R. Goldsworthy: Microscopic?

Mr Millhouse: No, macroscopic.

The Hon. W. A. RODDA: That is what I said, and that is what I mean. It is true that Mr Stewart delegated his powers to Mr Inns, a peer Director, to look at matters under the Public Service Act, because Mr Stewart was mentioned in the Royal Commission report. What I do do in this respect is not an appropriate matter for discussion here. Mr Stewart has not been charged; that was the question asked. Discussion of Mr Stewart in this place is quite inappropriate, and I do not propose to make any comment.

BURDETT REPORT

Mr ASHENDEN: Will the Minister of Education please outline to the House the Government's intentions regarding recommendations contained in the Burdett Report? A number of constituents have approached me expressing concern at allegations made to them by members of the South Australian Institute of Teachers in relation to alleged plans of the South Australian Government concerning kindergartens and child-parent centres. First, they have been told that the Burdett Report is not to be released because the Minister will not implement some recommendations with which he disagrees. Secondly, if some of the recommen-

dations are implemented, it is alleged that the cost of pre-school education will increase rather than decrease, because, first, the Kindergarten Union will require a Director to be appointed to each of the child-parent centres, therefore attracting a higher salary; secondly, there will be a higher ratio of aides employed by the Kindergarten Union than is presently employed by the Education Department; and, thirdly, this is seen as a back-door effort by the Kindergarten Union to get funding for 3½-year-old children in all kindergartens.

Thirdly, it has been alleged that either the 160 teachers presently employed by the Education Department in child-parent centres will be dismissed or, if they remain in the Education Department, there will be no positions available for them in junior primary schools, and that this will lead to the displacement of potential jobs for teachers being trained or recently trained, so that they will be prevented from filling positions because of these displacements. Fourthly, it has been alleged that some presently operating child-parent centres will be closed, particularly in the poorer socio-economic areas, and the rationale provided by the institute on this matter is that parents will be required to pay fees where they presently are not required to do so, or pay very minimal fees. These parents will not be able to afford the fees, and therefore the number of children attending the present child-parent centres will be reduced, so that the Government will be able to use that as an excuse to close child-parent centres. It is said that this is a deliberate ploy by the Government to reduce education facilities in the pre-school area. Evidently, these and a number of other allegations are being made by some members of the South Australian Institute of Teachers, and I would appreciate the Minister's comments.

The Hon. H. ALLISON: I am not sure how widespread a number of those rumours and allegations are, but I suggest to members that a majority of them are quite baseless. The real tenor of the move to reduce the administrative level of the Childhood Services Council was to transfer funds from the then criticised bureaucracy into the area of services, that is, classroom services and the availability of staffing in the kindergartens. Obviously, there is no threat of closure to kindergartens, and there is no threat to staff.

A number of the professional issues have been raised at the responsible level by senior staff members within the Education Department, and they are people directly concerned with the 70 or 80 child-parent centres for which the Education Department is responsible. I suggest that whoever is further embellishing the facts by adding these scare tactics to the situation is deliberately avoiding one key issue in the first recommendation, which was that, although there was agreement in principle that an organisation should preside over childhood services ultimately, a feasibility study should be carried out—and I stress the word 'feasibility'—into the merits of the Education Department's phasing out its interests in the childhood or preschool area.

Of course, we have appointed a feasibility study committee comprising representatives of the Education Department and the Kindergarten Union, and the Chairman of that committee is Mr Barry Grear. Most of those more sensible issues, not the scaremongering issues, have already been brought to my attention and to the attention of the Chairman of the feasibility study committee. I would strongly recommend to all members of the House, if they receive representations, whether from staff, parents or councillors of child-care centres in their districts, that they bear in mind that this is a feasibility study and that the correct procedure would be to channel those constructive comments and inquiries to the Chairman of the committee in the Education Centre, Mr Barry Grear.

I assure the House that over the period in which this committee will be sitting every careful consideration will be given to all aspects of the possibility of phasing out the interests of the Education Department. Nothing will be left unconsidered and, as a result of today's inquiry, I will personally ensure that the Chairman is fully alerted to the fact that there is both genuine and unfounded concern about the recommendations in the Burdett Report regarding phasing out the Childhood Services Council and re-establishing a much smaller committee.

RESCUE HELICOPTER

The Hon. J. D. WRIGHT: Is the Chief Secretary aware that there have been persistent problems with the State rescue helicopter, Rescue 1? Does he agree that these problems pose a serious obstacle to effective rescue operations in the State and possibly a danger to personnel in difficult conditions? I understand that Rescue 1 is currently out of service, and will be for 10 days, while its engine is tested in Sydney. Despite previous denials from Lloyd Helicopters, I understand that rescue operations have been frustrated for some time by persistent problems with the helicopter. I understand that the helicopter's engine has been operating at only 60 per cent power and that this has limited its effectiveness in the hot weather.

Mr Millhouse interjecting:

The SPEAKER: Order!

The Hon. J. D. WRIGHT: I have been told that this lack of power has restricted the flight range of Rescue 1, its performance and its load capacity. I am also informed that on some days only one rescuer can be carried in the helicopter, and that some equipment has to be offloaded. I also understand that the stand-by helicopter is not properly equipped. What is the Chief Secretary doing to overcome this situation?

The Hon. W. A. RODDA: The Deputy Leader has made some very serious allegations. I remind him that, when this Government came to office, this facility was not available to the people of South Australia. I will not let go unheeded these very serious allegations he makes, and will have immediate investigations made as to their source and authenticity. I think that there are many people who would not be alive today had it not been for this service. I will have immediate steps taken to see that the matter is investigated.

NORTH HAVEN

Mr RANDALL: Can the Premier tell the House what developments have been occurring at North Haven harbor and say what significance these developments may have for the South Australian economy? I am well aware that the member for Semaphore has a vested interest in this matter because the other evening when we were watching the television news together the development proposal was announced and he made some comments then. When one considers the attitude very often expressed by negative-thinking people—

The SPEAKER: Order! The honourable member will explain the question and not make any unneccessary comment.

Mr RANDALL: Thank you, Mr Speaker. I believe that the announcement is one of significance for South Australia and that we need some further explanation from the Premier.

The Hon. D. O. TONKIN: I am very pleased to be able to answer the member for Henley Beach, and I know full well that the answer will be of great interest to the member for Semaphore, who also, I think understandably, is very

proud of what has happened at North Haven. The developments at North Haven harbor are really starting to take off now and are showing further evidence of the growing confidence in South Australia's future. I am pleased to have the opportunity of explaining this in some detail. The North Haven harbor development is one of the finest man-made marinas in the world. Indeed, when it is fully occupied and developed, it will be, I understand the biggest marina in the southern hemisphere.

Since the North Haven Trust Act, 1979, was proclaimed in May 1979, we have had a number of major developments. There has been a $1 000 000 investment in a public marina complex, including a 2-storey marina office, lookout tower, marina showers and toilets, car parking, and 122 serviced floating marina docks. The Cruising Yacht Club of South Australia has signed a 50-year lease over two hectares of land and mooring area to accommodate 240 marina docks, and 150 boats are currently moored at the club. This has relieved the enormous pressure for mooring space, which had up until that time predominantly kept large boats stored at home in backyards rather than where they should be conveniently placed on moorings. The investment to date is worth $1 750 000. I understand the Minister of Health's interest in this matter, too, her family knowing full well what it is not to be able to put a boat on moorings. The Australian Volunteer Coast Guard has signed a 40-year lease for its headquarters at a cost of $140 000.

The construction of a ramp office, fishing and diving retail outlet, kiosk, automatic boom gate control and public toilet block will cost $176 000. There is a lease to Conshelf Marine of a retail area for diving goods and services. The construction of infrastructure, including access roads, landscaping, parking and underground services will cost a total of $410 000, and the construction of further 150 serviced marina docks and additional car parking will cost another $950 000. A fully developed nine-hole golf course, with a pro shop and resident professional, was used for 38 000 rounds of golf last year. I do not know whether the member for Semaphore was able to avail himself of that facility, which was extremely well patronised.

In addition to this impressive list of developments at North Haven, it was announced last week that the first housing project on the waterfront would commence in April. Initially, 24 European-style harbor terrace houses will be built and with follow-on development the investment value will top $3 000 000. That is a record that we should be sounding out and be proud of. The North Haven Trust is also at an advanced stage of negotiation for more exciting developments.

There will be a commercial building for offices at a cost of $300 000; a caravan park with 300 sites that will cost $1 000 000 to develop; marine servicing, slipping and dry storage at a cost of $1 500 000; a marine retail facility at a cost of $200 000; and further roadworks and services that will cost $600 000. The trust has also commenced discussions with prospective developers for a hotel complex estimated to cost between $2 000 000 and $2 500 000.

I think that that is a story of great success. I am sure that everyone in South Australia will be pleased to know that the development at North Haven is proceeding according to schedule. A great deal of money is being poured into the project and will continue to be poured into the project, and the future is extremely good. When one looks at the prices to be charged for these waterfront blocks and looks at the West Lakes Delphin Island development and sees that the cost of prime waterfront blocks will be between $35 000 and $50 000 and then compares that with prices charged for blocks in Eastern States and Gold Coast developments, where similar blocks would cost nearly three times as much, it is true that in South Australia *(a)* we are fortunate and *(b)* we have a great deal to offer to the would-be investor from the Eastern States. I hope that they will take full advantage of those opportunities.

CORRECTIONAL SERVICES

Mr KENEALLY: My question to the Chief Secretary is consequential on the question asked earlier today by my Leader. What is the position currently held within the Correctional Services Department by Mr Alex Stewart and Mr Inns, what are the titles of those positions, and under what authority did Mr Stewart delegate his disciplinary powers to Mr Inns? If no charge has been laid against Mr Stewart, will the Chief Secretary forthwith clear the name of his Director?

In answering my Leader's relevant question, the Chief Secretary said that the matter concerning his Director of Correctional Services was not a subject that should be discussed in this House. I remind members that Mr Stewart is a senior public servant. There is considerable community concern about the Royal Commission report, and there is also considerable community concern about an announcement made by the Chief Secretary about the position of Mr Inns. I am sure members would agree that it is appropriate that the Chief Secretary should now clarify the position concerning Mr Stewart and Mr Inns, and if there is no charge against Mr Stewart the Chief Secretary should clear the name of his Director forthwith.

The Hon. W. A. RODDA: I heard the honourable member, as is his wont, last week on television airing an almost word-for-word facsimile of what he is trying to say now.

Mr Millhouse: Well, you ought to have got an answer ready, then. Come on! What did you work out?

The SPEAKER: Order!

The Hon. W. A. RODDA: Mr Stewart is the Director of Correctional Services, and that position has not altered in any way, despite the meanderings of the member for Stuart with his filthy mind—one cannot describe it otherwise—and with a bit of assistance from the prognosticators rustling in the wings, these farmyard cockerels, featherless and with nowhere to go—

Mr MILLHOUSE: I take a point of order, Mr Speaker. My good friend the Chief Secretary, when he gets rattled, does tend to turn to abuse. Quite obviously he was referring to me when he used the term 'farmyard cockerels'. I have been called a lot of things and some of them I deserve, but I do suggest that I do not deserve that and that that is a rude and unparliamentary term, and I ask that it be withdrawn.

The SPEAKER: I cannot uphold the point of order, unless—

Mr Millhouse: Don't say that you—

The SPEAKER: Order! I cannot uphold the point of order, unless the member for Mitcham intends to confess that he is. The honourable Chief Secretary.

The Hon. W. A. RODDA: After that interlude, let us get back to the subject matter that is worrying the member for Stuart. I assure the House that Mr Alex Stewart, as distinct from the member for Stuart, is currently the Director and he will remain so. There has been no alteration to his status. I made quite plain that certain powers were delegated. I hope that that clears up the situation, because that is how it is. The truth is never kind, it is very brief, and it is simple, as I am sure the honourable member understands.

SCHOOL ENROLMENTS

Dr BILLARD: Will the Minister of Education indicate to what extent enrolments in State schools this year have been

in accord with the predictions made last year by the Education Department, and the impact that such variations will have, both on current staffing levels and on future planning? I believe that most of the question is self-explanatory, but the future planning is important because last year, members will remember, enrolments were substantially different from the projections made in the previous year, and it appears that a similar situation has again arisen this year.

The Hon. H. ALLISON: The member for Newland is quite correct. The departmental predictions on enrolments decline were quite substantially out again this year. Last year there were about 2 100 students spread across the primary and secondary sector. This year there is a diminished margin of error; about 1 400 being the difference. We were anticipating about 4 500 students in decline. The actual figure has turned out to be a net change of minus 5 535. I am sure that members will be interested to notice a slight change in pattern from last year. This year the primary sector has declined by 5 409. In other words, almost the whole of the decline is there, whereas the secondary sector has been reduced by only 126. So, in effect, the staffing for the secondary sector will remain practically stable on what it was last year, and the reduction in staffing commensurate with the student decline will be essentially in the primary sector.

There has been some transfer of students from the Government to the non-government sector. I do not have the final figures, but they should be available in the very near future. These are, of course, the figures at the beginning of the first term and are subject to review again at the end of February, although I am sure that they will be quite accurate. Probably one of the factors that has retained a number of students more than we anticipated in the secondary area is the success of the school-to-work transition scheme, where I believe a number of students will be staying on at school to obtain further job training and experience. The trend, however, for reductions is anticipated to continue and, irrespective of whether the students are in the State system or the non-government system, it does reflect an overall decline in the student numbers in South Australia. As I have said before, this is a Western world syndrome attributable largely to the declining birthrate.

SOUTHERN BOAT RAMP

The Hon. D. J. HOPGOOD: When will the Minister of Marine or the Government make an announcement about the preferred site for the southern boat ramp? Also, will the Minister give an assurance here and now that, in considering this matter, this Government is not irrevocably opposed to the site at Lonsdale? The first part of my question requires no explanation; the second part I think requires a little.

The Minister would be aware that in 1979 the previous Government had committed itself to the development of a ramp in the Lonsdale area. So far as I am aware, that decision was well received by the boating fraternity. This Government appointed a consultant to investigate the whole matter, and the consultant has now come down with a report that eliminates all but two sites, those being at O'Sullivan Beach and Lonsdale, and has recommended to the Government, on balance, the O'Sullivan Beach site.

The Minister would also be aware that, whereas on the one hand people of the south are largely opposed to the O'Sullivan Beach site, as are the local residents, the boating fraternity for the most part are in favour of the O'Sullivan Beach site, despite their previous support for Lonsdale.

It has been suggested to me that the reason for this support for the O'Sullivan Beach site is that the boaties, as they like to call themselves, have become convinced that this Government is quite opposed to Lonsdale and will not even consider that option. A clear statement from the Minister might well clear the air and pave the way for some concensus.

The Hon. W. A. RODDA: I would hope that within a short time the Government will make a clear statement. We have received written submissions from a very large number of people, both pro and con, and some from the honourable member himself.

The Hon. D. J. Hopgood interjecting:

The Hon. W. A. RODDA: There are a number in all directions. All submissions are now receiving a fair hearing. I thought I heard the honourable member say that the site chosen by the Labor Government—

The Hon. D. J. Hopgood: Lonsdale.

The Hon. W. A. RODDA: Yes. That site has been built on and is now no longer available. That is one of the criterion. The submissions have been made and in due course—

The Hon. D. J. Hopgood: Are you opposed to Lonsdale or not?

The Hon. W. A. RODDA: We are not here to say whether we are opposed to it or not opposed to it, but our position is to hear submissions: everyone has been given a fair go in this instance, and we will not let things be built on or not be built. Once the decision is made—

Members interjecting:

The Hon. W. A. RODDA: It is different from the position of the former Labor Government and members opposite, who want everything done yesterday, when they had 10 years of doing nothing. Let me tell the member for Baudin that all these submissions, with which he is very well acquainted, will receive a fair hearing.

PENFOLD GRANGE ESTATE

Mr EVANS: Can the Premier give the present position concerning the proposal to subdivide the Penfold Grange Estate at Rosslyn Park? I believe that it has been announced in recent times that plans are to be submitted to the Burnside council for the area known as the Penfold Grange Estate to be subdivided for residential purposes. This estate has some significance in our State's history, and I believe that the House should take an interest in whatever activity is taking place in that area. I ask the Premier what is the present situation.

The Hon. D. O. TONKIN: I am pleased to be able to tell the honourable member that the statements, apparently attributed to the Leader of the Opposition, namely, that plans for the subdivision of this estate have already been submitted to Burnside council, are quite inaccurate. I am not sure from where he got his information or what he is trying to achieve by making that statement. Nevertheless, I must put the record straight, so that he will not be misled in the future, in adding to his atlas of black holes. Grange Hermitage is, of course, a very wellknown name. It is a name which is famous throughout Australia, and indeed famous beyond our shores. It represents a winemaking project and some of the very early history of winemaking in Australia and, as such, is very much a part of our heritage.

The Government heard some 12 months ago of the plans that Penfolds had for the preservation of the Grange cottage and for some alternative utilisation of the winery. The Rosslyn Park vineyards, of course, have been gradually reduced in size as housing development has taken place because the whole area is zoned in the Metropolitan Development Plan for residential purposes.

In recent times the Government has had a number of discussions with senior executives from Penfolds on the future of the vineyards. We have indicated strongly that we would like to see the area retained as vineyards and the buildings preserved for future generations if that is at all possible.

Mr Bannon: What about the vineyard?

The Hon. D. O. TONKIN: If I could just get on with the answer without interruption from the Leader, perhaps I might come to what he wants to hear.

Mr Bannon: I want to know really what you intend to do about it.

The Hon. E. R. Goldsworthy: You just heard.

The Hon. D. O. TONKIN: I do not think the Leader is paying attention. For his benefit, I will repeat that we have indicated very strongly that we would like to see the whole area retained, including the Grange vineyards, and the buildings preserved for future generations. I do not think anything could be much clearer than that.

Mr Millhouse: What are you going to do?

The Hon. D. O. TONKIN: That was not the question that was asked. The Leader asked what was being done. The problem facing Penfolds at present is that the company has an expensive piece of real estate earning low rates of return, with the cost of money being very high. It is a problem common to all wineries, particulary those near the metropolitan area, involving valuable land. At this time the Penfold board has taken no decision on the future of the vineyard.

A number of studies have been made. The proposal to turn the winery into a conference centre and to preserve it in that way with a useful life has been examined and rejected as being, at present anyway, not practicable. A number of other alternatives involving subdivision, with different combinations of residential development and open space, have been drawn up. Again, no decision has been made by the board, and the Managing Director, Mr Spalvins, has instructed that no further action be taken on the matter until more discussions have been held with the Government. Certainly, no plans for subdivision have been lodged with the council, and at present they are not going to be lodged with the council. I find it extraordinary that the Leader should suggest that that is so.

The value of the property in its present form is $2 000 000, and the estimated value under residential development would depend entirely on which option was chosen. A number of informal discussions have been held with several private companies about the development of a wine museum and a restaurant on part of the property involving, if possible, the preservation of the vines, but very little interest is being shown by the private sector in such a development.

Whatever happens, let me say that the Grange will be preserved. There is no question about that; and I mean that the Grange will be preserved because the company wants to preserve it, and so does the Government. As I understand it, there has been no entry of the Grange itself on the heritage list, but that will be taken care of as soon as possible, and such entry will be considered shortly. There is a problem in the financing of such developments. I, for one, would be interested indeed to preserve such an important part of South Australian's wine history and culture. I would like to see the winery itself and the Grange preserved. The cottage is an irreplaceable piece of South Australian history. I would like to see preserved especially the small area which still remains under vines, particularly those in the western section of the vineyard which involves the Hermitage grapes from which the well known and renowned Grange Hermitage is partly made. The grapes and vines on the upper slopes, I understand are not used for Grange Hermitage. That is part of the tradition, the name, and the Grange Hermitage tradition that deserves to be preserved, and the Government will be making every effort to ensure that that is possible.

PRISONS LEGISLATION

Mr CRAFTER: In view of his statement reported in today's *Advertiser* that this Government drafted the Bill to amend the Prisons Act 'within a matter of weeks after being elected', will the Chief Secretary explain to the House why there has been a delay of 2½ years in introducing the measure and what benefit was the extensive and expensive Royal Commission in determining the content of the Bill?

The Hon. W. A. RODDA: This is a case of pots calling kettles black. My God, members opposite should have a damn good look at the kettle! It is quite true that when we came to office we found that an avalanche of Bills had been started, stopped, started, and all sorts of things. We drafted a Bill, to the tune of criticism, echoed by the member for Stuart, that today's problems should have been dealt with yesterday. The history of the onset of the Royal Commission is well known.

Mr McRae: Tell us about the Bill.

The Hon. W. A. RODDA: We are not talking about the Bill—we are talking about Bills. They have more beak on them than toucans that well-travelled people see. There were Bills everywhere. One could not get into the office because of the number of Bills. The member for Norwood would not have known that, because he was not here then. He was probably prodded into getting up to make a fool of himself. For 10 long years the previous Government did nothing. The Royal Commission was set up, and it did a very thorough job. As a consequence, our Bill sat and waited. We have reported as expeditiously as possible. We have had no help from the Opposition, because members opposite are bricks under the wheels in regard to everything that the Government tries to do. I could describe the little Leader of the Opposition very descriptively, but, after the offence that was taken by the member for Mitcham, I will not do that.

Members interjecting:

The Hon. W. A. RODDA: That is what comes from members opposite. The reason why this Bill has been introduced is very well known.

TOMATO CROP

Mr RUSSACK: Has the Minister of Agriculture a reply to a question that I asked at the close of Question Time last Thursday, 11 February, about assistance to market gardeners in the Adelaide Plains area, and particularly in the Virginia area?

The Hon. W. E. CHAPMAN: I have a reply, and in this instance, having had several days to research the subject that was raised by the member for Goyder, the reply is somewhat comprehensive, even though it is not lengthy. As members will recall, the honourable member sought assistance for tomato growers in his district following a failure in the current season's tomato crop. The only financial assistance that is available would be under the provisions of the Rural Reconstruction Scheme specifically for debt reconstruction, and then only if applicants meet the eligibility criteria for last resort borrowing and assessment of future long-term viability.

With reference to tomato crop failure during the current season alleged to be associated with the planting of varieties of tomato that were subject to trial, I would like to inform the House of steps being taken to assist the glasshouse tomato industry by the Department of Agriculture in con-

sultation with industry groups and organisations which represent a large proportion of growers, and more especially of growers on the Northern Adelaide Plains.

It is true that some growers in the area last year planted varieties of tomatoes which were still very much under trial. However, the Department of Agriculture advised growers that, if they were considering new varieties, they should be planted only on a small scale as a trial in order to evaluate performance under their conditions and to develop suitable management practices.

This advice was made very clear at a public meeting of growers, in a circular distributed widely to growers in the area and also in an article in their own magazine, *The Grower*, which is the official publication of the South Australian Fruitgrowers' and Market Gardeners' Association and 250 out of approximately 400 growers attended that public meeting. Furthermore, these statements were developed in association with industry representatives of the three major organisations on the Northern Adelaide Plains.

In response to messages coming from the market place at that time, many growers chose to plant most or all of their glasshouses to the new and only partly tested varieties. This was unfortunate, because some succeeded and others failed, suggesting that time of planting and the management of the crop, including post-harvest handling, are vital factors to the success of such crops. Following the downturn in prices for tomatoes, particularly in the Melbourne market, in 1979 and 1980, largely arising from severe competition by high quality Queensland tomatoes, the Department of Agriculture intensified its efforts both in extension and research, including the setting up of a service centre at Virginia (about which the honourable member from the neighbouring district would be well aware) and the appointment of a full-time vegetable adviser for that premise. Programmes established to assist the glasshouse industry to get on its feet have involved inputs from no fewer than five professional staff. One programme of note was to organise a group of 40 growers to visit the Melbourne market to evaluate at first hand the market requirements, problems and opportunities.

Further, an action committee involving the three industry organisations was set up, and this has become the steering and planning committee for all programmes being conducted. A series of field days have been held covering the culture of new varieties, grading and cool storage and the presentation and marketing aspects. The action committee even arranged for a leading Melbourne merchant to speak at one of his field days regarding market requirements for tomatoes. I repeat that at all times officers of the department have been conscious that the new varieties, whether they be Nancies or Caramellos, are still under trial, and they have made this abundantly clear to growers in whose hands the final decision on what to plant must rest.

This Government has been very sensitive to the needs and problems of glasshouse growers on the Northern Adelaide Plains, and I remind members that following the disastrous hailstorm in November 1979, collectively this Government extended funding assistance to that region amounting to $2 250 000 at a very low interest rate in order to assist the restoration of glasshouse proprietors in that region. It is an important subject that the member for Goyder raises on behalf of his community and, indeed the growers in that region overlap into the District of Salisbury. I would like to quash the alleged or implied allegations in the honourable member's question that these people were misguided, because, as I have said, they have been reminded time and time again that new varieties are under some risk and that if they take that risk there is absolutely no ground on which to criticise those people who are trying desperately to service them.

COMMUNITY SERVICE SCHEME

Mr McRAE: Will the Chief Secretary say when it is proposed that the Community Services Scheme for offenders will be implemented in South Australia? Members will recall that a Bill to establish the Community Service Scheme passed through this Parliament in the first half of 1981, and it was acknowledged on all hands that that was an important piece of legislation. However, it appears to me that no action has been taken to implement this measure.

It has been reported to me that the Government has not provided the required finance to the Chief Secretary and his department. In debating this matter last year, the Chief Secretary said that it was a matter of urgency and importance. I would like the Chief Secretary on this occasion to clearly and seriously answer this question, which is causing a great deal of concern in the community.

The Hon. W. A. RODDA: It is proposed to start the scheme in the first quarter of the new financial year.

COUNTRY FIRE SERVICE

Mr LEWIS: Does the Minister of Agriculture have any further information subsequent to the question I asked on 10 December as to the way in which fire control in the Ngarkat National Park prior to that date was integrated between the services of the voluntary Country Fire Service units in the region and officers of the National Parks and Wildlife Service who were responsible for controlling the fire at that time?

The Hon. W. E. CHAPMAN: I am aware of the honourable member's interest in this matter. I can only repeat, in the absence of a detailed report on that occasion, that the relationship between the C.F.S. officers of this State, local government and the officers attached to the Department of Environment and Planning is of a high order. It has taken some time to co-ordinate their respective activities. On occasions when fires have broken out in the outer regions of South Australia, that is, outside the immediate metropolitan zone, those officers from the responsible departments have worked together extremely well, and their record this season as a collective group is to be commended. The many fires that have occurred, both by accident and apparently by deliberate lighting, have been attended to swiftly and efficiently by the officers involved.

PRISONS ACT

Mr WHITTEN: Can the Chief Secretary say what action, if any, has been taken to implement the changes to the Prisons Act passed by Parliament in February 1981? The major changes were to establish a Correctional Services Advisory Council, to restructure the Parole Board and to provide for a system of conditional release.

The Hon. W. A. RODDA: The Parole Board—

The SPEAKER: Order! The Chair would like information from the honourable member. Did he indicate an Act passed in February 1981?

Mr WHITTEN: In 1981.

The SPEAKER: The honourable Chief Secretary.

The Hon. W. A. RODDA: I think the honourable member referred to three issues. The Parole Board has been reconstituted in accordance with measures to which he has referred. Initial release and the advisory board are part and parcel of the Bill now before the House and will come into effect on the passage of that Bill.

INVESTMENT IN SOUTH AUSTRALIA

Mr SCHMIDT: Can the Minister of Industrial Affairs detail the latest investments in manufacturing industry in South Australia which have been aided by the Government's Establishment Payments Scheme? At a public meeting which I attended last Thursday, a number of business men expressed to me their delight at the fact that the Regency Park industrial area was booming, as was reported in the press some weeks ago, and they saw this as a definite move by the State Government to try to bring investment into South Australia. It would be of interest to such persons, as it would be to members, to know just what assistance this Government has given through the Government's Establishment Payments Scheme.

The Hon. D. C. BROWN: The Establishment Payments Scheme is a scheme whereby the Government makes a financial contribution to a company which is investing new capital in this State in the manufacturing or processing industries, or which is establishing, through developing a new process or moving into a new area of manufacturing, a number of new jobs. A formula is applied, and I am delighted to say that about 15 months ago the Government revised the guidelines under which the Establishment Payments Scheme would operate. We found generally under those revised guidelines that the scheme is far more effective and far more attractive to companies. During the period October to December 1981, assistance under the scheme was approved for eight companies to expand their operations in South Australia. Those eight companies involved a total estimated capital investment of $6 600 000, generating an extra 229 jobs. I think that that is an optimistic note for this State, especially as these were actual approvals over a three-month period. They are not vague possibilities: they are actual approvals that have been referred to the Industries Development Committee and to the Department of Trade and Industry and been confirmed.

In addition to those eight companies, two other applications for assistance have been recommended to the Industries Development Committee. These two projects involved a capital investment of $4 900 000, creating a further 27 jobs. To highlight how effective the Establishment Payments Scheme has been during the last 12 months, I point out that during 1980 27 companies recorded assistance under the scheme, and that involved a capital investment of $23 000 000 in manufacturing industry in this State which created a potential 1 227 extra jobs.

I think that that shows the high degree of confidence in the manufacturing sector of this State. I know that some of those ventures in which money was invested involved the relocation of companies from Sydney or Melbourne to Adelaide. One such proposal involved the company R.O.H., which successfully took over its only competitor in Australia in the production of steel rims for motor vehicles and, having taken over that company, rationalised its operations into South Australia. This significant South Australian company, R.O.H., is now the sole manufacturer of steel rims for motor vehicles in the whole of Australia.

That shows the sort of rationalisation, growth and development that can take place in our industry through the incentive scheme offered by the Government. The honourable member also referred to land sold at Regency Park. The Premier made a statement on this and gave a press conference on site, I understand on a rather warm day, highlighting the sales that had taken place. Collectively we have sold land worth about $2 200 000 at Regency Park in the last three to four months. This particular scheme comes under the Minister of Lands, and from an industrial development point of view I appreciate his foresight and assistance in developing this industrial land. It means that South Australia has the best and cheapest industrial land of any capital city in Australia.

That is a key factor, especially with high interest rates at present and high development costs. It is for that reason that blocks of land at Regency Park have been selling at a rate of about five to six blocks a month in the last four or five months, whereas previously (and this goes back to the period when another Government was in power in this State) blocks were selling, at best, at the rate of one a month and in some cases one every two or three months. We find we are in the incredible position that with the heavy demand for our industrial land at Regency Park the Government is having to look at alternative areas that can be developed as new industrial estates.

FIRE BRIGADES BOARD

Mr HEMMINGS: Will the Chief Secretary say what is the current status of Mr Colin Morphett, who has been Acting Chief Fire Officer of the South Australian Fire Brigades Board for the last 16 months? Mr Morphett has served the State well as Chief Fire Officer since the retirement of Mr Dudley Eve. The State Government has rewarded Mr Morphett's dedication to duty by appointing a Mr Bruce from New Zealand to the position of Chief Fire Officer. This appointment would appear to place Mr Morphett in an invidious position within the South Australian Fire Brigade structure, so a clear statement of clarification from the Chief Secretary is required.

The Hon. W. A. RODDA: Mr Morphett is presently the Acting Chief Fire Officer of the South Australian Metropolitan Fire Services, as it is now known. I think Mr Morphett's official position is Deputy Chief Fire Officer. Following the unanimous recommendations in the Select Committee report, the Government called for nominations; the position was advertised nationally, and I think there were 14 applicants. A selection committee, comprising Mr Hedley Bachmann, Mr Peter Gillen (former General Manager of the S.G.I.C.) and Mr Henderson (Chief Fire Officer of the Northern Territory) interviewed the short list.

Both Mr Morphett and Mr Bruce were on short list, and the recommendation was for Mr Bruce to be appointed. Mr Bruce has a very distinguished career in the fire service and will take up his position on 22 March. I will not enter into any other discussion on this matter. It was an independent committee that made the recommendation, which the Government accepted.

The Hon. J. D. Wright: What will happen to Mr Morphett?

The Hon. W. A. RODDA: If he so chooses he will be the Deputy Chief Fire Officer.

The Hon. J. D. Wright: There's no position.

The Hon. W. A. RODDA: There is a position of Deputy Chief Fire Officer, and Mr Morphett will fill that position.

HIT THE TRAIL CAMPAIGN

Mr GLAZBROOK: Can the Minister of Tourism indicate whether the *Hit the Trail* campaign has been of any success and, if so, whether that campaign will continue? Some sceptics have suggested that the current campaign and advertising in this State have not been as successful as they should be and have not contributed to the growth of tourism in South Australia. I understand, however, that the contrary is in fact true, and I look forward to the Minister's response to this question.

The Hon. JENNIFER ADAMSON: As far as we are able to judge without the benefit of overnight visitors figures for the January quarter, which will not be available for

some time yet, the campaign has been an enormous success. It has been such a success, in fact, that the staff in the Department of Tourism have had to work extremely hard to keep up with the demands of inquiries, which reached a level in January of well over 80 000. That was a 25 per cent increase on the previous peak of inquiries at the South Australian Government Travel Centre, and as that pressure has been sustained beyond January the Government has had to make arrangements for increasing the ground floor staff in the travel centre in order to cope with the level of inquiries.

Although we have no firm figures yet on the number of bookings, we have had reports from all around the State, from caravan parks, motels and all kinds of hotel accommodation, that there has been a very heavy demand for accommodation which is expected to be reflected in very good profit figures for the month of January.

The Hon. J. D. Wright: Do those figures relate to people coming from within the State or interstate?

The Hon. JENNIFER ADAMSON: In addition, the *Hit the Trail* campaign, to which the honourable member referred, there was a campaign in the Eastern States, *Discover the Many Worlds of South Australia.* That is a separate campaign designed to attract interstate visitors and was distinct from the *Hit the Trail* campaign, which was designed to encourage an awareness among South Australians of the travel possibilities within their own State. They were two separate but concurrent campaigns each having a different function.

The *Hit the Trail* campaign was a recognition by the Government of the fact that until recently South Australians have had a lower level of intrastate travel than their counterparts in any other State. Recognition of that fact led us to devise this campaign which, according to all early reports, has been an outstanding success. The Premier and I were speaking with leaders of the tourist industry a couple of weeks ago, and without exception they endorsed the value of the campaign and in their various areas, whether it be rent a car, bus travel, hotel or motel accommodation, restaurants, or whatever, they all said that the *Hit the Trail* had done a great deal for their businesses. I look forward to the Bureau of Statistics figures which will demonstrate that at the end of this quarter.

At 3.15 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

ADELAIDE FESTIVAL CENTRE TRUST ACT AMENDMENT BILL

The Hon. W. E. CHAPMAN, (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Adelaide Festival Centre Trust Act, 1971-1976. Read a first time.

The Hon. W. E. CHAPMAN: 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

Section 31 of the Adelaide Festival Centre Trust Act provides that the centre shall have, for a period of 10 years expiring on 31 December 1981, an assumed annual value of $50 000. This assumed value is relevant for the purpose of calculating council rates and water and sewerage rates. The current grant to the trust for the 1981-82 financial year is $2 100 000. This is the basic minimum required by the trust to maintain its operations. Any increase in rates would disturb the delicately balanced budget. The present Bill therefore continues the operation of section 31 for a further two years (that is, until 31 December 1983). Because water and sewerage rates are calculated on the basis of capital value (and council rates may also be calculated on that basis), the Bill adds a provision to the effect that the assumed capital value of the centre is to be $1 000 000. Clause 1 is formal. Clause 2 amends section 31 in the manner outlined above.

The Hon. D. J. HOPGOOD secured the adjournment of the debate.

JUSTICES ACT AMENDMENT BILL

Second reading.

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.

Explanation of Bill

This Bill makes a number of miscellaneous amendments to the Justices Act. It gives effect to a recommendation of the Standing Committee of Attorneys-General relating to the reciprocal enforcement of fines against bodies corporate. It simplifies and rationalises the provisions of the principal Act relating to the institution of appeals against judgments of courts of summary jurisdiction. It inserts a new provision empowering a court of summary jurisdiction to set aside a conviction or order and rehear proceedings where the defendant did not receive notice of the proceedings, or not in sufficient time to enable him to attend, or where, for some other reason, the defendant did not attend the hearing and it is in the interests of justice that the proceedings be reheard.

The Bill provides a procedure under which a defendant who proposes to plead 'not guilty' to a charge is saved the trouble of attending the court at the time originally fixed in the summons. New provisions making possible the temporary appointment by a magistrate of a clerk of court are inserted by the Bill. Justices of the peace are prevented by the Bill from imposing a penalty of imprisonment on a person convicted of an offence before the justices. In a case where a sentence of imprisonment is required by law, or is in the opinion of the justices warranted by the offence, the convicted person must be remanded for sentence by a special magistrate. The Bill deals with various other matters which I shall explain in the course of explaining its individual provisions.

Clauses 1 and 2 are formal. Clause 3 amends the interpretation section of the principal Act. A new definition of 'clerk' is inserted to accommodate the possibility of a clerk being temporarily appointed by a magistrate. A definition of 'personal service' is included. This new definition is consequential upon amendments to section 27 proposed by the Bill. Clause 4 amends section 5 of the principal Act. The amendment provides that where a court of summary jurisdiction constituted of justices convicts a person of an offence and a penalty of imprisonment is required by law, or is, in the opinion of the court, warranted by the offence, the court must remand the convicted person for sentence by a court of summary jurisdiction constituted of a special magistrate.

Clause 5 amends section 27 of the principal Act. A new provision dealing with service by post is included in the section. This amendment is relevant to the amendments proposed to section 62d, in which it is proposed that a notice of intention to prove previous convictions of a defendant may be served by post. It should be noted that proposed new subsection (3) of section 27 provides that where a summons or notice is served otherwise than by being delivered personally to the person on whom it is to be served, a court or justice may require the summons or notice to be re-served if there is reasonable cause to believe that the summons or notice has not come to the notice of the person to be served.

Clause 6 amends section 27c of the principal Act. This section is part of a Division of the principal Act dealing with service of summonses by post. This Division had previously contained its own provision dealing with setting aside a conviction where there was some reason to believe that the summons had not come to the notice of the defendant. The present Bill proposes a more general provision which will comprehend the procedure that formerly related only to these provisions. Thus, section 27c is amended to include reference to section 76a, which is the proposed new provision dealing with setting aside convictions or orders where the proceedings in which they were made had not come to the notice of the defendant. Clause 7 repeals section 27d of the principal Act. This repeal is consequential upon the enactment of proposed new section 76a.

Clause 8 amends section 42 of the principal Act. The major amendment here is the proposed new subsection (4) which provides that a special magistrate may appoint any suitable person to act on a temporary basis in the office of the clerk of a court of summary jurisdiction if the office is vacant, or the clerk is for any reason unavailable to carry out the duties of his office.

Clause 9 amends section 57a of the principal Act. This amendment enables a defendant who proposes to plead not guilty to a charge to inform the clerk of that intention before the date set down in the summons as the date on which the matter will be dealt with by the court. In that event the clerk will inform the defendant of the time and place at which the court will proceed with the hearing of the charge. The summons will then have effect as if that time and place notified by the clerk were substituted for the time and place fixed in the summons for the hearing of the complaint. This will obviate the need for the defendant to appear at the time and place fixed in the summons. Clause 10 amends section 62d of the principal Act. The amendments make it possible for a notice of intention to allege previous convictions of a defendant to be served by post. A new subsection (4) provides that, if the prosecution tenders a copy of a notice as evidence of convictions, it is not precluded from tendering other evidence of the same or other convictions.

Clause 11 amends section 72 of the principal Act. The amendment repairs an omission in this section. It provides that an interested party is entitled to a copy of the written reasons for judgment in proceedings before a court of summary jurisdiction. Clause 12 enacts new section 76a of the principal Act, which provides that a person may apply to a court of summary jurisdiction for an order setting aside a conviction or order made by a court of summary jurisdiction. The application must be made within 14 days of the day on which the applicant receives notice of the conviction or order to which the application relates. Where the court to which the application is made is satisfied upon an application under the new section that the applicant did not receive notice of the proceedings in which the conviction or order was made, or not in sufficient time to enable him to attend the hearing, or that the applicant failed to attend the hearing for reasons that render it desirable, in the interests of justice, that the conviction or order should be set aside and the proceedings reheard, the court may set aside the conviction or order to which the application relates.

Clause 13 amends section 86 of the principal Act. This empowers a justice who is satisfied either by examination of records of a court of summary jurisdiction or by evidence produced before him that default has been made in the payment of a fine or sum of money, he may issue a warrant of distress or commitment. This obviates the need for evidence to be produced before a justice in a formal manner where the failure to satisfy the order is apparent from the records of the court.

Clause 14 amends section 163 of the principal Act. The purpose of the amendment is to make it possible for the Crown to appeal against an order dismissing a charge of a minor indictable offence. Clauses 15, 16, and 17 make amendments relating to the procedure under which appeals are instituted from judgements or orders of courts of summary jurisdiction. In future an appeal will be instituted by filing notice of appeal in the Supreme Court. Before the expiration of seven days from the date of filing the notice, copies of the notice are to be served upon the respondent and the clerk of the court of summary jurisdiction by which the conviction, order or adjudication subject to the appeal was made. The Supreme Court is given a general dispensing power under proposed new section 165 of the principal Act.

Clause 18 amends section 187a of the principal Act. This amendment deals with certified copies of convictions and orders of the court. The amendment provides that the certified copy may be certified by the court itself, by the clerk of the court or if the court no longer exists the clerk of a court to which the records of the former court have been transferred, or by the registrar. Clause 19 enacts new section 200b of the principal Act. This section provides for the reciprocal enforcement of fines against bodies corporate in accordance with the recommendations of the Standing Committee of Attorneys-General.

Mr McRAE secured the adjournment of the debate.

PETROLEUM (SUBMERGED LANDS) BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 6, lines 8 to 11 (clause 4)—Leave out all words in these lines.

No. 2. Page 6, lines 15 to 18 (clause 4)—Leave out all words in these lines.

No. 3. Page 8 (clause 5)—Leave out the clause.

No. 4. Page 8, Lines 28 and 29 (clause 7)—Leave out all words in these lines.

No. 5. Page 14, line 8 (clause 17)—Leave out 'the block' and substitute 'a block'.

No. 6. Page 23, lines 40 to 42 (clause 33)—Leave out all words in these lines.

No. 7. Page 39, lines 18 to 20 (clause 56)—Leave out all words in these lines.

No. 8. Page 40, lines 9 to 10 (clause 57)—Leave out all words in these lines and substitute the following subclause:

'(5) For the purposes of this section:

(a) the quantity of any petroleum recovered by a licensee from well during a year shall be ascertained in accordance with Division VII; and

(b) the value of any petroleum is the value at the wellhead of that petroleum ascertained in accordance with that division.'

No. 9. Page 52, lines 12 and 13 (clause 72)—Leave out 'or a Territory'.

No. 10. Page 58, lines 14 and 15 (clause 89)—Leave out 'nor a person acting under his direction or authority' and substitute ', his delegate, nor a person acting under the direction or authority of the Minister or his delegate'.

No. 11. Page 64, line 15 (clause 101)—Leave out 'the applied provisions' and substitute 'in the Off-shore Waters (Application of Laws) Act, 1976-1980, as modified by regulation under section 14 and as applying in the adjacent area'.

No. 12. Page 65, line 33 (clause 103)—Leave out the word 'Where' and substitute 'Notwithstanding subsection (2), where'.

No. 13. Page 81, line 20 (clause 124)—Insert after the word 'section' the passage '60 (2) or (8) or under section'.

No. 14. Page 83, line 13 (clause 130)—Leave out the figures '143' and substitute the figures '144'.

No. 15. Page 84, lines 5 and 6 (clause 133)—Leave out all words in these lines and substitute the following subsection:

'(5) An offence against this Act that:

(a) is not a prescribed offence; or

(b) is a prescribed offence that is heard and determined by a court of summary jurisdiction,

shall, unless the contrary intention appears, be disposed of summarily.'

No. 16. Page 96, Fourth Schedule (clause 10 *(a)*—Leave out 'or licence' and substitute 'or pipeline licence'.

No. 17. Page 96, Fifth Schedule (clause 1)—Leave out 'those circumstances' in the last line and substitute 'that circumstance'.

No. 18. Page 96, Fifth Schedule—After clause 3 insert new clause as follows:

'4. In this schedule "subsisting permit" has the same meaning as in the fourth schedule.'

The Hon. E. R. GOLDSWORTHY: I move:

That the Legislative Council's amendments to be agreed to.

These amendments to the Bill are designed to retain uniformity with corresponding legislation to be introduced and passed by interstate Parliaments. Agreement had been reached by the States as to the form of uniform legislation, and the Bill before members was introduced as a result of that agreement. However, Western Australia then proposed a large number of minor amendments which it insisted on including in its Bill.

Mr Millhouse: Maybe its Parliament didn't give it any choice.

The Hon. E. R. GOLDSWORTHY: Maybe it did not; maybe it did; maybe the Government insisted on it.

Mr Millhouse: You see, Governments can't always speak for their Parliaments.

The Hon. E. R. GOLDSWORTHY: No, but one thing is for sure: minorities of the order of the lone Democrat really do not carry many resolutions in this Chamber.

Mr Millhouse: It's a different story in another place.

The Hon. E. R. GOLDSWORTHY: You have a nuisance value in here.

Mr Millhouse: I'll remember that and pass the message on.

The Hon. E. R. GOLDSWORTHY: I am not referring to his colleague in another place, Mr Chairman; I am saying that if they have a balance of power it is a power which far exceeds their numerical strength in places such as this. Western Australia proposed a large number of minor amendments which it insisted on including in its Bill. I do not know whether I mentioned the Government or the Parliament; I think I read from the briefing notes and simply said 'Western Australia'.

Mr Millhouse: No. You said the Government.

The Hon. E. R. GOLDSWORTHY: If that is the case, I did not read what is before me.

Mr Millhouse: Be more careful in future.

The Hon. E. R. GOLDSWORTHY: Probably the member for Mitcham should have paid closer attention to what I was reading. For the sake of uniformity most of these amendments have been agreed to by the other States. The amendments in the attached list represent these changes. There follows a brief explanation of each amendment.

Clause 4, page 6, lines 8 to 11: omission of definition of 'the applied provisions'. This definition is used only once in the Bill and an appropriate change will be made in the relevant provision.

Clause 4, lines 15 to 18: the definition of 'the continental shelf' is not used in the Bill and is therefore deleted. Its inclusion was a carry-over from the previous legislation.

Clause 5, page 8: this clause is being omitted because section 22a of the Acts Interpretation Act adequately covers the point.

Clause 7, page 8, lines 28 and 29: subclause (1) of clause 7 states the obvious and is unnecessary.

Clause 17, page 14, line 8: this amendment makes a minor drafting change.

Clause 33, page 23, lines 40 to 42: subclause (3) is omitted. This provision, although necessary in the Commonwealth legislation because the Commonwealth provides for royalties in a separate Act, is not necessary in this Bill, which makes provision for royalties in later sections.

Clause 56, page 39, lines 18 to 20: clause 56 (2) is omitted for the same reason that clause 33 (3) was omitted.

Clause 57, page 40, lines 9 and 10: the substitution of new subclause (5) is made to retain uniformity with Western Australia and other States. The new provision has the same effect as the old provision.

Clause 72, page 52, lines 12 and 13: it is intended that only authorities of the Commonwealth or South Australia should be able to make a request under this section.

Clause 89, page 58, lines 14 and 15: this change will give to a delegate of the Minister the same immunity given to the Minister. The new wording follows the wording in section 54 of the Commonwealth Minerals (Submerged Lands) Act 1981.

Clause 101, page 64, line 15: this change is consequential on the deletion of the definition of 'the applied provisions'.

Clause 103, page 65, line 33: this makes a drafting improvement to clause 103 (3).

Clause 124, page 81, line 20: clause 60 (2) and (3) provides for the carrying out of work with the written authority of the Minister, and reference to them should be included in clause 124.

Clause 130, page 83, line 13: this corrects a cross reference in clause 130.

Clause 133, page 84, lines 5 and 6: this change provides for prescribed offences that are to be dealt with by a court of summary jurisdiction to be disposed of summarily.

Fourth schedule, page 96, clause 10 *(a)*: this makes a minor drafting change.

Fifth schedule, page 96, clause 1: this also makes a minor drafting change.

Fifth schedule, New clause 4: provides a definition of 'subsisting permit'.

I think members will agree that the amendments are more in the nature of improvements to the Bill than any substantial or radical change, and for that reason I commend them to the Committee for its support.

The Hon. R. G. PAYNE: As the Minister has clearly indicated, the amendments before us made in another place fall within three categories. First, those which, as he pointed out, were required by the Western Australian Parliament and adopted or proposed to be adopted by other States, or which are proposed to be adopted by the other States for uniformity. There is the correction of what we usually describe as typographical errors and slips in the printing of legislation. Also there is (I do not think the Minister has referred specificially to this category) the removal of clauses or subclauses which were inadvertently carried into State legislation from companion Commonwealth legislation; such provisions should have been included in Commonwealth legislation only and obviously are not needed in State legislation. The Opposition supports the view put forward by the Minister that the amendments ought to be agreed to by the Committee. However, I would draw the Minister's

attention to amendment number 15 in the schedule of amendments, which provides:

Page 84, lines 5 and 6 (clause 133)—Leave out all words in these lines and substitute the following subsection:

'(5) An offence against this Act that:

(a) is not a prescribed offence;

or

(b) is a prescribed offence that is heard and determined by a court of summary jurisdiction,

shall, unless the contrary intention appears, be disposed of summarily.'

One would think that, if a matter was heard and disposed of in a court of summary jurisdiction, it would be disposed of summarily. There appears to be some superfluous wording in that amendment. I do not wish to make more of the matter than that. No doubt the Minister, in the way that these things can be handled, can perhaps bring that matter to the attention of the Attorney-General in another place, who may wish to make some alteration thereto. Taking into account that one small query that I have raised, the Opposition supports the amendments before the House from another place.

Motion carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.

(Continued from 18 November. Page 2062.)

Mr HEMMINGS (Napier): I am gratified that, in the absence of the Minister of Environment and Planning, the Deputy Premier is in charge of the passage of this Bill today. It makes me feel that I must be on my toes during the second reading debate. The Opposition supports the second reading of the Bill. When the Bill was introduced into the other place it was viewed with considerable suspicion by Opposition members. In our opinion it was the first step towards getting rid of the caravan park and camping ground at Levi Park. To a certain extent our fears have been somewhat allayed by the amendments coming from the Select Committee and in the Bill as introduced into this House today. However, there are still pertinent questions to be answered by the Minister.

First, I shall give a brief history of Levi Park. In 1948, Adelaide Constance Belt of Walkerville gave the Corporation of the Town of Walkerville approximately 10 acres of land situated at Vale Park in the hundred of Yatala, county of Adelaide. Also, with that 10 acres of land, Adelaide Constance Belt gave the sum of £5 000 and expressed her desire that the said land should be used in perpetuity as a public park, and that the said sum should be applied to the improvement and maintenance of the said land as a public park.

The Hon. W. E. Chapman: Are you reading from the second reading explanation?

Mr HEMMINGS: No, I am reading from the Levi Park Act of 1948.

The Hon. W. E. Chapman: That is precisely what was in the second reading explanation delivered by my colleague when he introduced the Bill.

The DEPUTY SPEAKER: Order!

Mr HEMMINGS: Because the land was situated within the boundaries of the municipality of Enfield, and with the approval of Adelaide Constance Belt, it had been arranged between the Government of the day and the corporations of the towns of Walkerville and Enfield that, subject to the passing of the Act, the land should be used, in accordance with the provisions set out in the Act, as a public park controlled by a trust representing the Government and the corporations of the cities of Enfield and Walkerville. In 1952, a caravan park operation was commenced to raise revenue to maintain and upkeep the 10 acres. Very little was done, however, until about 10 years ago, when it was realised that, to attract interstate visitors, a greater proportion of the accumulated funds in the trust must be spent in upgrading the facilities.

Vale House has been restored in accordance with external specifications, and there has been an upgrading of the caravan sites in relation to power, water, and sewerage. That project is not yet complete. During the past seven years, the trust has spent $160 000, comprising $30 000 on the kiosk, $70 000 on Vale House, and $60 000 on the present updating of facilities. It has completed 52 sites and intends to have 90 powered sites. Future works will cost about $40 000, and the trust had further plans to provide on-site caravans. The ultimate plan would be to have self-contained units similar to those provided at West Beach. That would be the ultimate in caravan facilities.

I own a caravan and I travel regularly interstate. When I speak to people who have been to Adelaide on holiday, I hear nothing but praise being heaped on the Levi Park caravan site. It is close to the city, the amenities are good, and the park management is always helpful to visitors. From reading the evidence given to the Select Committee, it is obvious that the present elected members of the Walkerville council support the retention of the caravan park, and I congratulate them on that. However, as was pointed out to the Select Committee by one of the witnesses, councils come and go and views change, and that is why it is so important that the Bill spells out in clause 3 that we should maintain and preserve a caravan park and camping ground in the park.

I have said that councils come and go and views and opinions change, and as an example of that I shall quote the example of the attitude to Levi Park of a previous Walkerville council. I think it was disgraceful, and I am sure other members will agree. The incident took place about eight or nine years ago, at which time the Walkerville council decided that it did not like tents in Levi Park, and an attempt was made to enforce this provision by the passing of a by-law. The irony was that the council had to quickly withdraw the by-law when it realised that such enforcement would restrict many of the society functions which are held in Walkerville, and which would not be able to take place as they are held mainly outdoors under marquees.

Perhaps that is the first example of the silvertails working for the benefit of the proletariate. It has been said in another place, and refuted by the Minister, that this Bill is a pay-off to the Walkerville council for not making too much noise about the O'Bahn system. I do not intend to go into that matter.

The DEPUTY SPEAKER: Order! I hope that the honourable member clearly relates his remarks to the Bill before the House.

Mr HEMMINGS: I am doing that, but it is a matter of record that the Walkerville council has been strangely quiet about the O'Bahn system when it was very vocal about the NEAPTR scheme of the previous Labor Administration. I would like to place on record my thanks to the local member, my colleague the member for Gilles, who took such an active part in ensuring that the Bill came before us in its present form. He is well known as a diligent member for his district, and he is well aware of the value of Vale House, the Moreton Bay fig tree, the recreation reserve, and the caravan park. I am sure that his evidence about the relevant matters was of great help to the Select Committee.

I turn now to one aspect which concerns me and which concerns also the Chairman of the Levi Park Trust. I quote

from the evidence given to the Select Committee by Mr Lewis, the Chairman of the trust, who said:

I refer to the guidelines that we drew up in conjunction with the corporation of the town of Walkerville. In the first section, paragraph 1.5 provides:

> Future development of the park shall relate to the general intent of the Planning and Development Act, the South Australian Heritage Act, the Australian Heritage Commission Act and the River Torrens Study, having regard to both the local and the state public interest in the land being managed.

Mr Lewis went on:

I refer to the River Torrens Study. I am concerned because perhaps sometime in the future the corporation of the town of Walkerville may require a substantial part of the caravan park to carry out work in regard to that study.

He tabled the report to the committee, and went on to say:

There is a fear that if a substantial part of the park is lost we will not have the financial viability necessary to maintain the park and proceed with our plans. If the number of sites was greatly reduced, we would have to increase the daily charge which would make us uncompetitive because we have close competition at Hackney and on the other side of the river. I think that it is essential we maintain the number of viable sites we have at present, which is about 95 powered sites and roughly 30 tent or ancillary sites.

Looking at the proposed organisational relationships for the management of Levi Park, we can understand the fear of the present Chairman of the trust. They are proposed, but there has been general agreement between the Walkerville council and the Levi Park Trust on these guidelines, so it is fairly obvious that these will be the accepted guidelines when the Bill is proclaimed. Under the heading of 'Policy Guidelines', paragraph 1.4 states:

A caravan and camping area shall be operated on part of the land, as a contribution towards tourist development and as a source of revenue for maintenance and further development of the park as a whole, the number of sites provided relating to viable commercial operation.

It then goes on to the other paragraph that I read earlier relating to the Torrens River study. Paragraph 1.4 contains two very dangerous sentences. One provides that a caravan and camping area shall be operated on part of the land, but no specific number is cited. That is in line with clause 3 *(d)*. It states that the number of sites provided relating to viable commercial operation—

The Hon. W. E. Chapman: Don't you agree that some management discretion should remain with the governing authority?

Mr HEMMINGS: The Minister will have plenty of time to put that point of view when he replies. As a result of the evidence that the member for Gilles gave to the committee, it decided to include clause 3 *(d)*, which provides for maintenance and preservation of the caravan park and the camping ground in the park. When one compares that provision with the policy guidelines in paragraph 1.4, one finds that it does not state that the present site of 95 powered sites and about 30 tent sites will be maintained. The Select Committee was told that, if the trust is to maintain its upgrading of Vale House and if the recreation ground is to attract interstate visitors, that number would have to be maintained.

I believe that the Minister should be able to give some assurance that this will remain, because he has the power: clause 7 provides that council shall not alter the nature of the use to which the park or any part of the park is put unless the Minister consents. There is still a need, not so much by amendment, but by a firm commitment from the Minister or this Government, that every encouragement will be given to the trustees of Levi Park. Earlier today in Question Time, the Minister of Tourism gave a glowing account of how this State is attracting thousands of visitors. If the Levi Park camping ground is reduced in size, it will be to the detriment of the tourist industry in the State and the finances of the Levi Park trust.

The Opposition supports the Bill. Once again, we congratulate the Select Committee for listening to reason and at least including in the Bill a provision that names the caravan park and camping ground. I believe it was put to the Select Committee by one witness that it was a bad piece of draftsmanship that the naming was left off in the first place. I do not believe that that is particularly the case: I think that the Minister in the first instance deliberately kept the caravan park and camping ground out of the Bill so that at some future time, if there was a public reaction by the Walkerville council, he would have the right to get rid of the caravan park. The Opposition supports the second reading.

Mr SLATER (Gilles): The member for Napier referred to the major points of the Bill, and I wish to speak only briefly. The Select Committee was established in the Legislative Council, and its subsequent report and the inclusion in the Bill of certain amendments gave rise to some local concern as to the future of the park. As the member for the district in which Levi Park is situated, I took the opportunity to appear before the Select Committee and make certain submissions. I am pleased to say that the committee was considerate enough to take note of my submissions and recommended certain amendments that were the basis of my submissions.

I believe that it is necessary to provide in the body of the Bill certain safeguards to maintain and preserve the caravan and camping ground in Levi Park. Prior to the introduction of the Bill and the setting up of the Select Committee in the Upper House, the Walkerville council and the people who comprise the present trust drew up policy guidelines, in which a number of matters were set out and to which both parties were agreeable. I note that one of those policy guidelines was in regard to the camping and caravan area, which will operate on part of the land. At that stage, there was no reference to that in the Bill, and I believed that it was important for the future to have that provision embodied in the Bill to ensure the continuation of the caravan and camping area as part of the Levi Park situation. The basis for that belief lies in the fact that all the improvements of the park over the past 10 years (and there have been substantial improvements) have been funded from income received from the caravan and camping area.

The point has been made, and I make it again, that the park is very important to the tourist industry of this State. It is quite true, as the member for Napier said, that the park has a splendid reputation in regard to caravans, which is enhanced by the rating of the Department of Tourism and of the Royal Automobile Association, which believes that the park is considered highly by people who have taken the opportunity to reside in a caravan park from time to time.

Interstate people particularly recommend the park highly. It is a very important aspect to South Australia and to Adelaide in regard to tourism. Because of its proximity to the centre of the city, the park is well patronised by people from the country areas and from interstate. I believe that, over a period of years, the trust has administered the park with care and has exercised adequate control. I take this opportunity to compliment the members of the trust, both past and present, many of whom are known to me personally, for the splendid work that they have undertaken in maintaining, preserving and upgrading items of great historical value, in some cases, both to local residents and to the State as a whole.

One of the matters that formed part of my submissions to the Select Committee related to the Secretary of the trust. Over the past year, the trust has received secretarial assistance from a person who is well known in the community

and who has a background in the tourist industry. This person has been very helpful to the trust over a period of years, and it would appear that his position was overlooked by the Minister in the preparation of the Bill. I drew the Secretary's position to the attention of the Select Committee and asked that it be maintained. I am pleased to note in clause 3 (6) that:

The Secretary to the Levi Park Trust shall be deemed to have been appointed by the council, on terms and conditions no less favourable than those on which he held office as secretary to the Trust, and for a term of two years as from the commencement of the Local Government Act Amendment Act.

I believe that that was a step in the right direction because of the invaluable assistance that the Secretary has been able to provide to the trust in the past.

The Hon. W. E. Chapman: It was a most reasonable and expected implementation following your—

Mr SLATER: Yes, I am appreciative of the consideration that was given to my submission as the member for the district. I believe that the Select Committee saw the value of those submissions and that the two major submissions I made were accepted.

In conclusion, I believe that the current trust will form the controlling body and will continue with members as the controlling body for some period. I refer to the history associated with the park over a number of years, which is important. In 1973 there was a vote of ratepayers in the area of Vale Park, who decided by that vote that they would secede from the Enfield council to the Walkerville council. Of course, at that time the Enfield council had representation on the trust. That is a period of eight or nine years ago, and I believe that, although this representation had been continuing for that period, eventually something needed to be done to ensure that the park in the Walkerville area was administered by the Walkerville council.

The Hon. W. E. Chapman: Do you think that move would affect the current high level of rates in that district?

Mr SLATER: I should not answer that question. I do believe that this Bill relates to the rates at Walkerville. It may have been in those days. I know that the Minister of Agriculture resides at—

The Hon. W. E. Chapman: Has a residence.

Mr SLATER: Yes, he has a residence in Vale Park, and as such is a *de facto* constituent of mine.

The Hon. W. E. Chapman: But a very loyal one.

Mr SLATER: We will not argue that one. Nevertheless, I do support the Bill. Four or five years ago a Select Committee could not, if I remember correctly, come to a conclusion. As a consequence, it was necessary to take some action to ensure the perpetuity of the park. I believe that this is a step in the right direction, and I trust that this legislation will resolve the matter for all time.

The Hon. W. E. CHAPMAN (Minister of Agriculture): Acting for my colleague, the Minister in charge of this Bill in another place, I would like to express my appreciation to the Opposition for its support. Indeed, there are only a couple of matters that have been raised during debate so far that may need a response, and I think in the circumstances and because of the time spent on the debate so far in this House, it would be appropriate to leave those matters to the discussions in Committee.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Insertion of new section 886d.'

Mr HEMMINGS: Although I ask this question in a serious vein, I realise that the Minister cannot possibly give me an emphatic assurance on it. However, I would like to test the feeling of the Government on clause 3 *(d)*, which says:

maintain and preserve the caravan park and camping ground in the park.

Would the Minister inform the Committee whether this provision overrides the policy guidelines as agreed between the town of Walkerville and the Levi Park Trust? Like the Minister, I do not want to spend too much time on the debate. However, I refer to clause 1 (5) (I will get a copy to the Minister as soon as I have asked the question so he can read it), which provides:

Future development of the park shall relate to the general intent of the Planning and Development Act, the South Australian Heritage Act, the Australian Heritage Commission Act, and the River Torrens Study—

this is the important part—

having regard to both the local and State public interest in the land being managed.

Does clause 3 *(d)* override that policy guideline?

The Hon. W. E. CHAPMAN: I believe that clause 3 *(d)* is complementary to the policy guidelines laid down in the agreement between the parties and, as far as I am aware, all the parties have a common objective, that is, land use for that particular park area. It is clear, following the two Select Committee investigations into the Levi Park allotment, that it is the public intent to retain a caravan park of the kind that is established there now on that site. It has been consistently supported by the members of Parliament in both Houses that that should be the case. This has consistently been supported by the members of Parliament from both Houses and by witnesses which have come before the respective Select Committees.

In direct answer to the question, I have no doubt that that intent and objective, which has been stated on so many occasions, will be upheld by the Government. It is appropriate to acknowledge that the party that will become the council officers and managers of that site, namely, Walkerville council, shall have regard for the features mentioned by the member for Elizabeth, that is, that the local and State interests will be kept in mind.

Further, I think it is appropriate to recognise that Walkerville council will from time to time be required not only to maintain but also, where appropriate to do so, to enhance and further develop the lands that have been invested in its control under the new Bill. Likewise, it will have regard for the nearby river line park, known as the Linear Park project, both from the environmental and developmental points of view with respect to the O'Bahn bus service that will be installed. With those few remarks I think that quite positively I can indicate that it would be the Government's desire for those identified intended objectives to be observed by all parties concerned.

Clause passed.

Clause 4 and title passed.

Bill read a third time and passed.

BUILDING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 November 1981. Page 1949.)

Mr HEMMINGS (Napier): The Opposition supports the Bill. One of my colleagues, when we were discussing the measure, said that it is a wonder it got through our Minister when we were in Government, because we feel that the Minister has a right to, in effect, make all the decisions rather than only being able to do so after having advice from the committee. In that respect we do support the Bill. The Bill seeks to increase the membership of the Building

Advisory Committee from six to a maximum of 10 and in the Minister's second reading explanation he said:

> This will enable further appointments to be made of persons who have direct experience in the building industry, whether as building contractors or professionals involved in building design. Consideration will also be given to appointing a person who is an elected member of local government and who has experience in the building industry and a good working knowledge of the building regulations.

That is all well and good; we support those sorts of people being appointed to the Building Advisory Committee, but one group, the trade union movement, has not been considered. There are many trade union members who would be willing and experienced enough to be able to sit on this committee and provide an input to it. However, the Minister clearly states that the committee will comprise professionals, the employers, and members of local government.

As I have the responsibility for speaking on behalf of the Opposition on local government matters, I applaud any opportunity local government is given to be represented on a committee. I have always applauded an opportunity given to a trade union member to sit on a Government committee. In regard to the Building Advisory Committee, it seems that the only area of expertise not to be represented will be the trade union movement. I hope the Government will look seriously at the matter of whether a member of the trade union movement, especially in the building trades area, should be appointed to this committee.

I am not saying that this should be done at the expense of local government. I am saying that it should be at the expense of one of the other members. Local government is not represented on the present committee of six members, which comprises professionals in the building industry, subcontractors, and people in building design. If this Government is fair dinkum about being small government getting advice from the community, then it should look seriously at appointing someone from the trade union movement to this committee, when we are talking about building codes and advice to the Government. I can highlight my reason for suggesting that the trade union movement should be involved as well as local government by reference to a situation that occurred in the building industry.

Late last year I was made aware of a situation which, whilst it dealt with the Builders Licensing Board, I think it has clear implications in relation to this committee and the type of people who should be on the Building Advisory Committee. It seems that a member of the public decided to have extensions built on to his existing house. He contacted a builder who was a licensed builder. I understand that the person who designed the alterations went to the Building Advisory Committee for advice, so I think we can tie up the two particular bodies.

That particular person ended up in dire straits. In fact, if the member for Brighton were here this afternoon, he would agree with me, because, as the local member, he saw the fiasco that resulted from these alterations. I understand that his initial reaction was one of disbelief, so I think we are on common ground in that that particular person was in real trouble even though the Builders Licensing Board had had dealings with the matter, as had the Building Advisory Committee.

This particular couple decided in 1976 to extend their house. They contracted with a builder, and I am not going to mention the builder's name, because I do not think it is relevant. I will just mention the way the situation developed.

The Hon. W. E. Chapman: I do not think it is very relevant to raise the subject either, but that is up to you.

Mr HEMMINGS: I think I pointed out that, whilst the particular builder was under the Builders Licensing Board, there had been consultation with the Building Advisory Committee. I think the two things tie in.

The Hon. W. E. Chapman: We are dealing with the Building Act. They are two separate Acts.

Mr HEMMINGS: Mr Acting Speaker, I would ask for your protection. You are the one who gives the ruling, not the Minister. I will be as quick as I can and he can leave the Chamber, but I do wish to make the point that there was a member of the community who put his faith in the Acts, the Building Advisory Committee and the Builders Licensing Board, and ended up with a house that is practically unlivable. I think that is relevant.

The Hon. W. E. Chapman: The Builders Licensing Act is a separate Act from the one before the House at this time.

Mr HEMMINGS: As I said, in 1976 these people decided to have their home extensively rebuilt. The cost of the alterations was $27 000, so it was not just putting on a granny flat. Work began initially on demolishing the parts of the house required for rebuilding. A dispute arose between the builder and the people who wanted the extensions, and the builder just walked off the job. He never came back. He left the house in a shambles, and that is the current state of the house. The story goes on and on. It ended up with the Builders Licensing Board not being able to help.

The Hon. W. E. CHAPMAN: I take a point of order, Mr Speaker. I recognise that the matter being raised by the honourable member is relevant to his district and, indeed, he is doing a very good job on behalf of his constituents, but it is quite unrelated to this Bill. The Bill contains an amendment to the Building Act and not the Builders Licensing Act. The whole basis of the honourable member's reference this afternoon has related to the difficulties that a constituent has had in relation to the standard of work done on a site. Therefore, quite clearly, in my view, that is a matter to come under the canopy of the Builders Licensing Act, not the Building Act.

The SPEAKER: I cannot uphold the point of order, but I concur with the Minister's comments that the member has strayed rather significantly from the subject matter. I would ask the member for Napier to confine his remarks specifically to the Bill before the House.

Mr HEMMINGS: I thought for one minute you were going to let me enlarge on the particular problem that faced this unfortunate couple. Whilst I understand the rulings of the House and I will abide by your ruling, it does seem rather strange to me; whilst I am trying to give a public airing of a matter which has concerned many people, and whilst I am not using this place as coward's castle to name builders or anyone else, I am just trying to point out one of the problems facing the building industry which is something that could be considered by this new advisory committee. If we have representatives of trade unions and members of local government on this committee, perhaps this will not happen in the future but, if the Minister is so callous that he raises a point of order to stop me from reading that, I will abide by your ruling and I will not continue with the matter. Perhaps I will have to bring it up and name names in a grievance debate. That might be the best way to do it.

That is perhaps as far as I can go. I support the second reading and will in the Committee stage pursue the matters which I have raised regarding representation on the advisory committee.

The Hon. W. E. CHAPMAN (Minister of Agriculture): On behalf of my colleague, the Minister in charge of this Bill, I thank the Opposition for its support. Just to clarify the record in relation to the problems aired by the member for Napier, there was no motive in my calling a point of order on him other than to have the debate in this instance confined to the Bill before the House. I would respectfully

draw the honourable member's attention to page 745 of the Statute bearing the details surrounding the appointment of a committee to serve the Minister under the Building Act at this time, and remind him that, apart from the functions directed by the Minister for that committee to perform, they are generally to advise the Minister on the administration of the Act.

I repeat that the Act is the Building Act, not the Builders Licensing Act—quite a separate function altogether. So in that context, whilst the subject raised by the member for Napier may be extremely important and quite worthy of raising on another occasion on behalf of his constituent, it is clearly not appropriate for him to raise it now, nor for me to further comment on. The amendment is very simple in its intent: it simply seeks to replace the six-member advisory committee by a committee of 10. The member for Napier mentioned on several occasions that he was concerned that no provision had been made for appointment on that committee of a trade union representative. May I again respectfully remind the honourable member that there are no binding requirements on the Minister to appoint a person from any part of the building industry in particular.

Whilst it is desirable that architects and people from local government be considered for appointment, there is nothing in the Act binding the Minister now, nor is it required in the amendment, in the binding sense, to appoint people from specific professions. It is simply cited in the second reading explanation that he shall have regard to the needs associated with architecture, design, building experienced people and, indeed, local government, but the amendment is clear in that it gives the Minister the flexibility of selection of his committee at his own discretion.

It is by courtesy and for information of the House that he has indicated in his second reading explanation the areas from which he would anticipate drawing expertise, and I would hope that the honourable member would appreciate, as indeed I would hope all members of the House would appreciate, the good sense that would apply, if a Minister is going to have an advisory committee of this kind, that he selects people from as wide a spectrum of the industry as that to which he has access. It may well be that the current Minister, or in years to come (albeit many years) his successor, will see good reason in appointing somebody from the area from which the honourable member believes representation should be drawn. With those few remarks, I believe that the passage of the Bill should be swift from here on in, and I commend the Opposition for its support.

Bill read a second time and taken through its remaining stages.

AUDIT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 February. Page 2801.)

Mr BANNON (Leader of the Opposition): At first glance this measure would seem to be harmless enough—an attempt by the Government to increase the powers of the Auditor-General in order to ensure that certain extra criteria may be applied concerning how he goes about his work, and the conferring of other powers on him. It is a fairly short Bill and, as I say, on the face of it, a simple one. The origins of the Bill lie in the promises referred to by the Premier in his second reading explanation, when he talked about improving the efficiency of the administration of the Public Service and public moneys. The Premier talked about programme budgeting and cost benefit procedures that he wished to introduce; he talked about Estimates Committees, sunset legislation, and so on—a whole group of measures designed to give the illusion that his was going to be a Government that would streamline and improve what he announced as being inadequate public accountability procedures and create a whole new area of public administration.

In fact, on coming to office the Government discovered that the public administration of this State was in very much better order than it had believed. There were not so many changes really that were necessary. Nonetheless, the Premier had to give some show, some illusion, that he was doing something in this area, and initiatives have been taken. The most noticeable perhaps is the creation of the Parliamentary Estimates Committees as a way of examining the annual Budget. However, a lot of time and Public Service energy has been put into the programme performance budgeting area. What results that will yield, what evidence there is that it has been a cost benefit, we are not sure, but nonetheless the attempt has been made, and the effort has been put into it.

In addition, there has been talk about sunset legislation, but that has come to nothing; that legislation has not appeared before us in any form. Also, there has been talk of a new committee (in fact, there is a Bill on the Notice Paper which relates to the Statutory Authorities Review Committee to be established in another place). It is all part of these measures, which, as I suggest, are designed to give an illusion of financial competence. Now, on top of it, comes this measure, and we must dig a bit below the surface to find that this measure is not as simple as it appears and that its implementation will not be as efficient as the Government would suggest. It is true that there are similar provisions in other States, particularly at the Commonwealth level. The Commonwealth Audit Act provides that the Commonwealth Auditor-General's Department can conduct efficiency audits. I refer to the Audit Act of 1901: in section 11 reference is made to the Auditor-General being able to—

> appoint a person—
>
> *(a)* to carry out any efficiency audits of operations of relevant bodies that the Auditor-General is required by this Act, or by any other Act, to carry out, and to report the results of an efficiency audit carried out under the appointment to the Auditor-General;
>
> *(b)* to carry out an efficiency audit of the operations, or specified operations, of a specified relevant body, and to report the results of the audit to the Auditor-General;
>
> *(c)* to examine the operations or procedures of any relevant body for the purposes of an efficiency audit of the operations of the body that is being, or is to be carried out by the Auditor-General, and to report the results of the examination to the Auditor-General; or
>
> *(d)* to examine, for the purposes of an efficiency audit of the operations of a specified relevant body that is being, or is to be, carried out by the Auditor-General, specified operations or procedures of the body, and to report the results of the examination to the Auditor-General.

In essence, there is power contained in the Commonwealth Act which is very similar to the power conferred in this Bill before the House, but it goes no where near as far as this Bill, both as to the nature and reporting of the investigation and as to the bodies which will be subject to this investigation. There is no power evident in the provisions of the Commonwealth Audit Act for the Commonwealth Auditor-General's Department to conduct efficiency audits on private organisations, even though those private organisations are in receipt of Government funds. Of course, organisations must be accountable if they are in receipt of Government funds: they apply for grants and the Government sets certain conditions under which those grants are made, and it is expected that those bodies will carry out those conditions. Procedures must be in place to ensure that a check can be made that this is so; returns are required of bodies which are in receipt of Government grants.

All that is perfectly proper, and the Opposition has no objection whatsoever to it. But to go, as this legislation goes, so much further down the track of making bodies outside the Government that are in receipt of Government funds subject to the type of scrutiny that this Act would provide seems to be an outrageous invasion of privacy and mode of operation of those groups. The legislation we are discussing in Parliament today gives the Government unprecedented powers to pry into the affairs of churches, community groups, sports clubs, and a whole range of organisations that get some sort of Government support. It may be a large proportion of the budgets of such organisations or it may be a very small proportion but, large or small, under this legislation there is the capability to send in the Auditor-General or his staff, to allow the Auditor-General access to offices, to allow him to take any documents that he wishes and to examine them, and it allows him to ask any questions that the person he asks is required to answer.

Most importantly, it ensures that whatever the report the Auditor-General finally comes up with is made a public document. All the work, all the finance and all the details that are part of this so-called efficient audit can be revealed to the public at large. That is an extraordinary power. I am reminded of an incident a few years back when the previous Government attempted to institute some order into the incorporated associations area where it was generally recognised that the Associations Incorporation Act had deficiencies, particularly as far as very large organisations were concerned.

A draft Bill was proposed. There was a reaction against that, and in fact the Bill eventually was withdrawn. Much of the criticism levelled at that provision really relates, squarely and precisely, to the provision that this Government is now bringing in. I would suggest that for far less reason it is going far further in relation to it.

The Hon. D. O. Tonkin: Before you go much further—

Mr BANNON: I will go into the detailed provisions of the Bill shortly. The Premier suggests that there may be a misreading of the legislation. I would suggest that the total inadequacy of the second reading explanation, the total failure to explore the issues in that second reading explanation, indicates that he was not fully aware of the powers that he was conferring on his own Government. I would like to believe that that was so, because not to believe that would suggest that all the statements made in 1978 about the Bill's being an intrusion, about the watchdog and big brother attitudes, that all of this was totally unnecessary—

The Hon. D. O. Tonkin: You've got it all wrong.

Mr BANNON: —if the Premier has made a mistake. We will explore whether or not it is wrong. His time will come, and the Premier will have a chance to set the record straight and to show that he has had a change of heart or that he will define the Act in a way that will get over these dangers.

The Hon. D. O. Tonkin interjecting:

Mr BANNON: I thank the Premier for his assistance. I would appreciate it if he would listen to the points made and answer them, straight and square, in his reply. Then we might get some sense. Let me continue. I am suggesting that the Bill is Draconian in nature and gives very widespread powers of investigation to the Government, on the instruction of the Treasurer.

The Hon. D. O. Tonkin: You are quite wrong.

Mr BANNON: Why do I say that? I say it by simply referring to the provisions of the Bill, most notably those in clause 8, which define how the organisations to which a section relating to investigations into the efficiency of public authorities and certain organisations to which public moneys are provided shall be determined. The organisations are defined as follows:

> *(a)* a department, instrumentality or agency of the Government or the Crown;

There is no particular problem with that, although the question of duplication is something I will deal with shortly. Paragraph *(b)* states:

> a body the accounts of which the Auditor-General is authorised or required by law to audit;

So, the Auditor-General may introduce these efficiency audits into that concept. Paragraph *(c)* states:

> a body that has received financial assistance, by way of grant or loan, out of public moneys in a sum that is equal to or greater than a sum fixed by proclamation for the purposes of this section (but where more than two years have elapsed since the date on which such financial assistance was last received, the body shall no longer be regarded as an organisation to which this section applies).

That is the part to which I am referring when I say that this confers extraordinarily wide-ranging powers on the Government. Does the Premier deny that there is a very wide range of groups, organisations—private, voluntary and charitable—receiving financial assistance from the Government? Of course, he cannot deny that, because there are such bodies, and many of them in our community, in all areas of community activity. Those bodies receive financial assistance by way of grants or loans out of public moneys. Up to that point they are subject to this legislation. They are subject to the Auditor-General's efficiency audit and to all the other provisions that the Bill envisages. The proviso is that the moneys they receive should be in a sum that is equal to or greater than a sum fixed by proclamation.

If the Government fixes the sum at $1 000 000, or indeed $100 000 000, we may exclude the vast percentage of bodies under this provision, but I would add that, in his second reading explanation, the Premier gave no indication of the level at which that sum would be proclaimed. While it is true that the sum could be fixed at such a high level that it would exclude many of the bodies, it is equally true that there is no lower limit at which it need not be set. It may be set at $1, $10, or $100. It could apply to every single fruitgrower, for instance, on the Murray River, or every single farmer under a drought relief scheme, individuals, no matter whether they are indeed small amounts, just as it could apply to various other bodies. Where that sum is proclaimed, the level at which it is proclaimed becomes very relevant indeed, but it is a proclamation. It is in the hands of the Government to decide from day-to-day, at any time, what the level might be. The Premier could tell us today that it is the Government's intention that the sum must be of the order of $1 000 000 and small sports bodies and others need not be concerned. Tomorrow, something could come up and Executive Council may prepare a proclamation for the Governor to make the amount $100, and the Parliament has no sanction over that. The proclamation will be issued and it will apply.

That is possible under the legislation. If the Premier has no intention of doing that, what about his successors? He is not going to be in office for good—perhaps not for very much longer. The Government is able to proclaim any sum it wants, and there is no recourse to Parliament. The sum could be set by regulation, but it is not. It could be set in the legislation, which would mean that Parliament would have to change the amount and listen to the reasons for such a change. At the moment, it is open to the Government to set it at any level it wishes and, by so setting it, to bring within the range of the legislation every single organisation receiving a grant or loan from the Government. If that is not so, and if I am wrong, no doubt the Premier will explain. I will read on. The clause states:

> . . .where more than two years have elapsed since the date on which such financial assistance was last received the body shall no longer be regarded as an organisation to which this section applies).

That is good news. Let us say, for example, that in the financial year 1980-81 an organisation received a grant from the Government, that it had some major argument with the Government, and that in 1981-82 chose not to apply for a grant. One would think that that would mean that it would be out of the purview of this legislation but, on the contrary, the Bill provides a retrospective application that would allow the Treasurer, in terms of the Act, to instruct the Auditor-General to make his efficiency audit and his report to Parliament, irrespective of the fact that this body had not applied for a grant and was not currently in receipt of funds from the Government. That is an extraordinary situation for any organisation in our community. The ability to misuse the provisions and the powers under the Act is there and, while it is there, Parliament must ensure that the matter is fully aired, and that the Government's intention is made fully known. We intend to move to delete this obnoxious provision.

The Hon. D. O. Tonkin: Which is the obnoxious provision?

Mr BANNON: New section 41b (1) *(c)*. I have explored that clause and pointed out that it applies to a body that has received financial assistance. I have explained the qualification of the fixed sum of money that can be made by proclamation at the discretion of the Government. I have mentioned that two-year limitation and suggested that that in itself is inadequate. It is also true that the provision I am talking about, that is, where an organisation comes within the Act by virtue only of the provision of financial assistance out of public moneys, is subject to a further safeguard, although it could be suggested that the interpretation would be the other way, and that is that the Auditor-General shall not conduct an investigation in respect of that organisation except by direction of the Treasurer. The Premier could say, 'It would be most unreal for me to be giving directions on this. I have to be accountable for that and I am not going to give out directions willy-nilly.' That may be so, but it is in his political power to give such a direction. There is nothing in the legislation saying what are the terms and conditions under which a direction shall be issued—nothing at all. It can be at the Premier's discretion.

But, having issued that direction, the Auditor-General is then required to act and present his report. After checking the initial draft of the report, he is required to deliver it to the Treasurer, the President of the Council, and the Speaker of the Assembly for the public record. The matter then becomes public, whatever its delicacy or its initial nature. So, for the Premier to deny that this Act has not had the potential of intruding into the affairs of any organisation that is in receipt of Government money is, I suggest, completely erroneous, as a reading of the Act makes quite clear.

What exactly will the Auditor-General do? Under efficiency audits as defined by the Act, he has an extremely wide-ranging power which really goes beyond the financial operations and the accountancy of organisations. It is not just a case of obtaining their books: under clause 8, which refers to section 41 (3), the Auditor-General carries out the investigation with the purpose of forming an opinion as to whether:

(a) the operations of the organisation are conducted in an economical and efficient manner;
and

(b) adequate procedures exist enabling the organisation itself to assess the economy and efficiency of its operations.

Of course, that means that absolutely anything connected with the organisation can be subject to investigation. How can one determine the efficiency of an organisation (and this is a point that the Premier makes in relation to programme and performance budgeting) unless one can measure that against the purposes of the organisation, the aims under which it operates, its mode of operation, and its administration? All these questions can be raised in regard to the purpose of the so-called efficiency investigation. The operations of an organisation and the adequate procedures that enable it to operate with economy and efficiency go well beyond financial considerations, I would suggest, and, in effect, would make the organisation and its whole operation a question of open slather for the Government.

That is an extraordinarily wide-ranging power indeed and one that should not be applied to Government departments only or to statutory authorities: it should be applied to ordinary private community organisations, if the Government so wishes. We can have all the denials we like that the Government does not intend to use the power in that way or that it intends to set the limit higher. The fact is that the power is there and it can be exercised without recourse to this Parliament, or, indeed, to the electorate or the organisation concerned. I would like to ask the Premier just what consultation he has had with organisations that could be subject to this Bill. Has he communicated, as he did in 1978, with organisations that are incorporated? Has he communicated with all bodies that are in receipt of Government grants or loans? Has he told those bodies, 'We intend to introduce a concept of efficiency auditing, to which you may be subject. I would be interested in your views'? Not a bit of it. Efficiency auditing will come as a great surprise to most of these organisations when they look at the provisions of this Act. They have not been consulted.

This action is so typical of the way in which this Government operates in so many areas. Local government could be affected by this Bill. Already, it has had a nasty experience of a new Local Government Act being delivered and presented to Parliament without its being aware of the provisions, which resulted in protests and back-tracking. This is yet another example, another way in which the Government can investigate the affairs of a whole range of organisations, including local government. Those bodies have not been consulted and asked for their opinion. What sort of treatment is that? Unfortunately, it is all too typical of the Government and it is one of the reasons why this Government is plainly unable to deliver the sort of performance that its supporters would have expected.

I have outlined the nature of this Bill and the way in which it can be used if this Government, or any Government, so wishes. I suggest that there is a question of hypocrisy (as we so often find) in the Government's presentation of a Bill that contains those provisions lined up against its rather hysterical reaction to what were quite proper attempts to ensure that proper standards in corporation and constitution were provided under the Incorporations Act. In this case, a Government instrumentality, by direction of the Premier, is able to undertake this sort of investigation.

But now we come to a question that, in a sense, is just as important, when we remember that the Premier attempts to dress up his Government as one that wants to cut through red tape, abolish bureaucracy and contract Government, and make things easier, clearer and more efficient for people and organisations to operate. That is the supposed purpose of this Government and that is why this Bill (as we were told in the second reading explanation) was introduced—in the interests of efficiency. I suggest that, on the contrary, this Bill will simply compound the confusion that already exists in this area. It duplicates powers that already exist. It is enforcing yet another level of investigation, yet another mode of search, into the conduct of an organisation, and that is not needed, because powers already exist in regard to Government departments.

What is the matter with section 19 of the Public Service Act, which gives the Public Service Board the power to devise means of effecting economies and promoting effi-

ciency? It is a real vote of no confidence in that board that the Premier thinks he must introduce the efficiency auditing concept. I refer the Premier to section 19 of the Public Service Act, which states that, in addition to the powers and functions elsewhere in this Act, the Public Service Board shall devise means for effecting economies and promoting efficiency in the management and working of departments. That is supposedly what efficiency auditing is all about. How do they do it? They do it by improved organisation and procedures, closer supervision of operations, the simplification of operations, the abolition of unnecessary operations, the co-ordination of operations, the limitation of the staff of departments to actual requirements, improvement of training, and avoidance of unnecessary expenditure.

Under section 19, the Public Service Board is also empowered to examine the business of each department to ascertain whether any inefficiency or lack of economy exists. It is also empowered to maintain a continuous system of checking, to ensure the economical and efficient working of departments, and to standardise the carrying out of recurring operations. What does this Bill empower the Auditor-General to do? It empowers him to examine the operations of an organisation to see that they are conducted in an economical and efficient manner, to ensure that adequate procedures exist, and to assess the economy and efficiency of operations. I would like the Premier to tell us how that differs from the charge given to the Public Service Board under the Public Service Act, particularly in regard to section 19, and why he says that this is not a duplication of functions. I would be very interested indeed, in regard to Government departments, to ascertain that.

I suggest that the Premier is adding yet another level, yet another piece of red tape requirement to an already overloaded bureaucracy which is suffering under the rigours of his so-called efficiency measures. What about other areas of Public Service efficiency, other means of doing the job? You, Sir, are well aware of the workings of the Public Accounts Committee, which is a committee of this Parliament and which has powers similar to those of a Royal Commission. That committee can investigate Government departments and their efficiency, administration and procedures. So, we have the sight of a Government department that has the Public Service Board exercising its powers under section 19, the Public Accounts Committee conducting an investigation under its Act, and on top of that, the knock on the door from the Auditor-General, who will say, 'Well, apart from the accounting and other work that I want to do, I will also conduct an efficiency audit of your procedures.'

Not only is that a useless burden to place on the Auditor-General, but also, I suggest, it is a hopeless duplication; it is an additional power that is not needed. What about the case of statutory authorities? The Premier may argue that there is nothing that covers them properly; they do not get proper consideration in Parliament; the Auditor-General's powers in relation to them are somewhat constrained; and that this would be an improvement for them. For a start, most statutory authorities have written into their Act some requirement for regular investigation, or some means whereby these can be subject to investigations. For a start, they are under Ministerial direction and control, and it is open to the Minister to set established procedures at any time to look at efficiency. He may want to call on the expertise of the Auditor-General and his staff. That is well and good, but it can be done already. Indeed, in some Acts there is quite explicit reference to investigatory powers. I refer to section 26 of the Electricity Trust of South Australia Act, which provides:

> The Governor may, whenever he deems it expedient to do so, appoint a person or persons to inquire into and report to him on the management and operations of the trust.

That is already provided for. Do we want another piece of red tape and another source of investigation? It is there in the Act. It can be done, and that investigation can be undertaken at the highest level with all the powers of the Royal Commission's Act, as provided under section 26. Another example is the Samcor Act. Section 42 of the South Australian Meat Corporation states:

> Provided that at least once in every three years the Minister shall appoint a competent person or persons to investigate and report to him upon the efficiency of the plant, machinery administration and operations of the corporation.

That provision was in that Act for a long time; it was a recognised procedure of review. It is a way of doing this precise efficiency audit of which the Premier is talking in his Bill. So, the powers are already there by one means or another. They are already there for statutory corporations, and I cannot understand why the Premier wants to put another overlay and burden on the departments and the Auditor-General's Department.

Even more incredible, as far as statutory authorities are concerned, is that we have before us on the Notice Paper the Statutory Authorities Review Committee Bill, which sets up a further committee to investigate statutory authorities. Just as the Public Service Board and the P.A.C. make similar powers, so this particular body will have similar powers to those found in the Acts of the various statutory corporations. Again, it is possible that a statutory corporation could find itself subject to three simultaneous investigations, traversing much the same subject matter, and I would suggest that this would be disruptive, time-consuming, expensive and bureaucratic. It is nonsense for the Premier to talk about cutting through red tape and improving efficiency when he can present to us a Bill like this.

I stress that our argument is not against proper investigation but against the ill-considered plethora of measures that the Government is introducing. Why is it doing it? It is doing so because it wants to give some illusion that it is active. It wants to give some impression that it is fulfilling its election promises and to create some public perception that it is doing what it said it would do about improving efficiency. I would suggest that this is no way to do it. While we have no broad objection to the Auditor-General's being able to conduct these so-called efficiency audits, I suggest that extreme care should be taken as to where they are done and to ensure that they are not duplicating procedures that already exist. Let me say that those remarks apply to the Government departments only and possibly to the statutory authorities; they certainly do not apply in the case of these outside bodies. Let me come back to them in this context and point out that it is open, under the conditions that the Government puts on any grant, to require certain procedures and disclosure of information from anyone taking a grant. This can be done at the time that they get the grant. If it believes that there is something happening with the money that is granted, by all means establish a properly constituted inquiry. Again, that is within the Government's power. But, that should be done openly, and not by using this back-door effect of the organisation's suddenly discovering that the Premier has exercised his powers under this measure and has instructed the Auditor-General to embark on the investigation, which will take place willy-nilly.

In the course of these remarks I have raised a number of questions. I would be very interested to hear whether those questions can be answered satisfactorily by the Premier. Indeed, if they cannot be, the Opposition will subject this Bill to a pretty hard time in Committee.

The Hon. D. O. TONKIN (Premier and Treasurer): The Leader of the Opposition has not been in this place very long, but he has fallen into a fairly fundamental misappre-

hension, and I was quite serious when I tried to assist him in this matter a little earlier on. However, it became quite obvious that the Leader was set on his path, and I think he may regret that he did in fact embark on that path. The fundamental error of principle and of fact is that the Auditor-General is not an officer of the Government. He is an officer of Parliament. He is responsible to Parliament and not to the Government and he cannot be dictated to by the Government. I would suggest that, if at any time we were to suggest, as the Leader of the Opposition has done throughout this tirade, that the Auditor-General is subject to the direction of Government, the Auditor-General himself would be the first person very strongly to put forward his independence.

The Leader of the Opposition has gone on and on about the Draconian powers which this legislation gives to the Government, but it does no such thing. This Bill widens the already very wide powers of the Auditor-General, and widens them properly. Almost all the speech to which we have been listening has been predicated on the fact that the Government is getting these powers.

Mr Bannon: You are getting the information.

The Hon. D. O. TONKIN: No, Parliament is getting the information. Once again the Leader is demonstrating quite clearly his political and Parliamentary immaturity.

Mr Ashenden: He does that many times.

The Hon. D. O. TONKIN: I know, but I did try to help him. It is Parliament that gets the information, because the Auditor-General is an appointed officer of Parliament and, as such, is totally independent of Government. That deals with about 99 per cent of the Leader's speech.

Mr Bannon: Try and convince a few organisations of that.

The Hon. D. O. TONKIN: I am sorry, but the Leader does not convince me or anyone else. He has made a fundamental error and I am afraid now that he is going to try to cover up. That is up to him. Let us look at some of the things that the Leader said. I have dealt with the fact about giving the Government unprecedented powers.

Mr Bannon: The Parliamentary officers.

The Hon. D. O. TONKIN: Once again, I can appreciate the Leader's discomfiture in making such an elementary mistake. I would like him to listen for a while, as I did him the courtesy of trying to help. However, the Leader would not want help. The Bill does not give the Government unprecedented powers, and I repeat that the Leader has totally misunderstood the fundamental principle. Indeed, this might explain some of the other misapprehensions under which he labours from time to time.

The Leader made the point that this legislation is very similar to the Incorporations Association Act Amendment Bill, which saw the light of day in this Parliament I think under the sponsorship of the former Attorney-General of the time (I do not think he was the Minister of Health then), Mr Peter Duncan, the honourable member for Elizabeth. There is no similarity whatever between that legislation and this, and once again, the Leader has made a fundamental constitutional error.

Mr Bannon: This legislation gives far more control.

The Hon. D. O. TONKIN: I am sorry, but that is not so. The Leader said that there was a great deal of similarity between this and tried to criticise the Government for bringing in this legislation when we, in Opposition, had criticised the Associations Incorporation Act Amendment Bill. He cannot have it both ways. There is no similarity at all, because that legislation, sponsored by the Labor Government, in fact gave the Government of the day power to intrude into the business of incorporated bodies. There was no question—

Mr Bannon: It should have given the Attorney-General power to intrude.

The Hon. D. O. TONKIN: It would have been far more acceptable if an independent officer of Parliament, rather than the Government, had been given that power, because that underlines the fundamental difference between the philosophy as expressed by the Labor Party when in Government and that expressed by this Government. We do respect the independence of the Auditor-General, his ability and the fact that he is a responsible officer of Parliament.

That is the fundamental difference that has led the Leader to fall into the amazingly complex trap, or rather simple trap, which he set for himself. The Leader obviously has not understood that it is not the Government. Unlike the Bill that the Labor Party wanted to bring in which would have given the Government Draconian powers, this is predicated on having an officer of the Parliament, in the person of the Auditor-General, whose functions are defined, and whose standing and responsibility in the community are beyond question. At least it is as far as the Government is concerned; I do not know what the Leader of the Opposition is trying to comment on.

Mr Keneally: You have just realised what the Bill says, and now you are trying to get out of it by saying what a great officer he is.

The Hon. D. O. TONKIN: The Leader has a loyal colleague sitting behind him, which is more than I can say for some of the others sitting behind him. The representatives of the taxpayers are the people in this Parliament; members of the Parliament are the representatives of the taxpayers, not the Government. No-one has suggested that members of Parliament represent the Government. Parliament, not the Government, will receive the report. Again, this is a fundamental principle that the Leader has overlooked. The Government does not come into the matter.

Members interjecting:

The Hon. D. O. TONKIN: The Leader of the Opposition has already wasted a great deal of the time of the House without interrupting at this stage. The Parliament has a responsibility to check on spending and vet supplies. I am very pleased to hear the Leader say that it should apply to Government instrumentalities as well as to Government departments. However, I wonder whether he could name for me how many bodies have received financial assistance, by way of grants or loans out of public moneys, greater than the $50 000 which, it has been suggested, should be the sum to apply.

Mr Bannon interjecting:

The Hon. D. O. TONKIN: I doubt very much whether the Leader of the Opposition can. I can name one or two off the top of my head. Coincidentally, the publicised affairs of the S.A.J.C. would provide an example of the sort of—

Mr Bannon: The football league.

The Hon. D. O. TONKIN: —bodies that could be thought to have obtained money in this way. I must refer the Leader to the fact that the S.A.J.C. got its money by way of guarantee and not by grant or loan.

Mr Bannon interjecting:

The Hon. D. O. TONKIN: That is a good point. The National Football League has got its money by way of guarantee, not by grant or loan. So, under those circumstances neither of those bodies is subject to this.

Mr Bannon: They are two of the currently controversial areas of Government grants.

The Hon. D. O. TONKIN: I am saying that very few bodies get grants or direct loans from the Government. Riverland Fruit Products does qualify very much under this scheme, and it would involve the question of an efficiency audit if the Treasurer wished to ask for one. However, having asked for that audit, it is not the Treasurer's responsibility, nor has he any power, to direct the Auditor-General how that audit will be conducted, once again because the

Auditor-General is an independent officer responsible only to Parliament. Again, Mr Speaker, I am sorry if I labour the point, but I obviously have to, because the honourable Leader of the Opposition just has not got it worked out.

Mr Bannon: At your direction, of course.

The Hon. D. O. TONKIN: That is all I can ask. I cannot in any way tell him how to conduct the investigation, nor would I presume to do so. The Treasurer can ask. The Auditor-General will produce a report, having conducted an audit. He will discuss the results of his investigations with the body concerned, and he will then report them to Parliament, which is the proper place to do so. What he reports is entirely in his hands. He is, I repeat, a responsible officer who is more than concerned to maintain confidentiality, to act responsibly, and as an officer of this Parliament I would expect no less of him.

Very few bodies indeed in fact exceed that $50 000 limit. One point has been touched on by the Leader, and I may tell you that it is the intention of the Government to move amendments to the word 'proclamation' and to make it 'regulation'. Again, I did try to let the Leader know about that when he was talking but there was no way he was going to listen to anything.

Mr Bannon: How about putting the amount in the Act?

The Hon. D. O. TONKIN: There is no point in putting the amount in the Act. If we were to do that, with changing values, the inflationary rates, we would rapidly find the situation coming about that the Leader in fact has exaggerated now. There is no way we are going to do that.

I am quite sure that regulation is a perfectly sensible way to deal with that limit. For the Leader of the Opposition to talk about duplication of section 19 of the Public Service Act is for him once again to completely lose sight of the fact that the Auditor-General is an officer of the Parliament, that we are looking at the expenditure of public moneys. I cannot for the life of me see why he is objecting to any form of audit or check on the expenditure of public moneys, ordered by the Parliament, and indeed carried out by an officer of Parliament representing the taxpayers whence the money comes. When he gets the idea that in some way this intrudes upon the privacy of so many, waving his arms around, talking about thousands of small private organisations, he must be joking.

An honourable member: You tell us.

The Hon. D. O. TONKIN: If the honourable member had been in the Chamber he might have heard something to his advantage. The Leader of the Opposition waxes eloquent about useless and additional burdens placed on the Auditor-General. Let me tell him that it was the Auditor-General who suggested, among others, that he should have this additional power as part of the whole review of efficiency of the Public Service. Far from duplicating, this will provide another avenue through which the efficiency audits can be checked by an independent officer. I would have thought the Leader of the Opposition would welcome this; an independent officer, responsible to Parliament. I would have thought he would welcome such an investigation and such a power, but apparently he is not interested in efficiency audit.

Let me conclude by saying that, far from being an illusion of getting something done, if the Leader of the Opposition can honestly stand where he did and say that the Estimates Committees were only an illusion, or that the work of the Public Accounts Committee only has been an illusion, or that the programme performance budget papers were only an illusion or a waste of money, all I can say is that he rather tends in all of those matters to disagree with the view generally held by economists and people in business on the reforms brought into this House by way of programme performance budget papers and Estimates Committee considerations and the reforms that have taken place in the accounting systems of the Government, and he is very poorly informed indeed.

Mr Trainer: Could you list those economists—both of them?

The Hon. D. O. TONKIN: I can refer the member for Ascot Park to a paper which was printed in the *Journal of Public Administration* perhaps eight or nine months ago and which dealt with the programme performance budgeting format, the Estimates Committees, and praised it for setting new standards in accountability.

Mr Bannon: Who wrote it?

Mr Trainer: Rex Jory?

The Hon. D. O. TONKIN: I cannot recall at this stage, but it does not do the Leader any good to impute dishonourable motives to people writing such articles; it was someone of whom I was not aware. I repeat: this Government has done a great deal to improve the accountability to Parliament and to the people of the Public Service. I may say that the Public Service itself, after some initial uncertainty largely arising from a lack of complete understanding of what is involved in programme performance budgeting, has now accepted that challenge, has responded to it, and has done very well indeed.

I am told that members of the Public Service will welcome the question of efficiency audit by the Auditor-General, because it will back up something that the Leader has not mentioned, namely, the system of internal audit which is now gradually being established throughout each Government department and which is being encouraged in statutory authorities.

I want to pay a tribute to members of the Public Service generally for the way in which they have responded to the challenge of greater accountability. There is no doubt at all that people in the community, the taxpayers of South Australia, were of the opinion that greater accountability and measures to obtain that accountability were long overdue. Now they have those measures, and this is yet another of those comprising that total package aimed at bringing more easily within the grasp of Parliament accountability on the part of public servants, Public Service departments, instrumentalities, and substantial users of public funds by way of grant or loan. Why on earth the Leader of the Opposition would object to that, I cannot for the life of me understand, until I think back, of course, to the days of the Labor Government, when accountability was simply something that it did not care much about at all. Perhaps the Labor Party is carrying that policy through even while in Opposition.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—'Efficiency investigations.'

Mr BANNON: I regret that, in the course of his reply to the second reading debate, the Premier simply did not come to grip with the points I made. I found it quite extraordinary that he seemed to base his whole refutation, if you like, of what I said on the fact that the Auditor-General is a statutorily independent officer who reports to Parliament. That is certainly relevant in relation to the way in which the Auditor-General carries out his investigations and the fact that he must do it in his own way, independently, but I would hope that any committee or group established, even by the Government, could do the same. However, the fact is that statutorily that is the way that the Auditor-General can operate, and in the course of that investigation he has very extensive powers indeed. But the fact is that, specifically in relation to what I might call outside organisations, he can undertake such an audit, such an independent efficiency audit, only if the Treasurer directs him to do so.

The Treasurer happens to be the Premier, who happens to be the head of the Cabinet, and the decisions he makes must necessarily have a political connotation to it and he can initiate that investigation. The subsequent course of that investigation is in the hands of the Auditor-General up to and including the time he reports, and he must make his report public. All I am saying is that the Treasurer can, by proclamation, establish a figure (and the Premier suggested $50 000; that is the first time we have heard that figure, and I am glad he has set some amount on it), and can then look through the grant recipients and can tell the Auditor-General, 'You go and look at this body', and then the process starts. Whether it is being done by a Public Accounts Committee, a special inquiry, a Royal Commission, or the Auditor-General, it is an independent inquiry being carried out, and inevitably certain information will be required and will be presented. That is the whole point I am making.

I would ask the Premier, in instituting this provision, which extends the powers of the Auditor-General, whatever he says, and which allows him as Treasurer to have a discretion to investigate whatever bodies he deems that he wants investigated, what consultation was undertaken with persons or organisations that received grants? To what extent have the provisions of this Bill been canvassed outside the internal Government procedure?

The Hon. D. O. TONKIN: The Leader of the Opposition has again begged the question somewhat. I have already told him quite clearly that the Parliament will have the power to review the limit that is set, and that it is not to be set just by the Premier, but the Leader chooses not to use that. Perhaps he was not listening.

Mr Bannon interjecting:

The Hon. D. O. TONKIN: We have already been into that while the Leader was so avidly listening on the loud speaker. It has been made quite clear in the second reading explanation that the limit will be set by regulation, and as such will come under the scrutiny of this Parliament. So, the second part of the Leader's case does not apply. With regard to the first part, I accept that the Treasurer initiates action. Someone has to draw the attention of the Auditor-General to a case that requires investigation if, in the opinion of the Government, that is necessary. However, I say again that Parliament is the body that considers the report when it is made; it is made to Parliament, not to Government, and if taxpayers' money is being used then I believe there is every right for the Parliament to consider such a report.

I cannot quite see what the Leader is driving at. If taxpayers' money is being used in considerable quantities by a private body that is not a department of the Government nor a statutory authority, I believe there is every reason for that power to exist so that the taxpayers' money can be accounted for. I am amazed that the Leader thinks otherwise. There has been no consultation with any particular body, because there is no particular body at this stage which will come under this category and which is likely to be investigated. I have already dealt with the question of the S.A.J.C., and I believe that, once again, the Leader of the Opposition obviously misread the Bill: I believe he thought that it was directed at the S.A.J.C.

Mr Bannon: No, I didn't.

The Hon. D. O. TONKIN: Perhaps I am wrong, but that is how it looked. I cannot really fathom out the Leader's objections. I do not really think they are worth much.

Mr BANNON: That is another fine non-answer. I would be interested in the reaction of a body such as the University of Adelaide, which is fairly jealous of its independence and its procedures, which is subject to an Act of this Parliament and to the constraints of Commonwealth bodies and which, because it receives by way of grants for various research purposes and so on, more than $50 000, would come within the purview of this Act if the Premier so chose to instruct the Auditor-General to carry out such an inquiry. There are many other organisations.

The Hon. D. O. Tonkin: I have every confidence in the management of the university.

Mr BANNON: Splendid! The Premier can say that he does not intend to undertake such an investigation. I simply point out that the power is there, and, if the Premier so decided, whether or not the university liked it, the Auditor-General could make those demands and investigations as he saw fit. That is the point I am making, and it is not being tackled by the Premier.

Will the Premier clarify where this procedure fits in with the other areas I have mentioned—with the efficiency audit requirement of the Public Service Board, the proposed statutory authorities committee, the Parliamentary Accounts Committee, and its work in Government departments and with the provisions in the various statutory Acts for inquiries, investigations or Ministerial directions? Just where and how does the Premier see duplication being avoided?

The Hon. D. O. TONKIN: It will be avoided by good common sense, professional ethics and responsibility shown by the officer concerned and all of the other Public Service officers in the departments and instrumentalities. There will always be more than one way to get accountability, and this is simply one way. We accept and acknowledge that it is only one way. It is part of a package, as it was designed to be. To find fault with that general principle is something about which I am amazed. There is no way in which any group of people, whether the Public Accounts Committee, the Public Works Standing Committee, or a statutory authorities review committee, will duplicate activities, because the activities will, of necessity, be known. I cannot envisage a situation arising in which, in order to increase efficiency, people will act inefficiently. As to the Leader's question about whether we would order an investigation into the University of Adelaide because presumably the university receives grants, I point out that the Leader has answered the question himself. Of course we would not. We have every faith in the University of Adelaide and its administration. I am amazed that the Leader should even think of using that as an example.

Mr Trainer: But that doesn't protect the university from a vindictive Premier.

The Hon. D. O. TONKIN: Under those circumstances, if a Government were to act as irresponsibly as that, it would deserve the censure of the people at the appropriate time, which is at the polls, and I have no doubt that it would get it.

Mr BANNON: I move:

Page 2, lines 12 and 13—Leave out the words 'and certain organisations to which public moneys are provided'.

This amendment removes reference to bodies that receive financial assistance by way of grant or loan. I am not going to further debate the matter. I think that it has been amply covered. Let me make quite clear that I support the principle of accountability of funds granted by the Government, whether in small or large amounts, and whether it is $100 to a netball club or $500 000 to Riverland producers, or whatever. I support that concept of accountability, but I stress that that accountability must come through the relationship between the Government and the conditions it lays down and the body that accepts the grant fulfilling whatever requirements the Government lays down for it. It should not be caught up in this general investigatory power which the Premier will have at his disposal should this Bill pass.

I do not think that outside bodies should be involved in this so-called efficiency auditing in this way. If, indeed, a large private body is in receipt of considerable Government

funds and the Goverment is concerned about its management, then let the Government face that directly and appoint some sort of inquiry, or take whatever other administrative action is necessary. I think it is wrong to have recourse to these provisions, which can be so sweeping and so wide ranging in potential, and which rely so much on the attitude of the particular incumbent of office. That is why I have moved the amendment, the effect of which will be to not allow the Bill to extend this power to all those bodies that, in good faith, come to the Government seeking some sort of financial assistance or grant.

The Hon. D. O. TONKIN: I have already made clear that it does not apply to all bodies coming to the Government to seek assistance by way of loan or grant.

The Hon. D. J. Hopgood: We have to rely on you.

The Hon. D. O. TONKIN: No, we rely on the Parliament, and I do wish that honourable members opposite would listen.

Mr Bannon: This is the concept of the Government that does not control Parliament.

The ACTING CHAIRMAN (Mr Keneally): Order!

The Hon. D. O. TONKIN: I am sorry that the Leader has a very odd point of view when it comes to the responsibility of Parliament and the Auditor-General. I simply say that it will not do for him to stand in this place and make inaccurate statements, saying that this power will apply to everybody coming to the Government for assistance by way of loan or grant. It does not, he knows it does not, and his case is getting very weak indeed. I do not accept the amendment.

The Committee divided on the amendment:

Ayes (20)—Messrs Abbott, L. M. F. Arnold, Bannon (teller), M. J. Brown, Corcoran, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, McRae, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (23)—Mrs Adamson, Messrs Allison, P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Eastick, Evans, Glazbrook, Goldsworthy, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin (teller), and Wilson.

Pair—Aye—Mr O'Neill. No—Mr Wotton.

Majority of 3 for the Noes.

Amendment thus negatived.

The CHAIRMAN: Does the honourable Leader wish to proceed with his other amendments?

Mr BANNON: No, they are consequential, and I do not wish to proceed with them.

The Hon. D. O. TONKIN: I move:

Page 2—

Line 23, leave out the word 'proclamation' and substitute the word 'regulation'.

Lines 28 to 30, leave out these lines.

Amendments carried; clause as amended passed.

Remaining clauses (9 to 12) and title passed.

The Hon. D. O. TONKIN (Premier and Treasurer): I move:

That this Bill be now read a third time.

I simply sum up by saying that it is proper that bodies receiving substantial Government assistance by way of loan and grant should be liable to audit in appropriate circumstances. It is totally inappropriate that either Government or Parliament should interfere in the private business of organisations that are not receiving any assistance from the Government. That is the fundamental difference between the philosophies of the two Parties. For anyone to suggest that any private organisation receiving substantial Government assistance should not be able to account for the expenditure of taxpayers' funds in the way that public bodies, public departments and statutory authorities do is quite ridiculous. The taxpayers' money must always be accounted for.

In my view, such an occurrence as envisaged would occur very rarely indeed. The Auditor-General already has a great deal to do. He will be looking at Government departments and statutory authorities. There are remarkably few private organisations which would come under this category. Even if they do not (and the Leader made this point himself a little while ago, and I subscribe to it), in principle it does not matter whether it is $5 or $500 000 of taxpayers' money which is involved—accountability must always apply.

Mr BANNON (Leader of the Opposition): I am dissatisfied with the Bill as it comes out of Committee. If the Premier is saying that the fundamental difference between the two Parties is over the accountability of public moneys, he is quite wrong. There is no difference at all between us as to the accountability for public moneys. We are talking about the way in which public moneys should be made accountable. In relation to outside organisations, as I attempted to make clear in Committee, the procedures to which the Government already has recourse are quite adequate and sufficient. These powers go way beyond anything that the Government already has, and I suggest that they go beyond reasonable powers that a Government should have in relation to accountability. The Opposition will support the Bill, but it does so with considerable regret, because we believe that the protections we sought to afford grant-receiving bodies within the confines of financial accountability were not accepted by the Government.

The Hon. D. O. TONKIN (Premier and Treasurer): Once again the Leader is trying to perpetuate the original mistake he made when he first got into this debate. It is not the Government that is being given the powers: it is Parliament. Parliament must always be the sole arbiter of accountability when it comes to being responsible to the people. Taxpayers have a right to expect that degree of responsibility being exerted on their behalf by the Auditor-General through Parliament.

Bill read a third time and passed.

IMPRINT ACT (REPEAL) BILL

Returned from the Legislative Council without amendment.

HIGHWAYS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

TECHNOLOGY PARK ADELAIDE BILL

Returned from the Legislative Council without amendment.

CORRECTIONAL SERVICES BILL

Adjourned debate on second reading.

(Continued from 10 February. Page 2760.)

Mr KENEALLY (Stuart): It will come as no surprise to the Minister and members of the Government that the Opposition will be supporting this Bill because the Minister

knows, as do his colleagues, that what we are discussing is a Bill that this Government inherited in 1979 from the Corcoran Government. It inherited a Bill that I will have the greatest of pleasure in proving to every member of this House is to all intents and purposes a duplicate of the Bill prepared by the Hon. D. W. Simmons, the then Chief Secretary. In Committee, when each of the clauses comes before the Chamber, it can be shown to be related to each of the clauses of the draft Bill. Even the dullest members of the Government benches, and there are some of those, will then obviously be convinced that what I say is true.

The Opposition would not be so churlish as to deny the Chief Secretary some credit for being the Minister who brought into this House the amendments to the Prisons Act, because they are long overdue. Every honourable member would agree, but it is the Minister himself who has turned this subject into one that is now political.

Amendments to the Prisons Act should not be the subject of great political differences, particularly, as I have said, when they are well deserved and long overdue. However, the Minister has wished to take credit for the drafting of this Bill and for many of the decisions made prior to his assuming office in 1979. There will be ample time to prove that what I say is true.

Members interjecting:

Mr KENEALLY: The longer Government members opposite interject, the longer it will take this second reading debate to conclude.

Mr Mathwin: You're a hypocrite.

Mr KENEALLY: The member for Glenelg says that I am a hypocrite. I was interested to read in the *Advertiser* a letter written by W. A. Rodda, Chief Secretary. This surprised me, because a similar letter written to the *Advertiser* on 20 December 1981 by D. W. Simmons never found its way into the letters to the Editor column. As both these letters are on exactly the same subject, I would have thought that the *Advertiser,* which saw fit to print the Chief Secretary's letter, would also see fit to print the letter written on 20 December by a former Chief Secretary, D. W. Simmons.

If Government members read that letter (and I will read it to them in a moment), they will not be so keen in their accusation of hypocrisy. In his letter printed in today's *Advertiser,* the Chief Secretary states:

> One of the major differences is that the Opposition waited six years before preparation of a draft Bill. The Government did it in a matter of weeks after being elected.

Today, in Question Time, the Opposition asked the Minister why, if a few weeks after being elected he had a draft Prisons Bill, it has taken him 2½ years to introduce it to Parliament. He knows, and I know, that the basic principles involved in this Bill before us today are exactly the same as those in the Bill that the Chief Secretary inherited. The Public Service review and the recommendations of the Royal Commission have not changed that at all. The Royal Commissioner's recommendations are so in line with the draft Bill that one would suspect that he had the opportunity to read it. I am not suggesting that he did have that opportunity, but the Royal Commissioner's recommendations concerning amendments to the Act would lead one to believe that he had the opportunity to read the draft Bill that the Chief Secretary had.

Recall if you can immediately the Royal Commission report was brought down. The Director of Correctional Services said, 'Right, the department will get right down now and prepare to draft a new Bill.' That was immediately after the Royal Commission report was tabled, yet the Chief Secretary, in a report in today's *Advertiser,* said that that draft Bill had been prepared and was ready a few weeks after he assumed office. That is rather strange. Either the Director of Correctional Services was not aware of this or the statement after the presentation of the Royal Commission report was designed to mislead. Then it was suggested that the Government was busily preparing a new draft Bill; we all know that that draft Bill was already in the possession of the Government.

If there may be any doubt about that, I have a copy of the draft Bill that was prepared by Parliamentary Counsel and was dated 24 May 1979. It was a Bill for an Act to provide for the establishment and management of prisons and other correctional services. I am prepared to answer the criticisms by the Government in relation to the time it took to have the Labor Party draft Bill brought into Parliament, from the time that the Mitchell Committee was established until the time we lost office. In the time available to me before the dinner adjournment, I should like to read a letter into *Hansard,* hopefully for the benefit of the *Advertiser,* which sees fit to print letters written by Government members and to ignore those written by people whose sympathies may be different. It is a letter to the Editor, dated 20 December 1981, from the former Chief Secretary, the Hon. D. W. Simmons. The letter states:

> As the previous Chief Secretary, I have followed with interest recent items in your newspaper concerning two of the departments controlled by that Minister, namely police and correctional services. Despite his severely restricted terms of reference, which persuaded me that it was not worth giving evidence, Commissioner Clarkson made several useful recommendations as a result of his enquiries into specific allegations of abuses. He rightly drew attention to the need to repeal and replace the existing correctional services legislation. It was one of my biggest disappointments, arising out of my premature retirement from office, that the new Correctional Services Bill, on which I had been working, could not be introduced. Mr Dunstan in October 1977, when he allocated this portfolio to me, stressed that he wanted action to implement the First Report of the Mitchell Committee which had been presented in July 1973. I then said that I would be happy to do this but only when I had had an opportunity to acquaint myself with this subject with which I was quite unfamiliar. To this he agreed. For various reasons, not the least being the reluctance of the department to see radical changes, the draft Bill was only reaching a satisfactory stage when Mr Corcoran called the election and so removed the possibility of its being introduced in the Budget session of 1979. However, after 23 months in office I did leave behind a draft Bill which could and would have been completed within a month. It could not be considered a Party-political measure and I am at a loss to understand why so little has been implemented in the 27 months that have elapsed since this Government took over. It is incredible to read that Mr Stewart is now talking of 'starting' to redraft the Act.
>
> I heartily concur with the proposal that prison routine should be arranged so that prisoners can spend at least 12 hours a day out of their cells. In a TV interview in July 1978, after my return from overseas, I made the point that prisoners in Adelaide spent more time in their cells than in any prison I had visited and that a 7.30 or 8 p.m. lock-up should be instituted. This provoked a threat of a strike by prison officers and a deputation which invited me to believe that many prisoners liked to be locked up at 4.30 p.m. so that they would be settled down for the night! I informed the deputation that they had a right to be consulted on the rosters to give effect to a later lock-up, to appropriate payment for the extra hours involved or, if that was not satisfactory, to the appointment of additional staff to enable a swing shift to be introduced, and to the provision of facilities to keep the prisoners occupied in their free hours. If I could provide these (and manpower and financial restrictions finally precluded my doing so) the decision to implement later lock-ups would be taken by the Minister and Director, and not by the prison officers. As a result they withdrew staff representatives from departmental committees because I 'had made a mockery of industrial democracy'. If this Government is able to spend millions of dollars on extra secure accommodation at Yatala (of dubious value) it will presumably be able quickly to end this intolerable situation. I hope it does.
>
> Finally, the proposal for a special prisons ombudsman should in my opinion be supported. I was concerned about the extent to which abuses could exist inside closed institutions such as prisons. Naturally neither departmental nor prison officers would ever suggest that anything untoward took place (except offences by the prisoners against security), so against strenuous objections I directed that all dockets covering complaints by prisoners to the Ombudsman should be returned to the latter by the Department through me. Being still unhappy I discussed this matter with a British prison expert who said the only effective procedure was to appoint an inspector

of prisons—a kind of justice ombudsman—not connected with the department, with authority to enter any part of a prison at any time to speak in private to any prisoner. This proposal, together with appropriate censorship rules, was recently adopted in the new penal reform platform of the A.L.P. which I was largely responsible for drafting (items 4.13 and 4.14). It seems to me to be the only effective way of checking on conditions inside maximum security institutions.

I wish to refer briefly to the excellent article by Messrs English and Ball (*Advertiser*, 30.11.81) on problems in policing the police and Mr Tremethick's letter in the same issue. The points made by Mr Tremethick about internal investigations seemed to me to be relevant, and I am sure that Commissioner Draper (as indeed was his predecessor) is extremely jealous of the good name of the force. Sir Robert Mark told me he preferred an internal investigation system, but he was able to achieve such startling results in England partly, I believe, because in a much larger Police force there were internal divisions which do not exist to the same extent in South Australia. Nevertheless, it is essential, particularly in the light of recent allegations, that the public should be convinced that complaints against the police will be thoroughly investigated and appropriate action taken. The ombudsman or a crime commission are possible ways of dealing with the matter, but I had in mind trying to combine the present system with some kind of outside overview. This could be done by providing an independent avenue through which complaints could be lodged by the public—the same person as the justice ombudsman referred to above. This authority would have the responsibility of checking the results of all internal investigations and referring them back to the Commissioner where he was not satisfied, and ultimately to the Minister and Parliament if he thought it necessary. This proposal was still in embryo when I left office but I put it forward for consideration.

I read that letter because that is a very thoughtful opinion on two of the major problems that are facing this State. The person who wrote that letter had the opportunity, at our expense, to travel overseas to study the prisons system and to come back, and then make recommendations, which we are now discussing. Because of Mr Simmons' experience in his portfolio and the trouble that he took to inform himself, the recommendations that he makes ought to be considered in such a light that the *Advertiser* should have printed that letter. I refer to some of the political statements which the Chief Secretary has made and which his colleagues seem to applaud. The Chief Secretary said in his second reading explanation that:

> Indeed, our actions to date show that the Government is making a determined effort to provide the department with the resources which it has lacked for the past decade.

It is true, of course, that the area of correctional services did not figure highly in the reforms of the earlier years of the Dunstan Government. However, when the Dunstan Government inherited the correctional services area from the Party that members opposite represent it was already an outdated system; it already had buildings that were almost 100 years old.

The previous Government did plenty about it, as I will go on to prove. The Dunstan Government set up the Mitchell Committee to inquire into criminal law and penal methods reform in South Australia. The major document on criminal law and penal reform in South Australia is the Mitchell Report. The Mitchell Committee was set up by the Dunstan Government and not by members opposite. In all the years that they were in Government previously, when we had an inadequate correctional services system, did they commission a report of this nature? Of course they did not. In the 30 years they were in Government before the Dunstan Government came to office they did not commission a report of this nature. Yet, we have them here today being 'holier than thou'.

It was in 1973 that the Mitchell Committee brought down a report that has the highest credibility within penal and law reform institutions in Australia. The Dunstan Government set about implementing the reforms recommended by the Mitchell Committee. It concentrated, in the early stages, on criminal law reform, and it had plenty to do as there was a big backlog. After some years of working within criminal law reform the then Premier appointed the Hon. D. W. Simmons to the position of Chief Secretary, specifically with the task of implementing the recommendations of the Mitchell Committee. Now, it would be reasonable to assume—we make no apologies at all—that the Minister should be able to inform himself so that when he brought down a Bill it would reflect current penology methods. That is the Bill which the Minister inherited.

The Minister wanted to make great play of the fact that he was in Government for two minutes and he introduced the Bill. Anybody with half a brain would know that that does not happen—obviously it was inherited. We are quite happy, in the normal course of a change of Government, to accept that the draft Bills of one Government will be inherited by the next. We would be prepared to give credit to this Government for introducing the Bill if it was not for the petty political point scoring this Minister has been going on with in the last couple of weeks and, particularly, in the second reading explanation where he tried to deny that there was any input at all by previous Governments into this Bill. The reason that I am making this very point is that there are other indications of the Minister's attitude towards what he inherited. The Minister stated:

> Let us not forget the progress this Government has already made in the portfolio which was poorly neglected by the previous Government.

Members interjecting:

Mr KENEALLY: I agree. With hindsight, we would all wish that correctional services had figured prominantly in the reforms of the Dunstan Government. However, we had so much to do in the areas of hospitals, education, law and in a whole range of Government activities. We would have wished to see correctional services with a higher priority but it is historical that it was not. Reforms that we so badly need have been delayed for 2½ years by this Government when it had a Bill before it. The previous Government had no such Bill before it; it was working on the Bill and it produced a Bill. This Government inherited a Bill and for 2½ years sat on it and did nothing. That is where the criticism should lie. If it has a Bill and does nothing—

Members interjecting:

The SPEAKER: Order! A number of members wish to speak on the subject but only the member for Stuart has the floor at the moment.

Mr KENEALLY: You, Sir, show perfect judgment.

The Hon. H. Allison interjecting:

Mr KENEALLY: That statement has never been proven more adequately than by the Minister's comment—a classic example.

Mr Mathwin: Tell us about Don Simmons and his trip.

The SPEAKER: Order!

[Sitting suspended from 6 to 7.30 p.m.]

Mr KENEALLY: Prior to the dinner adjournment, I referred to the authorship of the Correctional Services Bill that is before us. I was proving, I am sure to the satisfaction of all members, that the claim that this Bill is due to some recent action by the Government is easily refutable. I was very impressed to see so many members on the Government benches, and I wondered whether they were there to defend their Chief Secretary or because of a natural response to the speaker. While I would like to believe that the second reason was true, I am fairly positive that the first reason would apply. I am pleased that the Government members were present, because I wanted to point out, as I intend to point out now, how pleased I am to notice that the benches opposite are full once again and that members want to hear what I have to say. The Minister has been receiving a fair bit of media play because of his activities in legislative

reform, the physical structures of our correctional institutions, and the reform that he is planning for those physical structures. However, publicity is one thing: the reality of life is another thing, and it is the reality of life to which I would like to draw the attention of the House.

Regarding legislation, the Minister inherited not only a draft Prisons Act Amendment Bill but also a Bill that was designed to set up the community service order scheme. To the credit of the Government and the Minister, that piece of inheritance is now embodied in legislation. It was apparent to the House today, much to the surprise of the Opposition, I might add, that the Minister, when asked whether or not the community service order scheme had been implemented—

Mr Evans: Has this anything to do with the Bill?

Mr KENEALLY: Absolutely, the community service order scheme has everything to do with the treatment of prisoners in South Australia. If the member for Fisher does not know that, I hope that he does not take the trouble to get involved in this debate. The only difference is that the scheme was dealt with by this Government under the Offenders Probation Act. If this Bill was all-embracing and covered all phases of correctional services, the community service order scheme would be embodied in this Act, as would periodic detention and other matters to which I will refer.

The community service order scheme has not yet been implemented in South Australia, because of the very fact that this Government has not made available the funds to the Minister to do so. It is not the fault of the Minister or the department: on this occasion, it is strictly the fault of the Treasurer. Twelve months ago we were told that this facet of correctional treatment of offenders in South Australia was most urgent and necessary: here we are today in February 1982, 12 months later, and that scheme has not yet been implemented. The Minister told us that the scheme may be implemented in the first quarter of the new financial year, in September 1982—this urgent and necessary scheme. Either this Government is fair dinkum about prison reform and the reform of our correctional institutions, or it is not.

Twelve months ago we discussed and passed the Bill in this Parliament to set up a prisons advisory committee, which was an essential and necessary reform within the prisons area. Here we are, 12 months later, and that committee, which the Parliament gave the Minister the power to establish, has not yet been established. However, we find that this Bill provides for that committee. The Minister said that the amendments to and new structures of the Parole Board have been implemented.

I would be interested to ascertain from the Minister whether conditional release, another major item in the Bill that we discussed 12 months ago, is now a fact of life. I rather suspect that it is not. I want to know whether this Government is keen to achieve headlines about the reforms that it is introducing in this very necessary area as against doing something, because that is exactly what it appears to be doing. Another achievement, I see from reading the Minister's second reading speech, is that the Government is proceeding with the remand centre in the Bowden area. When this Government came to office in 1979 it inherited a firm decision about where the remand centre ought to be built, and funds were made available to build that remand centre, which would now be almost completed.

Let us recognise this factor. The remand centre is the most vital part of implementing the appropriate segregation of the different status of offenders in South Australia. Until we have a remand centre so that we can get remand prisoners away from prisoners who have been sentenced, and so that there is freedom within prisons to make the appropriate segregations work, we can do very little. What has this Government done? The Minister says that the Government had to cancel the decision to build the remand centre at Regency Park because it was inappropriate to build on a prime industrial site. The Minister knows, because he has access to the docket, that the Industrial Development Department, as it was then known, approved the remand centre being built at Regency Park.

This Government, on a specious argument, or for a special reason, cancelled that decision, and here we are, 2½ years later, arguing about building a remand centre on a most inappropriate site in a built-up area which, in addition, is zoned commercial and industrial. I would like to know from the Minister what was inappropriate about the Regency Park site that is appropriate about the Bowden and Brompton site. The Bowden and Brompton site impacts on established houses and residents, yet this Government, here in the second reading speech, 2½ years after cancelling a decision that the previous Government made to build something for which funds were approved, takes credit for starting to build a remand centre. What we are seeing is a delay of 2½ years—nothing less than that.

The Minister says, in claiming credit for his administration, that among other things the industries complex at Yatala will be completed by April this year. The industries complex at Yatala is not an initiative of the Tonkin Government; it is not an initiative of this Minister, he knows that. The industries complex at Yatala is an initiative of the previous Government. The Minister inherited it, and now, in his second reading speech, he is taking credit for it as another item with which this Government ought to be credited. Of course, for some of the claims that the Minister has come forward with we do give him credit. It is not all pulling the wool over everyone's eyes. The Minister has taken some initiatives, and, as I said earlier, the Opposition is prepared to give him credit for those initiatives. However, the Minister has tried to deny the role played by the previous Government. He is the one who has tried to take credit for work done—hard, slogging work that was done by the previous Government—to get all these reforms up to a stage where he could implement them. If that hard, slogging work was not done, with the best will in the world the Minister would not have achieved anything within the time that he has been in the Ministry because the time was too short.

It needed the hard, slogging work which was done and for which he claims credit. The Government was going to build the remand centre, but as yet has not done so. It was going to do a lot within the area of legislative reform, but as yet nothing has really happened. The Government is now going to build a new super maximum security unit at Yatala.

I express a word of warning to the Government about any new super maximum security unit at Yatala. The Minister would know what has happened at Katingal, where there is a super maximum security unit in the Long Bay Gaol. He would also know what Royal Commissioner Nagel said about that. It was built at an enormous cost and is not being used because the Royal Commissioner recommended that it be closed, as it was inhumane.

So, let us be careful about super maximum security prisons. In Pentridge Gaol, in Victoria, a super maximum security prison to accommodate 50 prisoners was built. The cost of that prison was $11 000 000, which works out to $220 000 for each prisoner. Therefore, the interest charge alone to service the debt for each prisoner at that gaol is $30 000 a year, if worked on a 15 per cent interest rate, without any administration cost.

I suggest what Justice Mitchell suggested to the Government, namely, that it ought to look at establishing, outside Yatala, a minimum security prison at much less cost, which will accommodate many more prisoners, and then turn Yatala into a maximum security prison. I point out to the

Minister that in servicing the interest debt of $30 000 a year per prisoner, in which maximum security prisons involve Governments, the Government should employ one additional correctional services officer. That will then give added security within the prison. I suggest that the Government look at building a minimum security prison outside Yatala; it should be more in tune with modern day correctional service thinking and would be more in tune with the Minister's and his department's view as to what a current minimum security prison should be. Yatala could then be converted into a maximum security prison. At Yatala there is already much of the basic framework of a maximum security prison. It would require expenditure; no-one denies that. But, in the long term it would be much cheaper, as any economic assessment of the two suggestions would prove.

In his second reading speech the Minister referred to the Touche Ross Report. The Opposition believes that that report is good. The Touche Ross Report suggested, amongst other recommendations, that a position of Executive Director ought to be created within the Correctional Services Department. This position would be for a permanent head, and would be senior to the current Director's position. The Opposition agrees with that recommendation.

It is important, when appointing an officer to this new position, that applications be called over the widest possible field. I understand that, when the position of Director was vacant when the Minister assumed office, the Minister said that the current Director was appointed on the recommendation of the Public Service Board. That is no reflection on the current Director but it is certainly a reflection on the Government. This area of responsibility is vital to the continuing welfare of the community in South Australia.

The welfare of prisoners as it is reflected within the community can be described in the following way: offenders go to prison for punishment, not to be punished. Inevitably, most prisoners (some prisoners do die in prison) are required to come back into society. It is in everyone's interest, the community at large, that those people come back into society well able to take their place in society. Unfortunately, it has been the case that inevitably people who go to prison come out much more anti-social than when they went in. That is to be deplored.

I am not seeking to place the blame anywhere tonight. I simply make the statement that prisoners have to come back into society. Society is better served if those people come back able to take their place within the community and not with major chips on their shoulders, and to be totally anti-social. To ensure that this occurs we need the best possible correctional staff, and that starts right at the top. It is absolutely essential that the advertisement for the new permanent head be placed not only Australia-wide but also in international correctional service journals. Similar advertisements are placed on a worldwide basis for other specialist senior positions within the State Government. Will the Minister give an undertaking to the House, and to the Howard Society (which has written to me asking that I raise this matter), that he will give the advertisement for the position the widest possible circulation so that this State will have an appropriate person to fill the role of permanent head?

I do not believe that the qualities necessary for such a position are in plentiful supply. We want to be absolutely certain that the appointment is a success. In view of some of his previous appointments, will the Minister, when making the appointment, consider putting the officer on contract for the benefit of the incoming Government? This is such an important and delicate position, and that approach will give the Government some rights. I ask the Minister whether he will do the incoming Government that service by appointing this person on contract.

A moment ago I spoke about what this Government had done compared with what the previous Government had done, and I failed to make one or two points clear. In fact, I have a minute before me signed by the Director of Correctional Services and dated 8 August 1978. It states that the Yatala Labour Prison's industries complex stage 1, $600 000, had been funded and that Yatala Labour Prison's industries complex stage 2 (design only), $60 000, had been approved. That reinforces my assertion that the Minister's claim that this was an initiative of the current Government is false, because it was not an initiative of the current Government. In reply to the member for Glenelg and one or two other members opposite who wanted to know whether the previous Government did anything at all in relation to the bricks and mortar side of correctional services, I can only say that we did not do as much as everyone would have liked the previous Government to have done. However, we did more than the previous Liberal Government did for the 30 years that it was in power prior to that. In the past 40 years or so the Labor Party has been in Government for only 11 years; the State has been governed by those members who now sit on the Treasury benches for 30 years. Members opposite should not try to escape some of the responsibility, which is what they are trying to do.

The Women's Rehabilitation Centre was built by a Labor Government. Certainly, the Port Augusta prison was built during the time of the Dunstan Government and, as the member for Flinders could tell the House, he would recall the second stage of the Port Lincoln prison having been built during the 1970s and completed in about 1976 under the Dunstan Government.

The member for Mount Gambier (the Minister of Education), who is temporarily absent from the Chamber but who was most vocal prior to the dinner adjournment, knows that the prison at Mount Gambier was upgraded during the 1970s at the cost of the Dunstan Government, and of course there are other examples. I would not have needed to identify these initiatives of the previous Government, because it might possibly be that some of the early work on those constructions was initiated during the period of a Liberal Government. I do not know, but I do not doubt that that could have been the case. What happens is that decisions are made by one Government and flow into the period of another Government. Members ought to accept that and not try to make petty political capital by making false claims. That has been the purpose of my comments here this evening.

I do not want members to believe that, merely because the new Bill is based on the inherited Bill, we agree with everything in it. Of course, we do not. Obviously, many of the clauses have been changed to suit the particular philosophy of the Government. I see smiles in the Chamber. The format is the same. Many of the clauses have been changed (instead of being No. 32 a clause is now No. 26), but the format is the same; the basic philosophy or principle is the same but there are differences between the philosophy which the current Government places on certain aspects of prison reform and the philosophy of the preceding Government, and this Government has effected those differences.

I have stated that firmly and, if in Committee there are any doubting Thomases, I will soon smash those doubts. This Bill is based on the Labor Party Bill. There will be differences and, unfortunately, those differences and detractions from the previous draft have not improved the Bill; in fact, they have made it worse.

I will be taking up many of those issues in Committee. As the Minister recognises, this is a Committee Bill, and I

imagine that there will be much discussion during that stage. One thing that saddens me as the Opposition spokesman on this Bill, knowing what groundwork had been done and what was intended to be done before 1979, is that there are some notable exclusions from the Bill. As I have stated, for some reason of which I am unaware community service orders have not been included in the Bill, yet it would be much more appropriate for them to be included.

Mr Mathwin: That has already passed this House.

Mr KENEALLY: The member for Glenelg has just demonstrated his appalling ignorance of what we are discussing. About 12 months ago a Bill passed this House concerning the advisory committee, amendments to the Parole Board and conditional release, and they are all dealt with in this Bill. Now the honourable member says that we cannot include community service orders in this Bill because they are dealt with elsewhere. To say that shows his appalling ignorance, and I hope that the honourable member will not participate in this debate.

I am now expressing my regret that we do not have an all-encompassing Bill, because there are other areas of prison reform that ought to appear in this legislation. One is the periodic detention system. I believe (and it is the belief of my Party, as it was our belief when we were in Government) that the courts should have the widest possible sentencing options available to them, and I suppose that the normal sentencing options are conviction without penalty, fines, bonds, suspended sentences, and imprisonment.

We believe (and this is why we supported the community service orders) that there are other options that ought to be available to the courts, because many people at present in our prisons in South Australia ought not to be there. Prisons are places where serious offenders should be so that they are taken out of the community, but recent statistics show that 65 per cent of all prisoners serving sentences in South Australia are there for a shorter period than 28 days. Those persons are minor offenders and the courts place them in prison because suitable options are not available to them.

It is our view that such persons should not be in prison, because if prison is anything it is a training ground for criminals, so people who go to prison for 28 days for a minor offence can come out with the skills that will enable them to commit offences that ensure that they go back for more serious offences and for longer periods in gaol. We should not put people in gaol for longer periods not only because of the great social problems that that creates but also for a purely economic reason.

Prisons are extremely expensive, and appropriate forms of penalty that are less expensive than prisons ought to be considered, and periodic detention is one of those. This Government has failed to address itself to that very worthwhile reform. Periodic detention is a system that comes between non-custodial and custodial sentencing. It is the step between not placing people in gaol, placing them on bond, suspended sentences, community work service, or putting them in prison. What periodic detention means would be that the Government would have to establish a system whereby offenders who have been sentenced to periodic detention would be required to attend the periodic detention centre at weekends.

They can go to work during the week. At weekends they would be required to attend the centre, where they would work from 8 a.m. (as I understand they do in New Zealand) to 5 p.m. They would be under the control of a correctional services officer and would be required to do worthwhile work. If such worthwhile work is not available, periodic detention would require these offenders to spend Saturday and Sunday in prison from 8 a.m. to 5 p.m. so that they would have some idea of what the prison system is all about. To those who believe that going to prison is like being tapped on the knuckles, I can only say that they have never been inside Yatala Labour Prison. It is the most depressing place. Even if you go to visit, you cannot get out through those large gates quickly enough. Any time spent in prison is a very serious penalty.

There is no such thing as going to prison for a tap on the knuckles. It is not like that at all. Deprivation of one's liberty is a very serious penalty and those who believe that one, six or 12 months in prison is a light sentence obviously do not know what the prison system is about, but periodic detention will save minor offenders from that experience, except in the case where appropriate work is not available to them.

That is a sentencing option that should be available to the courts in South Australia. It is one that I commend to the Minister, and one that I know he has examined. I think that the Minister has been to New Zealand to look at periodic detention, and has looked at the system in Victoria and that in Tasmania. I am certain that he knows the difference between periodic detention and community service orders, although in discussion or under questioning it sometimes does not seem apparent that he understands the difference. However, I think that he does, and I want him to address himself, when he replies to the second reading debate, to why the Government has not included that very worthwhile reform.

Another prison reform that the Government could have addressed itself to is the work release programme, a system whereby prisoners due to be released into the community are placed in a half-way house. The system works in Western Australia. In West Perth there is a work release centre. This centre is as much like a normal house as is possible. Prisoners who are due to be released into the community are placed in that centre; they are found work, and they must work regularly five days a week; if they do not attend, if they offend against the work release system, they are immediately taken back to prison.

The people participating are chosen as those appropriate for the work release system. As I understand it, the method works very well in those areas where it has been implemented. It is a way of getting people back into the community. These people are paid a salary, which is then paid to the correctional services or prisons department, out of which money is taken for board, to assist in the prisoner's home situation, family situation, or things of that nature. Spending money is provided to the prisoner. Whilst a prisoner earns a living, that living goes towards the cost of his incarceration. It is a system that I would recommend to the Minister and one of which his department would obviously be aware. Here we have a Bill to amend the Prisons Act, an all-encompassing Bill we are told, yet it does not allow for the work release programme.

Mr Mathwin: It is not an amendment; it is a rewrite of the Act.

Mr KENEALLY: The member for Glenelg is right; it is a rewrite of the Act, but there is no mention in it of work release programmes or periodic detention. I accept the assistance of the member for Glenelg. I agree; of course it is a rewrite, but these reforms should be in it.

Mr Mathwin: The honourable member just does not understand it; he has no idea. The lad has only just been put in that position; he was better off with water.

Mr KENEALLY: The member for Glenelg is a humble back-bencher in the Government and I think that the fact he will remain so is all that needs to be said. No further comment is required from me when he is contesting whether or not I know what I am talking about. I believe I do, but even if I did not, I have such a good draft to refer to I feel confident in what I am saying.

Mr Mathwin: You have not spoken to the Bill yet.

Mr KENEALLY: I am speaking to the comments made by the Minister in his second reading explanation. The honourable member should direct his criticism to the Minister. A staff creation scheme would give a better structure to the correctional services area and is long overdue. I do not think anyone would disagree with that. The Minister is to be applauded for accepting the Touche Ross report recommendation in that regard. I realise that the staff creation plan will take five years to implement, which means that there will probably be six new positions a year; it is not rapid progress, but it is progress. I hope that funds and resources are made available to the Minister to implement many more of these positions before he moves gracefully to the back bench and one of those eager people who seem to want to participate in this debate take his place.

We would have a number of differences with the Government on specific matters within the Bill. One is the establishment of the Correctional Services Advisory Council. The Minister says that this was as a result of a recommendation by Justice Mitchell—

Mr Mathwin: That's true.

Mr KENEALLY: —which is true. The member for Glenelg is right for the first time this evening. Of course, the judge recommended that that council be chaired by a judge of the Supreme Court, and the Minister has not seen fit in his Bill to accept the judge's recommendation. In fact, we have an amalgam of what Justice Mitchell recommended and matters on which the Minister thought she was wrong, and on which he could improve on her recommendations.

The Hon. W. A. Rodda: Judges are not keen on taking on positions in this day and age.

An honourable member: Not with this Government.

Mr KENEALLY: No. They were a couple of years ago and I expect they will again next year. One aspect of conditional release which I ought to deal with in the second reading debate rather than in Committee, is the system of the superintendant applying a certain number of days remission per month. Ten days remission per month is available to a prisoner if he or she does not offend. So, no penalty is applied. That could be achieved under the current system but, as I understand it, the department has not done that because it is administratively very inconvenient. That is exactly what Justice Mitchell said in her report. I wonder why, in this new prisons legislation, we are implementing a system which, under the current legislation, the department has found difficult to implement. On page 71 of her report, paragraph 3.10.1, in regard to remissions or conditional releases, Justice Mitchell said:

> 3.10.1 Practical Operation. Since it is clerically burdensome to allocate merit marks for each prisoner at the end of each month of sentence served, the maximum remission to which he may become entitled is calculated at the beginning of his sentence and credited to him subject to reduction for subsequent disciplinary offences. However convenient, or even necessary where prisons are understaffed, this mode of proceeding makes a fundamental change in the prisoner's attitude to remission. Instead of its being a benefit to be earned it becomes an automatic reduction of his sentence. If he subsequently loses remission for unsatisfactory behaviour, which means in effect for the commission of a disciplinary offence, the result is seen by him as an increase of his sentence which has to be justified. This may be of little consequence to the disciplinary aspect of the remission system but it reacts poorly on the rehabilitative aim. The positive aspiration of working for a benefit becomes the negative precaution of not incurring an extension of sentence. This in turn leads more to a preoccupation with observing prison rules than with reformative attitudes.

At paragraph 3.10.3 in her report the judge states:

> 3.10.3 Defects of the Remission System. The discrepancy between the remission system envisaged in the prison regulations and the actual practice of remission described in paragraph 3.10.1 above can no doubt be overcome by bringing the practice into conformity with the regulations, but this would be at the expense of imposing on prison staff an onerous bookkeeping duty in respect of merit marks. We do not believe that such a change would be worth the time and effort.

Despite the very clear recommendations of the Mitchell Report, and despite what I understand to be the experience of the Department of Correctional Services, the Minister has introduced this measure that appears to be less than desirable.

Another matter to which I will refer, probably at greater length, during the Committee stage is the problem experienced in South Australia and Australia in the high predominance of Aborigines in prison in relation to their number in the community. I recommend that all members read page 202 of the Mitchell Report, which describes the scale of this problem of Aboriginal offenders. It is interesting to note what the Mitchell report had to say.

I bring this matter to the Minister's attention to give him fair warning that, in Committee, we will again seek to have an Aboriginal person on the Advisory Council and the Parole Board. On page 202, under the heading 'Scale of the problem' (and the statistics are 10 years old, so I suspect the problem now is even worse), the report states:

> The total population of South Australia in 1971 is given in the *South Australian Year Book* for 1972 as 1 172 774, from which it may be inferred that the present population is approximately 1 200 000. The Aboriginal component is estimated to be about 9 100. This means that Aborigines are less than 1 per cent of the population of this State. Three-quarters of one per cent is a fair estimate. We emphasise that figure. Of all male prisoners admitted to South Australian prisons in 1965, Aborigines comprised 5 per cent. By 1968-69 this proportion had risen in a steady progression to 25 per cent. During this time the largest single annual rise was in 1964, when the proportion climbed from 10 per cent to 14 per cent. There have been no significant falls. The present situation is that this single segment of the community, three-quarters of one per cent of the whole, supplies upwards of 25 per cent or one-quarter, of male offenders admitted to prison, and that that proportion, on the latest available figures, continues to rise.

I believe that the latest figures would show that the proportion is still increasing. The report further states:

> The proportionate picture for female offenders is even more startling. Owing to the relatively small absolute numbers involved, because there are far fewer female than male offenders, the rate of increase over the same period shows sharp variations both up and down, but the overall progression is the same. In 1956 the proportion of Aboriginal females admitted to prison was 18 per cent of all female prisoners. By 1968-69 this figure had risen to 43 per cent, having reached a peak of 57 per cent in 1965-66. Having regard to these figures it is safe to assume that at the present time not less than 25 per cent of all persons admitted to prison are Aborigines and that unless some ameliorative steps can be taken that proportion is likely to continue to increase.

It is interesting to note that a statistical graph for 1972 provided in the report showed that in Yatala the proportion of prisoners who were Aborigines was 9.41 per cent; Adelaide Gaol, 7.39 per cent; Cadell, 12.88 per cent; Mount Gambier, 5.95 per cent; Gladstone (and that prison was shut down by the previous Government—an achievement, considering its facilities), 32.95 per cent; Port Augusta, 46.62 per cent; Port Lincoln, 65.65 per cent, three-quarters of the prison population; and the Women's Rehabilitation Centre, 34.12 per cent.

I believe that those figures are as current today as they were in 1972, and that the present situation in regard to Aboriginal offenders is very serious. Because the problem is very serious, I believe there should be representation from that section of the community on decision making bodies, such as the advisory council, which could have an input into the needs of Aboriginal prisoners. I am sure that the Minister would know, or his Director could certainly tell him, that at times the needs of Aborigines are different from the needs of other prisoners. There should be representation also on the Parole Board.

I think it would provide a great stimulus to the Aboriginal community to have people appointed to that board. It has

been my experience, as member for Stuart representing Port Augusta now for 12 years, that the most dramatic improvement of behaviour amongst some of the Aborigines who are less able to cope is in those areas where it is quite apparent that the decisions affecting their lives are being made by Aborigines and not by non-Aborigines. These people respond very readily to decisions that they can see are being made by people who understand them and who are largely of their own ethnic background. This does not mean that other non-Aborigines do not understand their problems; they do. But I make the point that Aborigines seem to respond, for very obvious reasons, to decisions made by their own people. During the Committee stage, we will be seeking to move amendments in that area.

We are pleased to see the changes in relation to the censorship of prisoners' mail and also parcels that go in and out of prisons. We do not agree totally with all of the clauses in this area, because all of those clauses are not strictly in accordance with the draft that the department and the Minister received—very nearly, but I will be pointing out in the Committee stage where there are differences. Nevertheless, there are significant improvements, and we acknowledge them.

One of the important aspects that came out of the Royal Commission report, and I do accept that there have been some (in fact, I suspect that there are one or two matters in this Bill, no more, that might directly be traced back to the report), was that the Royal Commissioner recommended that prison officers should be given clearer guidelines as to the extent of force that they are able to use in certain circumstances. In this Bill, I think on two occasions (one is in the provision for search and the other a provision which does not come readily to mind), prison officers are told that they can use what force is necessary, and only what force is necessary.

I believe that there is no place at all in our correctional services for anybody who would enjoy inflicting pain or inconvenience, either mental or physical, on another person. That applies equally in the prisons, as it does anywhere else. There is no place in our prison system for prison officers who would unnecessarily inflict mental of physical pain on the prisoners. Having said that, I acknowledge that it is a fact that some of the worst possible criminal types (not all) in South Australia are in prison, and prison officers have a very difficult task. It has been reported to me by representatives of prison officers that, as a result of the Royal Commission's findings, they believe that currently they are in a bit of a grey area as to just how much force they are able to use. Of course, it is common sense that only force that is reasonable ought to be used. On the other hand, the Royal Commissioner quite specifically recommended that the degree of force to be used ought to be specified so that the prison officers can have some guidelines from which to work.

Mr Mathwin: How on earth do you define that?

Mr KENEALLY: The Government ought to address itself to this matter. The Royal Commissioner thought that it was appropriate to make such a recommendation. I would like the Government and its resources to address itself to this matter. I agree that there are difficulties in writing it in legislation or regulations. Nevertheless, it is an area to which the Government should address itself. The prison officers and the Royal Commissioner believe that that ought to be the case.

Another administrative action that I hope the Government will implement, because, again, it is not a matter for legislation or regulation, is the vexed question of the hours that prisoners are able to spend out of their cells. In the letter from which I read earlier from the Hon. D. W. Simmons and which the *Advertiser* obviously neglected to print, he stated that this had been an ideal of the previous Government. Recently I have received a letter from an irate mother, as have so many other members of Parliament, who believes that the system in South Australia is not only archaic, but is almost brutal. I suggest that the length of time that prisoners spend in their cells in South Australia is longer than is spent in prison in any other 'civilised' country. I do not believe that that is desirable. Prisoners ought to be able to be out of their cells for a much longer time than currently is the situation. Whether this is an industrial problem or a problem of additional staff or whatever is a matter that I ask the Minister and the Government to address themselves to.

The major impact of what happens in prisons is written in regulations. This piece of legislation will not be proclaimed until those regulations are ready. Can the Minister, if possible when he replies to the second reading debate, advise the House when the appropriate regulations for this Bill will be promulgated, so that the Bill can be proclaimed? Without those regulations, this is only another piece of paper, like the piece of paper the Minister introduced last year that has not been implemented in a large part.

Much more can be said of a more specific nature, and I will be doing that during the Committee stage. The Opposition is pleased that this measure is before Parliament at last. We deplore the fact that it has taken the Government 30 months to introduce to this House this legislation that it had available to it. What members on the Government benches are unable to comprehend is that, unless you have a Bill, you cannot introduce it to Parliament. The previous Government did not have that Bill until September 1979. This Government inherited it. There is no excuse for this Government to have delayed the introduction of the Bill. We are pleased that it is now before the House, but deplore the delay. We are anxious to see the appropriate reforms implemented, including the segregation of prisoners, which is a vital fact of prison reform.

We deplore the delay in the building of the remand centre, which should be nearly ready for occupation now. We should be doing something about a very serious situation in which we have minimum security prisoners in with maximum security prisoners; where we have minor offenders subject to the influence of hardened criminals; where we have young people and people who are hardly entitled to be termed criminals exposed to the very worst criminal element in South Australia. We are sentencing these people to tertiary education of criminal life. We are opposed to that, and we deplore the fact that that situation still exists.

Mr Mathwin: Justice Mitchell said that it should exist close to the city. You read her report.

Mr KENEALLY: Based on the argument of the member for Glenelg, 'close to the city' would be in the Sturt Street parking lot. How does the member for Glenelg support Bowden as against an inner city location? If the member for Glenelg supports Bowden in preference to Regency Park because the Mitchell Report said it should be close to the city, why does he not support an inner city location? His Government did not agree to that and neither did the Labor Government. The prime site and the appropriate site was the Regency Park site. The present Government made a bad mistake by not proceeding with that site.

In conclusion, I repeat that the format of the Bill and the areas of reform that it introduces are generally agreed to by the Opposition. However, the Opposition disagrees in specifics and the Committee will be invited to debate those matters. In particular, we are disappointed that some very important aspects of prison reform, which this Government should be aware of through its departmental officers (and I suspect that the department has told the Government about them, but that the Government has rejected that

advice) have not been included in this Bill. That is one of the vital areas where the Bill falls down. We support the second reading of the Bill, and will be moving amendments at the appropriate time.

Mr CRAFTER (Norwood): I am pleased to join this debate, albeit briefly. I congratulate the member for Stuart on his speech. This is an important Bill, and he has very accurately covered the Opposition's views on this matter. The Labor Party was closely associated with this area of law reform throughout its term in office, and it has been recognised throughout Australia for that. From the outset I must say that reform of the penal law and penal institutions is a slow process indeed. It is just not achieved within the life of one Parliament, if it is to be done well. It takes many years and long-term planning, particularly with the horrific situation that the Labor Administration inherited in the late 1960s.

We have prisons in this State which are regarded with disbelief when inspected by penal experts from other nations. In fact, there are few prisons, even in developing countries, that can rival the antiquity of the Adelaide Gaol, for example. The conditions in that gaol cannot be remedied by the most brilliant of architects or the greatest of penal reformers. The building is a museum piece, and that is what it should become as quickly as possible. There is no way in which one can justify large expenditures of money to keep that building going as a penal institution in this State. That is an example of the problems facing penal reform in this State, because it is not a simple matter just to close down a building which has been a cornerstone of prisons in this State since it was established.

Also, I believe that the approach taken by the previous Government was correct. First, it was important that there be a thorough examination of the law and its implications on the facilities surrounding it. That was conducted by an expert committee. No honourable member would criticise the expertise of the Criminal Law and Penal Methods Reform Committee chaired by Justice Mitchell. The reports that came out throughout the 1970s are important documents in the light of penal reform in this country and are valued highly and have been the subject of law reform in other jurisdictions throughout this country.

Once again, one cannot embark on a wholesale programme of reform when one considers that the work of the Mitchell Committee encompassed most of the 1970s, and most of those reports were dovetailed. In fact, as the reports progressed some of the attitudes of members of that committee changed, and that is only to be expected where an expert committee goes into an aspect of the life of this community so deeply as it did, given that there have been rapidly changing views in the areas of criminology, penology, psychology and psychiatry. Studies are undertaken and published each year which throw new light on the approach that responsible and humane government should take in dealing with the problems associated with those who offend against the proper standards of any mature community.

Members can see that there have been changes in attitude even since this Government has been in power. That was why I asked the Chief Secretary my question earlier today. I must admit that I was disappointed that he saw fit to simply reply in snide remarks about my challenges to certain elections and that he decided not to answer the substance of that question. It is important to the public of this State that we know what lessons the Government has learnt as a result of the important Royal Commission which inquired into the serious allegations made about the administration of prisons in this State, as well as the conclusions that could be drawn from the Touche Ross Report and other studies and work undertaken not only in South Australia but in other States and countries.

As the Minister has stated publicly, it seems that this Bill was ready a few weeks after the Government came to office, and I suggest, on a perusal of the Bill ready for presentation by the former Government, that little has been learnt from those expensive and extensive studies that have been conducted since the Government came to office. I refer to the comments made in the Royal Commission's recommendations. Under the heading 'Deprivation of Liberty as a Punishment', Mr Clarkson stated:

> It is important to achieve a regime which recognises that when the punishment for crime inflicted by the courts is imprisonment that deprivation of liberty is itself the punishment. This deprivation carries with it restrictions on movement and communication, that additional sanctions such as assaults, threats of it, or any other cruel or unusual punishments are unauthorised and it is the responsibility of the prison authorities to take all reasonable care to prevent them.

These words are important for legislators and people holding Government office to reflect on. I am suggesting that the very institution itself has been one of cruel and unusual punishment.

As the member for Stuart has stated, the deprivations with respect to hours spent in cells alone can amount to a cruel punishment upon persons, especially the lack of dignity and proper latrine facilities, and the like, and the many other aspects of prison life which can be brought under either physical or psychological aspects of cruel and unusual punishments.

Yet here we have the Royal Commissioner saying that the deprivation of liberty is itself a punishment. I think that is a concept that is just not understood in the community. Of course, this Government came to office on the banner of law and order. It is a Government that promised to overcome the problems in our society with respect to criminal elements, as it called them. It is a Government that boldly published crime statistics. It abused all the tenets of explanations of statistics. It used them for its own purpose to scare the community.

I remember the surveys done throughout the late 1970s by the member for Coles. House after house received circulars that occupiers were asked to fill out. One question that I remember clearly was, 'Are you prepared to allow your infant children to go to the park by themselves?' Of course, very few responsible parents would allow their young children to go to the park by themselves, so we find some months later the member for Coles saying that she had conducted a survey and that over 90 per cent of parents were not prepared to let their infant children go to the parks in these suburbs alone.

I believe that that is the sort of abuse of our political system that we see so often from the Parties represented opposite. That is the thing that the community conjures up as being answered by a penal system and by laws. I say that no law reform in this area, no extension of the law, will in itself solve the problems that we face. They are not going to be overcome by us, by the legislators: they are going to be overcome by changes in society, changes in persons' attitudes, more equal opportunity, the elimination of poverty, and the creation of more jobs, proper housing, and so on.

In those ways we will find that the crime which is rife in our community and which has increased, not reduced, markedly under this Government, will be attended to. I think it most unfortunate that we have a Government that has promoted in the community the philosophy that prisons themselves and the law will solve the problems of crime. In the Royal Commissioner's report, we have a debunking of that philosophy by his saying, 'No, you cannot expect

prisons and the prison system to simply punish people and expect that that will overcome the problems.'

I note in the Royal Commissioner's report some comments that I find of great importance, and the member for Stuart has mentioned them. The Royal Commissioner talks about particular groups of people and how our prisons can attend to the particular needs of these people. He bases it on the eventual aim of our penal system, and that is to rehabilitate people, to send them back into the community as persons who have respect for other persons and their property and respect for themselves and can leave prison holding their heads up with dignity, not as persons who are subjected to the scrap heaps of our community.

In various parts of the report the Royal Commissioner goes through those groups of people and points out their particular needs. He refers to young persons. I have had representations from lawyers and from the parents of children who have been ordered to prison, not to juvenile institutions, by judges in our courts. Those judges felt that the crimes that had been committed by those young people were of such a nature or that their behaviour was of such a nature that they should be sent direct to prison.

Mr Mathwin: It's very infrequent, though, isn't it?

Mr CRAFTER: Well, there have been a number of instances of this in the past six months in this State. Indeed, these people are children; they are under the age of 18 years. For example in Pentridge prison there has been a young offenders group for many years, and there has been segregation of children ordered into prison. These are people who are at the very crossroad of their life. They can, as the report suggests, mix with hardened criminals, with people who play upon such young people and who can corrupt their attitudes and jeopardise their future opportunities to re-enter a normal life style. That is something which I think is most important but which I do not see addressed in this Bill.

We need special facilities, special laws with respect to children who are ordered into our prisons. We know of studies such as those expounded in Hawkins and Morris' book *The Honest Politician's Guide to Crime Control*, a book that is well worth reading by every responsible person in the community. That book mentions the criminogenic effect of a prison upon many an unsuspecting prisoner who is an amateur in the life of crime when he goes into prison but who comes out a rather much more accomplished criminal with a much larger repertoire of friends who can help him embrace that unfortunate way of life. The Royal Commissioner talks about the criminogenic way of life when he talks about inexperienced prisoners. I thought that was a rather quaint expression to use, but I had occasion to go to Yatala recently to visit a young constituent of mine who would most certainly be in the category of inexperienced prisoner, and the great risk to which such persons are exposed in open prisons came home very vividly to me.

It is obvious from the Royal Commission report that the segregation and classifications that go on within the prison system are quite ineffective. The Royal Commissioner also talks about 'grey area prisoners', once again, a rather quaint expression to overcome a multitude of enormously complex problems. The classification of psychologically disturbed persons who offend against the law and the capacity of the courts to understand the nature and extent of their offences are very complex matters. On many occasions one gains the opinion that prison is probably the only safe alternative that a judge has in dealing with one of these persons. There is the risk that if a person is returned to his home or to conditions in the community from where he has come the community will be at risk. Therefore, these persons are sent off to our prisons. The Royal Commissioner concludes with comments on the inadequacies of the prison system, the buildings and indeed the staff to deal with such people. He says, for example, that the accommodation is just unsuitable. He states:

> The members of the staff have no training in dealing with such cases and neither the accommodation nor the regime is suitable for them.

These are a very vulnerable group of people in our community, people who are not fitting into the penal system. Mention is made about the revolving door concept, jargon which is so popular amongst social workers, psychiatrists and psychologists working in this area. Indeed, it is a very sad reflection on a group of people who do in fact tread that revolving door.

The Royal Commissioner also talks of homosexual activities in prisons. That problem will not go away. Indeed, the Royal Commissioner's report, in my view, is most inadequate in glossing over this very real problem in prisons. His conclusion is inadequate and quite unreal. The Royal Commissioner states:

> The simple and direct approach would be to prohibit all sexual activities in prisons and, if a breach of that prohibition occurs, to charge the offenders accordingly.

I believe that that is not a realistic attempt to grapple with this problem at all; it is a very real problem. There is clear evidence of that. Indeed, it is one of the most frightening aspects of prison life today. There is great concern in the community, particularly by parents of young men and some children who go to prisons, in regard to homosexual activity. One can envisage no more unnatural a climate in which a homosexual could be incarcerated; in close quarters with so many other disturbed males month after month in most unnatural circumstances. The Royal Commissioner has chosen not to look at this problem as seriously as I believe it deserves to be looked at. I do not know the answers myself, but I think a number of important studies conducted in recent years have looked at this problem. Indeed, it is not unrelated to the very important discussion that is going on amongst penologists about conjugal rights for prisoners. There are indeed some reforms going on in this area in Australia at the moment. If we are to return prisoners to the community as responsible persons who can go about their daily life and take their place again with their families and in the community, these aspects of our community are real and must be attended to.

The statistics to which the member for Stuart referred this evening with respect to Aboriginal offenders are appalling. They are the sort of figures that are produced from time to time at international forums, particularly by the United Nations. They are, of course, damning evidence of our neglect of Aborigines in this country. I refer to the ability of our system to deal with these persons who are, on all the evidence, the poorest in our country yet experience the least employment, suffer the highest mortality rates and the most sickness, are the most illiterate, do not penetrate our education system, and live on the fringes of our society.

We find that those Aborigines end up in prison when they offend against our society. As has been said, prison becomes a home away from home. They accept the welfare concept with respect to that very sad group of people in our community. That has been true for generations. Australians thought that the Aboriginal race would diminish in size, and that in that way the problems would disappear. Others believed that they would assimilate in white society and that the problem would disappear in that way. Others did not want to know that they existed. The reality of the situation is that the Aboriginal birth rate is much higher, despite its high mortality rate, than that of the white population in this country.

Indeed there is a growing number of Aborigines in this Australian society. This problem will not go away. It is just

not satisfactory that prisons are loaded with people who, in the main, are the subject of minor offences, often street offences or offences related to one's impecunity, alcoholism, illness, or to one's presence being objectionable to other sections of the community. It is most unfair that the prisons have been asked to do what they have done since the foundation of this country in regard to the Aboriginal community.

Once again, this problem is not addressed in the Bill before us or in the institutions in our penal system. The work of the late Elizabeth Eggleston and the outstanding research that she did in the 1960s are clear evidence of the need for law reform in this area which will be creative and which will deal with the problems of Aborigines in a more humane way that will help to change the attitudes of society that are responsible in large part for the present situations.

The other group that is predominant in the prisons is alcoholics. A large number of people are incarcerated in prisons because of their alcoholism—their illness. It may well be that their alcohol consumption has led them to commit other offences, some most serious offences, but nevertheless it can be shown clearly that alcoholism was the source of the problems that they experienced. Once again, we are asking the prison service to deal with the most complex and complicated medical problem. Although we have much greater range of institutions within Government and private institutions that deal with the problems of alcoholism, nevertheless a large core of alcoholics is still present in our prisons.

Once again, there has been no attempt in this Bill to dovetail the work that is being done in prisons with the work done in other institutions in regard to alcoholism. The extent of alcoholism in our community is well known to members and was raised with some degree of clarity when we debated the amendments to the Road Traffic Act last year. That brings me to the problem of the large number of people who have been imprisoned for drink driving. Until the Road Traffic Act was amended last year, up to 25 per cent of prisoners in this State were in prison as a result of drink driving. Hopefully, we will find that, with the new laws, fewer people will be put into prison because of drink driving. One can only wait and see what will be the effect of random breath testing and the substantial changes to the penalties that are embodied in the Act.

Once again, I believe that the incarceration of people for these offences in the main was counter-productive. Often the family was deprived of its income earner. Many men lost jobs in which they have had many years service and they might have found no alternative work. Great stigmas were attached to a person who had been to prison, and in that way his livelihood was destroyed. All these people (and one could add other groups) are indications of the complexity of our penal system and the task that it is being asked to do. I am disappointed that the Government appears not to have learnt from the Royal Commission report, the Touche Ross report, the studies that are being done, and the new evidence that is coming before us each month from within this country and from overseas.

The member for Stuart has said very forcefully, and I concur with him, that what the judges, magistrates and the justices of this State need is a range of sentencing options. They need as many options as possible so that they can try to work out for an offence that has been committed a punishment which will not dehumanise a person or cast him aside in our community but which will help him realise the error of his ways and help rehabilitate him. Wherever possible, that range of alternatives should allow for that to take place in the most natural environment possible.

I am sure that all honourable members would agree that, the longer a person spends in prison, the more difficult it is for that person to return to normal life in the community. That is why it is disappointing to see that the Minister, despite his personal studies in New Zealand and the other States (and, no doubt, his reading on the matter), and despite the advice given by experts in his department and others interested in this area, has chosen not to create a wide range of sentencing options. There are many such options that have proved to be effective. We find that the concepts of work release, period detention, establishment of half-way houses or hostels and the problems of conjugal rights, and all of the reforms that are taking place with respect to educational courses for prisoners, are not attended to in this measure. That is, indeed, disappointing, and I think that it is contrary to the recommendations of the Mitchell Committee and current penal reforms. We need not only to save the State money by keeping persons that I have suggested are basically suffering ill health, whether physical or mental, or who because of their ethnicity or because of—

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

Mr MATHWIN (Glenelg): I rise to support the Bill and to take this opportunity to compliment Chief Secretary Rodda on the speed with which this legislation has been introduced in this House. When one compares that to the shocking record of the previous Government and previous Chief Secretaries, one sees that the Hon. Mr Rodda has introduced this measure very speedily.

The DEPUTY SPEAKER: Order! I suggest to the honourable member for Glenelg that he refers to members by their district or title, not by their Christian names.

Mr Becker: It's such a long time since he has made a speech that he has probably forgotten.

The DEPUTY SPEAKER: Order! The honourable member for Glenelg does not need the assistance of the honourable member for Hanson.

Mr MATHWIN: As we have seen over the months, the audacity of members on the other side of the House, and their cowardly attacks on the Chief Secretary, show that they are trying to hide their own lack of responsibility.

The Hon. PETER DUNCAN: I rise on a point of order. I understand that the word 'cowardly' when applied to another member is unparliamentary language.

The DEPUTY SPEAKER: Order! If the honourable member for Glenelg directed it to an individual member, I would request him to withdraw that comment.

Mr MATHWIN: There was a complete lack of action—

The DEPUTY SPEAKER: Order! Is the honourable member going to withdraw his comments?

Mr MATHWIN: The comment was not directed at any particular member; it was directed at all the cowardly members on the other side of the House—every one of them, as a member of the previous Government and as a member of the Opposition. There was a lack of action in the area of prisons over the 10 years during which members opposite were in Government. I remind the honourable member for Stuart, the shadow of the Chief Secretary, who made the hypocritical attack on the Chief Secretary, of his own Government's inaction in this particular matter when he was in office.

I also remind the honourable member that it was Justice Mitchell's report which he flourished in this place. He pointed to what was to happen, and said how good it was. That report was laid on the table of this House in 1973 and, in relation to correctional services, it had 37 pages and stressed the importance of rewriting the Prisons Act and also the regulations.

Mr Lewis: What year was that?

Mr MATHWIN: That was in 1973. Members of the Opposition have told us that they had draft Bills ready to bring into this House. What does that mean? We do not know; that is a fiasco. It means absolutely nothing that they had Bills ready to bring into this House. What matters is what they did, and they did absolutely nothing and did not bring in a Bill. I understand that the previous Attorney-General in the Labor Administration had a Bill in 1975, which he sat on for many years; no wonder it is warm and hot. The reason why there was no action from the Labor Party when it was in power (and it had six years from the time the Mitchell Report was tabled) in connection with the shocking situation in relation to the prisons—particularly Yatala, as has been mentioned a number of times by members on the other side of the House, but they have failed to mention the Adelaide Gaol, which is also shocking, and which they failed to go inside—is that there are no votes in it. That is why no action was taken by the Labor Party.

The then Leader, Mr Dunstan, was well in the swing of things. I well remember the delightful picture he presented in Parliament, when he dressed himself in pink shorts to swing the electorate to a modern way of thinking, so that he could grasp any votes he could on anything, except the votes of the poor people in the prisons—the prisoners themselves. The reason why there has been no action from the Labor Party is that there were no votes in it. That is what it was all about, and it had a decayed, delinquent depression in this State. That is what it amounted to. It had a dead end Chief Secretary. The Labor Party had a few of them in the time it was in power, but I remember the previous Chief Secretary, the Hon. Mr Simmons, who, being Chief Secretary at that time, did not know what to do about the situation and went on an overseas trip. He visited many countries, so many that he could not make up his mind when he came back as to the best course to follow. The Hon. Mr Simmons was a 'no action' man, a good theorist and procrastinator general, because he did nothing, when he was Chief Secretary, in relation to the shocking conditions of the prisons of this State.

The Opposition talks about the number of draft Bills that were available. Where was this great piece of legislation? Why did the Labor Party not present it and say to the State that it wanted all these changes? Why did it not present some draft legislation at that time? It is no use talking about it. The previous Government did not produce it, so we do not know anything about it; and it cannot produce it now. The two chief law makers of this State, the previous Attorney-General, the Hon. Peter Duncan, and the Chief Secretary, the Hon. Mr Simmons, who worked hand in glove as the great law keepers of this State, could not do a thing about it.

They produced absolutely nothing in this place. If the then Chief Secretary, Mr Simmons, did not dare go into Yatala and similar institutions then, of course, the member for Elizabeth must have. One would have thought that he probably had some clients to see there. Perhaps he did not go there either. Perhaps the then Attorney-General, since removed, and now just the backbencher for Elizabeth did not go into that institution until his Party went into Opposition.

I will now deal with what the hypocritical Labor Party allowed to continue to occur in the Adelaide Gaol and at Yatala. I refer to an article which appeared in the *Advertiser* in 1972 under the headline 'Yatala prison out of date'. At that time the Labor Party suggested that if it was going to do anything at Yatala the best thing would be to improve the sanitary arrangements because there were no toilet facilities in the cell blocks at all. The then Government looked at the situation because the inmates had to use buckets, and some of them still do. The then Government must have been worried to a certain extent, because it thought that it would do something for the inmates at Yatala. The Labor Government costed the proposal and at that stage in 1972 the cost was about $350 000 to provide toilets in the cell blocks at Yatala. That great beneficial Labor Government, the socialist Party, the great public benefactors who did not give a damn about the people in prison because there were no votes to be gained there, decided that the scheme was far too dear, so they rejected it. They decided instead that they would provide porta-potties.

Mr Becker: At least they are more comfortable.

Mr MATHWIN: They may be comfortable. The Labor Government provided potties for the prisoners at a cost of $40 000, thinking that they would last for all time. We know well that that does not happen. Since the Liberal Government came into office the Public Works Committee has inspected Yatala prison, and it has been found that the cost of providing proper toilets in cell blocks will be $4 000 000. According to the Opposition, the Liberal Government is a hard Government which does not want to do anything for the prisoners of this State. The Opposition has accused the Government of shilly-shallying and dilly-dallying around since it came into office, but we have agreed to upgrade the sanitary arrangements at Yatala at a cost of $4 000 000. However, the previous Government—the great public benefactors which in those days professed to support the little man, the man in the street, the working man and the poor people—thought that $350 000 was far too much to provide proper sanitary arrangements for the poor prisoners at Yatala. Is that the record that the member for Stuart was so proud of in relation to his previous Government? I will now deal with the short period that the Liberal Party has been in Government. The Opposition should be absolutely ashamed of its record. It beats me how members opposite can stand in this House and condemn the Government and the Chief Secretary for what they have done.

Members of the Opposition ought to be ashamed of themselves and shiver in their beds tonight because of the show that they have put on over the past few months in attacking this Government's Chief Secretary. This is especially so when they compare the Liberal Government's record with the former Labor Government's record, which was nothing. The reason for the former Government's lack of action was that there were no votes in the issue at all. That is the simple reason.

What has the Liberal Government done since it came into office? In April 1980, the Public Works Committee approved the building of an infirmary at the Northfield Security Hospital. This will house 12 persons. Construction work commenced in September 1981. Stage I of the industries complex at Yatala was completed in December 1979 at a cost of $818 000. Stage II of the industries complex was completed in November 1980 at a cost of $1 826 000. Stage III of the industries complex is nearing completion and documentation is complete for Stage IV. That will be submitted to the Public Works Committee.

In November 1980, the Public Works Committee approved the building of a new remand wing at Port Augusta Gaol to house 37 inmates. Tenders will be called shortly and construction is expected to commence in late 1981. A new officers' mess was completed in October 1980 at Yatala Labour Prison at a cost of $345 000. A swimming pool was built at Cadell Training Centre and completed in October 1980 at a cost of $47 000. The acquisition and upgrading of an education block at Cadell Training Centre was completed in October 1980 at a cost of $83 000. Cell block conversion is continuing as an ongoing programme at Cadell, and this is the conversion from single cells to single rooms. Improved shelter and exercise facilities in No. 4 and 5

yards have been provided at Yatala Labour Prison. The site for a new remand centre has been chosen and has been referred to and passed by the Public Works Committee.

Mr Keneally: What about Regency Park?

Mr MATHWIN: The Liberal Government has proceeded following the recommendations of the Mitchell Report, which said it should be near the city and not in the backblocks. We should have some common sense. Let us get to the nitty gritty in regard to who did what. Sketch plans are being prepared for a new super-maximum security unit adjacent to Yatala Labour Prison. Funds in the order of $30 000 have been approved for a new education facility at Mount Gambier Gaol. Approval was given in September 1981 for the conversion of the old officers' mess at Yatala Labour Prison to a suite of offices for professional staff at a cost of $85 000.

The sophisticated T.V. monitoring and surveillance equipment at Adelaide Gaol and Yatala Labour Prison was installed and operational in May 1981 at a cost of nearly $1 000 000. Some of the recommendations of the Touche Ross Services Report were acted upon immediately following instructions from this Chief Secretary, that is, the Hon. W. A. Rodda, Chief Secretary of the Liberal Government, not the Chief Secretary of the former Labor Government. Now the Opposition tries to denigrate this Minister for what he has been doing during the short term he has been in office. The former Labor Government cannot touch his record; it cannot even start to get near the edge of his record.

In September 1980, the Government approved the purchase and installation of a radio communications system at Yatala Labour Prison and Adelaide Gaol at a cost of $261 000. Cabinet approved, in October 1980, the establishment of a full-time dog squad to increase activity in the detection of drugs. This employs a total of five staff and five dogs.

In regard to staff training, about which the honourable member of the previous Government who has been demoted did not say much, what has happened during the short period of the Liberal Government's office? The department's staff ceiling has increased from 572 to 619 personnel, and the majority of these 47 people have been employed as general duty and chief correctional officers. In addition, 26 additional promotional opportunities have been provided to the rank of Assistant Chief Correctional Officer, Grade I. There is a 24-hour manning of towers at Yatala Labour Prison and Adelaide Gaol and fully operational surveillance equipment. Finally, it was announced last week that the Government is going to implement the Touche Ross Report and the joint Public Service Board departmental report on staffing, so that 31 new staff, custodial and administrative, can commence duty over the next five years.

What was the Labor Party's answer when it was in office and when it had this great Chief Secretary, Simmons? What was his answer in relation to the situation of the workers, the warders and officers at the prison? He was proposing to extend overtime for the workers there. He was going to extend overtime for the officers, making it a permanent overtime situation, a situation that no custodial staff, whether in a senior gaol, or in junior departments, wanted to have, because it is difficult to work in those conditions, yet that was the best recommendation that could come from the great protector of the workers, the Labor Party, now demoted from office.

I have given the facts, and the Liberals, our Government and its Chief Secretary, who is denigrated so often by members opposite, have provided more staff. The Chief Secretary has been asked to do that and he has provided them. Another matter that I refer to is the A.D.P. project, to establish a computer-based offender tracking system, which commenced in April 1981. There was the establishment of prison clinical services under the control of Hillcrest Hospital as from 1 July 1981, as recommended in the Mylius Report. The list of the achievements of this Government that has been in office just over two year goes on and on. That is what it has done while the Opposition, when it was in office for 10 long, weary and hard years, did nothing for the conditions of the officers and warders or for the prisoners confined in the gaol.

We still have in Yatala the situation of the bucket system. They have these potty things, or the system of the bucket that has to be emptied. The cells have to be opened at a given time and the prisoners have to parade down the cell block to a sluice basin at the end and throw the stuff in there. Is that a situation that this Government should condone? We are very concerned about the position, so we have decided to alter that, at a cost of $4 000 000, but the Labor Government did not give a hang about the situation. It did not give a damn about the condition of the prisoners and the stench that was there. That Government just said, 'No. Because the cost of $350 000 is far too expensive, we will provide these potties.' That is the best that that Government could come up with.

It was absolutely disgraceful for the Government of the type we had in those days to say that it would support the workers of this State and the poor prisoners. We all know the reason for what happened in the prisons: it was because there was not a vote in it. That is what happened in that situation, and it was an absolute disgrace. I do not want to delay the House for too long, because I know that other members wish to speak. We have had a long drawl from the member who spoke for about an hour and 10 minutes and said nothing. Let us look at the Royal Commission, which was demanded by the Opposition. Members opposite, spearheaded by the member for Stuart, supported by his back-bencher, the member for Elizabeth, now removed, and the person who was the chief law maker of the State, said that we must have a Royal Commission into the happenings at Yatala and that we must look at the prisons because of the shocking conditions. Labor Party members did not say it, but they were conscious of the conditions and of what was happening.

They knew that it went on, but did nothing, although they expected the Government to do something immediately upon coming into office. So, after colossal pressure, after attacking the Government, and after trying to denigrate the Minister, my colleague and friend Chief Secretary, Allan Rodda, the Labor Party tried to force a Royal Commission, at high cost to the taxpayer, I might add; so, we had a Royal Commission.

Mr McRae: Are you objecting to it?

Mr Lewis: No, he objects to the need for it.

Mr MATHWIN: I object to the need for it. When the Labor Party was in Government it did not think an inquiry into prisons was worth while. Nothing in prisons was worth while! The then Attorney-General and the then Chief Secretary were hand in hand, both saying 'There is nothing wrong with our gaols; there is nothing wrong with our penal system. Let them use their buckets and potties in their cells; that is good stuff, we don't worry about that; let's leave them.' However, when the Liberal Party came into office, Labor members said 'We must have a Royal Commission into these conditions; this is disgraceful, why should the Government allow this to happen? Let's demand a Royal Commission, let's attack the new Chief Secretary.'

Mr Langley: You haven't mentioned McNally yet; you must be nearly due to mention McNally.

Mr MATHWIN: I refer to the report of the Royal Commission, because I am sure that the member for Unley has not read it. At page 13, it states:

The Honourable Peter Duncan was reported in the *Advertiser* newspaper of 11 September 1980 as saying that his investigations had indicated widespread corruption in the Department of Correctional Services.

At the Commission's hearing on 19 November 1980 counsel assisting the Commission said:

> '. . . I approached Mr Duncan in relation to the various allegations he has made in *Hansard* and also that he has made in newspapers as will show out when I discuss the matters into (the) media. Mr Duncan assured me of his full co-operation and advised me that he has given the whole of his material to Mr Barrett and Mr Barrett will be conducting those allegations before you, sir. Mr Barrett confirms that that is the case.'

By 26 May 1981 counsel for the prisoners had called no evidence of alleged corruption and counsel assisting the Commission wrote to Mr Duncan referring to a number of allegations including this one and inquiring whether there was any information Mr Duncan might make available relating to the allegations referred to.

In response to a further inquiry by counsel assisting the Commission, Mr Duncan wrote on 27 August 1981, saying:

> 'I thought I made it quite clear to you at our earlier discussions that I had no first-hand information to put before the Commission. However, I now appreciate, following your second letter, that you desire to have formal notification of that fact. Accordingly I now wish to advise that there are no matters known to me personally which I could usefully have put before the Commission.'

We should note that the member for Elizabeth had no first-hand information to put before the Commission, but he forced a Royal Commission. So much for the member for Elizabeth. Members can well recall the member for Elizabeth asking the Chief Secretary in this House about some prisoners who had died at Yatala. I was in a position later to ask a question and talk on the matter, and it was found that two or three of the men he said had died or committed suicide were still alive. In fact, two of them were happily working on the line, working in the cement area and the workshop area at Yatala. Yet the member for Elizabeth came into this House and said that they were dead. So much for his challenge.

I had intended to read a number of matters that have been brought before the public of South Australia over the years from 1972 to 1976, at which times we had a great deal of trouble in the prisons; so, it has not just happened. It did not happen only recently. Let me say to the member for Stuart and indeed to all members of the Opposition that they called for the Royal Commission, but they did nothing at all while they were in power. They talked about the draft Bills that they had ready, as they have done on many occasions, but that is a cover-up for their own non-action in this area. Who knows whether a draft Bill is ready? In any case it is quite irrelevant; it does not mean a thing. What matters is what happened. Did the Labor Government bring in a Bill? Did it bring in a Bill to revise the Prisons Act? Did it bring in a Bill to do something about the shocking conditions that existed?

It did precisely nothing at all, although it had the opportunity to bring about reform in that area. It had the opportunity to introduce reforms but it declined to do so for a number of reasons. I understand that Mr Duncan had a Bill in about 1976 and did nothing—he just sat on it. I understand that the Chief Secretary also had prepared a Bill and sat on it. They were like a couple of clucky hens sitting on draft Bills. The Chief Secretary toured the world to find out what the problem was and came back and did nothing about it. He may have drafted a Bill, but he sat on it. Where was the Bill in that time? Maybe it was in the Chief Secretary's office, maybe it was in the then Attorney-General's office. I understand that Mr Duncan at that time sat on the draft Bill and would not move off it. There must have been a good reason, because there was only talk from Labor Party members and no action at all. The reason for that is simply because there was no vote in it for them. I support the Bill.

The Hon. W. A. RODDA (Chief Secretary): I move:

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

Mr McRAE (Playford): I ask the House to note the last comments made by the member for Glenelg. In particular, I refer to his question about whether a Bill was ready, under the last Government, for presentation to the Parliament. I realise that I cannot cross the red line but I ask my colleague to take a document to the Chief Secretary. In your presence, Sir, and in the presence of the whole House, I ask the Minister to table that document.

The SPEAKER: The honourable member will be aware that he has no right to request such an action by the Minister, if the Minister does not desire to table the document.

Mr McRAE: Quite so. Obviously, the position has now become apparent to the whole House. I would like my copy back. I ask that you, Sir, direct that my property be returned.

The Hon. D. C. BROWN: I rise on a point of order. Is it possible for any member to table a piece of paper in this House which is not statistical information and which is not a Government docket?

The SPEAKER: There is no tabled document relative to the debate at present. I have already ruled that no member, other than a Minister, is required to table a document. A Minister, having tabled a document, whether it comes from a docket or otherwise, is then responsible for the document that he has tabled, but first the member, who is the Minister, must have the call of the Chair before being able to undertake any such tabling.

Mr McRAE: I ask one of the gentlemen on the front bench to give me back my property. I will immediately give this property to the shadow Minister for this area and invite him to produce it to the press, because it shows quite clearly that on 24 May 1979 the Parliamentary Counsel prepared a Bill for an Act to provide for the establishment and management of prisons and other correctional institutions, to regulate the manner in which persons in correctional institutions are to be treated by those responsible for their detention and care, to repeal the Prisons Act 1936-1976, and for other purposes. If one goes through that document, one sees that it is quite clear.

It is all very well for the Chief Secretary to sit there and guffaw: it is not very well for my constituents in the north-eastern suburbs, an area that suffers from the highest crime rate in this State. I have never guffawed about the crime rate in this State. I have been the first person to say that the behaviour of Governments in this State over the past 70 years has been a disgrace in relation to prisons and remedial institutions. The honourable gentleman is now nodding calmly to indicate that that is correct. It has been a disgrace.

Labor Governments and Liberal Governments for the past 70 years have seen the disgraceful conditions in which we ask our prison officers and correctional services personnel to carry on their activities and attempt to gain some order. What truly disgusts and amazes me is to see the Chief Secretary turn, with a joke, towards the head of his department and share a smile, because they know so well that this document was available in May 1979.

Mr Lewis: But it wasn't law.

Mr McRAE: It was made available in May 1979, and that has been denied throughout the debate this afternoon. That is the point I make. I have made no bones since the Liberal victory in 1979 about the situation in the north-eastern suburbs. It is scandalous—absolutely scandalous.

Mr Lewis: What a mess!

Mr McRAE: Yes, indeed. The honourable member underscores the point. What a mess! The situation has been a mess for the past 10, 20, and 30 years, and it is getting worse. What I ask (and I say this with every conviction, and I am not worried about what the power brokers in any Party might think) is 'What the hell has anyone in this Parliament done about the situation over the past 70 years?'

What horrifies me is the situation we faced in 1979 when it was alleged, by people who were paid off by the Liberal Party, in disgusting advertisements, that the Labor Party had caused a huge outbreak of crime in the northern and southern suburbs. What horrifies me is the fact that there should ever have been statistics of that kind. What horrifies me even more is that those statistics have increased and increased. I know that the Minister's chief advisers are in the House tonight; they know very well that these allegations were made.

Those people alleged in 1979 that directly or indirectly in some way it was the fault of the Labor Party that the murder rate, rape rate, violence rate and all the crime rates had gone up dramatically and that the Liberal Party would somehow find an answer to that problem. The honourable gentleman knows very well that his Party's whole campaign was geared in those northern, north-eastern and southern suburbs to that particular topic, yet equally he knows through his former Police Commissioner and others that during the time he has been in office we have seen murder escalate violently, rape numbers rise alarmingly, and drug offences escalate to an incredible extent, a 120 per cent increase, an unbelievable degree of growth. That has happened with those crimes and with every other crime one can think of in between.

In other words, what was put up by the Liberal Party in 1979 was a mockery of the people and will be treated as such. I see my colleague the member for Mitcham entering the Chamber. I am sure that in due course he will be delivering some well chosen remarks about the attitude of this present Government and the promises it made, because the promises it made in 1979 were very clear. I see that the Minister of Health is out of her seat at the moment, but I think I can still refer to her when she is out of her seat as saying in 1979 that she would make the streets safe for the kids. Well, so much for that statement—a 120 per cent increase in drug offences, a 40 per cent increase in homicides and God knows how much of an increase in crimes of violence. That is the situation we are talking about—reality is what I am interested in.

I want to make three simple points, and then I will sit down, because I believe that my colleague the member for Stuart covered the whole of this Bill brilliantly, fully and accurately. First, the 1979 campaign by the Liberal Party was a charade and a mockery. Many people that Party used as mock-ups, as fronts in that particular campaign, have gone down in bankruptcies and in other unpleasant things since that time. We are all well aware of the Liberal Party's connections with the big newspaper proprietors, and we are well aware of the—

Mr OSWALD: I rise on a point of order, Mr Speaker. I would like your ruling on whether the Liberal Party campaign and press remarks leading up to the last election campaign can be linked to the Bill, because I do not think they can be.

The SPEAKER: I uphold the point of order that it is not relevant to the Bill. I ask the honourable member for Playford if he will please refer to the clauses of the Bill, otherwise I will have to draw his attention to restrictions which would necessarily be placed upon him.

Mr McRAE: Thank you, Mr Speaker. I accept your ruling and will press on to point number two, which surely is the point of ultimate honesty. I agree for the umpteenth time that for the past 70 years no Government in this State, whether it be Labor, Liberal or however it could be described, has done anything of substance in relation to the field of correctional institutions or services.

Having noted with some displeasure the rather odd smile that transpired between the Minister and his chief advisers on the floor of the House when I spoke about this draft, I now know that when I speak about this draft of 24 May 1979 every instruction I have been given about it is correct. There are no more smiles now. I am sorry, Mr Speaker; there are smiles, because I note that the Minister of Agriculture (what he has to do with it, I do not know) has just left a place adjacent to the Chief Secretary (and what he was doing there, I do not know, either). I challenge the Chief Secretary to produce the documentation. The Chief Secretary and his colleagues have been saying that the Labor Party attempted to do nothing and that there was a wipe-off. Let us get to the truth of the matter. The people living in my electorate, which is a disadvantaged area (not like the silver tails in Bragg, Davenport and some of those other areas that are represented on the other side), are people who have to put up with the rape, the house breakings and the robbery with violence. Let us now get down to the truth of the matter. There surely must be on the Government records an indication of whether or not the former Chief Secretary did issue instructions in about May 1979 for this Bill to be introduced in Parliament. Let us have that evidence. If that evidence cannot be produced, there is a quandary.

The Chief Secretary would be in a marvellous situation if he could say, via his officers, who I assume are impartial employees in the Public Service, nominally at least (and I have no reason to think that they are not), that Mr Stewart had said that no such Bill was available at that time, because then there would be a tremendous impetus to the argument put forward by the Liberal Party. I do not believe for a moment that such an argument can possibly be addressed. I believe that tonight I have shown, in handing this draft to the Chief Secretary, how cowardly the whole Liberal Party has been about it.

They well know that on or about this date this Bill, almost identically the same Bill that we are considering tonight, was ready to roll off the presses. It was cut off only because of the election that was called later in the year. Having said those things, the rest of my remarks will be short, unlike the member for Glenelg. I will close on one short third point. If ever we needed one thing in this Parliament, we need an independent bilateral committee, without its members being paid. We must forget pay, as that would upset everyone. Let us not worry about pay, because people who are prepared to serve without pay, I suggest, will probably produce a better result than would those who would be prepared to serve with pay.

We need a bilateral committee of this Parliament to look at all the issues of law and order one by one in a rational fashion in order to come up with an answer that will safeguard the public. The Chief Secretary knows full well that what his Party put forward in 1979 is a load of nonsense. Of course, the escalating crime rate throughout the Western world cannot be decreased in one short circuit. However, there may be ways of achieving that. Why can we not at least try? Why, in considering this whole area, cannot we look at the victims of crime and try to help them? For God's sake, it is in the northern suburbs, the north-eastern suburbs and the southern suburbs that we find all the victims to whom I have referred. What do they receive at the moment? Nothing. They receive some parlous sum handed out to them, having experienced great difficulty in the Supreme Court.

On three separate occasions I have put a proposal to Parliament, but it has been evaded by the Liberal Party on all occasions. It is a simple scheme that will overcome the present situation. The Bill that we are considering tonight is the very same Bill that was prepared in or about May 1979 by the then Chief Secretary, Mr Simmons, working very properly with Mr Stewart and other officers. It contains minor amendments. I support every word that my colleague the member for Stuart said about the amendments, but the substance of the matter is that the Bill that we are discussing tonight is the same Bill that was available three years ago.

Nothing that I say will receive any newspaper coverage, nor will it gain me one damn thing. However, I would like to help just one person who has been a victim of crime to get some decent compensation out of it. I believe that the Government has been disgustingly weak and cowardly in its refusal to face up to the realities of the situation and its refusal to accept the statement of facts that my colleague made tonight. The Government has been disgustingly cowardly in its refusal to do anything positive, except what it is forced to do through enormous public pressure. I do not believe that it will happen, but I can only hope that when we go into Committee we might finally get some common sense from the Chief Secretary.

The Hon. W. E. Chapman: We are not getting any from you in the meantime.

Mr McRAE: For the benefit of the Minister of Agriculture, whose interest in this matter is laudable, because we are all interested, I hope that, when we finally reach that stage, we will not see a disgusting scene of smiles and laughter being exchanged between the Ministerial chair and the top governmental advisers. Tonight has been a disgraceful performance on the part of the Government, and I am sorry to have witnessed the whole situation. Obviously, I support my colleague and the second reading, but the Opposition will monitor the progress of the Bill carefully indeed.

Mr GLAZBROOK (Brighton): In trying to frame my comments on this Bill, I believed that I was perhaps not an adequate speaker because my knowledge of the penal system was such that, although I had a great interest in it from the time that I first paid a visit to Yatala at the Minister's invitation, I believed that, in relating to the subject tonight, Opposition members would have put forward far more convincing arguments than we have heard. However, I am heartened to think that my knowledge perhaps might seem on the surface to be more than theirs.

The House has heard Opposition members this evening seemingly attacking this Government and, in particular, the Minister on the manner in which this Bill has been introduced to Parliament, yet they seem to have missed the point of the extreme importance of this Bill, which addresses many of the points raised by Her Honour Justice Mitchell in her first report of the Criminal Law and Penal Methods Reform Committee in 1973 and the points raised by the Royal Commissioner in his 1980 report. I listened with interest to the member for Stuart, who suggested that this Government has taken a lift, or that the Bill has been substantially pinched from what was proposed by a former Minister. I believe that this Bill is substantially different in a number of areas from that proposed to be introduced by the former Chief Secretary.

The Hon. Peter Duncan: But it's basically the same.

Mr GLAZBROOK: We will see as we go along. The member for Stuart seemed to go to great lengths to try to convince the media and members that the current Bill is such a pinch or lift from the Opposition's Bill. If the honourable member could have acted much better than the way in which he spoke, the honourable member may have been a little more convincing. He suggested that this Bill was that of his colleague the former Chief Secretary (Hon. D. W. Simmons), and implied that the Bill was drafted by that honourable gentleman. In fact, the history of that document shows that it was probably first drafted in 1976 under the likely direction of the then Attorney-General (Hon. Peter Duncan).

It was a draft document that had been held for goodness knows how long but, in fact, Her Honour Justice Mitchell had set the ball rolling in 1973. Yet, six years later, it was still in a draft form, taking those recommendations into legislative form. I notice in newspaper clippings from 24 February 1976, which is almost six years ago, that the then Chief Secretary (the one before the one about whom I was previously talking) referred to a press article, as follows:

> The Chief Secretary (Mr Banfield) said today he would not release a report into unrest at the Yatala Labour Prison. The report was prepared by the Director of the Department of Correctional Services (Mr L. B. Gard) and was handed to Mr Banfield.

When we look at comments in the newspaper from that time, and at one that was written on 6 May 1975 in regard to the attempt that was made to have the terms of reference of the Royal Commission into Yatala Labour Prison incidents at that time widened, and when we understand that a document was sent from the Department of Correctional Services in 1974 to the then Chief Secretary stating that, in relation to the legislative matters that needed action as suggested in Her Honour Justice Mitchell's Report, those matters should be dealt with urgently, we find that nothing seemed to have been done.

Then, when we hear that there were further reports and a Royal Commission, and when we understand that in August 1976 a recommendation prepared by the former Director (Mr Gard), sent to the then Attorney-General (the Hon. Peter Duncan) and signed by him on the top, we find that it dealt with every one of the recommendations from the Mitchell Report and obviously became the blueprint for that Government's draft of the Bill that was later to be put together for presentation in 1979. No-one on this side has denied the existence of that. We are not interested in that: we are interested only in the Bill before the House today, and I have not heard one ounce of sense from the Opposition in relation to the Bill.

Anyone who has been to Yatala would agree that the conditions there are not ideal. In fact, they are disgraceful and anyone who has seen the toilet queue and the emptying of the buckets would say that it was not humane to keep people in that atmosphere but, be that as it may, the Opposition had the opportunity on many occasions to correct those wrongs but for some reason or other it decided to put off that piece of legislation, to which the report of the Royal Commission, and the previous report from Her Honour Justice Mitchell referred. I remember particularly the incidents surrounding some regulations that came before the Subordinate Legislation Committee in 1980.

In those days I was still feeling my way in Parliament and I was interested in the questions and answers regarding regulations that related to the prison system. In particular, they were regarding regulations 67 and 70 at that time, which members may recall referred to more than two people being in a cell. One interesting thing came out of that interview (and the papers were laid on the table of the House on 3 March 1981, if members want reference points) regarding prison regulations, and the matter which was referred to previously by Her Honour Justice Mitchell. Before I deal with the comments made by officers appearing before the committee, I want to refer to what Justice Mitchell said on regulations, as follows:

> Regarding the problems with the Prisons Act and regulations, which are clearly out of date, we have tabulated some 80 regulations

which are honoured in the breach, not in the observance, in the day-to-day prison routine. Indeed, some of those regulations could not be honoured, because they are clearly out of date with times and needs of the circumstances.

It was interesting to note that in one of our interviews a previous speaker on this subject tonight asked a question of Mr Ian Fraser, General Secretary of the Public Service Association. The honourable member said, 'In addition to the old regulations 67 and 70, you have indicated that there are a large number of other regulations that were not being followed.' The answer was 'yes'. The member for Playford asked, 'Are you in a position to tabulate those that you think are not being followed?' Mr Fraser answered, 'Yes, regulations 6, 27, 67, 70, 366, 367, 369 . . .' and so it went on, and a whole list of regulation numbers were listed. He went on as follows:

Those are the more notable ones from my researchers, and there are a host of others, many of which it would be clearly absurd for us to press for observance of, in that they relate to conditions that are obviously outdated, and no fair thinking person would want to see them enforced, but nonetheless they are still on the books and being breached in the technical sense.

The Chairman of the committee asked, 'Have they all been breached only in very recent times or for decades?' The answer was, 'It is very much the case that these have been breached for decades.' The question was asked 'Have the breaches that have taken place been brought to the notice of the Minister or the Director 10, 15 or 20 years ago, or have they been ignored by your association's representing the workers?' The answer given was as follows:

I cannot find any information on our files that would indicate these issues being raised specifically with previous Administrations for 10 or 15 years. To reiterate the comment I made when I was here last before the committee, the association was only aware of the enormity of this problem and this position and the implications particularly regulations 67 and 70, when we did our preparatory work for this Royal Commission.

The point I am trying to make is that it did not matter to this Government what had occurred before, apart from taking some cognisance of the facts and the findings. It was obvious to this Government that certain things had gone on that needed to be looked at. It was obvious to the Government that the terms of reference that the previous Government had determined for its Royal Commission had not been particularly good. So the Government needed to have some logical areas at which to look. Of course, a Government would take notice of previous findings of any committee judicially set up or set up through the Parliament, and it is only right and proper that a Government should do so.

However, the Government thought that it was necessary to look a little further, and it did so. The results that we have in this legislation are the very best that one could hope to get from such a detailed inquiry and series of inquiries. I am not knocking those that occurred before; I am simply saying that perhaps they should have been widened. We now have before us legislation that should be supported in every way by the Opposition. Instead, the Opposition has a paranoia about wanting to say 'It is not your Bill; it is ours, we want the kudos. Please, Sir, give me my ball back.' That is what the Opposition is saying, instead of saying that it agrees, that the Bill is necessary and that it supports it.

Mr Mathwin: They procrastinated for 10 long, weary years.

Mr GLAZBROOK: Unfortunately, the Opposition Party had many opportunities to correct and do things, but it felt that it was necessary to put priorities in other areas. We all agree that something needed to be done. How ludicrous can the Opposition be in its arguments, how hypocritical can it be in its philosophies when criticising the Chief Secretary and saying that for 2½ years he sat on something. The member for Stuart should be telling the House how he admits to being a little tardy previously, and that they should have done something. He has put the blame on the Chief Secretary, who has sat and taken the abuse, and has listened to the ramblings from the Opposition, knowing what he had to do and yet he has stuck to his task and has come out with the legislation.

I want to say a few words about some of the points within this Bill before us, because it is something which the Opposition seems to not want to do. I am sorry that it has done this. I get very upset when I see people needling other people into taking action. I sat here and listened to the member for Elizabeth, when he made various accusations in the Parliament about what was happening in the prisons system. I sat here and thought, 'Surely this man cannot be true. Surely what he is saying cannot be right'. However, he said it. When I picked up the Royal Commissioner's report, I turned to page 89 which starts off by giving a summary of allegations relating to the terms of reference. One matter related to work permits. The *Sunday Mail* of 31 August 1981, under the name of the Hon. Peter Duncan, states:

Prison officers are alleged to use prison materials when having items made in the workshop for their personal use.

There are pages and pages. That contradicts the statements on page 13. How on earth can a member of Parliament make such comments in a place such as this and then not want to go further? Yet, the public is expected to believe it. It seems ludicrous that we are subjected to that sort of thing.

I think we need to congratulate the Minister, his workers and his departmental officers on the way in which they have come to grips with the Bill. I was pleased to see that the Public Service Board is to provide for the Department of Correctional Services a professional specialist in personnel development. I understand that further training programmes will be developed, a move recommended by Touche Ross. With a careful selection of officers it means that we will be able to develop skills and perhaps we can look forward to a new era of prisoner and officer understanding.

By correcting some of the past errors and updating a model set of rules and regulations, both prisoners and officers will know exactly what to do and what is expected of them. I further understand that it is planned that prisoners will receive on their arrival a set of regulations under the Act and some prison rules, so there will be no doubt as to their rights. That is how it should be, so that officers and prisoners know where they stand with each other, so that they know what is expected and what can be expected of prisoners. That is a very interesting area.

I was a little upset by the member for Stuart earlier when he said the Chief Secretary was trying to take praise for the improvements to the industries complex at Yatala. I do not think that the Minister said, 'I did that.' The member should have read the announcement in the press, which stated:

Third stage of prison project approved. Construction of the third stage of the Yatala Labour Prison industries area at a cost of about $1 500 000 has been approved by the State Government. The Chief Secretary, Mr Rodda, said yesterday that the new buildings would be within the security walls of the prison adjacent to the second stage of the industries area.

He did not say that he was doing it in that sense.

Mr Keneally: Have you read the second reading explanation?

Mr GLAZBROOK: I have read it, and I believe that the way in which the honourable member is tackling the issue is out of context. It should be understood that the Opposition is trying to get the kudos, even for the industries complex. The member for Stuart slated the Minister for stating that

the Government has approved the third stage of the Yatala Labour Prison industries area. The important point is that this move will provide a far greater choice of work that is related to various trades and these areas can now be developed, because more workshop space will be available and there will be a far better opportunity to increase the range of subjects offered.

One could go on about the different aspects of the Bill, but I want to make the point that the matters raised by the Opposition are very hollow. Members opposite are trying to get some kudos. I will give them kudos if they like: I believe the Labor Government did the right thing in initiating reports and in having Justice Mitchell undertake a report, but it wasted those opportunities and procrastinated far too long when it could have taken action. Because this Government has sought one more report to ensure it presents in the Bill the best possible situation, members opposite should congratulate it.

I want to congratulate the Minister, his staff and the departmental officers for addressing the most difficult questions, which were dodged by the Labor Government and by previous Ministers. This matter was put into the too difficult tray for far too long. We offer no excuses for what we present, which is the best legislation of its kind in Australia. I look forward to a speedy passage of the Bill, which I support wholeheartedly.

The Hon. PETER DUNCAN (Elizabeth): Indeed, it has been an amazing experience to sit in the House and listen to the debate, particularly in the light of the contributions that have been made by the member for Glenelg and the member for Brighton. Their districts adjoin, and I was wondering from time to time whether or not their brains are not adjoined as well, because their contributions were at the same level.

Mr Mathwin: Flattery will get you nowhere!

The Hon. PETER DUNCAN: I was going to get to flattery—I thank my friend for reminding me. Flattery is the only word one could use to describe the attitude of back-benchers opposite to the Chief Secretary's performance in this matter.

Mr Keneally: Sycophantic.

The Hon. PETER DUNCAN: That might be a better word, but 'flattery' is quite appropriate. I have had a keen interest in this matter over a long period. The member for Brighton was kind enough to point out that, although this Bill has been described (rightly in my view) as the Simmons Bill or the swansong for Rodda, and various other things, in fact the first draft of the Bill was prepared under my instructions in about 1976. Shortly after that, the matter was taken out of my hands and, apart from a passing interest in the matter as a member of the Cabinet, from that time on I did not have general carriage of the issue.

Mr Mathwin: You sat on it.

The Hon. PETER DUNCAN: I did not sit on it: I did not have general carriage of the matter, and I want that placed on the record. The member for Glenelg made a number of points, none of which I intend to refer to. However, he reminded me of the comment made in that new attempt at journalism or literary merit by Max Harris known as *Mary's Own Papers*, in which the honourable member was described as vocal, colourful, and easily forgettable. After his contribution tonight, I am certain that the last two words, 'easily forgettable', come readily to everyone's mind.

Mr Mathwin: Was it you who sent me the Valentine's card?

The SPEAKER: Order!

The Hon. PETER DUNCAN: I think it is rather a tragedy that this Parliament has debated this matter in the way it has this evening. It is a tragedy because each and every one of the members of this House should possibly have thought a little before they entered this debate about the onerous responsibilities that we, as members of this House and this Parliament, shoulder in relation to this matter. All other matters that are debated in this Chamber basically involve actions to be taken by this Parliament affecting the lives of citizens of this State who are fully able to exercise their democratic rights. In those circumstances, we, in my submission, do not need to exercise quite the same degree of care as we do when we are considering matters involving prisoners, where those persons' liberty has been taken from them by actions of members of this Parliament.

Mr Oswald: You've got a good audience on this side.

The Hon. PETER DUNCAN: This is a serious matter and not one on which inane interjections ought to bear. I believe it is a serious matter, and have always taken it as so.

Mr Becker: Very true, but where are all your colleagues?

The Hon. PETER DUNCAN: In my comment, the honourable member might note, I did not refer to the Government contribution to the debate; I referred to the Parliament's handling of the whole matter and that is a comment I made quite deliberately. I think that there are very serious matters involved in this legislation which ought to be taking the full attention of the House. I think that it is unfortunate that this debate has been carried out in a rather flippant and acrimonious fashion. Looking at the legislation before us, I have no specific grievance about the general thrust of it, except perhaps for one matter that I will deal with in a moment. As members of the Government have already heard, we, on this side of the House, support the legislation. We support it not entirely wholeheartedly, but we certainly support it, believing that it is a very much better piece of legislation than that which exists at the moment.

In a sense, one difficulty in dealing with the prisons area is that legislation relating to prisons and their administration is the subject of fadism. During some periods different types of penalties and punishments are experimented with, while during other periods greater leniency is experimented with, possibly depending, to some extent, on the climate of opinion at the time and possibly, to some extent, depending on the amount of the crime in the community at the time, etc. This legislation, in my view, has the same problem as the previous Act, since it attempts to deal with the problems at a particular point in time and cannot seek to reflect what the situation might be in six or 12 months time. That is an inherent fault with legislation generally, but I believe that it is a particular problem when we are dealing, as I said, with the liberty of other citizens.

If I had a general complaint about the legislation it is this (in fact it is a complaint that I have been voicing over a long period): I do not believe that any part of the criminal justice section can be simply hived off and dealt with as we are doing tonight with the prisons area. The whole of the criminal justice system must be handled as one system, and all of the component parts must be seen as part of the whole. If we were dealing with the whole of the criminal justice system in that way we would be producing a better system more relevant to the problems of our age and more able to cope with those problems.

Mr Mathwin: You couldn't do them all together.

The Hon. PETER DUNCAN: Other jurisdictions have done so, and I do not see why we could not. I am not necessarily saying that it all has to be in one Bill. The honourable member has attempted to educate himself on matters of law and order to the extent that he appreciates, I am sure, that the prison system is not a separate entity totally unrelated to the court system, the police and the

exercise of police powers, or the crime rate at large. All these things are inter-related. I make the point that much greater co-ordination and integration of all of these facets of the criminal justice system is urgently overdue.

Mr Mathwin: And under one Minister, you say?

The Hon. PETER DUNCAN: That is probably a desirable situation, too. There are some arguments that the courts, the police and the prosecution should not be under the same Minister, although this seems to happen in relation to the higher courts and has, for many years happened in South Australia. The Attorney-General for many years has been the chief prosecutor and the Minister in charge of the courts. Nonetheless, I believe that there is a strong argument for a more co-ordinated approach.

The other general point that I would like to make is that the Bill unfortunately follows a much more militarist line than is desirable. In saying that I am not referring to questions of discipline specifically. You do not have to have a military-type structure to have adequate and satisfactory discipline. The Bill provides a reasonable basis for the development of a modern enlightened penal system in South Australia, but that will depend on what use the Minister and the department make of the bricks and mortar facilities that will be provided. Regrettably, I do not see very much sign that the best use will necessarily be made of these facilities.

Members have already referred to the need and the desirability to separate younger prisoners from older prisoners. It is also urgently desirable to separate hardened prisoners, who would normally be expected to be in a maximum security prison, from other prisoners. The tragedy about the way in which this Government is approaching this question is that it is intending to build the proposed maximum security building on the Yatala site.

Mr Mathwin: Just outside of it.

The Hon. PETER DUNCAN: Outside it, indeed, but mark my words, it will be possible for prisoners from the maximum security section to have messages passed back and forth to prisoners in the other section. I see that the head of the department is shaking his head; he is naive if he believes that that will not happen. I believe that further developments on the Yatala site are absolutely stupid in terms of the sort of prison system that we should be developing. It is patently obvious that small prisons are more administratively effective in all ways than are large prisons. There are towns relatively close to Adelaide that could easily be used for such purposes.

Mr Mathwin: But nobody wants them, do they?

The Hon. PETER DUNCAN: I am not sure that that is the case. I suspect that some of those smaller country towns would be only too happy to have a prison with all the employment that it would provide, as long as it was not a maximum security prison. I think that one has only to look at Gladstone. The people of Gladstone were particularly unhappy when the prison there was closed. There are towns much closer to Adelaide that have employment problems, which are slowly dying and which would be only too happy to have the employment that a prison would produce. I think it is a sad fact that our prison system still seems to be ranked with a 'think big' philosophy.

Mr Mathwin: What about visitors getting there? You penalise the prisoners if they cannot receive visitors.

The Hon. PETER DUNCAN: To begin with, country visitors have to come to the city to see prisoners here. That does not seem to be any great problem in relation to Cadell. That sort of problem could have been raised in relation to Cadell. I understand that most prisoners at Yatala are only too happy to go to Cadell. It is really only a matter of making appropriate arrangements so that prison visitors can attend in the country. It will be a sad day for South Australia when we start building further facilities on the Yatala site. I think that Yatala A or B Division would be quite satisfactory, with suitable modernisation, as a maximum security prison for a State and society of our type. I am not advocating prison escapes, but we do not need to worry too much about the number of escapes that occur on an annual basis from South Australian prisons. It is certainly a matter of some concern when prisoners' associates are able to get in over the wall to assist prisoners to escape. I do not think that anyone would disagree with that. That is a matter of grave concern. Inevitably, in any prison system, some prisoners will escape. I do not think that a prison system has yet been devised which is completely escape-proof.

I think that we in South Australia should have been satisfied to simply modernise either A or B Division and instead of building a new maximum security prison to have built a new medium security prison in one of the country towns closer to Adelaide. If we had done that, we would have provided ourselves with a much greater service than if we build a maximum security section at Yatala. C Division at Yatala, which is minimum security, should have been taken right away from Yatala entirely. Yatala should be used simply as maximum security for the more dangerous remandees, and so on.

Mr Lewis: Name one, for instance.

The Hon. PETER DUNCAN: I am not a committee of inquiry sitting here tonight to make judgments about which would be the best site. There are numerous country towns relatively close to Adelaide that are very concerned about their future: they have declining industry and a declining population and would seize upon the opportunity of having such an industry.

Mr Becker: Wallaroo.

The Hon. PETER DUNCAN: The member for Hanson refers to Wallaroo. Local citizenry from that town are visiting Adelaide this very week, expressing their extreme concern about the possible loss of a Government industry—their hospital. I agree with the member for Hanson's suggestion. That is an example of the sort of town that I am possibly referring to. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

At 10.30 p.m. the House adjourned until Wednesday 17 February at 2 p.m.