HOUSE OF ASSEMBLY

Tuesday 6 April 1982

The SPEAKER (Hon. B. C. Eastick) took the Chair at 11 a.m. and read prayers.

PETITION: CASINO

A petition signed by 30 residents of South Australia praying that the House urge the Federal Government to set up a committee to study the social effects of gambling; and reject the proposals currently before the House to legalise casino gambling in South Australia and establish a Select Committee on casino operations in this State was presented by Mr Hamilton.

Petition received.

PETITION: KANGAROO ISLAND KETCH SERVICE

A petition signed by 172 residents of South Australia praying that the House urge the Government to ensure the continued operation of the ketch service maintained by Fricker Brothers between American River, Kangaroo Island, and Port Adelaide after 30 June 1982 was presented by Mr Millhouse.

Petition received.

QUESTIONS

The SPEAKER: I direct that the written answers to questions, as detailed in the schedule that I now table, be distributed and printed in *Hansard:* Nos 367, 374, 394, 449, 456, 475, 481, 482, 489, 492, 509, 513, 519, 520, 523, 528, 529, 531, 535, 539, 540, 541, 542, 544, 546, 547, 550, 559 and 567.

CRIMINAL INJURIES COMPENSATION

In reply to the **Hon. PETER DUNCAN** (4 March).

The Hon. H. ALLISON: The applications were commenced on 4 August 1980, when four originating summonses were issued in the Supreme Court claiming compensation for Mr Raymond James Lamb, Mrs Rhonda Evelyn Lamb, Vicki Pauline Lamb and Susan Gaye Lamb following the murder of Deborah Lamb by James Miller. Each applicant claimed a mental injury, namely, pathological grief. The opinions of psychiatrists differed and the four matters were contested on that basis. They were heard together and on 8 April 1981 Matheson J. awarded each applicant the maximum amount, namely, $2 000, together with a fixed amount of interest and costs to be taxed.

The applicants' solicitors claimed $6 839 for costs and disbursements. This amount is far higher than average for this type of action. One of the reasons was that Dr Barnes, a psychiatrist, was called from Melbourne to give evidence. It was considered that, for many reasons, the costs claimed were excessive and they were therefore taxed. The Master allowed costs at $5 227.44 with a possible additional $63.63 depending on certain contingencies. The decision to tax costs was therefore well justified, even though the cost of attendance before the Master was about $130, which must be paid to the applicants. Since the taxation, the applicants' solicitors have lodged an objection to the taxation pursuant to order 65 rule 20 (39), presumably with the intention of appealing. In this respect, the issue of the proper quantum of costs is *sub judice.*

The suggestion by the honourable member that 'in one part of the bill the result was that the cost of determining the costs was greater than that of actually obtaining the judgment itself' is completely incorrect. Solicitors in the Crown Solicitor's Office are instructed that costs are to be negotiated by agreement, whenever possible. In this case, the costs claimed were considered to be excessive and they were in fact substantially reduced on taxation.

WINDANA NURSING HOME

In reply to **Mr TRAINER** (31 March).

The Hon. JENNIFER ADAMSON: A tentative date of 23 April 1982 has been set aside for the opening of the Windana Nursing Home at Glandore. At that time, it is expected that Windana will be in a position to accept patients. The South Australian Health Commission is in the process of obtaining a trust deed that will enable a formal leasing agreement to be made for Windana in the longer term. I understand that this deed will take at least six months before it will be available. In the short term, therefore, management of the home will be vested in the Southern Cross Homes Incorporated, through a letter of agreement between the South Australian Health Commission and Southern Cross. This will enable that organisation to manage and operate Windana on behalf of the commission.

During the initial period, Windana will be deficit funded by the South Australian Health Commission. In the longer term it will be fully financed through the Commonwealth nursing home benefits and patient contributions. The day care centre will continue to be deficit funded by the South Australian Health Commission. Property and plant at the home is at present owned and will continue to be owned by the South Australian Health Commission. I wish to assure the honourable member that appropriate steps have been taken to ensure that Windana is well managed and will be in a position to provide high standards of facilities and care for the people transferring to the home.

EMERGENCY FINANCIAL ASSISTANCE

In reply to **Mr ABBOTT** (25 March).

The Hon. JENNIFER ADAMSON: Emergency financial assistance should not be regarded as an income maintenance programme but merely short-term assistance which is provided where the person concerned is without the basic necessities for living. Such provision is made primarily for food, with priority being given to families rather than individuals. Payments are restricted to periods of one week only as emergency financial assistance is intended as a supplement to other income, usually Commonwealth provided income benefits, and not a substitute for it.

According to the social indicators used by the Department for Community Welfare, the Central Western Region of Adelaide does not have a significantly higher level of unemployment or poverty than other areas. On that basis, the distribution of emergency financial assistance funds is equitable with other regions.

The increased demands for emergency financial assistance and the problem of 'topping up' Commonwealth benefits has placed pressure on all regions. The decision to limit payments to an average of 80 cents per day in Central Western Region was based on the availability of funds for that region. So far, budget allocations have not been overspent because expenditure is constantly reviewed in the light of changing demands. As a result of the increased demands which recently have become evident, the Government has provided an extra $50 000 for emergency financial

assistance for the remainder of this financial year. This will enable the average emergency financial assistance payment level per person to be in the vicinity of $1.20.

The Department for Community Welfare does not keep records of individual applications for emergency financial assistance. The only records kept relate to the number of transactions made, that is, successful applications. The figures for the quarter ending March 1982 are not yet available. The Department for Social Security has been advised that special benefits should be used wherever possible for people receiving Commonwealth benefits. Care is taken to avoid the duplication of benefits.

MINISTERIAL STATEMENT

The Hon. D. C. BROWN (Minister of Public Works): I seek leave to make a statement.

The SPEAKER: Is leave granted?

Mr Millhouse: No.

The SPEAKER: Leave is not granted.

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I move:

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

Mr MILLHOUSE (Mitcham): It is a pity if this process is to go on day after day that Standing Orders are not altered so that Ministers do not have to have permission to make Ministerial statements. However, so long as the situation remains as it is (and I have the right as a member of this House to object to the giving of Ministerial statements under the conditions in which they are now given), I will object to them, and I do it again on this occasion. Goodness knows what is in this Ministerial statement, because this is the Minister who originally offended, so we do not know what he is going to say. However, at least the statement does not look very long. Heaven knows how much dirt is in it, thrown at members on this side of the House. It is a pity that the Labor Party does not wake up to itself and take some action instead of sitting there supinely just waiting until it gets into office to do the same thing.

The SPEAKER: The question before the Chair is that the motion for suspension be agreed to. Those of that opinion say 'Aye', against 'No'.

Mr Millhouse: No.

The SPEAKER: There being a dissentient voice, there must be a division. Ring the bells.

While the division was being held:

The SPEAKER: Order! There being only one member on the side of the Noes, the motion for suspension is carried.

Motion carried.

The Hon. D. C. BROWN: Honourable members will know that legislation was passed at the end of 1981 regulating the parking of vehicles outside Parliament House and the Constitutional Museum. I have written today to all members requesting their assistance in alleviating the problems caused by congestion of this limited parking space. Urgent official access is often possible only by double parking, a dangerous practice on busy North Terrace at any time. Members may, of course, use the area for loading and unloading their vehicles, and short visits by the Whips and official courier vehicles will still be permitted.

Mr Millhouse: Is this going to apply to Ministerial cars as well?

The Hon. D. C. BROWN: If the honourable member listens to the Ministerial statement, that question will be clearly answered.

Mr Millhouse: Why didn't you put it in the letter and not make a statement?

The SPEAKER: Order!

The Hon. D. C. BROWN: I am in the process of sending a letter to the member for Mitcham. If the honourable member were to recall, although I doubt that he was here—

The SPEAKER: Order! The honourable Minister of Public Works has sought leave and subsequently has been given permission to make a Ministerial statement, not to enter into a debate.

The Hon. D. C. BROWN: Clearly marked official media vehicles will continue to be able to use the area for limited periods. For the sake of public convenience, however, the area will be open for public use after 6 p.m. on every Friday until 9 a.m. on the following Monday, unless official business or a function is being conducted in Parliament House. It is recognised that special or emergent circumstances requiring extended parking in the restricted area may arise, in which case applications for a special permit may be made to the Minister of Public Works. Again I ask for the help of members of Parliament, the press and the public in formalising the use of this parking area.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Education (Hon. H. Allison)—

Pursuant to Statute—

Corporate Affairs Commission—Report, 1980-81.

By the Hon. D. C. Brown, on behalf of the Minister of Agriculture (Hon. W. E. Chapman)—

Pursuant to Statute—

Meat Hygiene Act, 1980—

I. South Australian Meat Hygiene Authority—Report, 1980-1981.

Soil Conservation Act, 1939-1978—

II. Soil Conservation, Advisory Committee on—Report, 1980-1981.

By the Minister of Environment and Planning (Hon. D. C. Wotton)—

Pursuant to Statute—

Planning and Development Act, 1966-1981—

I. Metropolitan Development Plan—Corporation of Marion—Planning Regulations—Zoning.

City of Adelaide—

II. By-law No. 19—Park Lands, Reserves, Plantations and Squares.

By the Minister of Marine (Hon. M. M. Wilson)—

Pursuant to Statute—

Harbors Act, 1936-1981—Regulations—Receipt and Despatch of Cargo.

By the Minister of Health (Hon. Jennifer Adamson)—

Pursuant to Statute—

Alcohol and Drug Addicts Treatment Board—Report, 1980-1981.

QUESTION TIME

The SPEAKER: Before calling on questions, I indicate that any questions that would normally go to the Premier will be taken by the Deputy Premier, and any questions normally taken by the Minister of Agriculture will be taken by the Minister of Industrial Affairs.

STATE ECONOMY

Mr BANNON: With South Australia poised to become the Texas of Australia and our new-found status of 'a waking giant' (to use the Premier's words), will the Acting Premier explain why the reality is so different when one

considers recent investment figures from the Australian Bureau of Statistics? The Premier, on his overseas trip, has made a number of statements that have been reported back. One article lodged by Mr Tony Baker, who is accompanying the Premier and writing in the *Sunday Mail*, stated:

> Listening to David Tonkin, I hardly recognised the place.

He was referring to South Australia. It was further stated:

> The waking giant was one of his phrases. The new frontier was another. One can go on with examples of this language of a cheerleader.

We have also had prominent publicity about South Australia's being the Texas of Australia. However, figures that have been collected by the Australian Bureau of Statistics in relation to investment (which have not been published but which, in fact, have been supplied to all State Governments) disclose a quite different picture. If the Minister of Education is interested in Texas, the waking giant, and so on, he might listen to these facts about investment in South Australia, instead of trying to prompt the Acting Premier.

The SPEAKER: Order!

Mr BANNON: Between September 1980 and September 1981, investment throughout Australia rose by 27 per cent, but in South Australia it increased by only 2.7 per cent. After cost rises are considered, it means that real investment went backwards in South Australia by 6.7 per cent. While the manufacturing industry (which is vital to us) experienced the largest fall of investment between September 1980 and 1981, in the September 1979 quarter (the last quarter in which the previous Government was in office), South Australia received 7.5 per cent of actual private fixed capital expenditure. By September 1980, this had declined to 7.1 per cent, and in the latest published figures of September 1981, it had declined to 5.7 per cent. The only other State to show such a decline was Victoria.

The Hon. E. R. GOLDSWORTHY: Obviously, the Leader of the Opposition does not know that the Cooper Basin is the largest on-shore oil field in Australia. He does not know that this Government was able to negotiate with the Cooper Basin producers to mount a billion dollar project based on that oil field. Obviously, he does not know, has not bothered to read, or has not absorbed the fact that 3 000 new jobs will be created as a result of that development. If we were considering Australia as a whole in comparison with the United States, there could be some claim for stating that South Australia could well be the Texas of Australia, because the known resources and the developments over which this Government has been able to preside mean that those resources are being developed and that benefits will flow to the public of South Australia by next year as a result of that liquid scheme.

Moreover, if the Leader sought to inform himself rather more adequately, he would know that there are record levels and expenditures being undertaken in the Cooper Basin in relation to further exploration. If the Leader had read the press recently, he would know that that exploration has been successful and that further oil is being found in the Cooper Basin. If the Leader cared also to inform himself about the general level of exploration in South Australia, he would know that it is at an all-time high and that the Government has been seeking to have areas explored, namely, the Officer Basin, which areas had effectively been locked up by the Labor Party and would have been locked up for all time in terms of the Labor Party's land rights legislation. Not only that but also record interest has been expressed in the other hydrocarbon basins.

The Leader would know, if he sought to retain the information, that when this Government came to office there was no off-shore oil exploration at all and that there had not been any since the policies of the former Whitlam Government: the Minister killed it off.

The Hon. D. J. Hopgood: Come on, tell the truth.

The Hon. E. R. GOLDSWORTHY: There was no exploration—that is the truth. As a result of the policies of this Government, which has not been blinkered by the hatred of multi-nationals, we will have every off-shore licensed area given over to exploration within a few months. Currently there is an oil rig drilling in the Bight. Therefore, the levels of exploration in that area have grown from zero to saturation at the moment. The record levels of exploration would indicate that further discoveries could be expected to be made.

If the Leader cannot understand that with the largest on-shore oil well in Australia together with record levels of activity South Australia has some claim to be described as the Texas of Australia, then I do not know what further evidence he needs. I do not know where he concocts his figures, in relation to committed investment in South Australia, but let me up-date the Leader in relation to these matters. With regard to committed industrial and mining development, the growth in mining activity is being reflected in increased committed investment in major manufacturing and mining projects. In October 1979, as I pointed out, only $300 000 000 was committed for major manufacturing and mining investment for the following three years. That is when the Labor Party departed the Treasury benches: $300 000 000 was committed when the electors of South Australia said 'ta-ta' to the Labor Government.

That figure has leapt dramatically to $2 910 000 000 as at June 1981, an increase of 870 per cent. It should be noted that these figures do not include any investment in the Roxby Downs mining project, which is, of course, upwards of a 1.5 billion dollar project, with a multiplier effect of many thousands of jobs, which the Labor Party is doing its best to inhibit. I am pointing out that that project is not included in the figures, as it is currently categorised by the Federal Department of Industry and Commerce as being in the feasibility study stage.

In manufacturing, retailing and service industries the picture of confidence and growth is also evident, for which a special study has been undertaken of development projects in terms of capital expenditure which has been announced by those industries in the past two and a half years. The list is quite impressive. It now accounts for nearly a billion dollars of new capital investment. The study is not exhaustive simply because there are many development projects which for commercial reasons cannot be made public at this stage. This commitment has an employment impact of nearly 4 000 jobs—that is, 4 000 new jobs for the South Australian community. We know that the number of jobs was decreasing during the latter years of Labor's administration. This involves more than 100 organisations which have either established in South Australia during the past two and a half years or have expanded their activities in this State.

The staggering growth in the areas of exploration, mining, manufacturing, retail, and service industries represents the greatest period of expansion since the 1960s. The impact is being reflected in increasing employment opportunities. This new investment (and I stress 'new') means that thousands of extra jobs will be created, jobs that simply would not have been there if the Government had not gone out of its way to encourage private investment in the future growth of this State.

If the Leader would take himself up to Moomba again and have a look at the continuing developments there, if he would ascertain the facts in relation to that oil field and the levels of activity, he would have no trouble at all in accepting that South Australia could claim to be the Texas of Australia, and that claim would be reinforced if he was to inform himself in relation to the record levels of exploration. As I have said, there was no off-shore exploration

in progress when this Government came to office. If the Leader would care to apprise himself in relation to the facts concerning committed investment in this State, and if he would lend his support to other areas of committed investment, such as Roxby Downs, I think the State would be far better served.

FEDERAL LEADER OF THE OPPOSITION'S VISIT

Mr GUNN: I direct my question to the Deputy Premier. Is he aware that the Leader of the Federal Opposition is visiting South Australia today, and can he suggest any particular groups which Mr Hayden should consult during his tour of the Federal electorate of Grey?

The SPEAKER: Could the honourable member indicate the relative importance of this question to the affairs of the State?

Mr GUNN: Yes, Mr Speaker. It is fairly obvious that the Leader ought to apprise himself of the general feeling in that community in relation to support for the Roxby Downs Indenture Bill.

The SPEAKER: I call on the Deputy Premier.

The Hon. E. R. GOLDSWORTHY: I thank the honourable member for indicating that he would ask this question, because the point he raised with me was the fact that he understood that the Leader of the Federal Opposition was here to appraise the Roxby Downs issue and the effect it might have on the A.L.P. whenever a Federal election occurred. I was aware of the fact that Mr Hayden was touring the electorate and that he is not able to fit into his schedule a pow-wow with the Leader of the Opposition in this State. He has overlooked any necessity for that. I understand from the press report that one of the issues Mr Hayden will be canvassing is the effect of the Roxby Downs development on the State and on his Party's electoral chances in Grey when its present member retires.

I would suggest that it would be useful if Mr Hayden had a talk with at least two of the councils in that area, Port Augusta and Port Pirie, which I understand have recently considered the question of Roxby Downs as a matter on their agenda. Indeed, the member for Stuart would be able to tell us that the council in the town where he lives unanimously supports the project, and he would also be able to tell us that the Port Pirie council voted quite convincingly in favour of it. I think that would be useful if the Federal Leader was to seek an expression of views from the people in those major towns in the Iron Triangle.

I think it also needs to be recognised that the Federal Leader of the Opposition has made some encouraging noises in the recent past in relation to his attitude to uranium mining. I well recall him making these encouraging noises, but like the Leader of the Opposition in this State it was not long before he had to go to earth, because one of his colleagues, Mr Uren, was in print immediately, and a retraction was necessary. The *Australian* of 15 October last reports as follows:

> Mr Hayden foreshadowed the possible mining and exporting of uranium at a Sydney Journalists Club luncheon on Monday. He was asked whether contracts recently signed by the Ranger consortium and Queensland Mines would be repudiated, and if shareholders would be compensated. Although Mr Hayden repeated Labor policy that uranium exporting would be banned, he held out a carrot to uranium companies and said, 'I believe, given time, and I would hope not a great deal of time, this would be overcome. In these circumstances, the mining and exporting can proceed.'

So, he was not prepared to say that they would repudiate the contract. He said he was hoping like hell that there would be a change of policy. I also quote from a transcript of a press conference Mr Hayden gave on 22 June last year, following the announcement of the feasibility study into uranium conversion at Port Pirie. It would be very useful if he apprised himself of the council's view at Port Pirie in relation to the uranium conversion feasibility study which is currently being undertaken. He said:

> We would be obliged to prevent the mining, the export, the processing of uranium in the absence of those standards being achieved. I'm truly confident, because they're largely technological requirements, that they will be achieved in the next several years. It's up to the people involved in those industries to make sure that they are.

I think it would be a very useful exercise for Mr Hayden to visit that part of South Australia to talk to those councils. I suggest that he also goes to Roxby Downs and talks to the people who are cheerfully in employment there. I think that it would be very useful if he went across to Andamooka, which is not far away, and talk to the people there who are finding that Roxby Downs is quite a boon in relation to their employment prospects. I suggest that if he talks to the Chairman of the Progress Association at Andamooka he will get very much the same story as he will get from the Port Augusta council.

NAEGLERIA FOWLERI

The Hon. J. D. WRIGHT: Can the Minister of Health say what was the incidence and location of *Naegleria fowleri* in South Australian water supplies during the January, February and March hot spells? Is the Minister satisfied that adequate information was given to the public by local boards of health about the incidence of the amoeba, which can be responsible for amoebic meningitis? In March I received a letter from the Minister of Health, in reply to my request in January for information about the incidence of the amoeba. The Minister supplied information which showed that the amoeba had been isolated 12 times during December 1981 and in the period up to 20 January 1982. The meningitis amoeba was isolated in the water supplies of towns and council areas including Whyalla, Tintinara, Keith, Peterborough, Jamestown and Minlaton. I understand that remedial action was taken after detection and that local boards of health were advised as soon as *naegleria fowleri* was detected. However, in a press release dated 25 January 1982 the Minister said:

> Local boards then exercise discretion as to whether local publicity will be given to the findings. Anyone wanting monitoring results should contact their local council.

It has been put to me that the public should have an automatic right to this information through local publicity to avoid any possible future cover-ups.

The Hon. JENNIFER ADAMSON: The Deputy Leader has effectively answered his own question by way of explanation, and I have nothing to add to that.

TEACHER'S ABSENCE

Mr RODDA: What is the attitude of the Minister of Education and his senior departmental officers to teachers absenting themselves from teaching duties for political campaigning purposes, and does a precedent exist for this to happen in future? During December, and again on 2 April 1982, Mr Stephen Blight, a teacher at Kidman Park High School, made himself unavailable for teaching so that he could campaign against the Government by appearing before the Commonwealth Standing Committee on Public Works on the subject of the international airport. Does this mean that any teacher who is a political candidate can now choose to stay away from school at any time to campaign either for or against his employer? I understand that Mr Blight is an A.L.P. candidate.

The Hon. H. ALLISON: As one who was placed in a similar position, I would say certainly not, either as a campaigner or as Minister of Education. I am surprised at the unusual nature of this question. I would have to say that I am opposed in principle to the absenting from the work place of any employee without making formal arrangements with the employer. I point out to the House that the practice in the Education Department over recent years has been to refuse applications for absence, even on compassionate grounds, unless they were very strongly justified, and that is on the basis that in recent years we have had a tremendous number of absences from class simply because of the great number (I think about $5 500 000 worth) of applications for long service leave alone, which has affected the teaching of our youngsters. So for someone to come along and simply apply (I do not know whether it was for a morning or a day off) to attend a meeting of this kind would be unusual.

The Hon. J. D. Wright: Who's the headmaster of Kidman Park High School?

The Hon. H. ALLISON: I do not know.

Mr Hamilton: I bet you do—Goldsworthy's brother.

The SPEAKER: Order!

The Hon. H. ALLISON: I am explaining the background to applications which I have received, which I have attended to and which have been turned down, not by the Minister but by the staffing section of the Education Department. Now that the question has been asked, I must say that this matter has not been over the Minister's desk. It is something that may have been attended to at school level or at personnel senior administration level in the department. The one thing that does surprise me (and I have listened carefully to the question) is that to the best of my knowledge, when I have been required to give evidence on similar occasions, written evidence has been quite adequate. I would question strongly the suggestion that it was absolutely essential for that person to absent himself from the place of duty, that is, in front of children.

Mr Slater interjecting:

The Hon. H. ALLISON: That is not really relevant, because the evidence could have been written; it could have been a comprehensive written response.

The Hon. J. D. Wright: That's not true, they want you to appear.

The SPEAKER: Order! The honourable Minister of Education.

The Hon. H. ALLISON: I take on board the point made by the Deputy Leader of the Opposition. His precise words were, 'That's not true; they want you to appear.' If that is true then obviously the question is irrelevant, but if that statement is incorrect I think the point has been made—politicking should be left to a person's own time and not to the time, really, of the taxpayer. When one looks at the situation, this simply could be a case of someone taking advantage of the taxpayer, because the taxpayer pays my teachers. I will have the matter investigated, and I repeat for the benefit of the House that this State does not have a punitive, vindictive Minister.

HINDMARSH DEVELOPMENT

The Hon. D. J. HOPGOOD: Can the Minister of Transport say what plans the Highways Department has for the disposal of properties surplus to its requirements in the Hindmarsh area? Specifically, have these properties been offered to other Government departments and statutory authorities, including the South Australian Housing Trust and local government, what response has there been, and when will the properties be auctioned? Last evening I spoke, among others, to a group calling itself the Hindmarsh Housing Association, which has had an exchange of correspondence with the Commissioner of Highways, Mr Johinke. As the Minister may be aware, this group is interested in surplus departmental property Nos. 4 to 12 Trembath Street, Bowden, and in the reply by Mr Johinke to Ms Leighton, the Secretary of the group, dated 22 March, the Commissioner gave the group and the Housing Trust 60 days (I take it from the date of the letter) to come to some agreement, otherwise, 'the department proposes to offer the property for sale by public auction.'

It has been put to me strongly by these people and others who were with them at the time that the 60 days relates not only to those specific properties but to the properties generally which are now regarded by the Minister as being surplus to requirements because of his recent announcement that the north-south freeway, if built through the area, would be a four-lane rather than an eight-lane proposition. The people in that area are disturbed about this matter, because it is their opinion that the land should be made over to the Housing Trust for housing.

The Hon. M. M. WILSON: The comments made by the honourable member in his explanation are basically correct, to the best of my knowledge. Certainly the question is an important one, and he is correct when he says that it relates to the Government's decision on the resolution of the north-south corridor.

The Hon. D. J. Hopgood: Resolution?

The Hon. M. M. WILSON: A good deal more resolution than was provided by the former Government. The Highways Department owns tens of millions of dollars worth of property not only in the corridor but in other areas; much of that property was bought with Commonwealth road funds, and that property has to be disposed of. I have already explained to this House the parsimonious attitude of the Commonwealth Government in dealing out road funds, especially for the next two or three years, and there is no way that the Government will allow the Highways Department to sit on property as surplus to its requirements. However, the Highways Department has also, in disposing of that property, to allocate that money to future road construction.

In answer to the specific question of the member for Baudin: yes, the property will be offered to various Government agencies, but I point out that there is so much property to be disposed of that the current thinking is that it should be disposed of in consultation with local government. As I see it at this stage (as yet I have put forward no recommendations) a special inter-governmental committee of high-level officers should be appointed to co-ordinate the disposal of the property, and included in that committee there will be a representative of the Housing Trust.

ROAD CARNAGE

Mr LEWIS: As we approach Easter, can the Minister of Transport say what is the current total of road deaths in South Australia so far this year and indicate how that compares with the same period (to the end of March last year) and any previous years for which he may have figures? I view with a feeling of revulsion the prospect of hearing further reports of fatalities on our roads, and I particularly fear this coming Easter weekend. There will not only be the awful vision of broken and bloody bodies in roadside wrecks, not only the screaming of the seriously injured and not only the distress of those who have to tend the injured, but also the anguish and grief of the families affected and the wretched job of the poor policeman who has to tell those families the tragic news for whom we should feel some concern and care.

The Hon. M. M. WILSON: I thank the member for Mallee for his question and the concern that he shows for the citizens of this State. I do not think that there is any more serious matter with which I have to deal as Minister of Transport than the question of the carnage on our roads; at least, that has always been my view. It is very important at this stage when we are approaching Easter to reinforce the message to members of the community that they should drive very carefully indeed. I think that members of the House will remember that last Easter the road fatality figures were rather disastrous and tragic, and we do not want that situation to occur again. I am rather disappointed at this stage with the road fatality figures this year compared to those to 30 March last year: 67 this year, as against 59 last year.

Mr Slater: Have random breath tests had any effect?

The Hon. M. M. WILSON: Yes, indeed; I do not deny that for a minute. This comparison is more disappointing when one considers that to the end of January the figures were remarkably good (if any reference to road fatalities can be described in that way), with 18 fewer road fatalities in only one month, and that gave rise to great hope and optimism. However, concurrently with that, it was noticeable that the number of people being apprehended at random breath test stations with greater than the prescribed percentage of blood alcohol was starting to rise. This means that the public is becoming used to random breath testing and that the deterrent effect is now no longer working as much as it should.

However, we must remember that last year's road fatality figures were the lowest for more than a decade. We can take comfort in that, if we can at least match those figures, we will have gone a long way down the track. I am disappointed that members of the public seem to be becoming complacent. Because of that, we are instituting this week—and I believe it has started already—another pre-Easter road safety publicity campaign. I ask the public to take note of that and to remember that drinking and driving is an extremely dangerous practice and that consideration should be given to the human misery that can be caused by that action.

BROMPTON REMAND CENTRE

Mr ABBOTT: Will the Minister of Public Works say what stage has been reached in negotiations to acquire the four privately owned properties, two established businesses, and two dwellings on the site of the remand centre at Brompton, and what assistance is being offered to those people to relocate their homes and business operations? I understand that a ban has been placed on the remand centre site by the Building Trades Federation of Unions. If that is so, it would no doubt have a bearing on those negotiations with my constituents who, unfortunately, will be forced to look for alternative accommodation.

The Hon. D. C. BROWN: The Government is proceeding as quickly as possible with the purchase of the properties involved. As I understand it, it may be necessary to purchase at least one property, if not more, by compulsory acquisition. I cannot give details of the exact extent of the negotiations and the exact offers made for the four properties. I could get some information for the honourable member, but if we are in the middle of negotiations I think it would be quite inappropriate for me to divulge what has been offered by each of the parties as part of the negotiations. We are proceeding with the purchase of the properties, and it is the view of the Government that we would like to finalise the matter as quickly as possible. The rest of the land has been purchased from the Highways Department. The Government would like to start work on the site later this year, and I think all members appreciate the urgency of the matter and the need for a new remand centre. I hope that the honourable member is not in any way participating in a campaign that appears to have been carried on by some of the local residents in trying simply to stall the construction of the remand centre. As far back as, I think, 1973, Commissioners in the Industrial Commission were severely critical of the working conditions of prison officers at the Adelaide Gaol, saying that conditions there basically were unfit for people to work in.

For a period of six years after that, the previous Government stalled, procrastinated and put off the problem, realising that people in gaol basically did not have much of a vote or, if they did have, it was not a decisive vote; therefore, no money was spent on gaol or correctional services facilities in this State. When we came to office, we had the appalling state of Yatala Labour Prison and Adelaide Gaol, as well as other correctional services institutions. The Government has undertaken a massive campaign to upgrade those facilities.

Members interjecting:

The Hon. D. C. BROWN: The honourable member should go out there and look at what has been achieved and the work that has been started at Yatala Labour Prison. The industrial complex—

The Hon. Peter Duncan: When was that approved?

The Hon. D. C. BROWN: About 90 per cent of that was approved under this Government, and we have had highlighted in this House the commitments given by this Government, the projects referred to the Public Works Committee, and the financial commitments made to upgrade correctional institutions in South Australia. I hope that the honourable member is not party to any attempt to delay the construction of the new remand centre, which needs to be built as a matter of urgency. The Department of Correctional Services has picked the ideal site and the Public Works Committee, which has on it representatives from both sides of the House, has agreed that that is the appropriate site and has given its approval for the project to proceed. I know that members of the honourable member's own Party have therefore given their support to the project, through the Public Works Committee. I would hope that the Government would get his support to make sure that the remand centre is completed as quickly as possible so that people do not have to live and work in the Adelaide Gaol facilities, which are totally substandard.

INTELLECTUALLY DISABLED

Mr GLAZBROOK: Will the Minister of Health inform the House of the Government's decision regarding the future administration of services for the intellectually disabled? Last year, the Committee of Inquiry into the Rights of the Intellectually Handicapped, chaired by Sir Charles Bright, and the intellectually retarded persons project, which was conducted by the South Australian Health Commission, both reported to the Government with recommendations regarding future Ministerial responsibility for services for the intellectually disabled. The Bright Committee recommended the creation of a statutory authority, and the intellectually retarded persons project considered four options and recommended the transfer of responsibility to the Minister of Community Welfare. I understand that the Government has established a subcommittee of Cabinet to consider the reports, and I understand, too, that it reached its decision and released a statement yesterday. Will the Minister inform the House of that decision?

The Hon. JENNIFER ADAMSON: I am pleased to inform the House and all members, many of whom I know have a strong personal interest in the outcome of this decision, that the Government has decided that Government services for the intellectually disabled in South Australia will be provided in future by a single new organisation, to be known as the Council for Services for the Intellectually Disabled. That council will be incorporated under the South Australian Health Commission Act. Its constitution, however, will be significantly different from those of other bodies incorporated under the South Australian Health Commission Act, in that it will not be required to be responsible to the commission on matters of policy, but directly to the Minister on such matters. That will, of course, give it a great deal of the autonomy that I know Sir Charles Bright was seeking when his committee recommended the establishment of a statutory authority.

The Government believes that, by establishing an incorporated body, it could move quickly, with flexibility, and in the most cost-effective fashion to establish an organisation that will be responsible for operational policies and for the direct administration of services to the intellectually disabled through Strathmont and Ru Rua and the community intellectually retarded services of the commision. The council will also be responsible for the development of policies and the provision of funds for voluntary organisations, such as Minda Incorporated and Barkuma, and it will be responsible for co-ordinating voluntary services with those of the Health Commission and other Government departments.

It is significant that the budget this year for services provided by the Health Commission is in the region of $17 000 000, while at the same time the services provided by the Education Department for the intellectually disabled have a budget of about $18 000 000, so the work of this council will be significant indeed. The House may be interested in the composition of the council, which will have nine members. Its Chairman will also be its Chief Executive Officer, and I hope that advertisements can be inserted in publications throughout Australia very shortly in the hope that the council can be established and operational by 1 July of this year.

The council will have nine members: the Chairman, who will be the chief executive officer; a person with knowledge of the legal rights of intellectually handicapped persons, nominated by the Attorney-General; a person with expertise in the educational needs of intellectually handicapped persons, nominated by the Minister of Education; a person with knowledge of community services for intellectually handicapped persons, nominated by the Minister of Community Welfare; a person with financial management experience; two parents of intellectually handicapped people; a person chosen by the Minister from a list of three people submitted by Minda Incorporated; and a person chosen by the Minister from a list of three people submitted by the South Australian Institute of Developmental Disabilities.

The Ministers who comprise the Cabinet subcommittee examined the options very carefully indeed. We all visited the institutions that provide services for the intellectually disabled in South Australia as well as bodies that provide community based services. Last night we announced the Government's decision to those people who comprise the various committees of inquiry and who have a strong interest in the outcome of this matter. I believe that that decision has been welcomed. It should also be borne in mind that late last year the Attorney-General announced that the Government would establish an advisory council on the disabled, so we would have a continuing source of independent advice. I also intend to instruct the new council to conduct regional consumer forums on an annual basis so that we can be sure that parents and interested professionals have a continuing input into policy development.

Finally, I advise the House that the Attorney-General is currently examining the feasibility of establishing an information and resource centre, to serve (if you like) as a one-stop shop to enable those who seek information about Government and voluntary services to obtain that information from a single centre rather than having to shop around a variety of different departments. All in all, I believe that the decision will mean a new deal for the intellectually disabled and their families. In view of the fact that the Government's announcement was released last night but, apparently, in the eyes of some sections of the media, it did not warrant the publicity that we believe it deserves, I will ensure that the news release that I put out is circulated to every member of this House today.

STONY POINT

Mr MAX BROWN: Can the Minister of Mines and Energy advise the House (and if he cannot advise the House at present, will he obtain advice) what was the final price, in terms of unimproved value, of the Crown land that was purchased by Santos for the Stony Point venture? The unimproved value of that land currently has a big effect on the Government rate that will ultimately be set by the Whyalla City Council. The pricing of the land has been an issue of the utmost importance.

The Hon. E. R. GOLDSWORTHY: I do not know the exact price of the land, but I do know that the valuation was not high, simply because that land is valued at a normal method of valuation, which is the valuation for market purposes. The Government valuers use precisely the same criteria as do other valuers in that regard. The land was not highly productive and was not close to the environs of Adelaide, so, by applying the normal criteria, the value was not high. I will certainly obtain a precise figure for the honourable member. If I was to hazard a guess, I believe that the price would be in the region of between $10 000 and $20 000, but I will ascertain the correct sum.

There is no other way in which the Government could, with any equity, value land other than at current valuation according to well established principles of valuation. If that land was for sale at, say, Port Stanvac or Port Adelaide, or if it was industrial land close to Adelaide, obviously the market value of such land would be considerably higher and the valuation would reflect that. The only other comment I would make is that the council can change its rating system. The indenture states that no discriminatory rate or tax should be devised simply to get at the project (that is not the precise wording, but that is what the clause means). The Government or local government cannot dream up a discriminatory tax merely to get money from the project. However, if the Government changes the method of rating, and has improved values, and so on, the local government rate that would apply to the project would change. Local government also has some authority or leeway in regard to rating.

I believe that everyone would agree that it was not unreasonable for the Government to negotiate with the companies so that there will be no discriminatory tax in relation to this project. Nothing is more off-putting and inhibiting to industrialists and other people who wish to establish in this State than not knowing the ground rules and believing that the ground rules may change so that a tax about which no-one dreamed can be levied. Nothing is more off-putting to a person who wishes to establish in a State than that sort of uncertainty hanging over a project.

I will be happy to supply the information to the honourable member.

EMPLOYMENT FIGURES

Mr EVANS: Will the Acting Premier inform the House of the number of jobs that have been created since this Government came to office and the underlying trends that are evident in the latest figures? I understand that the Australian Bureau of Statistics released today the February 1982 employment figures for Australia and South Australia. It is often reported that South Australia is not performing as well as the other States in regard to the number of jobs that have been created, which gives the impression that South Australia's employment is not increasing. For that reason, will the Acting Premier explain the present situation?

The Hon. E. R. GOLDSWORTHY: The latest A.B.S. figures became available late this morning.

Mr Slater: Why don't you insert them in *Hansard* without reading them?

The Hon. E. R. GOLDSWORTHY: I thought that the honourable member would be receptive to what we on this side believe is good news. I can understand his Leader, who is a real Jonah in relation to these matters, and who will have his ears firmly closed wherever he may be when the information is given out—

The Hon. D. C. Brown: 'Doom' and 'Gloom'.

The Hon. E. R. GOLDSWORTHY: Both 'Doom' and 'Gloom' are absent. The estimate of the number of people employed in South Australia during February 1982 was 565 700. When we compare that figure with the number of people employed when this Government came to office, we see that the overall figures now indicate that 18 300 jobs have been created since this Government was elected. We should compare this figure with the loss of jobs in real terms that occurred during the closing years of the former Labor Government. From August 1977 to August 1979, 20 600 jobs were lost; in other words 20 600 fewer people were employed in August 1979 than were employed two years earlier in the life of the Labor Government. So, I am quite sure that the Leader of the Opposition and the Deputy Leader will be quite encouraged by these very encouraging trends that are now becoming apparent.

The Hon. J. D. Wright interjecting:

The Hon. E. R. GOLDSWORTHY: I indicate that it is important to look at trends, not to take a month's figures in isolation. We know that the Labor Party takes great joy if there happens to be a slight decline in employment from month to month in this State: they seize on a particular month's figures with great glee and spread their doom and gloom as far and wide as possible throughout the State. The important thing is to look at the trends. The trends over the preceding two years are that, from February 1980 to February 1981, 7 800 jobs were created in South Australia, and from February 1981 to February 1982 an additional 5 500 jobs were created in South Australia. This clearly indicates that the number of people employed is increasing. The trend is certainly quite clear. I would also like to point out that this has been accompanied—

Mr Slater interjecting:

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: The number of jobs created in the private sector is greater than this number because there has been a decrease in the number of people employed by the public sector in South Australia. This has been achieved without any sackings or retrenchments at all by the Government of South Australia, which I suggest is in stark contrast to the situation which prevails under the much-vaunted Wran Labor Government of New South Wales, where under the financial wizardry apparent there that State is heading for a record deficit—a staggering deficit on revenue of, I understand, $300 000 000, which is the latest estimate: last week it was $200 000 000, but this week it is $300 000 000. That is a staggering figure, and this has been accompanied by chaos in the power industry, and that Government is in the business of sacking Government workers. They are sacking Government workers, which is in stark contrast to the situation in South Australia, where the Government has achieved this improvement in the work force, as these figures indicate. There is a real growth in jobs, we have kept a tight rein on the State finances, and have not had to take recourse to the methods of the New South Wales Labor Government, which has chalked up an enormous and staggering deficit and which is sacking people.

PARLIAMENTARY SALARIES

Mr MILLHOUSE: I, too, should like to ask a question of the Deputy Premier. Will the Government give a commitment now to introduce, when the House next meets on 1 June, a Bill to amend the Parliamentary Salaries and Allowances Act to provide, first, that the very large increase in members' salaries recommended in the report tabled in this House last week (I think it comes to 13.5 per cent) not be paid to members; and, secondly, to provide that the need for Parliamentarians to set an example of wage restraint be inserted—

Mr Slater interjecting:

The SPEAKER: Order!

Mr MILLHOUSE: Thank you, Sir. I thought the question might—

The SPEAKER: Order! The honourable member will come to the question.

Mr MILLHOUSE: —in section 5 of the Act as a criterion for the guidance of the tribunal?

Members interjecting:

The SPEAKER: Order!

Mr MILLHOUSE: My question is prompted in part by the second leader in the *Advertiser* this morning, a short paragraph of which is as follows:

> An alternative, to empower the tribunal to take into account such factors as the state of the South Australian economy, was proposed by the Government last year but rejected by the Opposition and the Democrats.

It was rejected by us only because of an undertaking from the Minister that within three weeks he would introduce another Bill. I said that in the House, but he never did it.

The Hon. D. C. Brown: Parliament wasn't sitting.

Mr MILLHOUSE: Yes, but it sat for many weeks after that, as the Minister knows. The article continues:

> Now the Acting Premier, Mr Goldsworthy, has offered to look again at possible legislation to ensure that wage restraint becomes a consideration in the setting of Parliamentary salaries in future. It is a noble gesture. But why not a simple piece of legislation to cut the 13.5 per cent increase first?

I have asked for a commitment immediately so that members will know, before we get our sticky little fingers on the back payments to January, that we are not going to enjoy them. I remind the Minister of three short passages in the report which I think he tabled last week in the House.

Mr Lewis: Now you will quote out of context.

Mr MILLHOUSE: I do not think that they are out of context. The first is as follows:

> The tribunal heard a submission from the Liberal Party members of Parliament that in determining any increase which should be made to the base salary of members of the South Australian Parliament this tribunal in the public interest should impose a significant restraint in the fixation of their salaries. The submission made was that members of Parliament have an obligation to give

a lead in wage restraint to the rest of the community, and the tribunal was urged to impose that restraint upon them.

Then there was a reference to the Labor Party's saying 'Give us all we can get,' which is par for the course for them. Then, on page 2 of the report, there is set out section 5 of the Act. The next sentence is as follows:

It seems to the tribunal that, in accordance with well recognised canons of statutory interpretation, it is implicit from a reading of that section that it is mandatory for the tribunal to issue a determination, which the tribunal in equity and justice thinks appropriate, based upon the material before it.

In my opinion that is wrong—

The SPEAKER: Order!

Mr MILLHOUSE: —and I so submit it.

The SPEAKER: Order! The member for Mitcham has asked to explain his question, and he is not to offer comment.

Mr MILLHOUSE: Yes, Sir, I was just giving my opinion.

The SPEAKER: Order!

Mr MILLHOUSE: Finally, on page 4, the report states:

The tribunal sees no logical reason for denying to Parliamentarians adjustments to their remuneration which have already been enjoyed by the great majority of salary and wage earners in Australia.

I heard a 'Hear, hear' from the Labor ranks. I know that that is their view; they always ask for everything that they can get. But, it is shown quite clearly from those extracts that I have read out that the only way in which we can put this right is by legislation. I remind the Minister that Parliament has that power in its own hands, so that the Government may put the submissions that were made by the Minister of Industrial Affairs to the tribunal into practice by amending the Act. I suggest, finally, that the Government should put its money where its mouth is.

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: I would suggest that the honourable member put his vote where his mouth was! Let me outline to the House the facts concerning the Government's introducing into this House some amendments to the Conciliation and Arbitration Act. The Government sought to do this in the interests of restraint in relation to wage rises and so that the tribunal should take account of a number of factors. That proposition went to the Upper House, where the Parliamentary Salaries Tribunal was specifically excluded by the Opposition, supported by the Democrat.

Mr Millhouse interjecting:

The Hon. E. R. GOLDSWORTHY: We have observed the way in which the member for Mitcham goes and sits in the Upper House gallery from time to time to make sure that his will prevails in relation to matters that come before that House. We have heard him in this House locking in with the member in another place, and quoting words of his colleague in another place. Quite recently we have heard him quoting his words in relation to another matter.

Mr Millhouse interjecting:

The Hon. E. R. GOLDSWORTHY: We have heard him quoting the words of his colleague in another place so that he would be locked in; he then goes and sits in the gallery of the other place to ensure that his colleague behaves as the member for Mitcham would like him to. Let the member for Mitcham put his mouth where his vote was. It was the Democrats who specifically excluded from the Bill the deliberations of the Parliamentary Salaries Tribunal in relation to wage restraint. That, then, puts a rather different gloss on the annual recital of the member for Mitcham before the Parliamentary Salaries Tribunal, where he makes the grand gesture of giving away his increase to charity for six months—

Members interjecting:

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY:—after tax. The accumulative effect of this generosity, if he did what he said he was going to do and gave it away for all time, would be that his salary would be pegged back to the 1970 level. So, we have this grand gesture of writing out his cheques for six months and then taking full tote odds. Of course, all members of Parliament make significant donations to charity. It fills a couple of pages of my tax return.

The honourable member puts the increase in a special account, I am told, and then writes his charity donation from that for six months; then he takes them up. When it comes to the crunch, the honourable member does not put his vote where his mouth is. The Government does not presume to sit in judgment over the income of back-benchers with young families. Let it be known publicly what the honourable member earns on the side; let him come clean. Let him declare his income. It is all very well for the honourable member to say, 'I will give up this rise for six months and then I will take full tote odds.' Let us know what sacrifice that means in terms of his financial position.

If we are going to make a comparison with some of the back-benchers on both sides of this House with young families, let the honourable member come clean. We know that he absents himself frequently from the House. The Government recognised the honourable member's ability. He has been made a Q.C., and by golly he has earned a lot of money by absenting himself from this House when these back-benchers, who have no other source of income, have dutifully attended the House. Let him come clean on what his income is. Then we will be in a position to sit in judgment, as he seeks to do on the members of this place, in relation to the adequacy or otherwise of Parliamentary emoluments as determined by the Parliamentary Salaries Tribunal. Let me say that the Government is considering the reintroduction of amendments similar to those which came before the House previously, and consideration will be given to including again the Parliamentary Salaries Tribunal in the confident knowledge that it will gain the support of the Australian Democrats.

POLICE REPORT

The Hon. E. R. GOLDSWORTHY (Acting Premier): I move:

That the debate on the motion following be concluded by 4 p.m.

Motion carried.

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

That this House notes the report commisioned by the Hon. Attorney-General into alleged corruption in the South Australian Police Force and reaffirms its full confidence in the South Australian Police Force.

Members of the South Australian Police Force have been under great pressure for six months since the *Advertiser* published some details of allegations on 8 October last year. All those allegations and all other information has been exhaustively investigated by a team which was acknowledged by the Opposition and the press at the time of its appointment to be effective and competent. The only change that has occurred since is that the investigation has been completed and a comprehensive and independent report by an eminent former judge has accompanied the report which clears the police of any charge of corruption.

Some members of the Opposition now say that they are not satisfied with the reports. The only conclusion can be because the investigating team and the report of Sir Charles Bright have cleared the police of all the allegations. There is no further allegation with which the police are accused. This debate today is now necessary to reaffirm confidence

in our Police Force and to remove the intolerable burden of suspicion which has been wrongly cast on the police and which some apparently wish to perpetuate by calling for a further inquiry without any vestige of tangible evidence to support their demands.

At the outset, I emphasise that the Government is concerned that it has become necessary to move this motion. When the reports referred to in the motion were tabled last Thursday, the Government did not contemplate that a debate such as this would be necessary. However, aspersions have continued to be cast on the force following the tabling of the reports and, in these circumstances, it has become necessary for Parliament to deal further with the matter.

To briefly recall the events that have led to the present position, early in September 1981, the Hon. the Attorney-General initiated an investigation into allegations of police corruption, particularly in relation to drugs. The investigating team established comprised Deputy Commissioner J. B. Giles, Assistant Commissioner D. A. Hunt and Deputy Crown Solicitor J. M. A. Cramond. It should be recognised that as well as the expertise that the senior police officers brought to the investigation, Mr Cramond, with six years experience as a Stipendiary Magistrate, provided to the team a sense of fairness, objectivity and a capacity for critical analysis. During the investigations, a senior Federal police officer, Detective Superintendent Winchester, became involved in investigating some of the allegations.

To ensure an independent review of reports to be presented by the investigating team, the Attorney-General approached a former Supreme Court judge, the Hon. Sir Charles Bright. When the investigating team completed its inquiries, including interviewing informants, journalists and other persons, the statements of witnesses, the reports and findings, and other relevant material were made available to Sir Charles, and he has reported in the terms detailed in the material tabled in Parliament last Thursday. The investigations were wide-ranging and thorough. The reports and findings of the investigating team comprise over 3 000 pages in 15 volumes, with 52 statements resulting from 159 interviews of 101 people, and 275 exhibit documents.

Indeed, the investigations went much further than the original 11 allegations raised by the *Advertiser*, and the reports also make it obvious that searching inquiries were made of police officers, including details of their property and cash assets and those of their families in certain cases. As a result, Sir Charles Bright has concluded that 'in no instance does the evidence, taken as a whole, justify taking proceedings against anyone'. He also made a number of references to police administrative arrangements which the Chief Secretary will deal with in his contribution during this debate.

In reaching his main conlusion, Sir Charles examined material contained in 15 files. I now invite the attention of the House to the comments of Sir Charles in relation to each of these files. Indeed, I hope all members of the Opposition and others have carefully studied the reports in detail and Sir Charles's comments and his report.

File 1—Sir Charles said, 'I would grade the allegations in this case as unlikely, even extremely unlikely.'

File 2—This contained a summary of all the allegations made by a particular informant, and Sir Charles concluded, 'In many cases, it is plain that the allegations made by Informant A do not stand up.' He also reported, 'I believe that the conclusion by the investigators that none of the allegations is deserving of credence is a fair conclusion based upon the investigations made and I would support it.'

File 3—Sir Charles said, 'There is nothing disclosed by the investigations into the allegations which justifies any slur upon senior police officer A.'

File 4—'There appears little doubt that this allegation is a concoction by informant A.'

File 5—'In my opinion, it is highly unlikely that any of these three sets of allegations is true.'

File 6—'The circumstances in this case make it in the highest degree improbable that police officer C did solicit a bribe. I would agree with the investigators report, and I am satisfied that the investigation was a thorough one.'

File 7—'I think the investigations have covered the field as well as can be done, and I see no reason to differ from the conclusions arrived at by the investigators. These are all the files.'

File 8—'I think it extremely improbable that there was ever anything like $75 000 to $80 000 in the box or that police officer A stole it.'

File 9—'It is clear from interviews with informant B that his allegations that police officer A committed the offence is based on nothing but his dislike for and suspicion of police officer A. There is no direct evidence implicating police officer A with the offence.'

File 10—'There is nothing in this file that needs further investigation.'

File 11—'The allegations are totally unsupported by the management of the club.' Sir Charles also reported in relation to this matter, 'I am satisfied with the nature of the investigations.'

File 12—'This is a pretty clear case of a false allegation and has been well covered by the investigations.'

File 13—'On the whole, I think it more likely that the allegation that police officer A and police officer Q received the money is untrue than the contrary.'

File 14—Sir Charles reported that this was the most difficult file of all. However, after receiving additional information in relation to the allegations it contained, he also reported:

> It makes much more likely the theory that the scenario was in part directed at getting police officer A into trouble.

In relation to this file Sir Charles has also reported:

> There is evidence to suggest a deliberate attempt to concoct a case of corruption.

Following the report on this file, the Attorney-General referred it to the Deputy Crown Prosecutor, who has advised as follows:

> In my opinion, there is insufficient evidence of an apparently credible nature to justify charging police officer O. Such evidence as does exist is riddled with important inconsistencies and contradictions. The sources of such evidence have every motive to lie, and the sequence of events points very strongly in the direction of fabrication.

File 15—Sir Charles Bright again:

> There is no evidence of personal corruption against the police in this file.

Against the results of these investigations by senior police officers and a review of them by Sir Charles Bright, a most eminent Supreme Court judge for 15 years and a judge, I remind the House, who presided over a Royal Commission called by the former Government in 1970, which dealt with important police matters, it is relevant to consider the *bona fides* and motives of those who made the allegations.

There were 11 informants, and 10 of them had criminal records. The police spent a considerable time looking into allegations made by a person referred to in the reports as 'A.A', a person the police have been unable to identify and whose allegations related to events which occurred as far back as 1971. Sir Charles Bright agreed that these allegations were 'pretty vague' and 'pretty difficult to check'. In his report Sir Charles had something to say about informant A, and little of it was complimentary. Informant A has had 31 convictions over the last 23 years, inlcuding several for

false pretences, arson, a few involving violence, creating false belief, and bankrupt obtaining credit. It is suggested in the reports that informant A was endeavouring to trade information relating to corruption in order to have serious criminal charges against him withdrawn.

Sir Charles has classed informant B as another 'disreputable person'. It is on the allegations of informants B and C that much of these reports is founded. They are reputedly dealers in illicit drugs on a large scale, have criminal histories involving drugs and were facing serious charges during the investigations. Informant C has previous convictions from 1973, including driving in a manner dangerous, two counts of possessing Indian hemp and accessory after the fact of felony. At the time of making his allegations, informant D was in custody on charges of armed robbery, and he did not make his allegations until after he was so charged. We also learn that he was a drug addict.

Informant E is referred to in the reports as having received substantial amounts of money from drug dealing. Informant F was a confederate of informant B. Events referred to in the reports indicate that informants G and H were dealing in heroin. Informant I was shown to have taken hashish from another person in a hotel and, of informant J, Sir Charles Bright said he believed that, in the relevant incident, he had produced a gun and taken an undetermined amount of money estimated at between $18 000 and $25 000.

Certain other people are also referred to in the reports, including person E one, who was involved in drug dealings with marijuana, person G one, who is serving a sentence of 8 years imprisonment and person F, who spent 2½ years in prison for dealing in drugs before being deported to Turkey. It can only be concluded that those who have expressed scepticism or dissatisfaction with the results of this inquiry would prefer to accept the word of criminals of the type I have just described rather than the findings of a Deputy Police Commissioner, an Assistant Commissioner, a Federal police officer, the Deputy Crown Solicitor and a former Supreme Court judge. Such a proposition is incredible to the point of absurdity, and the Government will not entertain it. Sir Charles Bright reported his opinion that the police investigators acted honestly and had done a thorough investigation, and I cannot begin to imagine that any member of this House would call into question the independence, objectivity and integrity of Sir Charles. Therefore, the Government regards these matters, as they stand at present, as closed, and they will remain so unless further evidence is brought to the Government's attention through established avenues which are open to anyone who may have such evidence.

In opposition to the Government's position, it has been suggested that a Royal Commission should now be called. In the statement which accompanied his tabling of the reports last Thursday, the Attorney-General gave reasons why a Royal Commission could inhibit the presentation of further evidence, if there is any, or the pursuit of further inquiries, if they are needed. It must also be understood that to establish a Royal Commission on the basis of what has been found in this inquiry, and on the word of most of those who made allegations, would be to declare an open season for criminals to make all sorts of unsubstantiated allegations against the best Police Force in Australia in the belief that, by doing so, they can distract attention away from their own criminal activities. That is the inescapable conclusion that must be drawn from a thorough reading of the report to the Attorney-General and Sir Charles's summary of it. It would simply provide a privileged forum for a thoroughly disreputable cast to add further drama and emotion to allegations that have been shown to be completely baseless, all the while exposing the police to further innuendo and attack over a protracted period during the proceedings.

All available evidence and information indicates this quite clearly. All of this would occur, of course, at very considerable public expense. Nothing would be more calculated to detract from public confidence in our Police Force. Nothing would more encourage criminals to believe that, in South Australia, they can enjoy an exalted status, a status which would confer credence upon unsubstantiated denigration of the Police Force as a means of allowing them to escape the full consequences of their criminal activity.

Members will recall that there have been two Royal Commissions in South Australia in the past 12 years which dealt substantially with police matters. I refer to the commissions into the 1970 Vietnam Moratorium Demonstration, which the member for Salisbury in particular would recall, and the 1978 inquiry into the dismissal of the Police Commissioner. This Government maintains that the circumstances which led to both those inquiries could have been avoided by more prudent and responsible action on the part of our predecessors. Certainly, the actions of our predecessors in relation to both matters did nothing for the morale and standing of the Police Force. At the same time, those commissions were called on the basis of events of some magnitude which had occurred and which required further thorough and independent examination. In relation to the matter now before the House, there has been thorough and independent examination of allegations made which has demonstrated that there are no known events of sufficient or similar magnitude to those of 1970 and 1978 which would justify the Police Force being made the subject of another Royal Commission—only the word of criminals.

I now wish to refer to actions and attitudes taken by the Opposition in relation to this matter. It will be recalled that the matter was first given publicity in the *Advertiser* on 8 October. On the same day, the headlines on the front page of the *News* proclaimed the words of the member for Elizabeth: 'Corrupt South Australian police officers had taken bribes, sold drugs and frame people,' the member for Elizabeth said. 'Some police also had stolen, lied and cheated', the allegations continued. Among South Australia's bad policemen were several who held senior positions, according to the member for Elizabeth, who also boasted in the article that he had leaked information to the press on this matter.

The following week, the member busied himself during the Estimates Committee hearings in questioning the former Chief Secretary about this inquiry. Later in the hearings, the member for Stuart, perhaps because he feared that the member for Elizabeth had made too much of the running in an area for which he has shadow Cabinet responsibility, moved a no-confidence motion in the Chief Secretary. On 20 October, the Opposition again attempted to move in Parliament against the former Chief Secretary, although on this occasion it was the turn of the Leader of the Opposition to at last make some of the running. Also on that day, the Opposition made a number of unsubstantiated allegations about what it said was the Chief Secretary's previous knowledge of this matter. However, the Opposition in the Upper House did not question the Attorney-General on this matter, despite the fact that the responsibility for calling the inquiry had been the Attorney's, and properly so. Obviously, the Opposition at that time attempted to use this as yet another means of attacking the former Chief Secretary. In other words, it was reflecting on the Police Force for political reasons in an attempt to discredit the former Chief Secretary and nothing more.

The member for Elizabeth returned to the fore on 20 and 21 October when he alleged that the former Chief Secretary had endangered the life of a prisoner by naming him as a police informant. In fact, this prisoner was not a police informer. He did not supply any information to the

police, although the member for Elizabeth had suggested to the police that he could, and the prisoner indicated that he did not consider himself in any danger following his naming.

Members will recall that on 23 October the tragic death occurred of Inspector Geoffrey Whitford. This prompted the member for Elizabeth to suggest that a Royal Commission had become necessary. However, the Leader of the Opposition did not agree. In the *Advertiser* on 24 October, the Leader was quoted as follows:

> We have full confidence in the competence and integrity of the two senior police officers who are conducting the inquiry into matters raised by the *Advertiser* and others.

It appeared, however, that by December the Opposition had changed its attitude to the conduct of the inquiry, for on 9 December the Leader of the Opposition in another place criticised, by implication, the time that it was taking to complete the inquiry. This criticism was repeated in two further questions by the Hon. Mr Sumner on 9 February and 2 March this year. Yet now the Hon. Mr Sumner is suggesting, and I quote from last Saturday's *Advertiser,* that the inquiry was of 'limited nature'. It is simply impossible to reconcile his previous criticism of the time it took to complete the inquiry and the Leader's support for the inquiry as stated on 24 October with the Hon. Mr Sumner's suggestions now that the inquiry was of limited nature. Let him get hold of the files; let him get hold of the facts; let him absord the facts that I have given to the House today; let him read the reports; let him read Sir Charles Bright's summary.

The Hon. Peter Duncan: Are you going to make the files available?

The DEPUTY SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: Of course, it now seems that the views of the member for Elizabeth hold sway amongst at least some members opposite. Indeed, this is typical of the conflicts and inconsistencies that have riddled the Opposition's whole attitude to this matter. They quite plainly do not know which way to jump, but they will do anything to gain any short, cheap political advantage. I have recalled that on 23 October last year the member for Elizabeth called for a Royal Commission, while his Leader said that such an inquiry was not necessary. The member for Elizabeth followed this up with a call at the special A.L.P. Convention in November for a public inquiry into the management, control and effectiveness of the Police Force. The Leader of the Opposition in another place now seems to have come to the side of the member for Elizabeth with his call for a Royal Commission, although so far the Leader of the Opposition in this place has been silent on the matter. No doubt this is because, in the *Advertiser* 24 October last year, the Leader was also quoted as follows:

> We have not called for a Royal Commission because, at this stage, the evidence does not appear to require that kind of investigation.

I am unaware of any new evidence. It will be interesting to hear from the Leader; certainly, he has not cited any further evidence since that statement to justify a change of view. If he is to support the member for Elizabeth and his colleague in another place, who seems to have taken over the running, this will be further confirmation of the fact that he is the Leader in name only. As Leader of the Opposition he has been notably reticent in taking any lead at all in this matter.

I have dealt with the involvement of the member for Elizabeth because he has been responsible for some wild allegations about the Police Force. It seems, in fact, that his views have been less than objective. For example, in the *Advertiser* on 21 October, he was quoted as referring to his 'standing among people who had knowledge about police malpractices'. Certain people referred to in the reports tabled by the Attorney-General claimed similar knowledge, and I have dealt with their reputation. On the basis of the behaviour of the member for Elizabeth in relation to this whole affair, his allegations are deserving of no more credence than has been given to the majority of the informants in these reports. Indeed, one can justifiably conclude that the member for Elizabeth, and now at least some members of the Opposition, have been fellow travellers with these criminals in seeking to break down trust and confidence in our Police Force. Of course this is not the only occasion in recent times that the credibility of the member for Elizabeth has been called into serious question. It will be recalled that in 1980, he made—

Members interjecting:

The Hon. E. R. GOLDSWORTHY: Well, members opposite should listen before they spring to his defence because it will be recalled that in 1980 he made certain allegations—

Members interjecting:

The Hon. E. R. GOLDSWORTHY: I believe that the behaviour of the member for Elizabeth has been worse than appalling, not put too fine a point on it. It will be recalled that in 1980, he made certain allegations about activities in our prisons which were examined by a Royal Commission and found to be without foundation. In fact, that Royal Commission invited the member for Elizabeth to place information before it after he had alleged, amongst other things, that 'a mafia of hardened criminals was operating a standover racket'. The member's reply to this invitation was to record that 'there are no matters known to me personally which I could usefully have put before the Commission'. In all these circumstances, the views of the member for Elizabeth in relation to the matter now before the House need to be viewed with scepticism, to say the least. Yet it appears that certain elements within the Opposition are prepared to support them. That is a scandalous indictment of the Opposition's attitude to the Police Force, and begs the question: who is next in line for abuse and denigration of this type? Will it be our judges (there have been some imputations certainly about Sir Charles in relation to this matter), our senior public servants, the armed forces perhaps, who they will focus on next in what has obviously become, on the part of the member for Elizabeth at least, an orchestrated effort to destroy public respect for recognised and responsible authority in our society?

Those who suggest that a Royal Commission should be held into this matter also have amongst their supporters Mr R. C. Bleechmore, a lawyer who, last October, submitted reasons for a Royal Commission in a letter read in this House by the member for Stuart on 28 October, even though the call had been rejected by the official Leader of the Opposition. In that letter, Mr Bleechmore stated that he was acting on instructions from six signatories, some of whom are facing drug charges. These signatories included Informants B, C and G, whose backgrounds I have already described. Each has a criminal record. It is curious that one of the reasons advanced in that letter for the holding of a Royal Commission was that the signatories stated that they would not co-operate with the investigation as then established. In fact, as the reports demonstrate, each of those persons made a full statement to the investigating team. We have dealt with that evidence, and so has Sir Charles.

It seems, however, that Mr Bleechmore is not prepared to let the matter rest there. In the *Advertiser* on 2 April he referred to the work of the police investigating team and Sir Charles Bright as an 'April Fool's Day report' and suggested that Sir Charles 'had been politically used to give the report some sort of seal of approval'. There is little more I need to add about Mr Bleechmore when he makes

statements as reckless and stupid as those. However, I would point out to the House that Mr Bleechmore has in the past addressed public meetings as a representative of the Society for Cannabis Law Reform, and he is the same Mr R. Bleechmore who, I understand, at the 1981 State Convention of the A.L.P., moved to have the Party adopt as policy the decriminalisation of the use of Indian hemp. So he can hardly be described as being a disinterested party in this matter.

Another who has called for a Royal Commission, according to the *Advertiser* this morning, is Mr A. D. Bone, Administrator of the Consumers Association. Like Mr Bleechmore, Mr Bone cannot be regarded as disinterested in relation to this matter, which includes in large part the question of drugs. I am informed that a conviction against him for possession of Indian hemp was recorded in January 1979.

Members interjecting:

The Hon. E. R. GOLDSWORTHY: If people want to deal in smears, we will deal in facts. We will put the facts before the House. To conclude, I refer to the role of the *Advertiser* in this matter.

Members interjecting:

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: In his Ministerial statement last Thursday, the Attorney-General referred as follows to the manner—

Members interjecting:

The Hon. E. R. GOLDSWORTHY: I know honourable members do not like the truth, but in dealing with matters such as this we should be interested in the truth. In his Ministerial statement last Thursday, the Attorney referred as follows to the manner in which the *Advertiser* originally raised this matter with him:

> Quite properly, these people were concerned about the apparent serious nature of the allegations and were anxious to make as much information as possible available to the appropriate authorities to ensure that, if there was substance in the allegations, offenders should be brought to account.

The *Advertiser's* responsible approach at that time was recognised and appreciated by the Government. During the course of the inquiry the opinion of the *Advertiser*, as reflected in its editorials, indicated support for the actions taken by the Government in seeking to investigate the allegations raised by it in the first instance. On 8 October, the *Advertiser* editorial stated:

> The Government, when alerted to what we believe is happening, has acted with commendable strength and resolve. That must continue to mark all its moves until all doubts are removed and any doubts are removed and any corruption is completely eradicated.

A further editorial on 23 October stated, in part:

> No ground has so far been established to question the Government's actions. The appointment of a top level team comprising the Deputy and Assistant Commissioners of Police and a senior Crown Law officer was appropriate. If, however, it becomes apparent that this investigation cannot, for whatever reasons, get to the root of the matter, a more widely based inquiry, possibly a Royal Commission, will have to be considered.

Honourable members will be aware, from a detailed consideration of these reports, and from what I have said previously today, that the Government does not consider that any grounds have been established for a wider inquiry at this stage. I therefore take issue with the report which appears in the *Advertiser* last Saturday written by Robert Ball, under the headline 'Doubts on value of police report'. It is impossible to reconcile the thrust of that article with the findings of the reports and the earlier attitudes expressed by the *Advertiser* in relation to the conduct of the inquiry.

The article refers to 'many sources in legal and police circles' who 'seriously doubt the value of the report, if its aim was to settle the question of corruption in the public's mind'. There is, however, no naming of these sources and, while stating that the report 'contains nothing which effectively clears up lingering doubts about the propriety of a minuscule part of the force', nowhere did that article refer to the conclusions of Sir Charles Bright that the allegations originally raised by the *Advertiser*, and the other allegations investigated, did not justify the taking of proceedings against any person. The Government cannot, therefore, accept last Saturday's *Advertiser* report by Robert Ball as objective. If Mr Ball has any further evidence to support the thrust of his article, he should immediately bring it forward as he did previously. The inference from his article is that he disbelieves the report and Sir Charles Bright's summary.

The Government maintains that it has done all within its power to ensure that these allegations have been investigated in a proper and responsible way, bearing in mind the *bona fides* of the majority of those who made them and the need to preserve public confidence in the Police Force. It is time to restore perspective to this situation. In all, the reports referred to in this motion dealt with allegations made against 24 police officers—24 police officers out of a force of 4 000. As a result of this inquiry, no action has been recommended against any of those 24 officers, and that recommendation has been made by a former Supreme Court judge of recognised eminence. Yet, if some individuals and groups were to have their way, suspicion would continue to be cast over not only those 24 officers but the whole Police Force. Our Police Force deserves better from some of our politicians, and from those sources who want to remain anonymous and those journalists who continue to quote them. While the Government would not hesitate to act if it received any fresh information or evidence in relation to this matter, it believes present circumstances are such as to warrant, and indeed demand, that this motion receive the unanimous endorsement of the House.

Mr BANNON (Leader of the Opposition): We have just heard a very pitiful attempt at self-justification by the Deputy Premier of a sort that I think demeans this debate and the importance of the issues raised in the report on allegations of corruption in the Police Force. The remarks he has made about the report, the fact that the burden of his speech was directed to abuse of the Opposition and of other members of the community not in a position in this House to defend themselves, including the reading of alleged criminal records, the whole thrust of his remarks, attempted to trivialise what is in fact a matter of major public concern and importance that should be discussed in the context of this debate, not in the venue of political point-scoring, but in looking at the substance of the report and whether it does answer questions and allay public doubts, looking at the substance of the report and seeing whether it points to further inquiries and investigations, particularly in relation to administrative procedures.

That is what this debate should be about, but we have had this pitiful contribution from the Deputy Premier, the tedious and misleading recital of the report findings of Sir Charles Bright—very selective quotes—to attempt to reinforce his attitude that the whole business was irrelevant and a waste of time. Then, having moved on from that, he dealt with the credibility of the informants. That is a splendid emotional line to take. Are we to take the word of criminals? That is what he asked at one stage. That is emotional nonsense in the context of this inquiry about such allegations.

Of course, many of those involved in making allegations and expressing concern will have criminal records, will have been involved in illegal and criminal activities. We know that. That is the nature of such inquiries and one of the problems connected with them. To simply dismiss the information provided because these people are caught up in that underworld, involved in criminal activities, or have criminal

records, is again to ignore the fundamental issue of this report and this whole situation: are the procedures for such complaints and inquiries adequate? Can they allay public fears?

Perhaps the Deputy Premier, before he spoke, should have consulted with the new Chief Secretary about some of his remarks. What is the point of his having said in the *Sunday Mail* that he was concerned that justice be seen to be done and that, where there is an allegation, there must be a mechanism by which it is thoroughly investigated to protect both the public and the officers of the Police Force? What is the point of that when we get this incredible response to the motion?

We on this side are concerned about seeing that justice is done to the community, to the public, and to the police: fundamentally and most importantly to the police, because, as we have so often pointed out from this side, the confidence that the public has in the Police Force is absolutely vital to the successful carrying out of its duties. If this report was aimed at doing nothing else, surely it was aimed at clearing the air, and allaying those rumours and the lack of confidence that was apparent in the community.

The report does not achieve that to the extent that it should have, and that is why we believe that we have adopted a responsible attitude to how this report should be debated and discussed and the further action that should follow from its tabling. All of that is dismissed out of hand by the Deputy Premier because, having talked about the word of criminals and the fact that none of the informants can be relied on, without exploring it in any realistic way, as Sir Charles Bright and others who have discussed it have attempted to do, he goes to the main substance of his speech. Is it about the problems of the police or the public, or the drug scene, or organised crime? Not a bit of it. It is all about stirring up whether or not the Opposition is united or divided, whether we said this or whether we said that.

That is the approach that the Deputy Premier wants to take, because that is all he is concerned about. So one can dismiss out of hand the vast proportion of his speech. Of course, we raised this matter publicly; we moved motions of no confidence in the former Chief Secretary when he was in office, which were well justified; and we have made statements. I can see that some of those statements have been in conflict in terms of the response to the inquiry and the allegations, but there has been no conflict between the official stand of the Opposition, which has been held consistently and stressed through our official spokesmen, the shadow Attorney-General in another place and the shadow Chief Secretary in this House.

The article that the Deputy Premier quoted to try to discredit the Opposition's stand on this matter makes quite clear why we stand before the House making the points that we will make today. In that statement, I said quite clearly that we have not called for a Royal Commission because the evidence did not appear to require that kind of investigation. What is irresponsible about that? Indeed, what is inconsistent about it? We waited until we saw the report, assessed its adequacy, and decided whether it answered those questions or whether it raised more questions, and, having made that analysis, we have proposed a Royal Commission, with detailed terms of reference that illustrate those points. There is nothing inconsistent about the stand we took.

While the inquiry was in progress, while we were waiting to see the report, we were not officially prepared to join calls for a Royal Commission. I defy the Government to suggest that that was an irresponsible or hastily conceived attitude. The article quoted by the Deputy Premier states, in part:

> I have repeatedly said that any calls for an open or wider ranging inquiry are premature.

Those calls were not wrong or out of the question, but premature: they are no longer premature, because we have had the report and we have had a chance to analyse it. We are now in a position to draw conclusions and propose further action, not simply to set aside the report on the shelf, as the Government wishes to do. I believe that our attitude has been consistent, sustainable and, indeed, the very words quoted from the *Advertiser* by the Deputy Premier lend total support to that. The attitude taken in the *Advertiser* editorial, and the involvement of the *Advertiser* in this matter, has been central and has confirmed precisely the sort of approach that has been taken by the Opposition, that there may be a need for a Royal Commission or a further inquiry, but not while investigations were going on. Nothing we have said in the past and nothing I will say today detracts from statements we made expressing confidence in the way in which the investigating officers went about their job. Within their brief, within the evidence or information that was put before them, within their ability to manoeuvre, they have done a very thorough job, and that is apparent from the report. Our criticisms of the report and of the adequacy of the investigation are aimed not at the investigating officers but at the context and the way in which that investigation had to be carried out. That will be made clear as I continue my remarks.

The Deputy Premier said that, above all, the report clears the police. If only it did! If only the report effectively laid to rest the allegations and statements that have been made. Unfortunately, it does not do that, and until it does, until the matter is clarified totally in terms of this report and for the future in terms of procedures that will apply in other cases at other times, this Parliament should not be satisfied with simply noting it. It is for that reason that I intend to move an amendment to this motion to add certain words. I move:

That the following words be inserted after the words 'S.A. Police Force':

> However in view of continuing public doubts about the nature of the inquiry and report this House calls for the establishment of a Royal Commission with the following terms of reference:
>
> (i) Review the findings of the internal inquiry into alleged police corruption and conduct such further inquiries as it may deem necessary.
>
> (ii) Review internal police administrative procedures referred to by Sir Charles Bright.
>
> (iii) Review the recommendations of the Mitchell Committee into Criminal Investigation and the Australian Law Reform Commission into complaints against the police in the light of its findings on police corruption, police/community relations and circumstances in South Australia at present.
>
> (iv) Consider whether the Ombudsman or some other independent authority should have power to investigate complaints against the police.
>
> (v) Consider proposals to establish a permanent crime commission to investigate and advise on organised crime and corruption in the criminal justice system.
>
> (vi) Consider existing laws particularly in relation to drugs and their effect on police corruption.
>
> (vii) Advise whether or not police powers are adequate to deal with organised crime and drug offences.

After the luncheon adjournment, I will consider the report in detail and the issues it raises, but to summarise I would say that the report does not clear the name of the majority of police officers, which is what was desired by those involved in the exercise and by those who raised the questions. It does not restore the high standing of the force as a whole (as we would wish), and it is important that means be found by which that is done. It will not satisfy either the police or the community, which relies on the efficiency and integrity of the Police Force.

Most importantly, the report raises questions of policy and principle about how complaints should be handled, such matters as the effect of existing laws, whether police powers are adequate to deal with organised crime, and whether a tribunal should be established. All those points are referred to in my amendment to the motion. Those are the matters with which the House must grapple, and after the luncheon adjournment I intend to deal with those matters in some detail.

In the minute or so left before the adjournment, I refer to the format of the report. One of the real problems we have (whether as members of Parliament, members of the public or people in the media) in analysing that report has been its structure—the way in which it has been put together. If one looks at the report, one finds that there is a basis for considerable confusion about its nature. It begins with an introduction, presumably a covering note describing facts from the Attorney-General; it goes on to Part 1, a general survey by Sir Charles Bright, dated 16 March 1982; then we have Part 2 which, in fact, is repeated word for word in Part 3, which details the allegations. After the luncheon adjournment I will return to the question of the format of the report and its findings.

The SPEAKER: Before the sitting is suspended, accepting the Leader's request, I ask whether the amendment is seconded.

Opposition members: Yes, Sir.

[Sitting suspended from 12.58 to 2 p.m.]

Mr BANNON: Prior to the adjournment, I was talking about the way in which this report is presented and its format, which I suggested was extremely confusing. Whether it has been designed to so confuse, I am not sure. The Deputy Premier's approach in his speech suggested that that may, indeed, have been the Government's intention, because what it has done is extract from what is now Part 3 of the report all those statements in Part 3 made by Sir Charles Bright, and recount them, one after another, as Part 2 of the report. That is, pages 4 to 37 are simply the recorded statements of Sir Charles Bright. They are called 'A Report to the Attorney-General, Comments on files by Sir Charles Bright.'

I suggest that presenting the report in this way is totally misleading, because the ordinary person picking up the document and attempting to work his way through it would inevitably read through those lengthy statements of Sir Charles before coming to the actual allegations, the report of the investigating officers, and Sir Charles's comments which are attached. His comments are meaningless if taken out of context. They make sense only if they are related to the allegation made and to the investigating officers' comments, as is done in Part 3. I suggest that many people attempting to work out the strength and nature of the allegations would be totally misled by simply reading what is called Part 2 of the report in the absence of all the material contained in Part 3. I wonder whether it was not the Government's intention so to do. As I say, it makes no logical sense in presenting the report. The logic of the report is to have the allegation, the investigating officer's comments and Sir Charles Bright's remarks or comments on them, set out in sequence so that they make sense, as done in Part 3. But, we have this Part 2 which adds absolutely nothing to the report, except 30-odd pages, all of which is repeated elsewhere.

The reason why I think the Government might have had this in mind is that it was interesting to note that the Deputy Premier, in going through the report and its findings, simply read from Part 2, Sir Charles Bright's comments; selective quotes which were misleading but designed to reinforce his case that Sir Charles Bright found absolutely nothing of substance in his investigation. That is not true. An examination of Sir Charles Bright's comments on a number of occasions, in taking into account the investigating officers' report and, of course, the basic allegation made, throws quite a different light on the proceedings. So, as a first comment on this exercise I suggest it has been made very difficult indeed, much more difficult than it might be, by the way in which this report is presented.

Let me deal with the process of inquiry. We have heard the Attorney's statement. What he said was repeated today in his opening remarks by the Deputy Premier about how this inquiry came to be established and what was done in the course of it. But, when the report was tabled a completely new and different fact came to light, something that nobody knew anything about, namely, Sir Charles Bright's involvement as the independent commentator, if you like, on the report and its proceedings. It is important to note that the report, as tabled by the Attorney, is Sir Charles Bright's report. The reports, as 'compiled by him,' are those quoted in support of the Government's stand on this report. The fact is that until this report was tabled I do not think anyone was aware of Sir Charles Bright's involvement.

The Hon. Peter Duncan: Until the day before.

Mr BANNON: The day before, when information came through that this independent examination of the files and allegations was being made by a former Supreme Court judge who enjoys great respect in the community and in the Judiciary. Why was that kept secret? I suggest that it was because the Government, very early on, realised that in fact the process which it established of an internal inquiry was not going to satisfy those people concerned about the allegations, that in itself it would not be sufficient for the Attorney simply to table the report of the investigating officers, that he needed some further examination or gloss on it. I would have thought that the simplest way of doing that, the most effective way of dealing with that problem, was to establish a judicial inquiry, to formally appoint someone and charge him with the job of working with the investigating team in the process of compiling the report. But that was not done, because it did not suit the Government's purposes to do so. In his statement, the Attorney made the following remarks:

> At the outset I had in mind that in addition to the investigating team investigating the allegations some independent person should ultimately review the report which might be presented to me.

At the outset, the Attorney tells us, he had this in mind. Did he tell that to the Parliament? Did he give any hint whatsoever to those involved? No, he kept its secret. We understood, and indeed it was reinforced by the statements made by the Deputy Premier, that that was Mr Cramond's role in the investigation. If one looks through the report as presented it is very hard indeed to see precisely what Mr Cramond did at any stage of the investigations.

I think his name gets mentioned once right at the end of the report in relation to his suggestions on certain administrative procedures. Apart from that, there is no reference at all to him. What was he doing on the inquiry? We were told that his job there was to provide that independent legal assessment of the evidence that was being taken. Apparently that was not sufficient. Incidentally, I guess he would have been somewhat impeded in doing that by the fact that he was absent for a large part of the time of the inquiry, certainly for the period before Christmas when the reports of investigations were coming to their end. As far as we, the public and Parliament, knew this was an inquiry being conducted with two named, high-ranking, most senior officers of the Police Force, together with Mr Cramond, and that would be the end of it. That would be the report which would be tabled and on which, presumably, the Attorney would make recommendations. But, apparently he had in

mind at the outset that somebody else should review the report, but he did not want anybody to know about it.

I suggest that, by doing that, the Attorney recognised that in itself the report would be insufficient, that there was need for some independent judicial-type examination of matters raised, but he could not say that publicly because that would represent a backing down of his previous position. So, he devised this procedure which, I suggest, is quite inadequate and, more importantly, it was devised as a secret exercise to be revealed only at the time the report was tabled.

Much was made of Sir Charles Bright's consideration of the report and its impact. I suggest it has severe limitations. First, Sir Charles Bright was looking only at files and reports after the event, after examinations had been conducted and after evidence had been garnered. He was, it is true, invited to have access to the team, to speak to certain people and call for any more documents or information he wanted. There is internal evidence within the report that on occasions he did ask for further information or to be satisfied in particular areas. But the important point to note about his role in this is that he was essentially assessing information collected for him by others. He was not in a position to examine the primary sources of the information or evidence. What weight he accorded to it, what strength he felt it had, could be based only around those reports, in writing, as presented to him. He had access to the team, the Attorney tells us. That is true, but we find from the report that it was Mr Hunt who actually dealt with Sir Charles Bright. He says, as far as the files are concerned:

> I have seen Assistant Commissioner Hunt on a number of occasions and have requested more information which has been supplied in due course. Mr Hunt displayed a willingness to assist me which, whilst no more than I expected, nevertheless impressed me. Because of a decision made by me, I have not seen Deputy Commissioner Giles.

So, one of the investigating officers, for whatever reason Sir Charles Bright believed (and he did not state the reason), was not consulted by him at all. It may have been because Mr Giles, for most of the relevant period, was Acting Commissioner of Police and Sir Charles Bright felt that he should not consult him. But, for whatever reason Mr Giles was not consulted; only Mr Hunt was consulted, Mr Cramond was not consulted. In terms of access to the team I suggest that such access was of a limited nature. It may have been enough to satisfy Sir Charles, but nevertheless it was of a limited nature.

Secondly, the Attorney said Sir Charles could have access to such other persons as he wanted. Now, in fact it appears that Sir Charles did not seek to have access to anybody else. I suggest that that probably was proper of him—proper in the sense that he was not in a judicial capacity where he could examine informants or those under suspicion or check the evidence on a person-to-person basis. He was in a very invidious position in that respect. What was he going to do, invite one of the informants to come up and sit in his office and have a cup of tea while he chatted about it? His very presence, his very involvement was secret in any case. He could not do it in a formal tribunal hearing. In a sense, although the Attorney says that option was open to him, I suggest it was not open to Sir Charles Bright; he had to rely entirely on written evidence, because he had no status, no standing on which to carry out some investigation or assessment direct with witnesses.

When we are talking of truth and credibility, that raises the way in which people answer questions, how they comport themselves, how they stand up to cross-examination. None of these matters could be assessed by Sir Charles Bright except on the written evidence of the investigating team. I suggest that that placed very severe limits on him, indeed. The more one analyses Sir Charles Bright's involvement, the more I am concerned that this report would have been far better if tabled simply as a report from the police investigating team, and not given this patina of respectability which the Attorney seeks to put on it by getting Sir Charles Bright to examine the files.

I suggest that, if anything, that procedure and those problems Sir Charles Bright had pointed up the need for some formal proceeding. If it was the Attorney's assessment and belief at the outset, as he said, that he needed some independent analysis, surely he should have announced that from the beginning and established it properly. He did not do so, and the limitations under which Sir Charles must have laboured point up the need for some formal procedure. I go further and say this: Sir Charles was totally dependent on information available from the the team. He could not, because of the way in which he had to conduct his inquiries, go outside that team. He did not have access to submissions from lawyers and from the public or others who may have felt inclined to give Sir Charles Bright information that they were not inclined to give to the police investigators. If Sir Charles's involvement had been published, if it was known as a fact that he would be conducting this review, more information may well have been presented. Those people who may have held back because they did not have confidence in an internal police investigation may well have been forthcoming in the confidence Sir Charles Bright had some role in it.

That opportunity was never offered. I say that that becomes even stronger in a situation where there is a properly controlled judicial inquiry. It is said that there may not be people in that position that that is an excuse for people who make unsubstantiated allegations and do not wish to have them investigated. That may be true in some cases. It may be true in a majority of cases, but experience of these inquiries in other contexts and indeed the experience of the Ombudsman, as dealt with in his reports, indicates that it is not a fanciful suggestion. There are people not prepared to submit themselves to what they see as an internal inquiry where those being judged are judging themselves, but will come forward only when totally convinced of the independence of the investigation. I refer to the Ombudsman's Report for 1980-81 where he talks about complaints concerning the police, which he has no power to deal with and which he must forward on to the police for the complaint to be investigated by those internal procedures and in turn act as post office whereby the complaint can be sent back.

Going beyond his report, I refer members to the report in the *Advertiser* in November last year, in which the Ombudsman talks specifically about this problem of people being unwilling to come forward; 40 complaints are mentioned in his annual report, and the article states:

> 'But for each one of those 40, we received another 10 which were not registered or passed on to police', Mr Bakewell said. 'In most cases people phone in and we tell them we cannot investigate complaints against police. If they want the matter continued with, we tell them to complain directly to the police who take their names and carry out their own investigation. But most drop their complaints when they learn that they have to give their name to police and have police investigate the matter.
>
> That includes many of the 40 whose complaints were registerd and the rest of those which were not registered. As I say, we only actually register or open files on one in 10. Some of those who come in and find out that my office cannot investigate leave in tears. And I might add that some of those complaints not continued with have come from very prominent people in the community.'

In other words, it is not just the case of the individual making wild and unsubstantiated claims that he is not prepared to back up. I do not deny that happens, and I think in that case it is quite proper that their complaints

are not proceeded with. The Ombudsman is saying that, among those many complaints (some 400, he suggests), there are people of considerable substance in the community who, on being told it will not be an Ombudsman's investigation, nor an independent judicial investigation, decide they can not proceed because they do not have confidence in the internal investigation procedures.

Whether or not they should have confidence in those procedures is surely not the question. The point is that they do not have such confidence and therefore withhold whatever information, whether relevant or irrelevant, they might have, and that was one of the major restrictions under which this whole inquiry laboured. Sir Charles Bright's involvement in that direction did nothing. On the contrary, I think that by being involved and implying that there was some considered independent access to information the debate around the report has been further confused.

I would like to examine, in the context of Sir Charles's statements, some of the individual cases, which I will do fairly briefly, to indicate that in fact there are question marks raised by this report, things which may well be explained in a fuller report and which may well be fully clarified in a larger judicial inquiry or Royal Commission, but which, on the face of this report, are not covered. Let me begin from the beginning. In looking at this, I would advise all members to ignore Part 2, which is irrelevant because everything in it is contained in Part 3, and is contained in the context of Part 3, and to use Part 3 for an examination of the allegations and how they were dealt with. I refer to the first case: allegations of A.A., on page 43, in which Sir Charles Bright expresses his view of the evidence before him and then he states:

> I would start with declaring that I have long been acquainted with ————————, the father of the person under investigation, and have always had the highest opinion of him. I would, in the absence of anything to the contrary, readily accept any statement that he makes regarding advances and gifts made by him to his son.

With all due respect to Sir Charles, the fact of his personal acquaintance with the father of the person, the fact that he believes him to be a man of the highest standing and integrity, is nonetheless not completely relevant to the inquiry and investigations being made. There is no evidence that Sir Charles directly questioned police officer I, the subject of the complaint, or indeed the father of police officer I, the man he knows well and of whom he has a high opinion.

I would suggest that, in this sort of document, with the gravity of some of these claims, that is just not good enough for someone of Sir Charles Bright's standing. Let me qualify that by saying that, in the context of the sort of examination that Sir Charles Bright would make, it is a legitimate comment for him to make, but in terms of a rigorous judicial appraisal of the evidence, it is inappropriate, and I would be surprised if Sir Charles himself would not agree with that view. I refer now to the case of officer 'M' (page 44 of the report) in regard to the findings of the investigating team, which were that:

> Consideration had been given to approaching Police Officer 'M' and inviting him to respond.

In other words, the evidence surrounding this allegation was checked with various other policemen and corroborating evidence was not found. Fair enough, as far as it went, but consideration was given to the subject of the actual allegation. Police Officer 'D' was the subject of the allegation and various other police officers were mentioned, and their evidence was checked out. The allegation went on to say:

> Police officer 'M' knows plenty about them [that is, the allegations in relation to police officer 'D'] and is ready to let the balloon up on them.

The investigating team stated their view:

> Consideration had been given to approaching Police Officer 'M' and inviting him to respond. However, in view of the apparent absence of any foundation for the accusation and also because of certain legal and ethical considerations attaching to Police Officer 'M's' current situation, that course has not been pursued.

I think many would say that that course should have been pursued. If the investigating team was leaving no stones unturned, then it should have pursued the case of Police Officer 'M' and obtained his direct evidence. The legal and ethical considerations are not spelt out; they may well have had some basis, but nonetheless that investigation was not made. All that Sir Charles can help us with are his comments:

> I agree that this is too vague to investigate. If police officer 'M' ever volunteers to speak, and if he alleges corruption, this must be investigated.

That is just not good enough: apparently we are waiting for this police officer, if he finds out that he is the 'M' referred to in the report, that is, if he reads the report, to volunteer and allege corruption, and if he does not, no more need be heard about the matter. I say that that is a deficiency in the investigation, but Sir Charles apparently did not think that the matter was worthy of pursuit or of further comment.

I turn now to page 46, referring to allegations against police officer 'C'. Again, some odd facts are revealed in the report. Apparently, one of the things that police officer 'C' did, allegations about which were made, was to accompany a person 'Z' to Sydney in order that the latter appear as a witness before the New South Wales Royal Commission into drug trafficking. It is not made clear why police officer 'C' was chosen to do this particular job. The investigating team officers state that first, this arrangement was to ensure that person 'Z' actually attended the hearing and that the Royal Commission paid for police officer 'C' to accompany him, and secondly, that person 'Z' had some apprehension as to his safety and wanted someone to accompany him. However, why was it police officer 'C'? Nothing is said about that. Sir Charles simply comments as follows:

> These are not supported by witnesses who might be expected to support them if true.

That might be fine as far as the investigation is concerned, but I suggest that that bald comment, read out with such aplomb by the Deputy Premier in his speech, does not in any way look into the complexities, the questions that the report raises, as much as the answers.

I refer to page 54 and the following pages, concerning informant 'I's' allegations regarding a rape case and the alleged involvement of police officers in it. Again, there is the report itself, which on the surface is quite confusing, because one of the chief burdens of its allegations is that police officer 'A', whose name crops up in other allegations as well, was involved in this incident—a very grave assertion. Now, in fact, the report exonerates police officer 'A'. Sir Charles Bright's comments were as follows:

> It is clear that police officer 'A' could not have been present and I agree with the non-interview of him for this reason.

I refer back to the investigating team's report and its finding at paragraph 27: that on 7 August 1981 police officer 'A' was engaged on other duties, which could be verified. The investigating team concluded:

> From the aforegoing it seems conclusive that police officer 'A' could not be the offender.

Later, at paragraph 30, it is stated:

> No other evidence is available to connect him with the matter and for these reasons police officer 'A' has not been approached.

It would appear to me that both Sir Charles Bright and the investigating team place enormous weight on police officer 'A's' not being involved because on 7 August 1981 his movements could be accounted for and they were nowhere near the vicinity of this alleged rape. However, if one reads the rest of the report one finds that there is no

certainty that that, in fact, was the day on which the rape took place. For instance, the complainant, informant 'I', said it took place on Monday night, and that statement is repeated at page 56, where informant 'I' said that the incident occurred on a Monday night, early in August. One of the witnesses who could not be traced, person 'P1', said that it was on a Friday night, and that he remembered a particular band playing, but a check at the hotel revealed that the night of this specific group's concert was Saturday 15 August. If that was the night he had in mind, it is an entirely different one from a Friday, and indeed from Friday 7 August. The investigating team stated at paragraph 14 that Person 'P1' vaguely agreed that that Friday night would have been Friday 7 August. That is the only night on which it is recorded that police officer 'A's' movements have been completely tabulated. Yet, the report points out that the offence could have taken place between 3 and 15 August. Where is the conclusive proof? How is Sir Charles able to say this:

It is clear that police officer 'A' could not have been present and I agree with the non-interview of him.

I suggest that there is a question mark there that is not adequately answered in the report. Referring further to this question of whether or not police have been involved in the cultivation of marihuana, at page 62, after examining a report from Messrs Stanford and Winchester, Sir Charles stated:

It is quite possible that one or more members of the Police Force, not necessarily at present in the Drug Squad, have an interest in growing marihuana. If they are not in the Drug Squad, however, they are less likely to be able to give protection to the grower.

I would suggest that the question of whether or not police officers are in the Drug Squad is irrelevant in regard to the question of whether or not they as police officers are engaged in the cultivation of marihuana. There are some matters obviously over which Sir Charles Bright had considerable doubt, but was not able to pursue. At paragraph 10, concerning that same case, he asks a number of questions, and his report is dated 22 February 1982. He then goes on to make further comments, dated 5 March, as follows:

I have now been supplied with answers to these questions. The decision was made by senior police officer 'B', not by senior police officer 'A' and the answers to my questions do not implicate senior police officer 'A'. My comments in pararaphs 1-9 stand. Nevertheless, I think the administrative response to the allegation against senior police officer 'A' in 1979 was a too ready decision to do nothing.

There is a criticism, but again the matter is not continued. Yet confusion arises when one looks at the additional comments of Sir Charles Bright. In the comments I have quoted he states that, 'I have now been supplied with answers to these questions', but in his additional comments, written 10 days later, he states:

The additional information does not lead to my varying my earlier comments on this file. The questions raised in paragraph 10 of my memorandum have not been answered. However, I think they relate to police management and not to the initial allegation.

I suggest that those points are still as important as they were when raised by Sir Charles and that they have not been answered. In relation to the question of officers 'A' and 'Q' and the seizure of money by officer 'A', Sir Charles states, at page 91:

I am left unable to dismiss these allegations. They may be true. If so, police officer 'A' and police officer 'Q' were risking their careers and their bodies in behaving as alleged.

Later, he states:

This is an illustration of the need to examine administrative procedures. If the allegations are false, the file shows how difficult it is to prove falsity satisfactorily.

There is an important ongoing question, not answered by this report and not answered by any procedures that the Chief Secretary himself talks about implementing. Then, of course, there is the most disturbing matter of all, that which is contained in what I think was called 'File 14', pages 94 onwards of the report. This matter, of course, is the one about which the investigating team stated that it was pertinent to note that one of the informants who came forward of his own volition was apparently motivated to do so as a result of the much publicised suicide of the late police officer 'S', and his belief that informant 'D's' alleged earlier revelations somehow were connected with that unfortunate event.

The Attorney-General has completely dismissed any connection between what is described as an 'unfortunate event', that is, the suicide of police officer 'S', and this inquiry in any way. It has dismissed, and all sorts of placatory statements were made at the time regarding grave public concern over that still-unexplained matter of the suicide of police officer 'S'. Members do not need the name of that police officer spelt out. If one goes on, one finds that, in fact, the evidence of police office 'S' could well have been very crucial—that he could well have known a lot about this case. Why? It is because Sir Charles Bright tells us that some of the strongest evidence comes from informant 'D's' father, who knew very little about it but had heard a lot and had discussed it with the late police officer 'S' from informant 'D's' girlfriend (person 'M'), who claims to have seen police officer 'O' actually pass over heroin to informant 'D' or at least to have been present when informant 'D' left his car; he then not having any heroin went to see police officer 'O' and then returned to his car with heroin in his possession.

It is extraordinary punctuation there which makes it a little difficult to understand the actual sense, but one can see quite clearly informant 'D's' father had discussed the matter, it is said, with the late police officer 'S', and his evidence may well have been very relevant indeed. How can we dismiss any kind of connection between those two events without further evidence being placed before us? The answers may be there, but I suggest that they are not contained in the report. Certainly, Sir Charles Bright is very concerned about this case. He believes that police officer 'O' is not telling the truth. He says:

Even if police office 'O' is telling the truth, which I gravely doubt, I think he was extraordinarily foolish to keep on meeting informant 'D' on his own.

He then goes on to refer to bargaining power, which also involves police officer 'S'. He concludes:

I do not say that the allegations would succeed if a charge were brought against police officer 'O', but there is sufficient against him, coupled with his own imprudence and coupled with what I see as the inherent unlikelihood of his explanation, to leave me with a view that the allegations may possibly be true and are even likely to be true.

This was the one that was referred to the Deputy Crown Prosecutor to analyse. The Deputy Crown Prosecutor reported that, on the face of it, he could not recommend prosecution. Of course, in the circumstances of the report, the background to which would not have been known by the Deputy Crown Prosecutor, if one reads the Attorney's reference to it in his Ministerial statement, that may well have been the conclusion. However, the fact is that here is a very concrete example of grave doubt, which, I suggest has not been cleared up by the report and which the Acting Premier cannot say puts and end to the matter once and for all time. It also raises an important principle. Sir Charles Bright says:

This file is a good illustration of the difficulty in refuting an allegation which is supported by some corroborative evidence.

That is an odd way of putting it, but I think we can see his point and I think we can also see that that points to the need for further investigation. My final reference to the

report on these matters concerns his review comments on page 99 about the allegations concerning informant 'H' and informant 'G'. He said:

> There are curious features of this allegation, and I agree with Mr Cramond's comments—

I say in passing that this is the first time that we have heard Mr Cramond in relation to the matter in the body of the report—

> on the impossibility of refuting the allegation because of failure to observe proper administrative procedures. I also note as to this allegation that it is not one of personal corruption against any member of the Drug Squad but of returning heroin in the hope of catching a bigger criminal.

These are administrative procedures over which there is some doubt and which should be looked at. Let me conclude that analysis by saying why in the face of this report (I think I have given a number of examples and I do not suggest they are exhaustive; they have been based only on the report as we have had it presented to us) there are doubts about some aspects of the report, the thoroughness of the inquiry and, more importantly, about Sir Charles Bright's ability to be involved in it in a way that can cast all the doubts aside, as the Government seeks to do. I suggest that Sir Charles's examination was necessarily very constrained and in some cases creates a misleading impression. That is a very good reason indeed why the matters mentioned in our amendment ought to be taken up by the Government in the form of a proper inquiry through a Royal Commission.

There is some support for that from Sir Charles Bright himself in part 1 of his report to the Attorney-General, where he refers to a number of what he calls 'administrative matters' and 'administrative procedures'. It is Sir Charles Bright's view that these matters of administration are better left to the police themselves, to their internal procedures. I suggest that that is very debatable indeed: that matters such as security of information, protection of personnel, security of property (that is, the actual assessing of the quantities of drugs, their quality and their security) while being held are all matters that go beyond what one might call mere administrative procedures.

The training matters and the public opinion areas—all of them—raise important questions that ought to be explored publicly. The Opposition believes that its Royal Commission terms of reference give very proper scope for that. In other words, that aspect will not rehash all the material that has been brought up in these investigations: that is the starting point for that Royal Commission inquiry. But, they will look at those on-going procedures and make recommendations that will assist the police in improving the procedures and, by so improving them, not only improve their efficiency but also improve public confidence in that efficiency. Surely, that is equally important.

However, on another matter Sir Charles Bright does say that he believes that it is a matter for proper debate. The satisfaction of the public, he said, demands some public involvement. That is how these complaints are to be processed in the future. That is a matter that ought to be addressed with some urgency by a Royal Commission. That will be the best way of dealing with it in the context of the debate that has taken place over the past few months. 'Just what form it should take in a Police Force is a matter for debate,' Sir Charles said. We agree. We are not suggesting a formula or a specific method of dealing with those complaints. Rather, we are suggesting that the current method is unsatisfactory. New procedures ought to be implemented, and they can be implemented only after a full inquiry as to what is the most appropriate course of action. Sir Charles is quite right when he says that police officers should welcome public participation in any correction of corruption. Indeed, they should because it is only that small minority of officers that may be corrupt or involved in criminal practices who can be found out, to the betterment of the Police Force as a whole. Sir Charles says:

> I shall say no more on this topic for although I believe it is of relevance in my inquiry, it is not one on which I was specifically asked to advise.

That, if anything, highlights the problems that Sir Charles had. He was not asked to advise on what is a crucial matter. He was not, as he quite rightly points out, by implication, a Royal Commissioner or a judicial inquirer. That is the whole deficiency of the way in which the report has been presented. For the Government simply to assert that this disposes not only of all the matters raised in allegations but also all future problems in relation to how these complaints will be processed is absolute nonsense, and the window dressing statements made by the Chief Secretary about how he was concerned that justice should be done and that he was going to implement Sir Charles's recommendations are meaningless, because Sir Charles makes no specific recommendations at all. He makes a number of suggestions but says that he is not really empowered, nor is it within his terms of reference, to lay down specific procedures. He has not had the evidence to do so. To use his remarks as the basis for this investigation is quite wrong.

I suggest that we have a clear and very strong case now that we have the report. We have seen it and have had a chance to examine it. In many cases the allegations have been cleared up. Well and good, but they have not been totally cleared up. Let us clear the air completely and do it in the context not of looking backwards but of looking forwards to future procedures and future means of dealing with it. Each of the points that are contained in those terms of reference for a Royal Commission adequately make that point, and I believe that they would adequately ensure that our Police Force remains highly respected and one of the most efficient and best forces in the country, with the public confidence that it deserves, and that it will make it operate efficiently.

The Hon. J. W. OLSEN (Chief Secretary): I stand to participate in this debate unashamed in the declaration of my support for the South Australian Police Force. I stand confident that we have the best Police Force in Australia, and I stand here to appeal to this House to give unfettered support to our Police Force. It seems at this time that our force needs the support of people who do not list a host of qualifications for their stance. I am proud to be counted as one such person.

Let me refer to some of the comments of the Leader of the Opposition. I consider his address to the House to be inconsistent in its arguments. He was happy with the investigation when it was initially established but he was then unhappy with the report when it came out, the main criticism being that the Government brought in an independent eminent person with judicial qualifications to make an assessment, accurately undertaken by Sir Charles Bright. Now he has during the course of his remarks cast aspersions on Sir Charles Bright's interpretation of the investigating team's report. Sir Charles Bright, an eminent person, a credible person, would not put his name to a report at this stage in life, I am quite sure, unless he was absolutely sure of the facts that he was placing before the House in the composition of that report. The Leader is preoccupied with Sir Charles Bright's involvement because, I think, it adds respectability to the report that he had hoped would have no respectability. There has been an independent judicial assessment by a former Supreme Court judge, and I would give far more credence to Sir Charles Bright's assessment on a judicial basis than would the Leader of the Opposition. He would

be far more eminently qualified to report than is the Leader of the Opposition.

A number of facts have been stated, and I take some exception to them because I think the inference by the Leader of the Opposition casts an aspersion on Sir Charles Bright's involvement that is totally unwarranted. One of the aspects of the Leader's earlier remarks was that the Leader wanted to allay public fears. How hypocritical can one be—to allay public fears and yet promote and continue the argument in a public forum with the media, with innuendo, after they had gone through an intensive inquiry, after that has been sieved by an independent judicial review? Yet he says that we ought now to proceed to have a Royal Commission.

What is the record of members opposite in relation to Royal Commissions? I am sure that if we established a Royal Commission they would be the first to criticise its terms of reference. They would then criticise the report by saying that the Royal Commission had been lacking in some respect, as indeed happened with the Royal Commission that we recently undertook in relation to correctional services in this State. We would not placate their fears further from what this report has already undertaken.

A Royal Commission is certainly not warranted to determine policy issues. A number of factors raised by the Leader of the Opposition are policy and administrative procedures and not matters for debate or determination by a Royal Commission. That is Government policy and Government responsibility. I will refer to those matters in a moment. Those policies will be enunciated. The administrative procedures are basically policy matters. I believe the Leader's speech was a speech of self-justification—justification of his Party's actions and of its inconsistencies that have applied during the last six months. The report has cleared the Police Force except in the minds of a few, except in the mind of the Opposition, obviously, which wishes to create an alternative perception, and for what reason? I will leave members of the House to determine what those reasons may be.

The initial allegations to which it gave support and which the Government agreed to investigate have been dispelled in a summary nature. Are we now led to believe that in the past few days there is new evidence, or is it that the judge's verdict is disagreed with? I think the Leader of the Opposition answered that in his address, when he said that he disagreed with Sir Charles Bright. The Opposition has continually attacked the means by which this satisfactory result has been achieved, and before the report was even tabled there were expectations being created that it would not satisfy its demands (and, one could add) under any circumstances.

The Leader also made some reference to officer 'A'. His reference to the alleged rape by officer 'A' epitomises the way in which he has attempted to grasp a single issue and hinged a futile attack on it. In this case, officer 'A' was never in doubt at any stage. There was no reason for him to be interviewed because the allegations against him did not stand up to even the slightest scrutiny. The errors and anomalies contained in those alllegations were too obvious even to be considered as serious.

In his opening remarks on Sir Charles Bright's and the Deputy Premier's comments, the Leader referred to the capacity of some of the informers, and the Leader took exception to that. Sir Charles Bright's response puts it into proper context, namely, the informant. The objective way in which Sir Charles Bright proceeded with the investigations on his part to review the investigation team's report is summed up as follows:

> Sir Charles, however, recognises that although an informant has an extensive criminal record, that was not reason to dismiss out of hand allegations that may be made. He alludes to the fact that 'it is always possible that on some occasions he is speaking the truth'. The investigating team reached the conclusion, after extensive inquiries, that several persons facing serious criminal charges relating to illicit drugs attempted to weave their own web of intrigue and innuendo, where any publicity 'calculated to discredit the police, in particular, members of the Drug Squad, might well be favourable to the outcome of their cases'.

Therefore, Sir Charles Bright did take an objective view, as one would expect someone of his eminence to have done. I think that the aspersions cast on Sir Charles Bright by the Leader in his remarks today are objectionable. Just as every profession has its detractors, so does the Police Force have its critics. No single body in our society is above criticism, and this is how I believe it should be. The ability to criticise is a fundamental right in our democratic system. Criticism is an expression of doubt, and democracy demands the complete freedom of expression. However, just because doubt is expressed, or because we see it as a valid expression, does not mean that it is entirely justified, or that it can be substantiated. When that criticism is rebutted so constructively by independent eminent investigation it should cease forthwith.

I felt very satisfied, to say the least, when I presented last week my Ministerial statement on the report into allegations of corruption in our Police Force. I was pleased to present the statement in this House because not one allegation contained in the voluminous report was proven true, and there was not any evidence to support any of the claims of those outspoken critics who slammed as many aspects of our Police Force as they could, bearing in mind that the allegations that formed the initial part of the inquiry were expanded during the course of the inquiry.

Surely this vindication of our police shows those allegations for what they are: that is, groundless, unfounded, and unwarranted attempts to cast doubts on the veracity and integrity of a Police Force which is second to none in this country. I am assertive in my support for the police in part because I know at times that there is a very small number that transgresses in the force's ranks, but I also know the mechanism and what happens to them.

It would be naive and unrealistic to claim that there is 100 per cent honesty at all levels among every policeman in the 4 000-strong ranks of the force. The force is, like all occupations, a reflection of society, despite the fact that we set standards for officers in the force well above the norm, and so they should be. However, we cannot expect those standards to be above human breakdown in isolated cases. My strength of support for the force stems from the fact that nothing less than complete and unqualified honesty is tolerated at any level, in any section or division. Let us not forget that 17 officers were charged with criminal offences as a result of their action: that is 0.4 per cent of the total number of officers in the force.

The Hon. E. R. Goldsworthy: Charged and convicted quite recently, too.

The Hon. J. W. OLSEN: Yes, action was undertaken internally. The force has ample reason to take some pride in its internal disciplinary methods. The number of criminal charges that have been laid against serving officers is positive proof of the vigour with which the force weeds out and discards those whose actions cast adverse reflections on the force as a whole. I sincerely trust that the South Australian community, and that small body of vocal critics who enjoy positions of privilege, will now accept the fact that our force is capable and worthy of the trust that the public has in the force.

I appeal to this House: let our force get on with its vital task of enforcing those laws that our community must have to enable us all to live in peace, safety, and security. Lengthy prognoses and futile post-mortems will only result

in the Police Force diverting resources and attention away from its given task. To those critics, let me say this, 'You were wrong. It is that simple. Our Police Force has proven itself after the closest scrutiny possible. Let it get on with its job, and give it the support that it deserves.' Members may well ask what happened as a result of the Bright Report, what positive steps are in train, and what action if any has been taken.

Mr Keneally: What Bright Report?

The Hon. J. W. OLSEN: The Bright recommendations contained in the report tabled by the Attorney-General into alleged police corruption—for the benefit of the member for Stuart. Despite the fact that avenues for airing complaints and procedural methods relating to these complaints exist now, within a matter of hours of reading Sir Charles Bright's comments in the report, I had met with Acting Commissioner Giles to discuss a number of areas in which alterations should be made. I was assured by Commissioner Giles that some improvements had already been instituted, and I requested a report detailing those actions that were undertaken.

I have been impressed by the attitude that I have observed, albeit in a short period, at senior level to protect the reputation, good name and standing of the force. They jealously guard that reputation and are intent on dealing severely with anyone who should tarnish it. As members of a force proud of that image, they object strongly to being subjected to lengthy trial by media and innuendo. Similar circumstances would ensure a no trial in any court, and yet they have had passively to endure this barrage whilst attempting to discharge their duties effectively. To their credit, they have done this to ensure the preservation of their reputation, for all along the majority have had faith in the outcome. My concern is to ensure that the force is never again subjected to such intense speculation. To that end, not only must justice be done but also it must be seen by the community to be done.

Mr Keneally: Will you vote for our amendment?

The Hon. J. W. OLSEN: If the member for Stuart will wait just a moment, I will explain further. I am satisifed that the procedures are effective, bearing in mind that a special magistrate is involved in chairing hearings of a serious nature. I believe that there must be better communication with members of the public to ensure that they understand that procedures are available for investigations of these claims, that those investigations are thorough, and that the public can have confidence in them.

That suggests changes to some procedures, but, as they are a matter of policy (to which I have already referred), they will be determined by the Government in consultation with the new Commissioner, when he is appointed. However, let me emphasise that I do not envisage that it will entail major changes. In addition, a number of the recommendations of Sir Charles Bright will be implemented if in fact they have not already been implemented. In that regard, the report has been a valuable document.

The force has been exonerated. The Government considers that any allegation of corruption or illegal activities in the Police Force must be investigated as a matter of urgency for the protection of both the public and the serving officers of the Police Force. The impeccable stature of the investigating team, coupled with the obvious impartiality and integrity of Sir Charles Bright, who reviewed the report, gives complete credence to the results.

Calls from the Opposition for a Royal Commission are based not on serious doubts but on the results of the investigation and are perhaps based on dubious motives, which can do little good if given vent. There will always be a few people who are unhappy with the results of any investigation and who will continue to badger and hound either the Government or the Police Force for their own reasons. A Royal Commission would serve no valuable purpose in this area but would result only in the Police Force being forced to work under further clouds of suspicion, as it has had to do during the course of this inquiry.

The A.L.P. leader in another place has in effect put the force on notice that if elected (a remote possibility) the Labor Party would establish a Royal Commission. The earliest such a scenario could be effected is next year, with the results possibly a further six months to 12 months away. That is, this continuing uncertainty would be allowed to fester for another 18 months—another 18 months of depressed morale, of the police being unable to undertake unfettered their role in society. An occupation which has a significant stress factor in the first instance at the best of times must wilt eventually. I wonder whether that is not the objective of some people.

I also have a suspicion that, if confronted with the responsibilities of Government, the Opposition would change tack hastily. Perhaps that has been the reason (until now) why the Leader has been extremely quiet on this matter. I appeal to the Leader to withdraw that threat to the Police Force. That is no environment for it to operate in. Assuming there was a Royal Commission into these allegations, I am sure that the Opposition would instantly claim that the terms of reference were too narrow, too broad, or were deficient in some way, as, indeed, we are seeing the scenario painted today. Nothing could be proved, because on the basis of current information and evidence, nothing is available and further harm would be done to the force.

I applaud the Police Force for working so well under very difficult situations. The adverse effect of the inquiry was completely negated by the publication of the report, but it could once again be harmed by the recent irresponsible and hurtful (and I stress that) comments in some respects. It is patently obvious that the critics are seeking to destroy public confidence in our Police Force, but their devious motivation eludes me, except if I become cynical.

Members of Parliament and journalists should be on guard against giving credence to hastily aimed and vague allegations of a hearsay nature which are lacking in particularity. It only aids and abets the mischief. I cannot stress the importance of this whole question of giving credibility to rumours and allegations. Only last week (I use this as an example to highlight what I have been saying), I witnessed at first hand how such accusations can be misleading to those who place too much stead in them. Early last week an informer using the name Williams contacted the member for Victoria (in whose district the incident took place) with claims that the death of a 20-year old man in the South-East a week before had been due to actions and brutality by police officers who had sought his aid in their inquiries. The informer said that he would approach the media with his claims, and did so.

Naturally, my office was inundated with media inquiries seeking verification. I immediately sought a report from the Acting Police Commissioner, who in turn had to await further pathological testing, as an initial post-mortem in Mount Gambier had failed to ascertain the cause of death. Without substantiated evidence and the test results, I could neither confirm nor deny media speculation, and the fact that no bruising had been evident on the body at the Mount Gambier examination did not curtail their inquiries.

The report that I received this morning indicated that the man had died from ingesting a poisonous substance connected with paint thinners, a result which completely negates allegations that the police are responsible for this man's death, the advice being that the level of toluene in the blood and its presence in the stomach contents are consistent with a deliberate poisoning by the ingestion of

toluene or a toluene-containing product. The week that elapsed in obtaining the report was critical, for it was a period during which the matter could not be confirmed nor denied, and thus the rumours continued unabated.

This incident epitomises the media's willingness to give credence to unfounded rumours, obviously under pressure to 'break' the story first, and should serve as a harsh warning to those members of Parliament, the media, and the general public, who may be tempted to attempt to utilise such speculation for ulterior motives. A number of Opposition members cannot deny that they have fuelled the fire that has placed a question mark and a cloud over the Police Force.

A number of Opposition members cannot deny that they have fuelled the fire that has placed a cloud over the Police Force. From their comments and reiterated claims of deficiencies in the investigation, it is clear they are more willing to believe allegations from the criminal element and shady characters from the drug subculture than they are to believe the findings of an investigative team with such irreproachable credentials, bearing in mind Sir Charles Bright's comments, to which I have referred.

I believe that this minority group prefers to see the police as guilty of the alleged corruption rather than being prepared to recognise the complete lack of integrity and the dishonest nature of the accusers. They obviously prefer to believe such men as the one called informer 'A' with his long string of extremely serious crimes rather than men whose integrity and respect is diametrically opposed to their accusers. Let us not forget that the criminal element has its own standards, its own codes and its own discipline, and while they vary from criminal to criminal they have one common factor: they are not shared by the majority of law-abiding responsible citizens in our community.

The Opposition has been somewhat inconsistent, certainly over recent months, in its approach, which is scatter shot, attempting to grasp at any straw on this issue. The Leader's policy of allowing his spokesmen to do their own thing has, I believe, indicated the lack of cohesiveness in their direction and policies or, alternatively, by default, the Leader supports his spokesmen entirely, which clearly labels him as one who merely wants to perpetrate these shackles on the force, that is, a Royal Commission. I will be interested to hear the shadow Chief Secretary's comments if he takes part in this debate, as I trust he will.

Members interjecting:

The Hon. J. W. OLSEN: I have 30 minutes in which to address the House.

The Hon. Peter Duncan: It's a pity the rest of us haven't. What about giving us a bit more time?

The Hon. J. W. OLSEN: If members opposite were prepared to stop interjections and allow me to proceed with the speech, they would get on to the floor more quickly. It has remained up to the member for Elizabeth, who was so quick to leap to the attack of the Government last year, to be the attacker from this House. Last Thursday the House witnessed at first hand the obvious lack of communication in this matter between the Leader and the member for Elizabeth—a breach that the honourable member has delighted in highlighting to the House.

Mr Keneally: We're not political point-scoring here.

The Hon. J. W. OLSEN: What a comment from the member for Stuart! What is the Opposition's official line? Are members opposite now consistent in their approach? Is the Chief Secretary, the responsible Minister, in line with the Opposition spokesman on legal affairs? I trust that at last we will see some consistency in the Opposition's approach. Certainly, its present approach is not credible. It has been proved after intensive and serious investigation that the Police Force has been exonerated. I have indicated that it is but a naive approach to say that 100 per cent of police are totally honest in their operations. But there is a mechanism to weed out the people concerned, and the evidence shows that.

When we talk about Royal Commissions and those who want to give evidence, it is interesting to note whether the Opposition's performance would differ from that on the last occasion in regard to making allegations and not being able to substantiate them. Let us look at the track record of those who call for a Royal Commission. When they were called to substantiate the allegations, they said that there was no first-hand information to give the Commission. That is the track record of the people calling for a Royal Commission today. In the meantime, we have subjected the Police Force to this cloud of uncertainty, innuendo and speculation. This has lowered morale for how much longer—six, 12 or 18 months? How much longer can the force endure that sort of pressure and speculation? Now is the time when we should take very clear stock of the report, to put it in its proper perspective and to give due credence to the eminence of Sir Charles Bright in this matter. We should not be acting in such a way as would allow this sore to continue to fester, placing too great a strain on the force for it to endure. Indeed, the force should not be put in that position. If these matters were investigated by a Royal Commission, evidence and statements given during the course of the Commission would not later be admissible in a civil or criminal court. Section 16 of the Royal Commission's Act provides:

> A statement or disclosure made by any witness in answer to any question put to him by the Commission or any of the Commissioners shall not (except in the proceedings for an offence against this Act) be admissible in evidence against him in any civil or criminal proceedings in any court.

Members opposite say that we should ignore that. So, when establishing a Royal Commission with those qualifications,they then talk about adjusting it to suit their own purposes. If, therefore, evidence had been forthcoming in a Royal Commission that either police officers or members of the public had been guilty of criminal offences,that evidence could not be used to prosecute. No such restriction applies to the evidence obtained by the investigating team, except in a few instances where citizens declined to co-operate unless they were given an undertaking that they would be immune from prosecution in respect of what they said.

If the member for Elizabeth and any other Opposition members have evidence involving a matter of serious assessment for criminal proceedings, let them deliver the goods. Let them put up that evidence. They have failed to do that, and they should therefore shut up rather than cast these aspersions. The old saying 'Put up or shut up' is really what it amounts to in this matter.

Mr Millhouse: Do you think any member will put up or shut up?

The Hon. J. W. OLSEN: I do not believe any members opposite will put up, because I do not believe they have the evidence. If they had the evidence, they would have filed it, and it would have been given serious consideration in the investigating team's report and the review of Sir Charles Bright, but that has not been the case. I point out to the member for Mitcham that it also was not the case regarding the Royal Commission into Correctional Services in this State, when the Opposition cast aspersions. When it came to the positive position of being asked to put up evidence, suddenly there was no real first-hand information on which to make a judgment. That is the track record with which we are dealing today. That is the problem we have with the Opposition's scatter-shot approach. Its argu-

ments are inconsistent, and it has a lack of evidence and support for its public claims.

I suppose a tragedy of modern society is that it has become almost fashionable to reject authority in whatever form it seems manifest, whether it involves parents, schoolteachers or community leaders, etc. I do not argue with the right to question authority, but when authority is justified I do argue with the syndrome of outright rejection, which is now commonplace. The majority of the community fully supports the force, as indeed it should. But, regrettably, there is also a vocal minority who will always direct open hostility to the Police Force, which it must see as a symbol of authority and representative of the forces of law and order with which it disagrees. There are enough misguided souls in the community to ensure a continuity of criticism and who keep struggling to enmesh the police in a web of lies of their own manufacture. That has been the case with the allegations investigated. Let us not give them any added impetus, however small. Enough is enough, and in the past few months our force has put up with more than enough. This Parliament has the potential to influence public opinion, and this should be exercised wisely, responsibly and positively.

I use this opportunity to indicate to the House that I think positive support of the motion before the House is the exercise of a wise, responsible and positive attitude to the matter before us and, more importantly, the matter that has resulted in a cloud hanging over the Police Force now for some months. It is time for that cloud to be dissipated; it is time for the force to be able to get on, unfettered with its task in this community, and to do a job that already involves tremendous strain. I appeal to the House to give such support to the Police Force.

Mr KENEALLY (Stuart): Because other members wish to speak in this debate and time is running out, I will have to keep my remarks short. I support the amended motion as moved by my Leader which called for a Royal Commission, with the wide terms of reference indicated. Before I concentrate my remarks on the standing of the police within the community and internal investigations, I would like to comment on the contributions that we have had from members of the Government. Both the Deputy Premier and the Chief Secretary have indicated today quite clearly one of the reasons why the community at large is rather cynical about the Government's performance regarding the police report into corruption, and that is that the Government is politicising the situation. We were told today that anyone who questions the report is doing so either for some perceived political advantage or for some criminal reason, and one is fellow traveller to the other. The Deputy Premier said:

> Any questioning of the report is a direct reflection on the police investigators, Acting Police Commissioner Giles and Assistant Commissioner Hunt, and also on Sir Charles Bright.

He is also saying that Parliament cannot have a genuine debate on this matter of great public concern, and that this Parliament cannot be legitimately concerned about police corruption, except through ulterior motives, and that once a report is brought down no questioning of that report should be countenanced. He is also asking this Parliament and all South Australians to believe that there is no corruption within the South Australian Police Force. I reject all of that, and I particularly reject the reference to political point-scoring.

The Deputy Premier's and Chief Secretary's speeches brought a new low for members' behaviour in this Chamber. Anyone who dared question the report was subjected to a vicious personal attack, their records quoted and character smeared, and coward's castle today has been seen at its worst. This performace is so typical of the Deputy Premier, and I have just had given to me a note from a Mr Alan Bone, who the Deputy Premier claimed was convicted of a drug charge. The truth ought to be given to the House. Alan Bone has telephoned the Leader's office. The solicitor who appeared for Mr Bone has also advised that this gentleman did appear on a charge of possession Indian hemp. He appeared in the Elizabeth court on 30 January 1979, without recording a conviction.

The charge was dismissed by the magistrate upon Mr Bone entering into a bond to be of good behaviour for 12 months. No conviction was found against him, and yet in this smear campaign the Deputy Premier says that anyone who questions the report is obviously a criminal, with criminal intent, or a shady politician making political capital out of it. This particular issue is one of great sensitivity and one of great importance to South Australia. Contributions to this debate ought to have been kept strictly to the matters of the debate and not been allowed to drift, as I believe Government members have allowed it to do, into point-scoring, because political point-scoring is the coward's way out. That is the end of it, as far as I am concerned, about the politics. My personal view is that I am ashamed of this Chamber today. I have never in my 12 years here seen such a low in political debate, particularly on a matter of this nature.

That is the very reason why the Government has done this; it knows of the sensitivity involved, and it knows that anybody who questions a report on the police by Sir Charles Bright can be subject to the charge that the Government members make. They are not prepared to debate objectively the value of the report and its background. Whether or not this Parliament has a right to an opinion about the report, are we to believe that if senior, well respected police officers, who are highly regarded by Opposition members and well respected members of the Judiciary are to bring down a report that is the end of the matter? The Parliament of South Australia, after all, has a responsibility to the whole community, but we have been told here today that it has no role to play, and I reject that. It is widely acknowledged that for a Police Force to be effective, to play the role the community expects of it, that force must have the trust and respect of the community, and the Opposition believes that we have been fortunate in South Australia to have a Police Force that we can trust and respect.

The Hon. E. R. Goldsworthy: Oh!

Mr KENEALLY: That is the problem I am pointing out—the absolute cynicism of the Deputy Premier. He cannot judge when someone is speaking with sincerity. I reject his cynicism and suspicion. Over the last 12 months or so, many things have happened here and interstate which have shaken the very basis of the trust and respect that our force has had, and the Opposition is anxious to ensure that the good name and standing of South Australian police are regained. We are confident that the Royal Commission, with its terms of reference, can go a long way to achieving that.

To answer the Chief Secretary and all his concern about what the Royal Commission will do, I point out that it would do exactly what the Chief Secretary would hope could be achieved for the Police Force in South Australia. It would establish a procedure, a set of rules which would in future ensure that what has happened in South Australia over the last six months would no longer occur. The procedures would be there for adequate complaint against the police, for adequate inquiries amongst the police, and the wide criticisms that have occurred in South Australia over the last six months would not occur. That is the purpose of the Royal Commission inquiry that we are seeking.

To paraphrase a wellknown and respected policeman, Sir Colin Wood, let me say that the Opposition is well aware

of the deep hurt which honest police officers no doubt feel when their integrity is severely and publicly challenged. We are also conscious that that hurt is sometimes suffered with even greater force by their spouses and families. We understand this, because we are members of Parliament. We are sensitive people; we are human beings, and we know that criticism hurts us and our families. We know that families of Cabinet members suffer greatly because of the criticism that politicians get, and we understand that police officers and their families suffer in the same way. Nobody appreciates that more than members of Parliament. The integrity of the Police Force has been challenged over the last six months, and the Royal Commission is needed to allay any suspicions that may be prevalent.

However unfortunate that hurt may be, it should not divert this Parliament from fulfilling one of its fundamental roles, and that is to debate matters of great public concern and to try to find the appropriate remedies. Over the past 12 months or so, we have seen major police scandals, or alleged scandals, in Queensland, New South Wales and Victoria. In South Australia we have had the Colin Creed example and some relatively minor examples of police corruption. In addition, we have had the diet of films and television showing the crooked cop and the police cover-up. All these things have combiined to build a suspicion in the community.

I do not believe that any South Australian believes that wide-scale corruption exists in the Police Force, nor do I believe there is any South Australian who does not believe some officers are corrupt. On page 15 of the report into alleged police corruption Sir Charles Bright himself acknowledged that. I believe I am correct in quoting Commissioner Draper as saying that the membership of the Police Force, by and large, reflects the membership of the community, and I agree. All the characteristics of strength, weakness, prejudice, integrity, honesty and dishonesty, etc., that are evident in the community will be expressed in an organisation as large as our Police Force, as they are among politicians, doctors, tradesmen, businessmen, shearers and lawyers, etc. Sir Colin Wood, whom I would like to quote more extensively if time permitted, said that no-one needs a crooked cop more than professional criminals. I would add that no-one needs a crooked cop less than do his colleagues in the community.

The only way the community will be convinced that our Police Force is free of corruption is through an independent judicial inquiry of the type we suggest. On the question of corruption within the Police Force, the community will not accept statements by police officers or by politicians, as both by general consensus have a vested interest in the statements made.

If we were to be honest we would know that that is what citizens believe; whether it is true or not is another question. We can recall the Australia-wide cynical response to the original decision made by the Queensland Minister to authorise an internal inquiry into corruption within the Queensland Police Force. I believe that the Leader of the Opposition has adequately dealt with the report itself, and I know that other members will refer to some of the anomalies within that report. I simply want to say—and I believe it ought to be said—that the report has been received with a great deal of cynicism from within the community: people see it as Caesar investigating Caesar, with the result being predictable.

The Opposition does not agree with that at all. We do not agree that the question of the integrity of police officers, or that of Sir Charles Bright, is involved. All the things that the Government has said about those individuals we agree with: we do not question them. But the terms of reference that were given to them in this inquiry, I believe, gave them an impossible task, and it is now obvious that the form of the inquiry inhibited the provision of certain evidence. Sir Charles Bright could comment only on the information supplied to him. He had no power to influence the investigation. However, the point should be made that the very act of referring this inquiry to Sir Charles Bright (the reason for which is known by the Parliament) was to give it a semblance of judicial approval. That view has been supported here today by the Chief Secretary, who rather strangely said that Sir Charles Bright's participation adds respectability to the report. If that is the reason why the inquiry was given to Sir Charles Bright, then the Government should stand condemned: it has used Sir Charles Bright in a way that is an insult to that gentleman, and I think the Government should be ashamed of itself.

On 21 October 1981, in an article in the *Advertiser* written by Robert Ball, David English and Greg Kelton, great concern was expressed about the terms of reference of this inquiry. I refer to some of the comments that I had about the relevance of an internal inquiry. I refer members to pages 2 and 3 of the report and to the comments made by Sir Charles Bright. He stated:

> Finally, the vexed question of investigation of allegations against policemen. There is a difference of a profound nature between allegations of inefficiency and allegations of corruption. The former are best assessed by senior officers in the administration. The latter involve the satisfaction of the public and therefore demand some public involvement.

His comments continue, but I will leave it to honourable members to read those. In a speech titled 'Policing the Police' given by Sir Colin Wood to the Australian Crime Prevention Council's Eleventh National Conference, he said:

> I do not think there is any doubt that so far as the public is concerned, most controversy concerns the issue of the police acting as judges in their own cases (and jury, too). Sir Robert Mark recognised the importance of this aspect in his 1973 Dimbleby Memorial Lecture. Referring to the formation and operation of A10, Scotland Yard's Internal Affairs Branch, he said:
>
> > We realise, however, the procedure has one major drawback. It looks like a judgment of policemen by other policemen. So long as this remains the case, some of you will perhaps be understandably sceptical. No-one likes to accept the verdict of a person thought to be judge in his own court . . .

I have other quotations that I will not take the trouble to read. However, I refer further to Sir Colin Wood's statements about evidence given by the criminal element. I must point out that if the Deputy Premier is waiting for legitimate business people, honest people, in South Australia to give evidence to him about their involvement in police corruption and their involvement in the drug scene, he will be waiting forever. If the Deputy Premier hopes to get information concerning allegations about corruption and the drug scene, then inevitably, due to the very nature of the business, it will have to come from criminals. The Opposition understands that. Sir Colin Wood stated:

> It is a matter of record that convictions of police officers charged with criminal offences are eight times as difficult to obtain as in the normal run of trials for similar offences. This, I think, is due to the fact that usually the evidence against police officers involves people with criminal records. Juries, it seems, find it extremely difficult to convict a police officer of good reputation and character (this is always the case) on the evidence of this kind, unless it is strongly supported by other facts.

The Federal Government itself has introduced a system whereby the Ombudsman has power to investigate complaints against the police. The Attorney-General, Senator Durack, when introducing that legislation referred to the Law Reform Commission, of which the Acting Police Commissioner (Mr Giles) was a member, and its comments concerning an ombudsman's role in complaints against the police. It was stated that the legislation's purpose:

> is to establish a system which permits just and thorough investigation of complaints against police, while at the same time upholding morale and discipline in the difficult work police have to do.

Establishment of such a system is clearly one of the most effective ways of maintaining and improving good relations between members of the public and a Police Force and the respect in which that Force is generally held.

The Opposition's amendment is designed to improve the standing of the Police Force within the community; it is designed to regain that good image and high reputation the department had before this recent spate of allegations began. I do not believe that the current investigation will achieve that: cynicism is abroad in the community, and some action must be taken to correct the unhappy state of affairs.

Mr BLACKER (Flinders): I add my support to the Government's motion, and I remind members of the House of exactly what it is, namely:

That this House notes the report commissioned by the honourable the Attorney-General into the alleged corruption in the South Australian Police Force and reaffirms its full confidence in the South Australian Police Force.

It is the latter part of that motion that I really want to consider, because I believe that if anyone needs the full support of this House and of the public generally it is the police officer. In the circumstances surrounding the report being undertaken, existing for some considerable period, and because of the allegations made by various people from time to time, police officers seem to be always under fire, seldom being given a fair and reasonable opportunity to come out and clear themselves. I note that the Opposition's amendment seeks the appointment of a Royal Commission. I raise one question with regard to that: where will it all end? The simplest way to give the Police Force the opportunity to clear itself is to give it a fair go to be able to conduct its own affairs in the manner it is best able to do.

I would like to see no political opportunism in a debate of this nature, but unfortunately despite my optimism I am quite confident that that element of political opportunism is present, as evidenced from this debate. That is not going to help our Police Force or our legal services one iota, and the only way that we will clear the Police Force is to adopt or accept this report as it is, because there have been no further instances raised and there are no foundations on which further inquiries should be made.

I think we should ponder the question a little further and consider what is to be done if we ever find corrupt police officers (and I qualify that by saying that we all know that within a large Police Force there are bound to be one or two people who may well be corrupt). However, in general terms we have, without a doubt, the finest police officers in the country and a Police Force that many countries throughout the world would be very proud to have. If we do eventually discover a corrupt police officer then who should we really blame for that?

I feel that, if the continued political criticism continues, the matter really must come back to politicians and to those people who continually raise issues of this kind, who must share the responsibilities of corruption within the Police Force. Members of the Police Force have a hard job to do, so let us support them in doing just that. I believe that probably the best way of obtaining the most efficient Police Force is to say 'Thank you' to the police once in a while, because they are hard-working people; they give of their very best. I know many of them personally, and I have friends and relations involved in the Police Force. I could not speak highly enough of their dedication to duty. I believe that is what it is all about; their dedication to duty. If there is one rotten apple in the barrel, why should the whole barrel be thrown out? That is the very essence of the debate. I think we should give full support to the Police Force wherever we can.

I must say that I have had an occasional complaint about a police officer—very occasional. I would not in any way construe that to mean that I should stand in this House and condemn the entire Police Force because of one or two minor complaints. That is the point I wish to make. If a police officer is continually rubbished, then the morale of that individual will be affected, thus influencing the likelihood of his becoming corrupt. Let us get behind them and support them in every possible way, giving them an opportunity to do the job for which they are commissioned; that is, to provide an effective law service to our community.

The Hon. PETER DUNCAN (Elizabeth): I might say in opening my limited remarks this afternoon that I cannot find very much to disagree with in the comments of the member who has just sat down. In one sense, he says that what we need is an honest Police Force; I think everyone in this House agrees with that. I do not think there is any argument over that question. The question is: have we got an honest Police Force at the moment? Some of us believe we have, some of us believe that some elements in the Police Force are not honest at the present time. It is not a question of whether the whole Police Force, black and white, is honest or not; that is a ridiculous over-simplification. It is one that has been used by every Government speaker in this debate, and they know quite well that that is not the issue at hand.

If it irritates the Deputy Premier that I continue to stand in this House and speak my mind honestly as I see the situation, I make no apology for that. If the occasion comes when I have to stand in this House and say something about matters that involve him personally or other members of this House, I will do likewise, because I believe it is the responsibility of members of this Parliament to have enough guts to get up in this Parliament and say exactly what they believe honestly to be the situation. I have always done that and I will continue to do it.

Mr Rodda interjecting:

The Hon. PETER DUNCAN: I want to speak about that question of backing it up. It is quite obvious to any fool, except those on the Government side apparently, that, if a member of Parliament has information brought to him which in his judgment needs proper investigation, then it is quite proper for him to raise the matter and demand proper investigation by the correct authorities in the Government. I did that in relation to the prisons, and I would do it again as and when the occasion arose. In relation to the prisons, I did not have any information directly, personally, of my own knowledge. It was all information brought to me by other people, and information of that sort has been brought to other members of this Parliament in relation to this police matter. We know that information of that sort was brought to the Minister of Transport on two occasions, I think.

The Hon. E. R. Goldsworthy interjecting:

The SPEAKER: Order! The Chair has had minimal involvement in this debate since it commenced; it is to be hoped that that may continue.

The Hon. PETER DUNCAN: It is a typical over-simplification to say that I believe it all. Whether I believe it or not was not the matter in question. Where there were serious allegations, and where those allegations were backed up to some extent, it was proper and is proper and appropriate that they should be promptly and thoroughly investigated. That has not been done in this instance. It has not been done simply because many allegations raised with lawyers and others were not brought before this inquiry. Once the report was released it was not difficult to see why, because in the *News* of 2 April we read the following comment from the Police Association:

At least three police officers may take legal action over allegations of corruption in the South Australian Police Force.

Now that underscores entirely that that report, this inquiry, this investigation, did not have the protection for witnesses that would be involved in a Royal Commission. That is a fundamental and vital point, and it is a fundamental thing that this report inherently lacked from the outset. We have it right from the Police Association's own mouth that some of its members are thinking of suing people who gave information to this inquiry. It is quite obvious why others in other circumstances would not be prepared to give evidence.

I do not need to go as far as criticising the work of the police officers and their assistants in this matter. Not all of the matters that apparently were available were put before this committee because of the inherent weaknesses in the system set up by the Government to inquire into the allegations. While I am talking about inherent weaknesses, others have referred to the problem of Caesar to Caesar. If we look at what the public thinks about this report and if we look at the way in which the public perceives this report, setting up an inquiry which required people who believed they had information to go to police officers to complain against police officers inevitably had the fault that people were going to see this as a Caesar to Caesar exercise. I am not saying it was; I put that on record. I believe that the two officers who conducted this report acted with honesty and integrity. Since my initial dealings with them I have referred other matters to one of those officers because I believe in his credibility; I believe he is an honest police officer, and I am very pleased to have the opportunity of referring matters to him where I think matters need to be investigated. I am not talking about matters of corruption, but about matters involving the Police Force generally.

I believe that the two officers concerned did the best job they could in the circumstances. The Government was at fault for setting up this type of inquiry in the first place. It seems to me that that is the real problem with which we are confronted. I do not believe that this report has put the allegations to bed; I do not believe that for a moment. I think that these matters eventually and inevitably will lead to a Royal Commission. It is simply a question of when that will happen. I believe that the Chief Secretary, the Deputy Premier and the Government, refusing to accept that wider inquiry was necessary and now is necessary, are the ones who really are destroying the standing of the Police Force at large. If all of these matters were put before a Royal Commission, inevitably we would be in a situation where the matter would be cleared up, providing the terms of reference enabled that to happen. I do not believe that that is a big 'if'. If there is to be a Royal Commission it ought to take place with wide terms of reference to enable the matters set out in the amendment of the Leader of the Opposition this afternoon to be properly dealt with. I think that inevitably will be done at some stage or other, and it ought to be done.

I have mentioned the report and I do not want to dwell on it very much. I want to refer only to a couple of matters in relation to the report. I have not got enough time, unfortunately, to be able to go into the report in the detail which I would have liked. That is another matter which ought to rest heavily upon the Government's shoulders; it finally decided, after pressure from the Hon. Mr Sumner, to hold a debate into the report, and when it did agree to that it then chopped the debate off at 4 p.m. which does not allow people on this side sufficient time in this debate to deal with the matter properly. One aspect of this report that I think is particularly sad is the involvement of Sir Charles Bright. Frankly, I think that it was a particularly shabby political trick to involve Sir Charles in this matter.

The Hon. Jennifer Adamson: Do you think he would let himself be used in that manner?

The Hon. PETER DUNCAN: I am not going to answer that; all I am going to do is quote the Attorney-General's comment on *Nationwide* the other evening. When he was asked, 'Why didn't you announce the involvement of Sir Charles Bright in this matter earlier?' he replied, 'Well, of course, you don't show your political punches until you are ready.' Obviously, he saw Sir Charles Bright's involvement as a political punch, to use his words, and to adopt it for purposes of this debate. That is a disgraceful reference to Sir Charles Bright, and it simply adds further to the comment of the Chief Secretary this afternoon that Sir Charles Bright's involvement added respectability to the report. I think that is a very shabby aspect of this matter and a sad one, too, because Sir Charles previously had had an extremely distinguished career in this State, and I think it is sad that this Government has chosen to attempt to use him in this fashion.

The Hon. E. R. Goldworthy: You say it is sad that he is so gullible; is that what you are suggesting?

The Hon. PETER DUNCAN: I am not saying that at all. I am saying that the Attorney-General was the one who said that he was the Government's political punch, and that speaks for itself. I think that is a sad comment on the situation.

An honourable member interjecting:

The Hon. PETER DUNCAN: As my friend says, the Chief Secretary's Freudian slip was most interesting, as well. I have to wind up because time is expiring. I do not believe that this report has taken the matter much further at all. Regrettably, I think that all it has ensured is that this matter will continue to fester for some time, until finally we are able to convince this Government that a Royal Commission is necessary to ensure that the small group of corrupt police officers is properly weeded out. It would be interesting to hear from the Chief Secretary how many of the Drug Squad detectives who were in the Drug Squad prior to this inquiry getting under way are still in the Drug Squad. I understand that almost all of them have been moved out of the Drug Squad, and I think that speaks for itself.

Mr MILLHOUSE (Mitcham): The problem with this motion is that it refers to a report, and in fact we do not have a report in front of us; all we have is a commentary on a report or a series of reports. It is almost impossible, reading the document that we have in front of us, to make any sense of it, let alone to evaluate it. I agree with much of what has been said about the role that Sir Charles Bright, whom I greatly respect, has played in this matter. It was kept a secret right until the last minute. Now why was that, why was it necessary to conceal, as the Government deliberately concealed, the fact that Sir Charles Bright had been asked to review the reports (because that is what they seem to be) of the investigating team? It could only have been to try to get some political advantage. A number of questions were asked in this House—I asked a number of questions myself—and there was never the suggestion that anyone, except the two policemen and Mr Jim Cramond, were to take part in the inquiry.

An honourable member: And one Federal police officer.

Mr MILLHOUSE: Yes, and one Federal Police officer's name was brought into it. Even when Mr Cramond went abroad the Chief Secretary said, I believe, outside Parliament, that some other man from the Crown Law Office would take his place (Michael Bowering, or whoever it was). That was a shabby trick, in my view, and it was taking advantge of Sir Charles Bright.

Be that as it may, the real problem about all this, whether it is a commentary or it is a report, whether Charles Bright ought to have been brought into it or not, is that it is an internal inquiry in the sense that it was carried out in private and no-one, by reading that document, can be satisfied, one way or the other, whether it was a full and fair inquiry. It is a hackneyed phrase to say that justice must not only be done, but it must be seen to be done. The problem the Government has brought on itself is this: because we have been messing about with this inquiry for six or eight months now and we have got nowhere, no-one is satisfied with it, we are really no further ahead than we were at the beginning, because it is impossible to believe that people are going to be satisfied with a report like this when all we are told is, 'It is O.K., we have looked at this and it is all alright.' People want to make up their own minds, they want to see what has gone on, what the evidence is, so that they can evaluate it for themselves. That is just what we cannot do by looking at this document, and that is why these complaints about the police will go on and on. This will have settled nothing at all. There is a chance that, if a Royal Commission was established and everything was brought out in the open, it would settle things because people would see what had gone on. There would be the question of evaluating witnesses by examination, cross-examination, and so on, but this report will not do that, and it will not have achieved its purpose at all, in my view.

Those are the general remarks that I wish to make about this matter, but there are a couple of particular things that I want to refer to, just to illustrate the unsatisfactory nature of the document before us. On page 93 there is reference to one of the reviews by Sir Charles Bright, one of the last ones, and it is the one he said was the most difficult of all, an allegation by informant 'D'. What is said in the first couple of paragraphs under 'Findings of investigating team', cries out for trial by jury, because of whole thing rests on the credibility of witnesses. They say that themselves, the police say that, and the only way in which the credibility of witnesses can be tested is by examination and cross-examination, so that a jury can make up its mind about it. That is the very thing that is not going to happen, even in the most difficult case of them all.

If nothing else shows the requirements for some open judicial inquiry, that does. The commentary, the review comments by Sir Charles Bright, only confirms the difficulty of making a decision on the written word, and that is all he has ever had, apparently. Why (and this is incidental) he did not seek from Deputy Commissioner Giles why had he decided not to is one of the mysteries of this thing. The fact is that Sir Charles Bright was not in a position to evaluate the evidence, and it is notorious that an Appeal Court always says that the judge at first instance saw the witnesses, he made up his mind on their credibility, and that is something it will not interfere with. Now here, there has been likewise no opportunity to make up one's mind on credibility at all.

The only other thing I have time to say is with regard to the informant 'B's' allegations, which are recorded on page 97 and particularly the references on page 98. Only this morning the solicitor who sees himself identified as the solicitor involved here telephoned me to say that the material which is put in here by the police is inaccurate. I use a neutral word; it is not the word he used. He says that there is one paragraph which says:

> On this point his solicitor was interviewed and he also did not want to go on record. He did not produce a statement as he had earlier indicated covering his knowledge of the matter.

What he says is that he had his statement, but his client forbade him to waive privilege and to give that information. I suppose that what the police have said is literally corect, but it does not give a correct impression, but what he says is absolutely and utterly wrong is in paragraph 26, where there is this sentence:

> In return for this the police tendered no evidence on the charge against informant 'H' for possession of heroin for sale.

He says that is completely inaccurate. What happened was that, first, the police told the informant that if he signed a confession they would drop the charge. He signed it, and then they told him that if he set up informant 'G' they would drop the charge. He did that, and he said he was assaulted, and then they said that unless he was prepared to give evidence against informant 'G' in court, they would go ahead with the charges against him, and he said, 'Jump in the lake,' to use another neutral expression. Therefore, they did not persist with that, and the charges were dropped. Again, the solicitor said that that is not accurate. That is the only instance about which I have heard so far. Copies of this document have been hard to get in the community—people are just now getting them. He had a first look at it last night and told me that it was inaccurate. Charlie Bright could not have known that—he had to rely on the material that the police put to him. If that is inaccurate, how much more is inaccurate?

Finally, I am very glad that the Labor Party has finally (but very late) come in behind me in calling for a Royal Commission. I did that months ago. If the Labor Party had come in then, we might have had a Royal Commission by now. It might have been in full swing, but better late than never. The Labor Party, in its amendment to the motion, has put in its terms of reference everything but the kitchen sink. That is all right. I propose to support the amendment, because at least it would get a Royal Commission, which I believe is essential if the air is to be cleared. If the amendment is defeated, I propose to abstain in regard to the principal motion, because, first, there is no report, as the motion suggests there is (it is merely a commentary on the report), and, secondly, I cannot, in all conscience, with that matter left as it is now, say that I have full confidence in the South Australian Police Force.

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I wish to comment briefly, in the time I have to wind up this debate, on a couple of points raised by the member for Mitcham. The honourable member declared that no-one is satisfied with the report, but let me say that the Government is quite satisfied with the report into the allegations that were investigated by senior police officers, assisted by the Deputy Crown Solicitor, who was further assisted by a Commonwealth policeman and whose findings were reviewed by an eminent retired judge (Sir Charles Bright). The Government is entirely satisfied with the efforts of those people. In fact, until recent days, the Opposition with the notable exception of the member for Elizabeth was also entirely satisfied with the composition of the investigating team.

The member for Mitcham chooses to ignore the whole thrust of the argument in this debate. When 11 allegations were initially made against the police, all were investigated exhaustively by the most competent people in the Police Force, assisted by other competent people to the best of their ability; their integrity has not been doubted and no charge could be laid against any of those police officers. The member for Mitcham talked in this declamatory fashion about getting these people into court to be cross-examined. If they could have been taken before a court, the police would have been the first to want that. The Government would have been keen and, in fact, so keen were we (and the honourable member latches on to the most difficult report) that we sought an opinion from the Crown Solicitor as to whether we should take them to court. I read to the

House clearly (and for the benefit of the member for Mitcham I will read again) from the opinion of the Deputy Crown Solicitor, which stated:

In my opinion, there is insufficient evidence of an apparently credible nature to justify charging police officer 'O'.

So it goes on. What lunacy is this? If an accusation is made against a member of the public, the police, or anyone else, and an assessment is made that the case will not stand up, do we drag people before the court to go through all of the procedures advocated by the member for Mitcham? That is plainly absurd, and an insult to the intelligence of the members of this House.

I will deal with some of the points raised by the Opposition. The Leader suggested that I dealt in personalities rather than the merits of the report. That is plainly not so. Much of my comment referred to the reports and examined the motives and background of those who provided the information on which they were based.

Mr Bannon interjecting:

The Hon. E. R. GOLDSWORTHY: Let me put the record straight. There was a great kerfuffle about what had happened to the gentleman who appeared before the court. In fact, that gentleman appeared before the court, pleaded guilty to a charge of possessing Indian hemp, and was put on a bond. That does not detract from the point I made that he could hardly be taken as a disinterested person in relation to these matters, which involved criminals engaged in the drug scene. Does the Leader suggest that the background of those who made these allegations is not relevant in this matter? Is he suggesting that their background should not be taken into account when the reputation of 24 policemen has been threatened? Is it inappropriate to consider the people who made these allegations? That is patent nonsense.

In his motion the Leader referred to 'continuing doubts about the nature of the inquiry'. Is it not strange that those doubts suddenly arose when the results of the inquiry became public? The Leader did not entertain doubts earlier. the only member of the Opposition who has been consistent in all of this is the member for Elizabeth, whose credentials in all this are highly suspect in view of the quotes I gave the House earlier and his scurrilous allegations in relation to the prisons inquiry. When the honourable member was asked to front up, he said he had nothing of substance to give to the Royal Commission. At least he has been consistent in the whole deal.

The honourable member has managed to drag along, at last, haltingly, the Leader of the Opposition, who was entirely satisfied with the inquiry until the twelfth hour (not the eleventh hour), when the report became public. What has changed the Leader's mind? The Government had the good sense not only to rely on its own assessment of this report but also saw some advantage in asking an eminent retired judge, Sir Charles Bright, for his assessment of the report. I was at great pains in this debate to quote to the House verbatim extracts (and there is not apology for my quoting extracts) that summed up the judgements on each of those charges. I went through each case, and I dealt with the one that the member for Mitcham described as unsatisfactory. We checked the matter further by seeking an opinion as to whether we could take that person to court. I quoted the relevant extracts from the comments of Sir Charles in relation to all matters.

What are we talking about here? We are talking about a number of accusations made against the police, every one of which, plus any other allegations that surfaced during the inquiry, was exhaustively examined by a highly competent team, probably the most competent team we could have assembled in South Australia, who have the expertise—the police themselves. Does anyone suggest that the police do not have a vested interest in clearing their name? What has happened in the past few months? If the Leader of the Opposition reads the papers he will see that a number of police officers have been charged as a result of investigations by their fellow officers, and have been convicted. Who is suggesting that the police do not have an interest in investigating the matter with the utmost vigour and thoroughness? Of course they have. They want to clear their name.

Nothing came from that exhaustive investigation that would lead to any charge at all (there was doubt in only one case) being laid in court with a chance of being sustained. That was the only case in which there was any doubt, and we sought an opinion to see whether a charge could be laid. If there is a doubt, I would bet that the senior members of the Police Force will be keeping an eye on the individuals involved. The Leader of the Opposition has now fallen in behind the surrogate Leader, who calls the tune. He is a Johnny-come-lately in this exercise, but the Leader has fallen in and is calling for a Royal Commission.

What does he want? Let us consider the Royal Commission. The first term of reference is to review the findings of the internal inquiry. What an insult to Sir Charles Bright! We have already done that. The Opposition wants to review Sir Charles Bright's review. That is what the Leader is asking. We have already done that, and we have been reviled for it. The Opposition is making a big thing about this being secret. There was all sorts of criticism through the debate in relation to the conduct of the inquiry. There would have been another kerfuffle. When the report was compiled after the investigations were completed, Sir Charles Bright finally reviewed the report, but the Opposition is now asking for another review.

The amendment also provides for the Royal Commission to review internal police administrative procedures. The Chief Secretary has stated that that is already being done. The third point is to review the recomendations of the Mitchell Committee. That involves reviewing another judge—that is what the Opposition is asking for. The Opposition wants a review of Justice Mitchell. How absurd! The fourth and fifth points are both clearly policy determinations.

A Royal Commissioner is to be asked to consider whether the Ombudsman should get into the act or whether they should consider proposals to establish a crime commission. The Opposition wants to ask a Royal Commission to detrimine its policy. Governments and political Parties are to determine policy, not to go to a Royal Commission for answers.

The SPEAKER: Order! The question before the Chair is the amendment proposed by the Leader of the Opposition. Those in favour say 'Aye', those against 'No'. I believe the 'Noes' have it.

Mr Keneally: Divide!

The SPEAKER: Order! There was no call to divide, the Chair having hesitated before moving to put the question, which is the Deputy Premier's motion.

Mr KENEALLY: I rise on a point of order. I called 'Divide' twice. I said to my Leader—

Members interjecting:

The SPEAKER: Order! The member for Stuart will be heard on his point of order.

Mr KENEALLY: My point of order is that I said 'Divide' twice. I said to my Leader, 'You'd better say, "Divide", John,' because I had said it twice. My point of order is that if Government members want to say that I am a liar, they can come out and do so. I called it twice. There is no doubt about it.

The SPEAKER: Order! The honourable member raises a point of order which could be sustained if it had been raised immediately. I point out that I hesitated before seeking to then put the motion, having not heard from either side a

call for a division. That is the Chair's position. I now put the motion.

Mr BANNON: I rise on a point of order. I heard quite clearly my colleague from Stuart say 'Divide'. I did not know that that had not carried to the Chair.

The SPEAKER: There is no point of order. It is not for the Leader of the Opposition to hear the call from his colleague: it is for the Chair to hear it. I point out that the Chair did not hear a call to divide when it gave its decision.

Mr BANNON: May I make a further submission? Opposition members had the impression that the call 'Divide' had been taken. It appears that it did not carry to the Chair and that you, Sir, did not hear it. I would ask your indulgence, Sir, in the interest of the procedures of this House, to allow the matter to be put to a division.

The SPEAKER: Order! The Leader having had the carriage of the amendment and having proposed it to the House, the Chair would have expected, as would any other member, that it would have been the Leader, not one of his colleagues, who had called for a division, if, in fact, it had been intended that a division was required. The Leader has just indicated that he heard his colleague call 'Divide'. He himself did not claim to have called 'Divide'. The Chair did not hear, at the time that the opportunity existed for a division to be called, any person call 'Divide'. I have made the decision on that basis.

Mr MILLHOUSE: I rise on another point of order and put this to you, Sir. I wish I had been in the Chamber myself; I would have called and there would not have been this trouble. However, there is this trouble. I put to you, Sir, that the point or decision that you have made is rather technical. It is obvious that this is a matter of very great controversy. A Royal Commission or not is really the guts of this, and, even if there were a technical flaw in the call, would this not be an occasion on which you, Sir, could perhaps exercise some discretion to ignore the technicality and get to what is obviously Opposition members' wish that there should be a division?

The SPEAKER: I do not uphold the point of order by the member for Mitcham. So far as the Chair is concerned, there is no technicality. Standing Orders provide for a division to be called. For a division to be held, it is necessary that the call for a division to be heard by the Chair. On this occasion, the call for a division was not heard by the Chair at the time that the decision was given by the Chair in relation to the motion that had just been voted on.

Mr KENEALLY: My point of order is that, although you have probably explained to the House the circumstances that apply, the Leader of the Opposition had the carriage of the Bill. You were concentrating on him, expecting the call from him to divide. Every member in the house has the right to call a division, and that division call, if heard by the Chair, has a right to be taken. It is because you were concentrating on the Leader of the Opposition, expecting him to call at the time, that you were not able to hear my call 'Divide'. I put that to you, Sir, for your consideration. I am sorry that you did not hear the call. I believe that you did not hear it, because you were expecting it from another source.

The SPEAKER: I uphold the point of order made by the member for Stuart in relation to where I would have expected the call to come from. It does not, however, alter the situation that the Chair did not hear a call, whether from the Leader of the Opposition or the member for Stuart. The Chair has given a decision, which, unless it is taken in the normal processes provided for by the Standing Orders, will maintain.

Mr MILLHOUSE: In that case, I must with very great respect move to disagree with your ruling, Mr Speaker.

The SPEAKER: Bring it up in writing. I have received from the member for Mitcham the following:

> I move to disagree with the ruling of the Chair that there be no division because the Speaker did not hear the call for a division. The obvious intention of members was to have a division on this, a matter of greatest controversy before the House.

I accept the motion without the second sentence, which has no relationship whatsoever to a motion before the Chair. Is the motion seconded?

Mr Millhouse: Is someone going to second the jolly thing?

The SPEAKER: Order! So that there can be no misunderstanding, I have received a motion from the member for Mitcham. Is it seconded? There being no seconder, the motion of the member for Mitcham is not agreed to by the House. I now proceed to the motion moved by the Acting Premier.

The Hon. E. R. Goldsworthy's motion carried.

Mr Millhouse: What damp squibs you are. You're the most extraordinary lot of people I've every known. I've never seen a performance like that before.

The SPEAKER: Order!

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

> That Standing Orders be so far suspended as to allow a recommittal of the amendment moved by the Opposition.

In doing so, I am following the proper way of doing it, and the Opposition is being given a second chance. The facts are these: the Speaker ruled perfectly correctly. If the member for Stuart called 'Divide' I suspect that he was promoting his Leader to call 'Divide', because not a soul on this side of the House heard him. I did not hear him, and I checked with all the members who were in the closest proximity—

The SPEAKER: The Acting Premier, in seeking to suspend in this way, is not proceeding according to Standing Orders.

Mr Millhouse: Ha!

The SPEAKER: Order! I make that comment, making no intended indication that what the honourable Deputy Premier is now doing is a reflection on the vote previously taken. However, if the Deputy Premier wishes to move in the direction that he is suggesting, it will be necessary that a formal motion under the Standing Orders will be drawn to the attention of the House.

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

> That the amendment moved by the Opposition be recommitted.

Mr Millhouse: No—that Standing Orders be so far suspended as to—

The SPEAKER: Order! A decision having been taken by the House, the only means whereby the House may return to the position that existed before the vote was taken is for a rescission of the motion that was carried.

The Hon. E. R. GOLDSWORTHY: In those circumstances, the Government is not prepared to rescind the motion that was carried unanimously by the House. I moved for a recommittal in the confident expectation that the amendment would be defeated and that the Government motion would be passed.

The SPEAKER: Order! It is not possible for any member now to debate further a result that has already been taken by the House.

Mr BANNON: I seek leave to make a personal explanation.

Leave granted.

Mr BANNON: I thank the House for the opportunity to make a personal explanation concerning this matter, over which there is controversy. It is a matter of regret that votes cannot be recorded on the issue. I accept the fact that you, Sir, did not hear me call 'Divide', because I did not do so until I realised that you were putting the motion formally. I did not do so because I heard my colleague, the member for Stuart, so call. Any member of the House may

call 'Divide', and I understood that you would have heard that. Unfortunately, Sir, you did not hear that call and the matter proceeded. For that reason, we were not prepared to support the move by the member for Mitcham and, to the extent that I was the mover of the amendment, and therefore should have had the primary role in calling 'Divide' and failed to do so, I confess that I was in error. I should have done so, and that is how this incident arose. I am sorry that you, Sir, did not hear the call of my colleague. I did and thought that that was sufficient. The blame rests entirely on me.

LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continue from 1 April. Page 4003.)

The Hon. JENNIFER ADAMSON (Minister of Health): When the debate on the second reading concluded on Friday, I brought to the attention of the House the fact that a diverse number of opinions had been expressed about the Bill and that those opinions no doubt reflected the diverse opinions which are felt in the community on the questions that have been dealt with in this Bill.

At the outset, I want to refute allegations made by the member for Playford that there had been some collusion between the Minister of Consumer Affairs and the liquor industry in introducing these amendments. I absolutely reject those assertions, and there is certainly no evidence whatsoever to substantiate them. It is correct that the major industry groups were consulted by the Minister in framing this amending Bill and that those groups comprised the Hotel Association, the Restauraters Association, the wholesale wine and spirits industry, the unions themselves, including the Liquor and Allied Trades Union, and indeed all relevant bodies. However, to suggest that there was collusion between the Government and the industry on this matter is absolutely false, and I believe that it is a scurrilous accusation that would be resented by the industry and the unions, as it is resented by me on behalf of the Government.

The member for Norwood made a similar questionable accusation when he suggested that information he had received was that in some cases the magistrates courts have either withdrawn or delayed cases pending passage of this Bill again cannot be substantiated, and neither the Minister nor the licensing administration is aware of any instructions to the police to withdraw or delay prosecutions. In any event, had this occurred (and I do not believe there is any evidence to suggest that it has), these amendments will certainly not affect any prosecutions that have already been commenced.

Several members opposite queried why a comprehensive review of the Act cannot be undertaken now and why what has been described by some members as piecemeal amendments have been proceeded with when the Act itself needs an overhaul. The Minister has stated on several occasions that a compehensive review of this comple and far-ranging Act should be commenced next year. It is expected that this review will take some time if it is to be effective and given the detailed consultations that will have to take place. In the meantime, the questions under consideration in this Bill need immediate attention, which the Government is giving them. That does not in any way detract from the need for a comprehensive review of the Act, and that will certainly take place.

The clause that has evoked most discussion has been the Sunday trading provision. Assertions have been made by several members that this provision, which has been described as the thin end of the wedge, will inevitably lead to full Sunday trading. On the other hand, some members have asserted that there should be full Sunday trading forthwith, and an amendment has been foreshadowed to that effect.

The Hon. J. D. Wright: Isn't this only the beginning?

The Hon. JENNIFER ADAMSON: I certainly reject the assertion that this is necessarily the beginning of what will ultimately become full Sunday trading. The Government believes that, on any social issue such as this that could have profound and far-reaching impact on families and on the community, we should proceed slowly and cautiously and in accordance with what we see as community need. That is what the Government is doing in this Bill. That is not to say that the provisions of this Bill will ultimately lead to what has been described by some members as open slather which will occur inevitably and quickly.

One could draw an analogy between this legislation and social legislation that was passed under the previous Government in relation to classification of publications. That legislation, far from being expanded on, has indeed been subsequently constrained and restricted. I draw that to the attention of members in order to point out that, because an action is taken to relax provisions of any social nature, it does not necessarily mean that it is a fore-runner to a total relaxation of provisions. It simply provides an opportunity for the issue to be tested, subject to the scrutiny and examination of the court, which in this case is the Licensing Court, and to be scrutinised by Governments and the community to determine whether indeed it is proper that hours should be extended or whether at some future time they should be restrained and contracted. Therefore, the Government is moving cautiously and properly on a social issue which can arouse quite strong feelings within the community.

The Hon. J. D. Wright: But you cannot put the horse back in the gate, can you?

The Hon. JENNIFER ADAMSON: It is not really a question of putting the horse back in the gate. Rather, it is a question of Parliament's responding, because I point out that members of both sides of the House are allowed to exercise a conscience vote on this issue. It is a question of Parliament's responding on the question as to whether Sunday trading in response to needs of tourists should be permitted in this State in a limited fashion. The Government has taken that initiative in close consultation with the industry, and indeed with the unions involved. The outcome will have to await the vote of Parliament, and be tested and supervised by a court. To suggest that we are either going too far or not going far enough is a very easy thing to do. The Government is proceeding responsibly and cautiously, and that issue will be very closely scrutinised by the Licensing Court. Also, it will certainly be closely scrutinised by the community and by Parliament.

It is important to stress that limited Sunday trading is not automatic; applications will have to be made to the court, which will have the ability to approve two trading periods according to the particular needs of an area, and no doubt, in doing so, the court will be considering the hours during which other hotels in the area trade in an attempt to avoid the problems referred to by the member for Semaphore.

There has been considerable talk by several members, including the member for Mitcham and the member for Semaphore and others, about what constitutes a demand by tourists. That is for the court to establish. The Bill sets out the broad parameters, and the court will consider how the letter of the law as it stands will be applied. No doubt, it will consider each case on its merits and it will consider the plain meaning of words in the Act, as it does in many other instances in the licensing legislation and other legislation.

Several members have referred to problems of staffing and wages that will be brought about by Sunday trading. This question obviously concerns the Government, but I believe that members of this House would recognise that it is a question that needs to be resolved by the industry and the unions concerned. It is an industrial matter, and therefore, it is not one that is properly considered under this legislation, which is licensing legislation.

Some members appear to have misunderstood the effect of the noise disturbance provision. The provision is wide in that it covers more than just noise as it refers to unduly inconveniencing people who reside in the vicinity of licensed premises, and it covers situations of people arriving or departing from licensed premises. There has been criticism that this provision does not go far enough, but surely it ought to be recognised by every member that there is no easy solution to this problem, that the rights of both residents and those who patronise hotels need to be recognised, that the reality of people travelling to and from hotels and the fact that that creates some kind of noise, needs also to be recognised, and that there is simply no way of ensuring that people can at the same time have an opportunity to drink at certain hours and at others to be absolutely constrained, to be perfectly silent in their comings and goings. Somehow the law has to try to guard the rights of all sections of the community, and the amendments that have been made in respect of noise control attempt to do that.

A number of other points which will perhaps be more appropriately dealt with in the Committee stages were raised by members. However, I should refer to one issue which caused concern to several members and which indeed causes concern to the Government, namely, the question of under-age drinking and the possibility that this problem may be exacerbated as a result of the provisions to provide for a limited Sunday trading licence for hotels in order to meet the needs of tourism. The Government certainly acknowledges the problem of under-age drinking. It is not appropriate for that to be an offence under the Licensing Act, which simply covers licensed premises. However, drinking in a public place is really a matter for consideration under the Police Offences Act. The Minister of Consumer Affairs, who has the carriage of this legislation, has consulted with the Chief Secretary and has been assured that that question will be examined by the Chief Secretary to see whether appropriate provisions can be made under the Police Offences Act to deal with the problems of under-age drinking.

I believe that the remainder of the points that were made will probably be best dealt with in Committee. I stress again that in amending the Licensing Act the Government has moved cautiously and responsibly towards what it believes are the wishes of the community at large. There will always be a divergence of opinion about licensing legislation, and therefore the Government believes that a cautious responsible approach is the most appropriate legislative response. The Government believes that the Bill embodies that response and that it ought to be supported by the House.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—'Full publican's licence.'

Mr SLATER: In the Minister's second reading speech she referred to the discretion of the court in issuing licences to provide for the sale and supply of liquor on a Sunday during the trading hours proposed. I point out to the Minister that there is not only discretion in this respect but also certain commitments that the court must take into consideration, such as those in paragraphs *(a)* and *(b)* of proposed new subsection (2a) of section 19. Paragraph *(a)* states:

> the sale and disposal of liquor by the licensee on a Sunday is required to satisfy a demand by tourists in the vicinity of the licensed premises;

Can the Minister explain to me, even though there is some discretion with the court in regard to licences, just how that demand by tourists in the vicinity of licensed premises can reasonably be assessed? Can the Minister explain that provision?

The Hon. JENNIFER ADAMSON: In giving an explanation of clause 8 (2a) *(a)*, I think it is important to draw the attention of the Committee to paragraph *(b)* which, if you like, is a balancing provision, so that the court not only has to be satisfied that 'the sale and disposal of liquor by the licensee on a Sunday is required to satisfy a demand by tourists in the vicinity of the licensed premises' but is also required to take into account the fact that 'persons residing or worshipping in the vicinity of the licensed premises will not be unduly inconvenienced as a result of the granting of the application'. That question of balance has to be taken into account by the court, and I think it is important that that fact is remembered by the Committee when it is assessing this question of the likelihood of the court granting a licence for Sunday trading by tourist hotels.

It is obviously, as I explained in the second reading debate, for the court to decide, and it is not merely for me to presume what interpretation the court might put upon the requirement to satisfy demand by tourists. However, I could presume that the court might take into account the generally accepted definition of a tourist (a definition with which I am sure the honourable member will be familiar), that is, any person visiting a location for any purpose at least 40 kilometres from his usual place of residence for a period of at least one night but not exceeding 12 months'. That is a very broad and general definition. A definition of tourism which is generally accepted is 'a social phenomenon encompassing travel by all persons for whatever reason or trips beyond 40 kilometres of place of normal residence for a duration of 24 hours or more'. Then there is a definition of 'day tripper', that is, a 'person visiting a location for any recreation purpose (including visiting friends or relatives and attending conferences and seminars) for not less than four hours and not less than 25 kilometres from normal place of residence'.

I simply present those definitions to the Committee for the purpose of information. Whether or not the court takes those definitions into account is for the court itself to determine, but I believe that the court in this instance, as in other instances, is given a capacity by this legislation to determine whether the needs of tourists are sufficient that a licence should be granted to a particular hotel. The Government believes that by giving the court that capacity South Australia will be able to go some way towards meeting the needs of tourists, which are met in a rather broader way in all other States of Australia.

Mr SLATER: All the Minister seems to have done is indicate the chaos and confusion that will exist in regard to the definition of a tourist licensed hotel. Despite the fact that the court has a discretion to issue a licence based on the fact that there is a tourist demand, what will apply if that demand is more in regard to the local clientele who basically are not tourists? I do not believe that paragraph *(b)* has any relevance to the first paragraph, which provides that the sale and disposal of liquor by the licensee on a Sunday is required to satisfy a demand by tourists in the vicinity of the licensed premises. Paragraph *(b)* seeks to ensure that people are not unduly inconvenienced as a result of granting the application.

The real difficulty regarding the court's discretion involves the definition of the tourist licensed hotel operating on a

Sunday. I said I supported this with some grave reservations, because I believe that a demand exists not in the metropolitan area of Adelaide specifically but in other areas of the State where people travel 40 km and qualify under the definition that the Minister has given. I see a great deal of confusion occurring in a suburban situation where no doubt, if one hotel is given the privilege (if I might call it that) of opening on these limited hours on a Sunday, it will be very difficult for the court not to grant the licence to the hotel just down the road. So, there will be a proliferation of licensed hotels opening on a Sunday on the pretext that they are catering for some tourist demand. I challenge the Minister to indicate to us just how that discretion will be exercised.

The Hon. JENNIFER ADAMSON: I would certainly reject any prophecy that there will be chaos and confusion as a result of this. I think that—

Mr Slater: It's a total lack of knowledge of the industry.

The Hon. JENNIFER ADAMSON: That suggestion does some discredit to the court and to the industry itself.

Mr Slater: And a discredit to the Government.

The Hon. JENNIFER ADAMSON: I do not believe that there will be chaos and confusion, nor will there necessarily be a proliferation of licensed hotels. The honourable member's knowledge of both the tourist industry and the hotel industry would make him well aware of the fact that there are some hotels which by their very nature are attractive to tourists and others which, by their nature, are deemed as what might be called 'local watering holes' for local residents. There is a distinctive difference between the two. There are hotels in the Adelaide metropolitan area which obviously gain most of their clientele from people who are the local working populace, who call around to the hotel for either a quick luncheon or for a drink after work, and they are not places where tourists tend to congregate.

At the same time there are others which by their location in the city or by their proximity to other facilities and tourist attractions could be classified as popular and likely places where tourists might want to enjoy a drink on a Sunday. I do not think it is either beyond the competence of the tourist populace to be attracted to these places or beyond the competence of the court to determine which of those would be appropriately granted a licence and which of those do not fall into that category. It is not for this Committee or the Parliament to determine who will get a licence or not; it is simply a matter of laying down the guidelines in clause 8 to serve as a guide to the court on how the law will be interpreted.

Mr EVANS: I wish to make it quite clear that for 10 years I have opposed Sunday trading. I have stated on this occasion that because the amendment leaves it to the court to interpret that trading should take place only in tourist hotels, I will support it, much to the disappointment of many of my electors, because they believe it is the opening of the door for Sunday trading in many hotels, including hotels that the average person may not consider to be in the tourist category.

I will be disappointed and angry if that is the way it is finally interpreted and allowed to operate: I would feel that I have been misled about the intention of this Bill, and the disappointment of the people who have contacted me and said that they believe this is the first step towards the opening of most hotels on a Sunday, would be justified.

I have faith in the processes involved that that will not occur. I know many members believe that it will occur, but I am stating my position now quite clearly, hoping that it will have some effect upon those who have to make the final decision that members of Parliament expect from this amendment, namely, that it has to be a hotel in an area that can be classified as being a tourist area or a hotel that has some strong tourist potential or attraction.

I am conscious of the fact that within my own district many hotels virtually do open on Sunday. People can go to the hotel, although they cannot drink at the front bar or purchase liquor from the bottle shop: they can go into the lounge or dining-room if they want to have a meal and they can stand at the bar and have a drink while waiting to be served the meal, and in the main they are local people. I am not denying the hotels that right, because I believe that they are trading in a responsible manner and causing no concern to the church or the community. In the past people have been able to go to hotels on a Sunday in my district and in many other districts on that basis.

The only difference in this will be that when meals are being served at normal times people (tourists or visitors in the area) will be able to have a drink at the bar, and they may also be able to have a counter meal, if they wish, which costs less. We are not saying that all the clientele will be tourists, and we would be fools if we thought that that would be the case. Quite often tourists do not have much money to spend. Some tourists come with a dollar note and a clean shirt and they do not change either of them. It is natural that this type of tourist will be interested in having a counter meal and a drink at the bar instead of having a full three or four-course meal and a glass of wine at the dining table. On that basis I support this proposal on the clear understanding of how I interpret it and expect it to be interpreted when it is applied and when decisions are made.

The Hon. D. J. Hopgood: You're optimistic.

Mr EVANS: Maybe. Some of us come into this Parliament with wonderful ideas and the optimistic hope that we will be able to affect someone else's thinking but, by the time we have spent 14 years or so here, we find that unless we have some close contacts we affect very few people's thinking. I hope on this occasion I am right. If I am not, it will be one of the many times I have been wrong and my thinking has not affected anyone else's point of view.

The Hon. D. J. HOPGOOD: It is necessary that I go a little further than the member for Fisher. It seems to me that he tiptoed to the edge of the abyss and then moved back, and it is on his confidence in the Minister and her colleagues that he bases his attitude to this legislation. However, I must bring to it the same interpretation of some members of this Chamber who I know will be supporting this clause and that is that the effect of this clause will inevitably be to open up the whole of the industry to Sunday trading. Consistent with what I had to say in the second reading speech, I opposed that and I therefore oppose this clause, and I urge honourable members to join me in opposition to the clause.

I have not yet heard anywhere in debate a sufficient explanation from the Minister or any of her Ministerial colleagues, or anyone else who may be supporting the general thrust of this measure, as to how it will really be possible to limit this to whatever they mean by hotels in tourist areas or catering for *bona fide* tourists. It seems to me that this measure is being introduced for other reasons; it is designed to be the so-called human face of liberalism, and if that is the case one wonders about other parts of its anatomy. Consistent with the way I have voted in this Chamber in the past and consistent with what I had to say in the second reading debate, I oppose this clause and I urge members of the Committee to join me in that respect.

The Hon. J. D. CORCORAN: I do not want in any way to fool the Committee about my intentions. I want to move an amendment to this clause. It is my belief that the Govenrment was desperate to do something about this and did not know how to do it, and it hooked on to the line of

tourism and thought that this would be the most appropriate way to fit it in. I see it as a subterfuge, and I think we ought to be honest about whether or not we should have Sunday trading, and the only way to do that properly and fairly to everyone in the industry, and the hotel industry in particular, is to provide for an optional preference to enable any hotelkeeper with a full publican's licence to apply for that licence if he wishes and so be granted that licence.

I also believe it is not only the licence that is involved: I am opposed to the break in the hours. I believe that we ought to have a spread of hours from 12 noon to 8 p.m. and that it ought to be optional on the part of the publican to apply for a lesser spread of hours if he so desires. I do not believe, as the member for Baudin has said, that the court will have the facility to select those areas where tourism is involved. As I said in the second reading debate, I believe that this will be a feast for the legal profession at least, because extensive cases will have to be prepared by applicants in order to convince the court that they have some justification for exemption from the qualifications already imposed by the Bill. I move:

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Lines 24 to 27—Leave out these lines and substitute—

the licence on a Sunday—

(a) between the hours of twelve o'clock noon and eight o'clock in the evening;

or

(b) during such shorter period between those hours as the court fixes.

Lines 28 to 40—Leave out subsections (2a) and (2b).

As I have already explained, that would then authorise the person concerned to operate between 12 noon and 8 p.m. or for such shorter periods between those hours as the court fixes. If we approach this matter honestly (and I know that there are all sorts of complications involving licensed clubs, permit clubs, and others), we would support the amendment, rather than have a great conglomeration of administration in the court that will not work effectively. The arguments of the member for Gilles and the member for Fisher support what I am saying. They recognise the difficulties involved in the Bill as it currently stands. We have been paddling around (or worse) with this question for so long that it is about time we faced up to the matter, got rid of all the pros and cons, and made perfectly clear that publicans can, if they so desire (and they are not forced), apply to the court and be granted the licence.

The only condition is that they can apply to have the spread of hours from 12 noon to 8 p.m. reduced. A full shift of eight hours is involved, and churchgoers would not be inconvenienced because, as a rule, services are finished by 12 noon. I see nothing wrong with 8 p.m., either. I would be pleased if members recognised the sense of this amendment and supported it.

The Hon. JENNIFER ADAMSON: The Government cannot support the amendment moved by the member for Hartley. I recognise what might be described as the impeccable logic of the member for Hartley, which was well expressed in the second reading debate when he called for consistency on this matter. At the same time, I recognise the sincerity and the consistency of the members for Goyder, Baudin and Salisbury, and other members who have spoke in opposition even to this limited measure that the Government has introduced.

I believe that the member for Hartley recognises the extreme complexity and difficulty of the whole question of Sunday trading; however, he has not given the Government credit for a genuine effort to recognise the needs of tourists and at the same time to recognise what is still and may yet continue to be a very strong feeling within the community in South Australia that it would be wrong to allow full Sunday trading even on an optional basis, which is all the honourable member is suggesting, without first testing on a limited basis to see whether that can and should be justified.

The member for Hartley has called for an honest approach. There has been nothing dishonest whatsoever about the Government's approach to this matter. We have recognised quite openly that it is a difficult matter and it cannot be easily resolved. We have also recognised that, as a Government that is dedicated and committed to ensuring that the tourist industry is given every opportunity to flourish in South Australia and that South Australia is at least put on an equal footing with other States in attracting, retaining and reattracting tourists from other States, other nations and from within our own community to other regions in South Australia, we are bound to try to assist tourists who are looking for the kind of facilities that they can find in any other State.

It is worth recounting to the Committee an experience of my husband and I when we visited Queensland in January. We arrived in Noosa Heads on a Sunday night. Like many South Australians, we are accustomed to enjoying a glass of wine with our evening meal. We did not want to eat in a restaurant that night: we chose to remain in our serviced apartment. We therefore tried to buy a bottle of wine, but we could not do so. That is the situation that many tourists in South Australia face.

The Hon. J. D. Wright: You should have taken South Australian wine with you.

The Hon. JENNIFER ADAMSON: Yes, indeed: we would have found it much cheaper if we had done so, but we did not have the forethought. The needs of tourists must be considered. I acknowledge it is impossible to separate tourists from local residents as they enter a hotel. We cannot say that a tourist can have a drink but the local resident cannot, and it would be foolish to try to do that. Equally, it is possible to identify those hotels that provide a special facility or facilities for tourists and separate them from the normal run of local watering holes (if you like to call them that) which could not, in any sense, be classified as justifying a licence to satisfy demand by tourists in the vicinity of licensed premises on a Sunday.

I believe it was the member for Baudin who asked what the clause means. It means exactly what it says—the court shall not grant an application for an authorisation under subsection (2) unless it is satisfied that the sale and disposal of liquor by the licensee on a Sunday is required to satisfy a demand by tourists in the vicinity of the licensed premises. Every member of this Committee knows that there are many hotels around Adelaide that could not possibly expect to be recognised by the court as being required to satisfy a demand by tourists in the vicinity of the licensed premises. The clause further states that persons residing or worshipping in the vicinity of the licensed premises will not be unduly inconvenienced as a result of the granting of the application.

In this clause, the Government is giving a commitment to recognise the needs of tourists and at the same time to recognise that the South Australian community at large would not, at this stage we believe, support the proposition that is set out in the amendment. That is why the Government cannot support the amendment.

The Hon. J. D. CORCORAN: First, might I say that I was not ungrateful to the Government for having introduced the measure. The Government has at least given us the opportunity to try to introduce some sense into the issue. I resent that a tourist on a Sunday in South Australia will be able to get a drink, whereas, when I am on holidays on a Sunday as a citizen of this State, I will not be able to get a drink. If there is no hotel in my area that can convince the court that it serves tourists, it misses out. It would

probably pay the hotels better to serve Des Corcoran than tourists.

In all seriousness, I do not accept this discrimination. Indeed, it is optional, as is the Minister's own provision: a hotel does not have to apply for a licence. Therefore, the person who has a full publican's licence will not unnecessarily apply for a licence unless he believes it will serve the community and unless he thinks he can make something of it—I am certain of that. It is possible, of course, that, if a hotel applies for a licence and opens, other hotels in the area may be forced to do the same, but that will be providing a service to the general community. With great respect, I think I could prove to the Minister, if I took the time, that I could probably get a drink in a hotel almost anywhere in Adelaide (within reason) at any time on a Sunday or in any other place if I took certain steps, without conning the publican.

Generally, I think people's objection to Sunday trading has gone. It is a fact of life that is here, in part, anyway. We should make it available to everyone, not just tourists, because I am on holiday on a Sunday, too, mostly. I might want to get a drink in a bar, and I should be able to. I should not have to go to a region that normally serves only tourists. I should have the facility where I live or close by, particularly with this breathalyser; one wants it as close as possible on a back road. I do not want to be facetious about it. I am quite serious. It is time we bit the bullet, faced up to the facts, and did as I suggest in the amendment.

Mr MILLHOUSE: I support the amendment, but if it is defeated I will oppose the clause, because it is an absolutely silly, cranky one. The member for Hartley is trying to make us all honest and make an honest woman of the Minister too, in the process. Let the member for Fisher not delude himself. He knows perfectly well that this is merely a camouflage to allow Sunday drinking in hotels. He is not as big a fool as to not realise that, talking about people in white shirts with 100 cents in their pockets. This is the thin edge of the wedge. As it is now drawn it would be impossible for any court with any logic to interpret it. It is absurd. One other problem is that it starts too early, 11 o'clock Sunday morning is too early.

The Hon. J. D. Corcoran: It starts at 12.

Mr MILLHOUSE: The honourable member's amendment is 12 but the original clause provided for 11 a.m. There are still some morning services that do not finish until about 12. There are eucharists and so on later in the day, but if we made it that much later we would have to close down all the clubs, which we will not do. The clause refers to satisfying a demand by tourists in the vicinity of the licensed premises. I have got only three hotels in my electorate.

Mr Becker: And no tourists.

Mr MILLHOUSE: Yes, indeed we do have tourists. The Mitcham Village of itself is one of the great tourist attractions of this State.

The Hon. J. D. Corcoran: You do a bit of touring on Sunday yourself, don't you?

Mr MILLHOUSE: Yes, let me take not the Edinburgh or the Torrens Arms, in Mitcham itself, each of which could in some way make out a claim for historical interest, but I will take the Hyde Park, on the northern edge of my electorate, on the corner of King William Road and Park Street.

Mr Slater: Do you ever go there?

Mr MILLHOUSE: Of course I have been there, but I do not go there much. It is a well-run pub, but a very ordinary looking building. Just around the corner about 300 metres is the Jasper Motel which caters for tourists. Because the Jasper Motel is within 200 or 300 metres and has people staying over the weekend, is the Hyde Park Hotel to say, 'We cater for tourists. There are tourists in our vicinity'? If they are going to say that, why not just say it can be open. It is silly.

There is no way of defining that in a court, given that judges are excellent people, generally, very intelligent, and only the best people are appointed; at least I hope that is right, but even judges are not Einsteins, necessarily, and they have not got the wisdom of Solomon to interpret a provision which Parliament puts there and which cannot be interpreted. It is not the court's fault; it is Parliament's fault when this sort of thing happens. There is no way of a court's being satisfied that the sale and disposal of liquor by a licensee on a Sunday is required to satisfy a demand by tourists in the vicinity of the licensed premises. It is too vague. It could mean anything or nothing.

The other night I spoke about people residing or worshipping in the vicinity. Apparently they can be inconvenienced, but must not be unduly inconvenienced. Why on earth that word was put in, I cannot imagine. The Minister does not care if they are inconvenienced a bit, but they must not be unduly inconvenienced. It means nothing. What will the court do if it has interpret that word? That shows the absurdity of the provision as it now stands. Either we are in favour of hotels trading on a Sunday or we are not. If we are, we go to the amendment moved by the member for Hartley, because it is straight out. It says what we mean. If we are against it, we vote against the whole clause. That is what I am going to do.

There is only one thing in the amendment of the member for Hartley about which I am not entirely enthusiastic. That is *placitum (b)*. Again, there is no criterion for the court to decide what shorter hours there should be. It gives an eight-hour period from 12 noon to 8 p.m. during such shorter period of hours as the court fixes. I still support the amendment, but it would be better to either provide that it should be open from 12 to 2 p.m., 4 p.m. to 6 p.m., or something, or that pubs should be open for four hours out of the eight, but to say 'such shorter period between those hours as the court fixes' makes it harder for the court to decide.

The Hon. J. D. Corcoran: They exercise common sense in court. There is nothing wrong with that. If a case for shorter hours is put, surely the court can listen to it and decide.

Mr MILLHOUSE: I hope that the member for Hartley is not going to try to talk me out of supporting his amendment. It is not nearly as difficult to interpret that as to interpret the silly clause as it stands. The amendment is far preferable, because it is honest, fair and simple. I believe it is what the majority of the community wants.

Mr McRAE: First, dealing with proposed Government clause 8a—

The ACTING CHAIRMAN: We are actually debating the amendment moved by the member for Hartley.

Mr McRAE: I am in full agreement with my friend from Mitcham and others, of course, that the task being imposed upon the court here is quite burdensome. I and I suspect 99.9 per cent of the rest of us know full well that the court will interpret that in a very generous way. I can see, and I suspect so can all the rest of us, that all one needs in order to get an eight-hour span in one locality is for two hotels at Glenelg to reach an agreement, one says 'O.K. I will open from 12 noon to 2 p.m.,' the next could be from 2 p.m. to 4 p.m., one from 4 p.m. to 6 p.m., and the other from 6 p.m. to 8 p.m. and it would all be fixed. There is no way on earth that police or anyone could police this activity. It would be an administrative nightmare.

It is worse than we have at the moment, which is a mountain of hypocrisy. Everyone knows that clubs the size of pubs are open blatantly trading illegally on Sundays throughout the metropolitan area. Everyone knows that

pubs throughout the metropolitan area under various guises are trading legally and illegally throughout the day. I agree with the philosophy that says, 'Let us come to grips with it; let us face reality and get hypocrisy out of it.' Every argument that can reasonably be put has been put. I will not deal with my proposed amendment now, but will proceed with it in the event of the member for Hartley's amendment succeeding. I will not otherwise proceed with mine.

I would like to explain my reason for that. If the amendment of the member for Hartley succeeds, I see that as opening a complete new social ground. I know it is a fine distinction. If the Government's measure succeeds and the member for Hartley's fails, then, on the Government's own logic, it is restricted to tourist facilities, and while I do not accept its interpretation of its own words I do not think it would be such a dramatic change as to justify Parliamentary intervention and wage fixation.

Mr PETERSON: I support the amendment. I have spoken before in this debate and said that I think the whole thing is a bit of a joke, a farce. I think the whole Act needs revision. I think that this is a stop-gap measure that is hypocritical. To carry on with the comments made earlier, the original clause in the Bill was for 'two on, two off' and I cannot see how it can work; there are so many problems. The amendment overcomes that to a degree, and I agree with the comments made earlier about discrimination. If I live within the vicinity of a hotel declared a tourist facility, I can drink so much; if I do not, I cannot. In some areas of the State, if a hotel is declared a tourist facility one can drink there; if it is not, one cannot. This is discriminatory, and does not make sense. I think the 40-kilometre rule applied to the definition of a tourist; one had to travel 40 kilometres to be regarded as a tourist.

The Hon. Jennifer Adamson: It is a definition, not a rule.

Mr PETERSON: It is a definition, but it is getting back to the *bona fide* traveller provision, where one had to travel 50 miles to be entitled to get a drink. The member for Hartley referred to drinking in hotels on Sunday. As I have Parliamentary privilege, and the protection of the House, let me say that I drank in a hotel on a recent Sunday. There was no attempt to break the law. I had to talk to someone, and I had a glass of ale. I was not the only one there!

I do not believe that, as a general rule, all hotels will want to open. Within a short radius of Port Adelaide are 30-odd hotels, and obviously they will not all want to open. Most Port Adelaide hotels are day-time hotels, with no-one around after 6 p.m. At night and weekends Port Adelaide and part of the peninsula are devoid of people wanting to drink in hotels.

An honourable member: Is it a tourist region?

Mr PETERSON: It has not yet been declared. We have to go to court. Some hotels there date from 1844, and such hotels could be declared tourist attractions in their own right, whereas a new hotel nearby might not qualify as a tourist attraction. That is discriminatory.

The licensed clubs operate at all hours. There are seven hotels within a short distance of Semaphore Road, as well as a licensed club, and they will not all want to open. Even if they could all apply as tourist facilities the trade would not be available. However, if this amendment is passed, the fear will be that, if one hotel opens, all should open to hold their position in the scheme of things.

Within my electorate, on which I feel qualified to speak, there is a hotel which opens on Sunday for meals. The facility is there now, but the option should be there for hotels to open if they feel there is a need. I think the Royal Yacht Squadron is one of the few clubs in the State with a bottle licence.

Mr Evans: There is another one.

Mr PETERSON: That is one I am aware of. There is a club that has almost a full run, so why not let the hotel down the road have the same opportunity if there is a need? I would prefer to have the Bill thrown out all together and a serious look taken to review the entire Act. In the second reading explanation there was a comment that it will be done.

The Hon. Jennifer Adamson: It will be done by this Government next year.

The ACTING CHAIRMAN (Mr Mathwin): I don't think the member for Semaphore needs any help.

Mr PETERSON: It needs doing. The Minister admits that there are faults in the legislation, and that it needs a review. There are faults in the current set-up and we are adding another area of problem by adding this tourist facility. It does not make sense to me. I might vote against the Bill. I will support the amendment because I think it allows hotels a right.

The Hon. J. D. WRIGHT: I support the amendment of the member for Hartley. I do not think I should cast my vote without adding some qualification as to where I stand in this matter. First, I believe the hotch potch brought in by the Government will cause turmoil, it will be discrimatory and a nightmare for the courts. Unlike the member for Mitcham and unlike the member for Semaphore, having said that I completely disagree with the proposition put forward by the Government, I will not vote against it if the member for Hartley's amendment is defeated, although I sincerely hope it is not. I believe that it will be necessary then to support the Government's proposition to at least go somewhere down the social road that we have been looking at for some time. It is my understanding that the A.H.A. and the union have reached relatively reasonable grounds in relation to opposition to this matter, and I suppose it is reasonable to say that the A.H.A. is satisfied, rather than excited, about the proposition put forward by the Government. I do not believe anyone may be excited about it. I believe it will cause problems and dissension within the industry.

I support Sunday trading in the manner suggested by the member for Hartley, in the knowledge that there may be some criticism from those clubs which are running a successful business at the moment. I still believe that clubs have had an advantage over hotels for the past few years, and I believe that is quite wrong. I also believe that the patronage that now goes to clubs will not necessarily leave them to go to hotels. One seems to get into a pattern in one's social life. Those who follow football will continue to follow their football clubs. Those going to workingmen's clubs I do not believe will be drawn away by the fact the hotels will be permitted in future to open. I do not think my supporting this Bill in any way jeopardises the future of those clubs that over the years have built a patronage (I go to them myself), but I do not believe that any person should have to join a club to obtain alcohol on Sunday. I cannot come to terms with that argument. Some people may want to join a club, and that is their right. Some may prefer the hotel life, and some may not drink at all. That is their option.

However, the situation at the moment, which has been the case for quite some time, is that unless one is prepared to join a club, or to pay what are sometimes very high costs for lunch, although in some cases reasonable meals are provided, then a drink is not available. I do not believe that either of those obligations should be a compulsory requisite.

Mr Lewis: Take your bottles home and drink them there.

The Hon. J. D. WRIGHT: The member for Mallee wants to take his bottles home: he might like to live an isolated life, but I like to get out and mix with people, to see what

my constituents are saying, so I prefer to go to a hotel or a club at any time I wish to do so.

It seems to me that the most reasonable proposition is that put forward by the member for Hartley. It is nondiscriminatory and it will give everyone an equal opportunity to open. The spread of hours seems sensible. It does not seem that those church people, who have my full respect in this matter, will be concerned (although they have indicated concern in the letters we are getting) about opening between the hours of 12 and 8 p.m. I think that such a provision helps the people who have to service this industry, and let us not forget those people.

If either of the proposals is carried those people will be compelled to give up some of their social life and their family life to service the hotels. I believe that the proposition put forward by the member for Hartley caters for those people better than does the split hours system put forward by the Minister. That system creates a broken-shift situation, which all workers object to. When I was in industry I hated the thought of a broken shift. At least under a rostering system, as put forward by the member for Hartley, people will work a straight eight-hour shift; a person will not have to go to work, return home, return to work and then go home again, which is a further encumbrance.

Taking all things into consideration, I sincerely believe that it is the right juncture in our history to introduce this measure. We are now doing other things on Sundays, such as going to picture shows, night-clubs, or trotting, or playing bingo, football or soccer. The social opportunities are there for people to enjoy themselves if they so desire. I can recall asking a question in this House a few years ago of the then Attorney-General, who seemed quite surprised, but who gave me a sensible answer. I refer to the Hon. Len King, as he was known at that time. I asked whether he would consider the holding of race meetings or the playing of football on a Sunday. We have not reached the stage where there are regular race meetings, but there are trotting meetings in South Australia now, as well as football matches played, and the other things I have mentioned.

We have come quite a long way down the social road and I believe that we need to take that next step; that step that the Minister now says may or may not be taken at the next review of this legislation. I believe the Government is mucking around with this issue, under the pretence that, if it is still in power next year (which I very much doubt), it will review this legislation with the intention of going to full trading, as indicated by the member for Hartley. Therefore, I believe that now is the time, if we are moving down the social road, to go all the way.

Mr SLATER: I have already indicated my lack of enthusiasm for the Government's proposal in clause 8 to have limited Sunday trading, and I also indicate my lack of enthusiasm for the amendment put forward by my colleague, the member for Hartley. I do so for a number of reasons. First, it has not been demonstrated to me that there is any great public demand for Sunday trading. Secondly, it has not been demonstrated to me that there is any great demand by employees in the liquor industry to work on Sundays, and I understand the the liquor trades union conducted a survey some two years or so ago which indicated very clearly that the employees of the liquor trades were strongly opposed to the introduction of Sunday trading.

I understand, too, that there is not unanimous agreement by the hoteliers of this State. I believe that the A.H.A. has mounted a campaign to encourage people in the industry to support them in this campaign for Sunday trading. A letter to the editor from the President of the Australian Hotels Association, South Australian Branch, stated, in part:

> Those members who were not in favour of Sunday trading themselves have agreed for the general good of the industry not to oppose the continuation of the campaign.

I indicated to the House during the second reading debate that a survey was done some two or three years ago, the results of which appeared in the press, and it was stated:

> South Australian publicans are overwhelmingly against Sunday trading, according to a ballot by a group of city and suburban publicans.

Certain things must be clearly demonstrated to me: first, that there is a public demand, that the people of South Australia want open trading in hotel bars on Sunday; secondly, it must be demonstrated to me that not only do the employees of the industry want to work on a Sunday, but that they are adequately remunerated for that employment.

A number of interests (perhaps I should not say 'competing interests', because I do not think they are) have varying views on this matter. I refer to the restaurant industry and to the effect that this legislation may have on it. I refer also to licensed and permit clubs. It has been said by some members that clubs have had an unfair advantage, but I do not believe that to be the case. Why has there been a proliferation of clubs over the last 10 years or so? To my mind, the reason is that the public have supported that method of social gathering, a time when people come together in a club with a common interest. A number of varying types of clubs have come into existence. I think my colleague, the member for Semaphore, mentioned the yacht club in his electorate; a multitude of different types of clubs in all members' electorates play a very important part in the community. Such clubs give people with a common interest the opportunity to assemble and to acquire funds quite legally by the sale of liquor and by other means. Members who can go back far enough will recall that in the old days clubs did not have that opportunity and a pretty sad situation existed. However, that is history.

The Hon. J. D. Corcoran: The R.S.L. was very strong in those days.

Mr SLATER: The R.S.L. does, of course, provide another type of club atmosphere which has been operating for many years, and very well, too. Plenty of football clubs, as the member for Whyalla would well know, have had to trade to be able to provide facilities for players, both senior and junior teams, which is a very important part of the social atmosphere in sporting situations in that area.

So, I do not think that it can be claimed that they had had an unfair advantage. They have grown because the people themselves have given their time and effort and have joined together for a common purpose to acquire funds to further that interest. I think that the club and hotel situation can co-exist. Of course, problems are certainly associated with it, but they are not insurmountable problems and could be overcome. I might mention in passing that I took the opportunity to speak to people employed and involved in the liquor industry over this weekend (perhaps, a private survey), and not one person to whom I spoke supported full Sunday trading.

Mr Max Brown: Even those who wouldn't speak to you wouldn't support it.

Mr SLATER: They all spoke to me, so I was fairly fortunate. That indicated to me that we need to look at the matter a little more to take into consideration all the other interests involved in the matter before we make a decision on it at this time.

I know that the matter has been with us for some years. There has been pressure from time to time by the Hotels Association for its implementation. I believe that they are relying on a false premise in regard to profits from Sunday trading. Also, if we have Sunday trading it is quite likely

that the price of liquor will be passed on in order to meet the penalty rates that should be paid for Sunday trading.

The Hon. J. D. Corcoran: Didn't you think they'd accept it?

Mr SLATER: It may apply somewhat in relation to the proposal in the Bill. I repeat that unfortunately I am not able to support my colleague the member for Hartley. There is certainly a need for some attention to the matter in the near future. I want members to know that all the interests involved are not unduly affected by the introduction of full Sunday trading and that employees are covered in regard to remuneration and penalty rates that apply at that time.

I have grave reservations about the legislation. I believe that it will result in confusion and perhaps even chaos. I do not think that two wrongs can make a right. So, I would like to see the public of South Australia have the opportunity to express their view by way of perhaps a referendum in regard to Sunday trading. That then would give us as legislators an indication of their desire, which I doubt very much in relation to Sunday trading.

Mr RUSSACK: I rise to oppose the Bill. This afternoon the member for Adelaide referred to Sunday and the activities carried on on that day. He said, 'I think that we have gone a long way down the social road and we should go further.' In the second reading speech I made my position quite clear. The thing that does concern me is activities on a Sunday. I did mention that over the past decade there has been quite a move regarding the social behaviour of the community on Sunday. Although I do not set out my behaviour and social life to force other people to do what I want to do, there does come a time when one has to declare a position and make a decision, and this is such an occasion. I generally support or represent those people who have the same convictions and outlook as I have.

The Bill provides for a number of restricted trading hours on Sundays. In the second reading speech I expressed some concern and fear that this might lead to an attempt to extend trading from that restricted situation. This afternoon I find that two things confirm my fear. One is that again the honourable member for Adelaide said that in his opinion it would not affect the clientele of the clubs and that, therefore, if the hotels open their bars on a Sunday, there must be additional people in those places. If that is right, it will mean an extension of the activities on a Sunday. Secondly, the mere fact that this amendment has been introduced proves that this is what is wanted by many people. I therefore explain to the Committee that I will oppose the amendment, and I have given my reasons for so doing.

Mr HAMILTON: I rise to support the call for the amendments. I took it on myself to have discussions with hoteliers within my electorate. I had discussions with them concerning the Government Bill and, in particular, I spoke to a very prominent hotelier who lives within my area, that is West Lakes. He is well known to the honourable member for Hartley. The gentleman's name is Mr Bruce Coleman, and he spoke in support of the twelfth amendment. It is my belief and that of a number of other hoteliers in my area, that the first two hours that the Government is proposing is lacking in common sense. They have informed me that after the two hours for which a hotel is open has elapsed, the hotel will have to close his doors. If all the patrons leave, the staff will be required to clean the place, count the tills, then go away, and thereafter return for the evening session.

We could have the situation that exists in England where the doors of the hotel are closed but the trading goes on, anyhow. I imagine that this could happen in many cases, particularly in the country where the trading goes on. I therefore ask, if this trading goes on outside the prescribed hours, how many police are specifically required to check on these hotels? Would it require additional activities of the police to go around to check all these hotels and see whether the hoteliers or the publicans are complying with the Act?

If hotels are to trade on Sundays, there should be straight shifts. I support the sentiments expressed by the Deputy Leader in respect of broken shifts. Like the Deputy Leader, I was a union official, and I strongly oppose the concept and practice of broken shifts. We must take into account that, if a person is to give up his Sunday or go to work on a Sunday for two hours on, have five or six hours break, after which he goes back to work, there would not be much remuneration for him and, moreover, his family and social life would be disrupted.

Mr MAX BROWN: I support the amendment, although not with a great amount of dedication to the situation. I simply believe that the House must make up its mind whether or not it supports Sunday trading. I have had some personal dealing with hotels and clubs. I suggest that the clause has been introduced simply in an endeavour to boost tourism in this State; that is the fundamental point of this clause. The wording of the clause will result in a great amount of difficulty for the court in deciding under what terms a hotel should be provided with a Sunday trading licence as a tourist hotel. If the Government was fair dinkum in its endeavour to boost the tourist trade in this State by allowing a hotelier to open his hotel on a Sunday, it would have classified certain hotels in particular areas.

The Hon. J. D. Corcoran: It wouldn't have the courage to do that.

Mr MAX BROWN: I agree with that. That is basically correct. If the Government was fair dinkum in its attempt to improve tourism in this State (and I have no objection to that), it could have designated certain areas, such as Mount Gambier, Renmark or Berri on the Murray River, or Victor Harbor. It seems that the Government is trying to improve the tourist trade by doing exactly what I am suggesting. In that exercise, it would be impossible to pinpoint certain hotels in areas that were designed to attract the tourist trade. For example, in Whyalla (and I do not suggest that that is a tourist attraction, although some people may regard it as such), it could be feasible that, if under the Bill the Government designated the city as a tourist area, only two hotels could come under the guise of tourist regimes and be large enough to cope with the tourist trade. Both those hotels currently open on Sundays. It seems to me that the exercise is nothing more than saying, 'We want Sunday trading, but through the back door.'

Both those hotels are open on a Sunday, because they supply a substantial meal, and that is all that is required under the Act for a hotel to open on a Sunday (I believe that that is the wording). That is rather intriguing, because some substantial meals, to my knowledge, amount to a packet of peanuts. Nevertheless, that is the way in which to overcome the Act, and the practice is followed. Let us not kid ourselves.

Further, one of the real reasons why the Bill was introduced is the fiasco that occurred in relation to the City Hotel in Hindley Street, in regard to which Judge Grubb was very critical and more or less implied that the Government should consider amending the Licensing Act so that the situation could continue without penalty. If the Government is simply opening the Act ultimately to overcome the problem that was experienced in regard to the City Hotel, it is, to put it crudely, being two-faced about the situation. I believe that the amendment would provide a correct situation. We are simply considering Sunday trading, and, if anyone believes that that is not the case, I suggest that, under the terms of the Bill, hoteliers, if they want

Sunday trading, will have merely to put an American Express card, a bankcard, or an open cheque sign in their door, and they will be able to open on a Sunday. Anyone who thinks that that is not the situation is being crazy, because that is exactly what will happen. If a hotelier wishes to open on a Sunday under this Bill, that is exactly what he will do.

I do not believe that all hoteliers are interested in opening on Sunday: the large percentage will not take advantage of this Bill or the amendment. They are the cold facts of the matter. If the amendment is carried, or if the Bill is passed, the question of wages and amenities for those who work on Sundays must be considered. I do not believe that the present conditions in that regard are anywhere near adequate, and that is one reason why I am a little loathe to agree to the amendment. However, I do so, because I believe that the time has come for everyone to stand up and be counted on the question of whether or not he supports Sunday trading.

Mr LYNN ARNOLD: I am opposed to Sunday trading by hotels. I ask members to read my second reading speech to this Bill last Friday to find my reasons. I do not wish to take the time of the House now. I do, however, feel that the real issue before us in this clause is Sunday trading, which has been smoke screened by the tourist facility issue. The real motion that should be voted on is the member for Hartley's amendment. For that reason, in the hope that it becomes the amended motion, I will abstain from the vote on that amendment so that all members in this House can cast a vote on whether they will be voting for Sunday trading and not a smoke-screened tourist facility.

The Hon. D. J. HOPGOOD: Although I have already risen on this clause, I wish to indicate my attitude to the amendment moved by my colleague the member for Hartley, because he spoke after me on this matter. I regard it as marginally preferable to the clause to which we are addressing ourselves. If it were possible under Standing Orders, I would rather that we were in a position to cast a vote on Sunday trading first and, if it was carried (and I would oppose it), we could get to the mechanism of whether Sunday trading would be on the basis of the Minister's proposition or that which my colleague, the member for Hartley, has put before us. That is not very different from what my colleague, the member for Salisbury, has just said. It is necessary to do this. I do not have any other recourse under Standing Orders except perhaps to move for recommittal of the clause afterwards. Therefore, I would support the amendment of the member for Hartley and, in the event that it becomes the new form of the clause, then I would oppose it because of my opposition to Sunday trading. In the event that the amendment moved by the member for Hartley is defeated, I would oppose the clause itself.

The Hon. PETER DUNCAN: I intend to support the amendment moved by the member for Hartley. Although I did not speak on the second reading of this Bill, my view is, as it has been for a long time, that basically there should be no difference in trading hours, whether it be Sunday, Saturday or any other day of the week. I have been consistent in that view over a long period. The member for Baudin has just raised an interesting point which should be referred to the Standing Orders Committee, because not infrequently in this House matters that we might choose to describe as matters of principle arise. One of those, clearly, is the question whether or not generally there ought to be trading in hotel bars on Sunday.

It is, as he has pointed out quite correctly, very desirable that the House should have the opportunity to decide the matter of principle and then, having decided, assuming that the decision is in favour, being able to debate how the principle should be put into practice. It would be very desirable if the Standing Orders Committee could work out a mechanism by which that could be undertaken. It is worth considering.

As to the substance of this matter, I do not want to delay the House any longer than is necessary. I believe that whatever damage alcohol consumption does to society has well and truly been achieved. The mere limitation of the hours during which hotel bars can be opened is a drop in the ocean compared with the problem. If we as a Parliament were serious about starting to come to grips with that problem we would need to do far more than simply just decide whether or not we will open—

An honourable member: Close them all, do you say?

The Hon. PETER DUNCAN: I am certainly not saying close them all. An enormous social problem has existed for a very long time. We all recognise that.

An honourable member: A double standard.

The Hon. PETER DUNCAN: Society operates under a completely double standard at present. I am as fond of a few drinks as the next person, perhaps more so than the average. But, notwithstanding that I do think that this is a very real problem that ought to be attacked on a broad front if something is to be done about it, and not simply approached on the basis of saying that we will keep hotel bars specifically closed on Sundays. That does not achieve anything but demonstrate to the rest of the world that we still have the vestiges of wowserism in ourselves as members of the community in this State.

I sympathise with some of those members who have interests in clubs. It is understandable that they should express concern in the Parliament about this matter, but I do not really think that comes to the fundamentals of whether or not we should introduce Sunday trading generally. I think that everyone in this Parliament who drinks alcoholic liquors when it suits him, drinks on Sundays, whether or not he does it by overcoming the minor inconvenience of having hotel bars and bottle shops shut on Sundays by keeping sufficient bottles at home in refrigerators. In these days it is only a minor inconvenience, and the quicker that it is removed the better.

I do not think for a moment that it will add further to the social problems that already exist. They are there and have been there for a very long time. If we are to confront those problems, possibly it needs an attack on a very broad front. I do not see any indication of initiative being taken at that level in this legislation. I support the amendment that has been moved by the member for Hartley, and urge other members to do likewise. If it is not carried, we will introduce Sunday trading on a basis that will not satisfy anyone. It will introduce Sunday trading in a piecemeal fashion where it will probably be inefficient to open hotels but yet, because of public pressure, hotels will desire to be open. The Australian Hotels Association support for the Government's Bill is probably on the basis that it sees this as a foot in the door. Once that has been achieved, a more reasonable approach will be taken in two or three years time. If we are to have Sunday trading, let us do it now.

Mr BLACKER: I intend to oppose the amendment. I have made clear my views during my second reading speech. As yet, I have had no pressure or requests from within my electorate from the trade, constituents or anyone else in support of Sunday trading. Certainly, I am echoing the majority view in my electorate. In so doing, I have no option than to oppose the amendment.

Mr WHITTEN: I support the amendment moved by the member for Hartley. I suppose that there is no other member in this House, other than the member for Adelaide, who has more hotels in his electorate than I. Most members would know that I am partial to a taste of alcohol now and again.

Mr Keneally: Only with meals, George.

Mr WHITTEN: I will not commit myself on whether meals will be required or not. I am greatly concerned about the double standard in this Bill. It appears to me to involve the introduction of Sunday trading by the back-door method. Probably the Government has bowed to pressure of the A.H.A. in this respect. I am not opposed to Sunday trading. In fact, I do not care when people have a drink, although it should be done within the law. I am concerned that it should not occur outside the law, as happens presently. Under this proposed legislation certain hotels will be allowed to open, and lawyers will get fat. I support honesty in this type of legislation, but the method of introduction of this Bill is dishonest. I support the amendment.

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

The CHAIRMAN: The question is that the amendment be agreed to. Those in favour say 'Aye'—the honourable Minister.

The Hon. JENNIFER ADAMSON: Mr Chairman—

The Hon. J. D. WRIGHT: On a point of order, Mr Chairman, you put the question. If we are to follow the proceedings through today, where the Speaker insisted that the question be put, you need to be consistent and put that question. You have now changed your mind.

The CHAIRMAN: Order! You are not reflecting on the Chair?

The Hon. J. D. WRIGHT: I am reflecting on it.

The CHAIRMAN: If the honourable member is reflecting on the Chair, he knows the consequences. In this case, the vote had not been declared.

Mr KENEALLY: On a point of order, Mr Chairman, if you are telling the Committee that you are ruling in the way you have because the vote was not declared, are you suggesting that, in the House earlier today, the matter had been declared before the vote was taken—before the matter was resolved? If that is the way you are ruling, I think there is a basic inconsistency which you ought to explain to the Committee.

The CHAIRMAN: My ruling is quite consistent with that ruling given by the Speaker, and it is not the role of the Chairman to comment on rulings of the Speaker. I point out that I have not declared the vote. I declared for the Ayes, and I did not declare for the Noes, because I noticed the honourable Minister rising in her place.

The Hon. J. D. WRIGHT: On a point of order, Mr Chairman, that just goes to prove that everyone can make mistakes, because quite clearly you are inconsistent now with what happened in the House today, when the Speaker—

The CHAIRMAN: Order! There is no point of order. The honourable Minister.

The Hon. JENNIFER ADAMSON: If anyone wanted evidence of the dilemma facing this Government, or any Government, on the question of Sunday trading it was to be found in the debate on this clause prior to the dinner adjournment. We had a situation where there was a multitude of different views expressed. If the record I was keeping is correct, we had the member for Hartley supporting Sunday trading. We had the member for Mitcham supporting Sunday trading and questioning whether a tourist hotel could be identified. We had the member for Playford, if I am correct, supporting Sunday trading and his Deputy Leader supporting it. We had the member for Salisbury opposing Sunday trading, but claiming he would abstain from voting.

The Hon. D. J. Hopgood: What about your own side?

The Hon. JENNIFER ADAMSON: I am running through the list. We had the member for Baudin opposing Sunday trading, but saying he would support the amendment, so the matter of principle could be debated. If ever I have heard a convoluted set of ideological reasons for approaching a clause in debate in this House, it was those reasons which were put up and which I believe any constituent would find difficult to understand or sustain. We had the member for Goyder opposing Sunday trading, the member for Fisher having previously indicated his opposition, the member for Elizabeth supporting, the member for Flinders opposing; and the member for Price supporting it. Interestingly, the member for Albert Park, who was going to rise again on this clause if I remember correctly, was supporting it. The member for Semaphore was supporting optional full Sunday trading, but at the same time calling for a full review of the Act. It has already been made clear by the Minister in another place and by me earlier in the debate that there will be a full review of the Act. That is not a review that can be undertaken overnight.

The Government has indicated that there will be a full review of the Act. If it is to be as effective as it should be, the review cannot take place overnight. I suggest that it will take several months of considering the situation, yet the matters being considered in this amending Bill tonight cannot wait while such a review is undertaken. It has been made quite clear by the Minister that the measures we are considering tonight are interim measures to provide the necessary legislative response to situations which need immediate attention, and the situation in this clause is regarded as one of those. The member for Goyder expressed his opposition to the clause.

The Hon. R. G. Payne: Was he ideological?

The Hon. JENNIFER ADAMSON: No, the member for Goyder expressed his opposition to the clause—

The CHAIRMAN: Order! There is too much conversation in the Chamber.

The Hon. JENNIFER ADAMSON: —and he indicated that he would vote against it. I made the point that I believed that constituents of members who are opposed to the clause but who will either support it or abstain from voting will find that pattern of behaviour very difficult to understand. The member for Mitcham was one member who made great play of the fact that it will be difficult for the court to determine what is a tourist hotel. It is interesting to see that point of view echoed by other members of the Opposition, not one of whom rose to his feet on the previous clause, clause 7, which deals with the tourist facility licence which is to be determined by the court.

It is amazing that members find it impossible for the court on the one hand to determine what is a tourist hotel in relation to a licence to trade on Sunday, yet on the other they have no difficulty accepting the fact that the court will be able to determine which hotels or other tourist facilities are entitled to a tourist facility licence. I think there is a degree of inconsistency in that approach which highlights the flimsiness of the arguments of those members who said that the court will not be able to determine what is a tourist hotel, or what is a hotel required to satisfy a demand by tourists in the vicinity of licensed premises on a Sunday. The member for Playford claimed some kind of omniscience for the Parliament in stating that we all knew that this clause would lead to full Sunday trading. We know no such thing, and there is not one member who can claim that this clause will necessarily lead to full Sunday trading.

Mr Bannon: You know it's intended.

The Hon. JENNIFER ADAMSON: The Leader of the Opposition says that I know it is the Government's intention: I know it is not the Government's intention. The court will determine, as courts do determine, each situation on its merits. That is the function of the Licensing Court. The suggestion that it will inevitably lead to full Sunday trading is a false suggestion, and that is the very reason why the Government is opposing the amendment moved by the

member for Hartley. The Government has been completely forthright about its intentions in relation to clause 8. We believe that there is a need to provide services for tourists on a Sunday and believe that this clause—

Mr Bannon interjecting:

The CHAIRMAN: Order! I point out to the Leader of the Opposition that he has the opportunity to participate in the debate.

The Hon. JENNIFER ADAMSON: This clause means exactly what it says, that where there is a demand by tourists in the vicinity of licensed premises, and subject to the fact that persons residing or worshipping in the vicinity of premises will not be unduly inconvenienced as a result of the granting of the application, the court can grant the application. Just as it is competent for the court to determine who shall have a tourist facility licence, which not one member of the Committee queried, so it is equaly competent for the court to decide which hotels will be licensed to sell liquor on Sunday within limited periods.

To suggest that the court is incapable of doing that, that chaos and confusion will result or, alternatively, that this clause will inevitably lead to open trading on Sunday is simply to deny the facts. The Government has chosen what it regards as a responsible and cautious course of action. There is nothing whatsoever of the back door about this. We are being perfectly frank and forthright with Parliament and the public. We considered and publicly rejected the notion of full Sunday trading.

Yet we recognise that the needs of the tourism industry need to be satisfied. We recognise equally that South Australians are very concerned about the impact on families of any kind of radical or dramatic social change, and such change includes changes to the liquor licensing laws. The reason that we are concerned about the impact on the family is the reason that we are opposing the amendment mvoed by the member for Hartley. I highlight the difference between the situation that we envisage under which a tourist hotel may be licensed—and that is not to say that local residents cannot patronise that hotel—and the situation where there is open Sunday trading.

I call to mind a comment by a friend of mine who visited a suburban hotel in Melbourne on a Sunday and found the bar patronised exclusively by men. She said to me, 'One could not help wondering what was happening to their families', and yet the situation that we envisage where hotels would be licensed to serve tourists would, I feel sure we would find, give an equal proportion, or thereabouts, of men and women, of people, relaxing. We would not find a situation that exists with open Sunday tradng where those who wish to drink purely for the sake of drinking go to the local watering hole in the same way they do after work or at lunchtime. So, I foresee no difficulty on the part of the court in determining what is a tourist hotel. The guidelines provided under this clause are, I believe, quite sufficient to—

Mr Trainer interjecting:

The CHAIRMAN: Order! The member for Ascot Park has had sufficient to say by way of interjection.

The Hon. JENNIFER ADAMSON: —indicate to the court that it must determine each case on its merits, and there is no way whatsoever whereby every suburban or country hotel could possibly quality for the requirement to satisfy a demand by tourists in the vicinity of licensed premises. I believe that every member recognises that, and I also believe that this clause represents a responsible and cautious approach by the Government to what is recognised as a very difficult and sensitive social issue and one which we believe should be approached with due care and consideration by Parliament. We cannot in any circumstances accept an amendment to permit open Sunday trading.

Mr McRAE: I want to indicate briefly—and I meant to do this before the dinner break—that in the event of the member for Hartley's amendment being defeated I now have no option but to oppose the Government measure, because it seems to me that, because my whole argument and the member for Hartley's approach was to highlight the hypocrisy which lies behind all this wheeling and dealing, I will have no alternative but to vote against the Government's measure. In other words, so I can get this quite clear for my own constituents, I will support the member for Hartley's amendment and, if it is carried, then proceed with my own amendment on the grounds that I believe that that will carry out the majority wishes of the community and, secondly, that it will get rid of the hypocrisy and wheeling and dealing that lies behind the whole of this.

In the event that the member for Hartley's amendment is defeated, I will not proceed with my amendment. I will vote against the Government's clause, and my reason for doing that is that it is disgraceful that the Government should have worked out a scheme whereby, quite within the law, notwithstanding all the criticisms and complaints that the member for Hartley, the member for Mitcham and I have made about this whole situation, it is very easy to implement Sunday trading by stealth. I just will not wear that.

We all know, and the honourable Minister well knows, that there only have to be two hotels (take the Glenelg or Brighton region—wellknown tourist regions) within 150 or 200 yards of each other: just work out the scheme of hours (two slices of four hours, spread between two people, gives you eight); you can provide Sunday trading immediately, and that is what is going to happen. I just will not wear that. I think that that is disgraceful. My situation is that this scandalous wheeling and dealing cannot be approved by this Parliament. We need to come out into the open and get it over and done with. We all know, notwithstanding the protestations of the Minister, that there have been secret conversations about this matter. Not only that—the Minister scowls at me.

An honourable member: Smiles.

Mr McRAE: She did not exactly scowl. I withdraw that word. She lowered her eyelids, and I am not sure what that represents.

Mr Keneally: She's sleepy.

The CHAIRMAN: Order!

Mr McRAE: It did not represent sleep. I think it represented a sigh of desperation that she has to put up with her colleague in the Upper House who worked out the racket, and now she has to carry the Bill. It is a bit unfair on her. I can accept that. It is a bit unfair on her that she has to wear the label around her neck when her colleague in the other place has been doing the wheeling and dealing. I am just indicating very briefly why, if the member for Hartley's amendment is not successful, I will not vote with the Government.

The Hon. J. D. CORCORAN: I want to make perfectly clear that I consider this measure to be a measure of conscience. I did not confer with any of my colleagues prior to deciding to move this amendment. It was after I decided to move the amendment that I spoke to several of not only my colleagues but other members believing that members on the Government side were also subject to conscience in this matter. However, listening to the Minister tonight most emphatically talking about the Government, I wonder whether it does really include the Government back-benchers.

The Hon. Jennifer Adamson: I said it was a conscience matter, and it is.

The Hon. J. D. CORCORAN: The point I want to make to the Minister is that it ought to remain that way, too.

The Minister went to some length to explain that this was only a preliminary step, just a little step on the way, and there would be a complete review of the Act following this step. Following the comments she has made to support her stand and oppose my amendment, I hate to think what that review of the Act will be.

I cannot for the life of me see, with any review taking place in which the Minister is involved, that we will have Sunday trading, as I visualise it and as I have moved to amend it. It will remain a mess as a result of patching up here and there. The amendment is simply a straight forward honest way of saying 'Let's have Sunday trading in South Australia. Do away with all the conditions and anything else,' and it is my view that that time has arrived now. We have been talking about it for years. We do not need a review of the Act after this measure has been considered. We can vote on it now and finish it. If the Government had any nous, it would pick it up, blame me for the amendment, and they would have it and have no further bother with it.

The CHAIRMAN: I have to point out to the honourable member for Gilles that Standing Order 422 provides:

> In Committee (except when an Appropriation Bill, a Public Purposes Loan Bill, or a Supply Bill is being considered) no member, other than the member in charge of a Bill or motion, shall speak more than three times on any one question nor for more than fifteen minutes on any one occasion, and debate shall be confined to the motion, clause or amendment before the Committee.

In accordance with that Standing Order I cannot call the honourable member for Gilles.

Mr SLATER: Mr Chairman, when you say 'in charge of the Bill', can I obtain your ruling in regard to the person who is actually handling the Bill on behalf of the Opposition? I am regarded as the lead speaker in the matter and handling the Bill in this Chamber.

The CHAIRMAN: In accordance with the manner in which the Standing Order is interpreted, the Minister has unlimited call and the mover of the amendment has unlimited call; every other member of the Committee is entitled to three calls. That has been the way the Standing Order has always applied.

Mr KENEALLY: Has the honourable member for Gilles spoken three times on the clause or three times on the amendment, or can you clarify for the Committee whether he has spoken three times on the amendment and three times on the clause?

It is my understanding that he can speak three times on the amendment and three times to the clause. Are there different rules that apply to the amendment from those applying to the clause?

The CHAIRMAN: I am advised that the honourable member has spoken twice to the clause and once to the amendment, and I am also advised that the Standing Order is interpreted to mean that it is cumulative, and therefore the honourable member has had his three calls.

Mr BANNON: I wish to put my views on the record, because this is a matter of conscience, at least as far as our side of the Chamber is concerned, and as such and as the member for Hartley has indicated, each member of my Party is determining this matter as he sees it in the light on his experience and knowledge of the industry. I believe that the greatest single deficiency of what the Government is proposing, as opposed to the member for Hartley, is that it is talking about a tourist facility licence, something to be determined by the court, with no definition whatsoever as to what 'tourist facilities' or 'tourist' means as far as individuals are concerned. Later we read, and we will come to this when dealing with clause 15, about the various criteria under which a tourist facility licence may be granted. Those criteria are very wide indeed.

I think the thing many members find repugnant, and I hope I am talking for members on both sides, is that we are not doing one thing or the other. We are in the extraordinary situation where my colleague from Baudin and my colleague from Salisbury are prepared (or at least in the case of the member for Baudin) to support the member for Hartley's amendment, because they see that as the only way procedurally of getting this question of Sunday trading properly aired and inserted in the Act so that a vote can take place on it.

The Government has apparently decided that licensing hours and restrictions on the sale of liquor on Sundays should be extended and lifted respectively, but it is not prepared to grasp the real nettle of the issue. If it was, I suggest that we would see in the legislation much more fine definitions of what precisely it had in mind. As I read the legislation, any hotel proprietor in the State can go to the Licensing Court and argue that there are tourists living in the area or tourists who may come knocking on his door, that his hotel does provide something special in the way of an attraction at the existing premises, that it is in a position and has a nature and quality that allows it to be so licensed and all the other criteria, and that is the position that it will be in. I would like to know from the Minister (I do not think it has been adduced in this debate at all) on what grounds the Licensing Court could refuse any one of the 600-odd hotels in the State a tourist facility licence. I think that it would be battling. If the hotel wants it, it will be able to adduce the evidence for it. The clauses are drawn that wide.

That brings us back to the basic point, and let us be honest and realistic about it. Let us as a Parliament direct our attention to the member for Hartley's amendment and decide whether we support Sunday trading legislation, whether we support hotels being open on an optional basis within restricted hours as the amendment provides, or whether we do not and, having done that, we can dispose of the matter. If we are not prepared to do that, let us not try this back-door method of loosening things up and fiddling around with the Act or effectively erecting a fiction, a legal fiction, of a so-called tourist facility licence, because that is all it is.

Those hotels that for whatever reason decide they do not want to be open Sundays will not bother to apply and can remain closed. As I understand the member for Hartley's amendment, under his provisions they can remain closed too. They have that option. Those that do will come to the court and trump up some sort of case, suggest there are tourists in the area and demand that the court goes through a process of legal fiction. That is not what our law should be about. I believe that the tribunals ought to have flexibility, standards and principles that they can lay down and judge. But when we come to the basic question of whether or not hotels can open and see from the legislation that it is going to be their option—when the crunch comes it will be difficult for the court to refuse, because the Act is left wide open—then I think that the Government is trying to kid not only the public of South Australia but also the Parliament. We had the fiasco of the casino situation recently, and now we have this legislation.

I think in all honesty that members must address themselves to the member for Hartley's amendment, and I find myself in the position of believing in conscience that I will support the member for Hartley's amendment, but if that is defeated I am not prepared to go along with this fiction and will vote against this legal fiction that will allow Sunday trading through the back door.

Mr McRAE: I have available an extract from page 1 of the *Advertiser* of 25 March 1982 as follows:

Licensing changes to allow Sunday hotel trading in tourist areas were a trial run in the push for full Sunday trading, a hotel industry leader said yesterday. The President of the Australian Hotels Association, Mr P. Whalen, said the association viewed the new regulations as a trial to see how Sunday trading affected hotel workers and the public before the Government began a review of the Licensing Act next year.

I want to make very clear indeed that I have acted for the Liquor Trades Union for something like 20 years and therefore have their interests at heart.

I do not think I have to disqualify myself, because I also have my constituents' interests at heart. However, I want to make it very clear indeed that Mr Peter Whalen, the President of the A.H.A., would be one of the finest people I have ever met, and Mr Bill Connelly, until recently the Secretary of the A.H.A., would fall into that same category. Therefore, if I find that Peter Whalen is quoted as saying that he sees the whole thing as a trial, to see how it is going to work out, so that the true scheme can be put into effect, then I become very concerned indeed. I know, the honourable lady knows, and her supporters behind her should know, if they are on a true conscience vote (and I doubt that very much—but I think there will be other speakers to deal with that matter) that, considering this matter logically, it can be seen that it is a case of just busting the first barrier, getting around the traditional obstacles of the Liberal Party, namely, the church push and the various other pushes that there are around the place, the pressure groups around the place, and then, having done that successfully, moving for full Sunday trading; then they will be on a winner.

We all know in this place that it is a fiction. As my Leader said, it is disgraceful that members should be asked to vote in this area. We all know that there was collusion between a number of organisations and a Government Minister as to how this was to be put into effect and a very cunning plan was worked out. I say, very bluntly, let us go ahead right now. I will vote for full Sunday trading in the context of the proposition put forward by the member for Hartley, but I will not vote for hypocrisy, and there was evidence of hypocrisy on the front page of the *Advertiser*, announced in public by the President of the A.H.A., known to me in the industry and by all sorts of people who know what the industry means. This is a racket on which we are being asked to vote, and I am not going to be caught up with any sort of racket; it is a sort of secondclass ward healer in New York that we are being turned into—

The Hon. D. J. Hopgood: Chicago.

Mr McRAE: —or Chicago, as my colleague the member for Baudin says. There is no way that I will go along with it.

The CHAIRMAN: I wish to clarify the position with regard to Standing Order 422. I have taken further advice, and my ruling is that members may speak three times to an amendment and three times to a clause, as they are two separate questions. However, that does not allow the lead speaker the opportunity of speaking on more than three occasions for periods of up to 15 minutes on each occasion.

Mr LEWIS: I have not participated in this debate either at the second reading stage or in Committee up to this point. However, I feel that it is important that I do just that now, if for no other reason than to express my dismay at the way in which some people have found it difficult to find the right position on the fence. I am reminded of a wedding I attended the other day, the saddest affair I have ever been to: the bride was crying, the bridegroom was crying, the sisters were crying, and even the wedding cake was in tiers. That is just about how I have perceived this debate so far. My position is quite straightforward. I am not prepared to even acknowledge that in the long term there is a role for a Licensing Court in our society. We do not have a milk vendors court, we do not have a tobacco vendors court: we simply need understandable laws that say exactly what we can and cannot do. What is more, until we have got the evidence that needs to be collected to enable us to make those judgments—

Mr Millhouse interjecting:

Mr LEWIS: If the honourable member is hopeless, I am not. This is in regard to the types of inquiries that need to be undertaken. Until that case pertains I will not support Sunday trading, but to enable our tourism industry to continue developing in South Australian in the interim I will support this proposition, only on the understanding that there will be a full wide-ranging inquiry into the effect of the Act and into the need for a licensing court.

Members interjecting:

The CHAIRMAN: Order!

Mr PETERSON: I am amazed to think that a simple measure such as this, containing the provision of two hours on and two hours off on a Sunday, will bring a flood of tourists from across the borders, that they will fly in from all over the place so that they can go into hotels for two hours, stand outside for two hours, and then go back in for two hours! I am amazed. Again, I return to an original point, namely, that if the matter is to be given a trial period, as apparently the President of the Hotels Association said, then we should give it a good whirl, let people have a go; if they want to work in hotels on Sundays let them do it; let us see if it works.

Mr Hamilton: Tourists might come here to see how odd we are.

Mr PETERSON: They might, too. A point was raised earlier by the member for Albert Park, I think, concerning fluctuating demand. Recently in this State we have had an example of fluctuations in the tourist trade, and I refer to the *Islander*, a vessel set up to cater for tourist demand, presumably the *Islander* began with high hopes, but it was found that the demand for such a facility was not there on an annual basis.

Mr Slater: There were other reasons—

Mr PETERSON: There may have been other reasons with which I am not conversant, but that is how it was reported and obviously the demand was not there over the period of time that was needed. That is an example of the fluctuation within the tourist trade. If one thinks of any tourist town in the State, such as Kingscote, Port Lincoln or Victor Harbor, or Port Vincent—

Mr Keneally: Port Augusta.

Mr PETERSON: I am not sure whether tourists flock there in their hordes, but there are cities and towns in this State that have predictable tourist waves, tides or surges. What is to occur under this proposed legislation where a licensee has applied for this two-on two-off provision, is given permission, but then does not open, contrary to the provisions of new section 19 (5) *(b)*, which provides that if a licensee is authorised to sell liquor on a Sunday it is an offence for him not to open? We have the winter season and the summer season, and our tourist areas are subject to fluctuation. An owner could find that he is opening for nothing; there may not be any demand, because the tourists might not be there.

What does the Minister think about giving them a fair go, letting them have a fair go at it, and if it is found that it has not worked when the full review of the Act comes up in the near future, further action can be determined, as we will know the situation for sure. That is preferable to this provision of two-on, two-off which really does not suit anyone.

The Hon. JENNIFER ADAMSON: The first thing I want to do is refute again the assertions and allegations of the member for Playford that the Government has been wheeling

and dealing and is guilty of hypocrisy on this clause; there is no evidence whatsoever to substantiate that assertion.

Mr Kenneally interjecting:

The CHAIRMAN: Order!

The Hon. JENNIFER ADAMSON: The Government has very carefully considered this whole question and decided on a course of action, as evidenced by the provisions contained in clause 8 of the Bill. The Government has rejected the course of action proposed by the member for Hartley, but in saying that I do not in any way detract from his logic when he says that his amendment should be judged on its merits.

He states that the time has arrived for full optional Sunday trading to take place, and there is no reason whatever why this Committee should not decide that question, as we will do in a few minutes unless a few more members pop up to have their say. The matter is a conscience vote, say the members opposite, for members of their Party. I remind the Committee that every piece of legislation that comes before this House can be decided by members of the Liberal Party according to their conscience. We are not bound by Caucus decisions; we never have been, and there is evidence on the record, on a regular basis throughout the history of the Liberal Party in this House and the Upper House and the Federal House, where members of the Liberal Party will on occasions vote against their own Party or Government.

The member opposite who interjects cannot deny that, because he knows it to be a fact, on this and on any other issue. Every Liberal member will vote as he or she thinks fit. I have no idea how all my colleagues are going to vote on the amendment moved by the member for Hartley. It may well be that, as a result of his initiative, the matter is carried. Alternatively, the views expressed by members on this side, so far at least, I believe, have been, without exception, in opposition to the clause. How members on this side will vote on the clause is also yet to be dealt with. My colleagues have spoken against it and I think that should be evidence to everyone that this matter will be determined by Parliament, as it should be.

The member for Playford suggested that I am somehow or other paying for the decision of the Minister of Consumer Affairs. Might I say that I am proud to wear the label, as the member for Playford called it, of this Government, because I believe that it is a label of careful responsibility in social issues. The Leader persists in suggesting that the court has no criteria by which to judge what should be a hotel licence for tourist trading on Sundays. Again, the clause sets out those broad guidelines and the court will be quite competent to interpret those guidelines and to judge each case on its merits. As for the comment by Mr Whalen that this is a trial run, the President of the Hotels Association or anyone else has the right to form a judgment as to how this piece of legislation will work in practice. The suggestion that it is a trial run is not the Government's view. We have responded to what we believe are the needs of the tourism industry, and that is why the clause is framed in the way it is. We do not believe that it would be appropriate at this stage to introduce full optional Sunday trading, and therefore we oppose the amendment of the member for Hartley.

Mr HEMMINGS: I was not going to come into this debate until I heard the last statement from the Minister. The Minister said that Government members have a conscience vote, but when she replied she said the Government will not accept the amendment of the member for Hartley: the Government will not and the Government back-benchers will not. In my short time in this Parliament I have yet to see an instance where there is a conscience vote where those members on the other side speak on their own conscience. They have voted every time *en bloc* against it. Let us look at the Casino Bill; they voted *en bloc* there.

The Hon. Jennifer Adamson: We did not.

The ACTING CHAIRMAN: Order! I point out to the honourable member that the Chair has been tolerant. I cannot see anywhere in the amendment or the clause anything to do with a conscience vote.

Mr HEMMINGS: With all due respect, Sir, we are talking about a conscience vote. The words 'conscience vote' have been bandied around this Chamber time and time again this afternoon and this evening. The Minister is saying that Government members will be looking at this matter as a matter of conscience. Then you tell me, Sir, that I cannot use the word 'conscience'. Not once in the time I have been in this Parliament have members opposite voted on their conscience. They always vote *en bloc* against everything that comes up on a social issue.

On this side, we do advocate a true conscience vote. For example, the member for Playford said this afternoon that he has changed his mind, and I give due credit to him, Sir, that he has decided to change his mind. No pressure has been put on those people on this side to support the amendment put forward by my colleague the member for Hartley. I would like to place on record that I will be supporting the amendment. I hope that the member for Goyder has not been pressured or heavied during the dinner adjournment and he will be voting on his true conscience, if he has not been placed on the mat by the Deputy Premier. We all know what the Deputy Premier will do when he is putting the pressure on. The member for Mallee knows what it is like to be heavied. We saw it over the last week, when he came in haggard and drawn—

The CHAIRMAN: Order! There is nothing in the amendment in relation to what the honourable member is talking about. I request that he confine his remarks to the matter before the Chair; otherwise I will have to withdraw leave.

Mr HEMMINGS: Apart from the fact that the member for Mallee was heavied last week—

The CHAIRMAN: Order! I have already ruled on that matter. I will not remind the honourable member again.

Mr HEMMINGS: This Bill is getting Sunday trading through the back door. The Minister knows that. If the Minister was really truthful she would say that that is what it is all about. Many members on this side have canvassed that argument and it is rather surprising that this Minister, who is a puritan and who is even dressed for the occasion tonight in Victorian fashion, is here to push this Bill forward. The Minister knows that Sunday trading will come about eventually. Why does not the Minister stand up and support the member for Hartley, who at least has the courage to say that Sunday trading will come about? His amendment is saying that. The Minister though, is following the Government line, saying that, if those hotels can prove that they are a tourist attraction and will meet the requirements of tourists coming into this State, the provisions of the Bill will apply. The Minister has said time and time again that we should not promote drinking, smoking, and everything else. Why does not she for once tell the truth and support what the member for Hartley is saying in his amendment? She is gagged by a Cabinet and she is gagged by her Government. I support the amendment moved by the member for Hartley and, if it does not succeed, I will oppose the clause.

The Committee divided on the amendment:

Ayes (17)—Messrs Abbott, Bannon, M. J. Brown, Corcoran (teller), Crafter, Duncan, Hamilton, Hopgood, Keneally, McRae, Millhouse, Payne, Peterson, Plunkett, Trainer, Whitten, and Wright.

Noes (19)—Mrs Adamson (teller), Messrs Allison, P. B. Arnold, Becker, Blacker, D. C. Brown, Eastick, Glazbrook, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Slater, Wilson, and Wotton.

Pairs—Ayes—Messrs Hemmings and Langley. Noes—Messrs Evans and Goldsworthy.

Majority of 2 for the Noes.

Amendment thus negatived.

The Committee divided on the clause:

Ayes (17)—Mrs Adamson (teller), Messrs Allison, P. B. Arnold, D. C. Brown, Duncan, Eastick, Evans, Glazbrook, Lewis, Olsen, Oswald, Randall, Rodda, Schmidt, Wilson, Wotton, and Wright.

Noes (20)—Messrs Abbott, Bannon, Becker, Blacker, M. J. Brown, Corcoran, Crafter, Hamilton, Hemmings, Hopgood, Keneally, Mathwin, McRae (teller), Millhouse, Payne, Plunkett, Russack, Slater, Trainer, and Whitten.

Pairs—Ayes—Messrs Ashenden, Goldsworthy, and Tonkin. Noes—Messrs L. M. F. Arnold, Billard, and Peterson.

Majority of 3 for the Noes.

Clause thus negatived.

Clauses 9 to 12 passed.

Clause 13—'Club licence.'

Mr SLATER: This clause allows a club to purchase a specific kind of liquor, which is now regarded as beer only, for the purposes of the club, from the holder of a full publican's licence or a retail storekeeper's licence. The Minister has said that there has been no collusion regarding this matter, but it seems obvious to me that this clause is a trade-off by the clubs in respect of extending hotel trading hours. Can the Minister justify her reasons for this proposition? Can clubs now buy beer through an outlet with a full publican's licence and all other liquor from any other source? It is quite a conundrum to me.

The Hon. JENNIFER ADAMSON: The intention of this clause is simply to achieve equity across the board, and licensed clubs that can presently purchase wholesale can continue to do so. However, some licensed clubs currently have to purchase all their liquor retail. This clause will enable those clubs to purchase wines or spirits wholesale or retail, and beer will continue to be purchased retail. There is no conundrum or collusion. It is simply a case of equity.

Mr SLATER: It is a peculiar sort of equity, because I understood the Minister to say that some licensed clubs now purchase all their requirements wholesale. In future, clubs without that opportunity will purchase beer from a publican or some other licensed source, and all the other requirements, such as wine, spirits, and so on, will be purchased from another source of the club proprietor's wish.

This will not create the situation that the Minister tried to explain. In fact, it will cause further difficulties for clubs. I am not basically against the proposition. However, I do not think the Minister is quite correct, because there will not be full equity between licensed clubs at all. Those clubs with a full licence will still purchase as they purchased before at wholesale prices, and those clubs without that facility will still have to purchase their beer, and other requirements will be purchased on another basis.

Mr MAX BROWN: I am not sure whether the Minister is aware of what happens now with respect to liquor purchased by a permit club. I am Chairman of a football club in my electorate, for which I make no apologies. It is a full permit club, required by the Act to purchase from a hotelier. In reality, this amendment will allow that club, to the detriment of a smaller club that has not got a full permit, to purchase wholesale wines, spirits, etc. If the Minister had any experience in purchasing for a fully licensed club from a hotelier, I could guarantee that the bulk of the purchase would invariably be of wine and spirits.

In other words, this clause will alleviate the purchase of a fairly substantial club in relation to the amount of money that it is required to pay to a hotelier or supplier. I do not oppose the clause: I welcome it, and view it from my position as Chairman of a full permit club. But, I seriously believe that it will create great difficulty for hoteliers, particularly those in my electorate, who obtain much of their income through the Licensing Act provision that a full permit club is required to purchase supplies from a hotelier.

Unfortunately, the Licensing Court has allowed, for reasons better known to itself, in certain instances clubs to deal directly with a brewery. That is intriguing, as is this clause, because there is no real demand by clubs for this facility. There are very good reasons why they should not do it. If clubs are required to deal directly with a brewery, they are immediately in a position of having to pay a licence fee on turn-over, which might be quite substantial. Secondly, they must pay a wholesaler within seven days for liquor purchases. Thirdly, and more important from my own club's point of view, they cannot have any relationship with the hotelier regarding what he can provide on added income. That clause has not been given serious consideration by the Government.

Mr Slater: It was only a trade-off.

Mr MAX BROWN: I assure the Minister that I am not arguing about whether or not it was a trade-off, but I believe that the clause has not been researched enough. It will not give any benefit, particularly to the hotel trade. In fact, benefits will be reduced. I welcome it from the point of view of clubs. However, I have grave doubts about whether or not it will do anything for the hotel trade or whether it will take a substantial amount of income from an hotelier who has, over the years, supplied a full licence club.

Mr EVANS: In supporting the clause, I understand the reservations expressed by the member for Gilles and the member for Whyalla. Of all the members of the House, I suppose we are the three who are most closely involved with clubs. I think it is a good thing that someone is here to put the point of view of clubs. I had to have one matter clarified in my mind before I made the statement, but the way I interpret the position is that the full licensed club at the moment can buy direct and is not involved in this clause at all. The licensed club is now obliged to buy from an hotel. It does not have to be a local hotel. It is the one or more than one, that it names on its licence, and such a club can buy in that way. Those clubs will be able to buy their wine and spirits direct from any source. It does not mean just the wholesale source, a point to which I will return in a moment.

Under this amendment, the other straight permit clubs will not have that right. They will still have to buy all their supplies through the local hotel. I am of the opinion that those clubs will be able to ask for a licence, whether they have reached the mandatory amount where they have to apply for a full licence, or whether they are below that. They can apply for a licence, although it does not necessarily mean that they will get it. I believe that any club which is in a reasonably small community and which has one, two or more hotels tied as their purchasing point on their licence at the moment, and it is a full licensed club with an obligation to buy from one of those hotels, would have seriously to think through its position, because I believe that there is some wisdom in its going along to an hotelier and saying, 'I do not want to buy direct from a wholesaler.' That would be the sort of attitude that I would take if I was involved in such an operation. It could say to the hotelier, 'I am allowed to buy from any source. I am buying my beer from you. Can we come to an arrangement with a reasonable sort of discount on the spirits and still buy from the hotel as the source?' That is a decision for each club.

I suppose it is fair to say that in some clubs there will always be the president on the committee who will say, 'I know Joe Blow who works for a particular winery or wholesaler. You let me order it through there for you and we will get an even bigger discount than the hotel gives. I believe that that is likely to occur. In the main, I think that the clubs would be wise to continue buying their spirits and wine from their local hotel. They are allowed to do it. If the hotelier is not prepared to give them some discount other than that which he is obliged to give under normal conditions, the club may well say, 'We will buy some of it somewhere else.'

I support the clause, and I understand the reservations in relation to it. A story was spread around that I was going to attempt to amend it so that the clubs could buy their beer direct. I asked, in a particular discussion, why that was not included, and the explanation was given to me. From that point I did not discuss that aspect other than to say that I thought there was a conflict in those two areas. It has never been my intention to amend that.

I was a little disappointed to have a comment made to me during the dinner break that perhaps I was anti the hotels or the A.H.A. In supporting this clause, I want to say that I do not believe any other member in the present House has fought that particular association's cause more than I have up to this point. However, I want to be fair and say that there is another group of people whose cause I must also put, and I will do that later tonight.

The Hon. JENNIFER ADAMSON: Those who have spoken have indicated support for the clause. I can only reiterate to the member for Gilles that the intention is to provide equity so that the licensed clubs who presently purchase by wholesale can continue to do so, and those who do not at present have that facility will be able to do so. The permit clubs, whose situation was raised by the member for Whyalla and the member for Fisher, can continue to obtain their supplies from the hotel, as indeed can licensed clubs. If they have established a good relationship with the hotel and they are getting good service from that hotel and they wish to continue that arrangement, those clubs are able to do so under this clause.

Permit clubs are mainly small clubs, and there is no reason why any of those clubs should not apply for a licence and become entitled to the same facility that other licensed clubs will obtain under this clause. I think the Committee recognises that this clause is a step in the right direction towards providing a more equitable situation for clubs and one which is welcomed by clubs and, indeed, accepted by the hotel industry.

Mr SLATER: I repeat that I support the clause, and I still take issue with the Minister in relation to the equity which she claims will exist with the operation of this clause. If she does not have the figures available, perhaps the Minister may be able to obtain them. I am working on the year ending 30 June 1980 from the *South Australian Year Book*, which indicates that at that time there were 260 club licences. I should like to know how many of those 260 clubs are able at present to take the opportunity of purchasing direct from a wholesaler.

I also mentioned that 798 permits for permit clubs were current as at 30 June 1980. It has been suggested by the member for Fisher and by the Minister that, if those permit clubs so desire, they can apply for a full licence. A lot of those permit clubs move to that situation as they progress in character, size and membership. A lot of them do not want to take that step, and must apply for a licence if the total turnover per year is over $50 000 or if their trading hours are over a specified time of the week. I do not think it is important to the club, except from a cost point of view. Until amendments to the legislation were passed late last year, most small permit clubs were able to obtain a permit annually for a fee of $100.

A club permit now costs a maximum of $300. The club makes arrangements to purchase its requirements from an hotel, and usually the hotel offers a discount of 10 per cent. In some cases it may be higher discount. I understand that, out of those 798 permit clubs, there would be quite a variation in turnover and also membership, which is set by the court. All the things that are necessary for the club to cater for their members may be covered in a club permit. In that situation, the club certainly will not have the option. It will still be bound to buy all its requirements from the hotel or supplier nominated on the permit for which it applies on an annual basis. However, I would still like to ask the Minister whether she is able to tell me (not necessarily at the present time) how many of those 260 clubs are now able to purchase wholesale and have a full licence?

The Hon. JENNIFER ADAMSON: I do not have that information with me at the moment, but I will certainly see that it is obtained for the honourable member.

Mr MAX BROWN: I want to clarify with the Minister one statement that she made in her reply to the last speaker. She said, as I understand her statement, that small clubs such as permit clubs would under this clause have the right to purchase their wine, spirits, etc., direct from a wholesaler. I would doubt that statement very much because, if the Minister traces back her memory on the Licensing Act, as I understand it at any rate, she would realise that a club, before it is given a full permit by the Licensing Court, must turn over a certain amount of money per year. The Minister is indicating that that is not so. For some years, certain clubs that I name quite freely and that operate in Whyalla do not operate under a full permit club licence. They simply operate under a permit, and that is it.

It seems to me that under this clause, those smaller clubs, whatever is felt by the authorities, would not be entitled to purchase wine and liquor from a wholesaler. That is the very point that the member for Gilles and I are trying to make on the issue. It would seem to me that those smaller clubs would be at a distinct disadvantage. I do not believe that that is really the idea behind this clause. I point out, also, while I am on my feet (I am speaking only from memory and I am dealing only with my own club in Whyalla) that our annual purchases from a hotelier amount to about $55 000 or $60 000. Out of that $60 000 per year I estimate (I do not have the figures before me; I am only going from memory) that one-third of those purchases would be in wine and spirits.

The danger that I see in the clause is that one-third of the purchases made by my own club (and God knows there are a number of bigger clubs than mine in Whyalla) from a hotelier will go to a wholesaler, if they want to do so. Let us be quite frank about it: I would not suggest that it will be done immediately, but I would bet London to a brick that the wineries, for example, would be very quick to come to a club the size of mine in Whyalla and put a deal to us.

I now refer to full permit clubs. I disagree with the member for Gilles on this, because from memory my own club had to pay the Licensing Court $500, which was a double fee, it having increased from $250 to $500. If, for example, my own club became a fully licensed club and could deal directly with the brewery, it would be required to pay a licensing fee allied to its turnover. It has not been stipulated by the Minister or in the Act that if one-third of the purchases of a club such as this were made from a wholesaler, how do we stand in relation to turnover tax and the licensing fee?

This opens up an interesting question because it would mean also that the licensing fee would be paid indirectly

by the hotelier because of the turnover. If he loses one-third of that because the club that deals with him is getting one-third of its purchases from a wholesaler, how does the Minister line it up with the question of the licensing fee that is paid? I find it a rather intriguing situation, and I would like to know how it eventuates.

The Hon. JENNIFER ADAMSON: The member for Whyalla would appreciate that, in his last remarks, he was talking about two sorts of clubs with two different licence fees. However, to take the honourable member back to the earlier comments that he made about permit clubs having access to be able to apply to become licensed, the Act as it stands at the moment requires a permit club to be a licensed club once it achieves a certain turnover, namely, $50 000. As I recall, that amendment was brought in last year, or within the past 2½ years at any rate—since the Government has been in office. But, a permit club can apply to become a licensed club at any stage prior to reaching that turnover. It is just that when it reaches that turnover figure that is a compulsory requirement.

Regarding the second matter, the honourable member's comments are not, I think, strictly related to this clause. He is just drawing attention to the fact that there are two different licence fees—one for permit and one for licensed clubs.

Mr EVANS: I move:

Page 4, after line 15—Insert new paragraphs as follows:

(aaa) by striking out subsection (2) and substituting the following subsection:

(2) Subject to subsection (2a) a club licence shall authorise the sale and supply of liquor—

(a) between the hours of 9 o'clock in the morning and 12 o'clock midnight on every day other than Good Friday, Christmas Day and Sundays;

(b) during such period between the hours of 12 o'clock midnight and 9 o'clock in the morning on such days as the court authorises by endorsement on the licence;

and

(c) during such period on Good Friday, Christmas Day or a Sunday as the court authorises by endorsement on the licence.;

(aab) by striking out from subsection (2a) the passage ', unless altered by the court in pursuance of this section,';

Later, I must take a similar move on clause 22 that relates to the same matter. If I lose the first one, I will not proceed with the second part. If I succeed, of course, I will proceed with the second part.

In moving an amendment that would give clubs the opportunity to open at any time between 9 a.m. and 12 midnight for six days in the week, except Christmas Day and Good Friday (so it would exclude Christmas Day, Good Friday and Sundays), I am attempting to bring to the notice of the Parliament the predicament and the ridiculous situation in which club managements can sometimes find themselves in the hours of operation. I am not arguing that clubs should open for these hours, nor do I believe the majority of them would do so, even if it was made available. I know that in some clubs in some towns, where there is a strong industrial base and where people work all sorts of shift work, that more of these hours would be used than are used at the moment.

Likewise, the hotels near the East End Market start trading early in the morning compared to hotels in other areas, because of the clientele available and the time the market operates. If a club wants to change its hours, why does it have to go to a court and go through all the procedures, becoming involved in legal fees and perhaps being taken to task by other organisations? It is quite ridiculous.

I am told that one or two clubs are allowed to trade 102-104 hours a week, but the maximum in most cases is around 70-72 hours a week, and that that originated when there was a provision in the Act stipulating the total number of hours that a club could trade and that the court has tended to fix a number in that area. I know the argument can be used that a club can go along and ask for more hours and, if it can justify its application, it will get those hours. How does it justify it? Does it go along to 50 or 100 members and say, 'If you will sign this bit of paper saying you will come in and drink at these particular hours and we take it to the council, it is likely to agree to it,' and six weeks later those whose signatures were sought may no longer be members of the club, having moved interstate, resigned from the club or changed their lifestyle.

Clearly, there is an area of difficulty here, an area we need to look at. I know my amendment has no chance of passing. I know that before I start, and I accept that, but it is a way of getting this matter debated. I believe the court is used unfairly, because of the way the Act is drafted, allowing (I suppose some argue quite rightly) people in the industry a right to object to an extension of club hours, whereas a club does not have that right, nor would it be seeking it. However, there has to be a sense of fairness, so I am asking the Committee to debate the matter involved in this amendment, so that this issue can be aired for the first time in what I would hope is a rational debate on a matter of concern to many hard-working people who are not necessarily recompensed or deriving a living from such work.

The Hon. JENNIFER ADAMSON: Before responding to the member for Fisher's argument in respect of his amendment, I would like to acknowledge his strenous efforts on behalf of the hotel industry to which he referred earlier and also on behalf of licensed clubs. As he has recognised, this amendment cannot be supported by the Government, but equally I believe the Committee recognises that he has in all good faith raised an issue because he believes it needs the consideration of Parliament and of the industry and the community at large.

The principal reason for opposing the amendment is that basically, if it were carried, it would affect the whole concept of clubs which is based on the particular needs of a group of people to decide to organise themselves as a club for a certain purpose. I do not believe that that purpose is related to the matters raised in the honourable member's amendment, namely, that the club licence shall authorise the sale and supply of liquor between the hours of 9 o'clock in the morning and 12 midnight on every day of the year, except Good Friday, Christmas Day and Sundays. It may well be that when a particular club applies to the Licensing Board for a variation in hours that application is granted in almost every instance, but nevertheless the very fact that the club has to make an application and knows it has to justify its application certainly imposes a discipline on the club not to make frivolous applications and, indeed, not to presume that it is automatically entitled to trade between virtually all working hours from 9 o'clock to midnight.

It is inevitable that this issue will be part of a comprehensive review that will be made of the Licensing Act next year, but for the present the Government could not support that amendment, for the reasons I have outlined. I should add, referring to the fact that this amendment if carried would put clubs virtually on the same basis as hotels, that the Australian Hotels Association does not necessarily support or agree that licensed clubs should be able to buy wines and spirits from any source, which I believe I implied in responding to the previous clause, but undoubtedly the Hotels Association will have to accept this amending Bill if it is passed and live with the new facility that is granted to licensed clubs.

To return to the member for Fisher's amendment, the Government believes that it would be inappropriate to provide clubs with the kind of hours forecast by this amendment, and we believe the present situation whereby a club has to apply for an extension or variation and justify that extension or variation in relation to its activities and the needs of its members should continue to apply.

Mr SLATER: I am to some degree sympathetic to the proposal of the member for Fisher, and I understand the difficulty that probably exists on occasions when clubs may want to vary their hours. They have to apply, of course, every 12 months to renew the licence, as I understand it, and on that occasion they can indicate to the court in their applications why they wish to have a variation of hours.

However, on occasions club situations change during a period of 12 months. Even though I am sympathetic to some degree, there may be some administrative problems in relation to this matter. The proposal indicates that the provisions apply between the hours of 9 o'clock in the morning and 12 midnight. Of course, those hours are not intended to comprise the full trading under any circumstances, but they give the committee of a club the opportunity of having some degree of flexibility of hours, but it is not intended that they comprise the whole of the hours from Monday to Saturday, as the member for Fisher proposes in his amendment. There must be a more effective administrative way to handle variations of operating hours of clubs than writing it into legislation. Perhaps on application a court could indicate to a club that some flexibility of hours could occur during the following 12 months period. That might provide a solution to the problem that the member for Fisher is endeavouring to overcome.

Mr MAX BROWN: I can understand the reasoning behind the amendment moved by the member for Fisher, although at this time I cannot support it. I know that that will come as no surprise to the honourable member. However, I point out that clubs generally ought to be allowed to have flexible hours. I have said that for many years and I still say it. I do not agree with the Minister's statement that a club can apply to the court for permission to operate for an additional number of hours or for an alteration to its hours of operation and that such an application is invariably accepted. From experience in this matter (and God knows I have had a little experience in this field), I know that as soon as a club even remotely suggests that it intends to apply to the Licensing Court for some flexibility of its hours, all hell breaks loose, because every hotelier in the district will oppose such a proposal.

With regard to a case in Whyalla, the unions opposed it, and we find that clubs themselves find difficulty in adjusting themselves in regard to their own role. The matter is not quite as easy as that intimated by the Minister to the Committee. I supported the amendment moved by the member for Hartley because hotels at present have flexibility, only requiring Sunday trading in order to have complete flexibility, and I believe that the clubs ought to have flexibility. I do not believe that clubs will trade outside reasonable hours. I have always believed (and this is why I queried the provisions in the clause of the Bill that the Committee has just considered) that there ought to be a stipulation in the Act that clubs are required to deal with a hotelier, because in the main we ought to be thinking about the survival of the industry; that is what we should be putting our minds to. Hoteliers can survive as long as clubs and outlets are required by law to deal from them. There is no question of that.

Regarding the amendment of the member for Fisher, I simply say that clubs generally in my area, which would not be any different from those in other areas, believe that they ought to have flexible hours, and that they should be able to have such hours without going through the absolute humbug that they are required to do. Every time anyone even breathes any words about wanting some extension or an alteration of hours that is exactly what happens. It is complete humbug; they go through the motion of getting legal representation, as was the case last time in Whyalla that this occurred. The application went behind closed doors. They came to a deal, and then out they came with the court saying that it had ratified it, but that it was not happy about the situation. What a complete farce.

We are putting an onus on the Licensing Court which should not be there; it is as simple as that. I have felt obliged to say what I have done concerning this clause. I believe that clubs want flexible hours and also that clubs, unlike hotels, are family units, comprising family people. The difference between a hotel and a club is that a club is a family unit, whereas a hotelier unfortunately, sometimes, caters for every Tom, Dick and Harry who comes through his doors. That is the difference, and that is why I believe that the amendment moved by the member for Fisher is too wide. We ought to be giving flexibility to a club to enable it to apply to the Licensing Court without the attendant humbug that is prevalent at present.

The Hon. D. J. HOPGOOD: I indicate that I intend to support the amendment moved by the member for Fisher. I am not altogether certain that what we have before us is the ideal solution to the problem raised by the honourable member, but there is no doubt that he has correctly identified the nature of the problem. I have had representations from a club that has had a great deal of difficulty obtaining a variation of operating hours and it seems to me, from the limited experience that I have had in relation to this matter, that where the hotel that supplies the club puts in an objection to this happening the club has a great deal of difficulty indeed in getting the variation. So, I can see what the honourable member is driving at, but, as I say, I am not altogether convinced that this is exactly the correct mechanism, but it seems to be an improvement on what is in the Act itself.

Mr EVANS: I thank the members and the Minister for their comments on this subject. I introduced the matter so that it could be debated and so that we could get some rational discussion on it. I believe that the discussion has been rational. We have heard the views of at least some members, in the main, the members who have had some real contact in a direct way with clubs over a long period. I thank the member for Baudin for his comments and support. I point out that I do not intend to divide on the issue. In fact, if it had been carried, I am not sure how it would eventually have been implemented. However, I take up the point raised by the member for Whyalla concerning flexibility of hours in the hotel industry. I want to be fair to that industry; it has flexibility to a point. By law, it is obliged to open for nine hours a day for six days a week. I think the member for Whyalla would recognise that, yet it is something that he did not mention at the time.

They have an obligation that the clubs do not have. In all of the hours that are allotted to clubs, they do not have to open at any time; if they wish, they can close the doors when the clientele drops off at any time. To that degree they have that flexibility. However, I agree with the member for Whyalla that they need great flexibility regarding the hours available to them, for the purpose of looking after their clientele. One thing we have to recognise is that the working times of people are changing, there are such things as flexidays; there is a lot more shift work and a lot more tandem work going on where people are working at different times of the day and night, so there is a greater demand in the community for clubs to open at a greater variance of hours than has occurred in clubs up to this time. I thank

the Committee for its consideration of this matter. I know the fate of the amendment, but at least now we have on record some thoughts that any future Minister or group who are trying to review the Act need to consider as a matter of concern to clubs. We hope that, between the club and hotel industry, and the other sections associated with it, we can get some area of compromise when a rational discussion takes place at some time in the future.

Amendment negatived; clause passed.

Clauses 14 to 19 passed.

Clause 20—'Permits.'

Mr SLATER: I indicate that I support the provision, because there have been difficulties, as I indicated in my second reading speech, on occasions when people have sought a permit for entertainment at a place where there are unlicensed premises. I understand the intention is to widen the definition of 'entertainment'. I ask the Minister why it is intended to provide for a gathering of two or more persons at which it is proposed that liquor will be consumed—why just two? It seems rather ludicrous to me. It is a fairly minor point, but I wonder why that figure was decided upon, because it would not be much of an entertainment with two people turning up at a show like that.

The Hon. JENNIFER ADAMSON: I can respond in part by saying that it would be even less of an entertainment with one person. I do not think anyone could consider it a party if one person is present. Certainly if there are any more than one person it could constitute a gathering for the purpose of a celebration at which liquor might be consumed or, indeed, a wake for that matter. It is really an arbitrary figure I suppose, but obviously if there was simply one person there it could hardly constitute a form of entertainment.

Mr SLATER: I accept the explanation. I am well aware of what is intended, but why does it not say a group of persons rather than just two or more persons? There have been difficulties in the past with regard to the granting of a permit for entertainment. I do not intend to move an amendment, but it seems to me that it would be much better if the provision referred to a group of persons. I ask the Minister again whether there is any way that this can be expressed perhaps when the persons concerned are making the application.

The Hon. JENNIFER ADAMSON: The comments of the honourable member cause me to respond: how many is a group? The reason that two or more persons has been inserted in the clause is to put beyond any doubt whatsoever the meaning of 'group'. One person is not a group, and two or more persons constitute the potential for entertainment.

Clause passed.

Clauses 21 and 22 passed.

New clause 22a—'Insertion of new section 68.'

Mr EVANS: I move:

Page 8, after line 29—Insert new clause as follows:

22a. The following section is inserted after section 67a of the principal Act.

68. (1) The court may grant a club reception permit to the holder of a club licence or to the holder of a section 67 permit.

(2) A club reception permit shall authorise a club to sell and supply liquor pursuant to its licence or to its section 67 permit (as the case requires) for consumption at not more than thirty functions held by the club on premises specified in the permit during such periods as the court authorises by endorsement on the permit.

(3) The court may attach such conditions as it thinks fit to a club reception permit.

(4) Notwithstanding any provision of this Act or of a club licence or a section 67 permit, but subject to any conditions attached to a club reception permit by the court, a club may sell and supply liquor under the authority of a club reception permit to a person to whom the club could not otherwise supply liquor under its licence or under its section 67 permit (as the case requires) by reason only of his not being a member of the club or a visitor in the company of a member of the club.

(5) A club reception permit shall, subject to this Act, remain in force for not more than one year.

(6) The fee for a club reception permit shall be prescribed by regulation.

(7) A club to which a club reception permit has been granted under this section need not comply with section 89 (1) *(f)* in relation to the supply of liquor under that permit.

(8) In this section—

'function' means a reception, dinner, dance or other function:

'section 67 permit' means a permit granted under section 67.

I understand that some people will be concerned about this matter and say that this will give the clubs open slather to open their doors for 20 functions a year and have all sorts of shows.

I would like to consider how clubs have evolved and their role in the community in comparison with the situation many years ago. Until 1967, when closing time was extended from 6 p.m. to 10 p.m. (and it is later now), the licensed club, whether it was an R.S.L. club, a workers' club, or a sporting club (in particular a bowls club or a golf club), was able to gain as members people who wanted to obtain a drink outside of hotel hours. The clubs were available and open. There is no doubt that that situation benefited the clubs. The local community, which may have toiled and worked to build a community hall or some other community meeting place which did not have a licence, could hold a dance or a community function and be guaranteed a clientele. Whether it was a football club, a tennis club, or a recreation club, the club was able to attract clients before we changed the law to extend trading hours.

Immediately, the hotel trading hours were extended (and I do not complain about that; I believe I would have voted for it had I been here); the hotels used their right to encourage people to go to the hotel at all hours of the night until midnight. Therefore, the community hall became non-functional. Many of those halls are struggling to survive: they are not painted, they are not cared for, and no-one wants to serve on the committee, because the role of halls in the community has changed.

The community response was to attempt to counteract that situation by raising funds for sporting, other recreational groups and community interests by applying for a licence. Until that time, very few licences existed. We gave the grandfather or grandmother clause to some clubs that wanted the opportunity to continue to buy direct. Those few clubs were given the privilege when they already had it, but we did not give all clubs the right to apply for that privilege. I am not sure that I support that kind of action.

What kind of clubs are we talking about? In the early 1960s, how many teenage or junior cricket, tennis, football, soccer, lacrosse, softball, or baseball teams were there? Virtually nil! Who picked up the challenge? I am not talking about the bigger soccer, cricket, football, or golf clubs. Sure, some of those clubs had the money to pay players and to be professional, but what about the other clubs that set out to promote and encourage junior sport? I ask all members to look at the records to see how junior sport was promoted in those times. It was virtually nil, compared to today! Now we have football and other junior sports for children from under 8 years of age. Volunteers work long hours, not only serving in clubs or cleaning up, but building clubs, marking ovals and tennis courts, and building retaining walls to create a facility.

The role of the clubs changed, and it is changing even now. The club is the meeting place and the entertainment place for families, from the junior member to the senior member. Clubs have rooms that are separate from the licensed facilities, because they believe it is unwise to have

juniors mixing where liquor is served. That was a responsible act. The clubs suddenly found that there was a difficulty within the Act. I do not believe that any member of the Parliament could honestly say that, on every occasion on which he has visited a club, he has signed the visitors' book, as he should have done. When a club function is held and if it is hoped that 100 or 200 people will be attracted, it is sometimes found that people queue up at the door and, when members pass through, they are asked, 'Hey Jack, will you sign for three? Are they your guests?'

It may be raining, it may be a cold night, but people are queued up to get through the door, because they have a common interest. They may not all be members of the club, and often we know that they are not members. They face a predicament. When club memberships increase, it is not only because of the members playing sport. No doubt the hotels have lost out because the clubs have been able to trade on Sundays. The clubs have retained that advantage, but at other times during the week, I believe that the hotels have an advantage over the clubs. I ask that there be 20 nights a year on which clubs are given that opportunity.

One other area in which sporting clubs carry a responsibility is in regard to paid umpires. This does not apply only to football or soccer: umpires are now paid in many other sports. Therefore, the question of workers compensation arises, and in the end the club has to pay. For example, the South Australian Football Association, as recently as today, stated in an article in the newspaper that it is liable for $11 000 for workers compensation, because the Parliament judged that it should pay that sum because it employs umpires. The club must raise that money. The cost of equipment for juniors is astronomical: it runs into thousands of dollars. The community councils do not do all of the work, and local government cannot foot the bill.

I know that some people believe that Government money should be put into the building of clubs. In the 1970s in some cases, Federal money was injected when money was floating around like autumn leaves in Hyde Park. Some State Government money and some local government money has been directed to sporting complexes. I could go to various working groups on every day of the Easter weekend, including Good Friday; I would find at least 10 to 15 people working on a project that is worth nearby $600 000 or $700 000 into which only about $100 000 of local government, State or Federal money has been directed. The rest of the money is raised by shear hard work in the community.

No-one wants to go to community halls now. The meeting place is the local club. To suggest that all people will join a club is ridiculous, because, within one club there are many different clubs, such as soccer, football, softball, tennis, or netball clubs. Membership fees are paid to the club, and, if there are five or six people in a family, those fees are high enough without anyone becoming a member of a licensed club. If the netball club wants to raise funds through the sports club, people who are not members of the club may wish to come along in significant numbers to support the netball club and the volunteers, who are not members of the club but members of the community. I seek only 20 nights a year. I stop at that and I ask the Committee to think about and support my amendment. I believe this amendment can be supported in all conscience without the hotel industry being harmed. Not every club will make use of the provision. In many cases the clubs will have to continue to buy wines and spirits from an hotel in the vicinity.

Mr SLATER: I will speak briefly on the amendment of the member for Fisher. I understand clearly what he is endeavouring to do. Any club may have special occasions during the year when the number of persons invited may exceed the number of members present. His proposal refers not only to a licensed club, but also to a holder of a section 67 permit. A club might have an annual dinner for which it applies for a permit outside normal hours, but there is still the requirement for mandatory signing in of each visitor. The amendment is very reasonable.

From experience, I know that it would be helpful to both licensed and permit clubs. Liquor will still be purchased from the usual source and, additionally, affiliated or associated groups may use the club premises for a special occasion. The proposition has merit, and I support it.

Mr MAX BROWN: I also support the amendment of the member for Fisher. He would be disappointed if I did not mention that. Clubs with a full permit require a member to sign in up to five visitors, as happens at the club of which I know. It is rather ridiculous having to go through that exercise when there is no need. A club may be holding a function at the request of a charitable organisation that wants to use its facilities. I do not criticise hotels, but a club environment is totally different. On many occasions I have found that charitable organisations are eager to use club facilities. A club could say it cannot provide facilities because the organisation is not a club member. Alternatively, it may have to make sure that sufficient organisation members are members of a club so that they can get the numbers signed in. What a ridiculous, hypocritical situation that is. It is ludicrous for a club to have to do that.

Like the member for Fisher, I am very much aware of the role of most licensed clubs in any community. Invariably, we find that a club provides finance for sport, charitable organisations, service groups, and for the community.

Mr Slater: They are not motivated by private profit, either.

Mr MAX BROWN: That is quite right.

The Hon. Jennifer Adamson: The profit goes there.

Mr MAX BROWN: The point of the member for Gilles is quite sound. However, I assure the Minister that I will not debate that now. I am pointing out one of many anomolies in the Act that could be easily overcome by passing the amendment. It is unreal for anyone to say that, because one happens to support a charitable organisation that wants to raise money by using club facilities, suddenly one is treated as some social outcast where under no circumstances is one allowed to go into the club area. That does not warrant support. This amendment goes a long way towards alleviating the problem. I would like to think that the Minister has considered this matter carefully, and that she supports the amendment.

The Hon. JENNIFER ADAMSON: Certainly, the Minister has given this amendment serious thought, but I cannot accept it or support it.

Mr Max Brown: Two words I don't like—

The Hon. JENNIFER ADAMSON: Yes, I know. I think the Committee is entitled to hear the reasons. I believe that they are soundly based on the same basis as the reasons on which the previous amendment of the member for Fisher was not supported. That is because the amendment as it stands is, in effect, going a long way towards allowing clubs the same status as hotels which, as honourable members know, is not a club function.

Club licences or permits are granted because of members' special needs. No-one would deny or seek to detract from the efforts and achievements of clubs in pursuing very worthy aims indeed for local communities in the sporting area, as outlined by the member for Fisher. But, clubs do not exist to service the community at large. They exist to pursue the goals of their own members, and the whole rationale of a club licence is to allow persons with a particular interest to consume liquor on club premises. Once one starts to extend that, albeit for only 20 nights a year, one is in effect intruding on the very reason and basis for the club's

existence. One is taking several steps along the way to provide the same status for clubs as is provided for hotels. That is why I and the Government cannot support this amendment.

Catering to community needs generally in the manner outlined by the member for Gilles and the member for Whyalla in support of the member for Fisher is not a club function. I am sure they recognise that. They have been quick to defend the whole rationale of clubs, the gathering together of people for a particular purpose, and their entitlement to consume liquor on the premises. But, when we go beyond that and say, as does the amendment, that a club may sell and supply liquor to a person to whom the club could not otherwise supply liquor under its licence or under its section 67 permit, as the case requires, by reason only of his not being a member of the club, or a visitor in the company of a member of the club, then one is taking clubs into a different realm of activities, which was not envisaged for them when the licences were created, and it is one that the Government cannot accept.

Mr EVANS: I am extremely disappointed that the Minister has used those arguments, because I tried to explain that when we extended hotel trading hours so that they could trade for longer periods (and I do not object to that) the hotel industry moved in wholesale to the area of discos, dances, and that sort of operation, which was traditionally a community activity to raise funds for certain groups to survive. In saying that, I am conscious that hoteliers made contributions, and sometimes substantial contributions, to those community group efforts. I am not denying that was the case up to and even after the change in relation to hours. At one stage the clubs, as we knew them, were in the main golf clubs, bowling clubs, R.S.L. clubs or socialising clubs such as the Adelaide Club, or some other similar activity. There were not many football clubs or community clubs as we know them. There were some community hotels owned by the community, supposed to operate for the community, and for some reason they did not carry out their role, so that the community individually and as a group asked for some other form of licensed club, whether it was to serve netball, football separately, bowling separately, or whatever it may be, because the community did not see a return coming back to sporting groups from its community hotel.

I am not trying to blame anyone for that. To say that clubs have only one area of particular interest for a group of members is wrong. The concept that has crept into the clubs today is that of a club which is attempting to pick up every role that was lost when they lost the opportunity to have successful dances and other functions in the local community facility built by the pioneers, the local community hall. The method of overcoming that was to bring the whole group together, whether it be football, cricket or tennis. I know of a club, and the Minister may have one in her own area, that does not always open its bar for the functions which take place. The Mothers and Babies, or the Camellia Society, the B.M.X. bike group for juniors, and the Junior Athletics all meet in the club and use the facilities at virtually no cost. The money has to come from somewhere to support the club. We all know that a club can ask for a permit for a special function by going along to the local hotel. I admit that. They can get a booth permit through the local hotel, if the local hotel will co-operate. If that one will not, they can go to one which will. They can use that booth permit, but a lot of people do not realise that, by law, the booth should be run by the hotel. The employees should be paid by the hotel.

In some cases that occurs. In very few cases is that the position. On most occasions an hotelier who is friendly with the organisation, and maybe because he is getting clientele anyway from the other purchases, co-operates with the club and does not worry about putting his personnel behind the bar. He might come to an arrangement with the club that he will employ the person on the night from within the club itself, or maybe nominate the persons to be employed and not employ the person. But if a club is going to do that and it has its own bar, it has to take stock of all the stock that is in the bar, or clean it all out, if it is going to do it properly, and then, at the end of the night, either take stock of what is left and what has been brought in, or wait ⅞until the hotelier takes out what is still there and return the club stock. That is a farce. I am not asking that it be available every night of the week. Originally, my amendment was for 30 nights per year but, because some people said that was too many, I was prepared to compromise and ask for 20. I do not know whether this ruins my chance in relation to speaking a third time, but there are some procedural things.

The CHAIRMAN: I will allow the honourable member to continue after the appropriate motion.

The Hon. JENNIFER ADAMSON (Minister of Health): I move:

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

Motion carried.

Mr EVANS: I am looking for some balance. People are sometimes paid less in these clubs which serve more than four kegs. In the main, they have to employ staff. Many still buy their liquor from hotels, and their profit margin is not very great when we consider that they get only 10 per cent or 12 per cent depending upon the hotelier, or some other benefit, and then have to employ staff. The other group can do it all by volunteers when their turnover is not more than four kegs. They do not have to pay staff and they do have that advantage, but their turnover is such that their potential profit margin is not very high, so they are not really in a position where they can make a lot of money. All of the people behind the scenes work long hours. When there is a special permit for a function, they may have to work behind the bar until one o'clock in the morning. There is a cost to the Government with the paper work involved in the procedures for obtaining booth licences. A fee of $10 is charged the club applying for the licence.

I believe those practices can be eliminated by stipulating 20 per year for a club and beyond that they have to apply. I believe very little work would be left for the court or the department administering those forms. The Government would not lose anything, because it costs probably more than $10 to handle the forms, so I am asking the Minister to think very seriously about it, even if she wishes to adjourn the debate and have it discussed by Cabinet, because I believe strongly that what I am moving is fair and not unreasonable, because in many sections of the hotel industry clubs could not compete with the disco, dance, concert and vaudeville shows that take place. They could not outbid the hotel and attract the clientele, but at least this proposal would help to serve a total community. Even though the Act may say it, the community does not see the club as serving only the people who happen to be members. The people see it as their community club.

I suppose that if one wanted to, one could make the membership fee 10c and go around the community and get everybody to sign up and see whether the Licensing Court would accept that as an appropriate fee, and then invite the whole community along, but then the numbers are limited to the number of people who can belong to the club. Nowadays people have so many other interests. If there is a limit of 500 members, and the total capacity in

the dining room is 200-odd, it is unlikely that such numbers will come along on a regular basis to help finance the projects outside the club, and I am talking not about the club, but the projects carried on outside the club. I do not think members realise how much these clubs carry within the community. So, I am not anti the hotel industry. I have supported it strongly, and I believe that this is a compromise that can be accepted without seriously adversely affecting the hotel industry but being of great benefit to the industry.

The Hon. JENNIFER ADAMSON: The Government does not believe that this is a compromise, and cannot accept it as such. The amendment that the member for Fisher is proposing represents a denial of the whole concept of clubs. It is moving towards the view that the club is there to provide a service to the community. It is not. The club is there, it exists, it was founded, and it was given a liquor licence on the basis that it is there to service the needs of its members.

I can see the member for Gilles shaking his head, and no doubt the member for Whyalla agrees with him. The fact is that, whatever long hours the members work and however much effort they put into their club, it does not mean that the club can then be entitled to open for a given number of nights per year in order to service the members of the community at large and go beyond the service requirements of its own members.

The amendment moved by the member for Fisher refers to 20 nights a year. If this is accepted, what is to say that it should not be 30 nights, 40 nights, and then 50 nights? If we proceed down that road, the club could be given the same status as a hotel. That is not what clubs are about. It is not a concept that the Government can accept. No doubt, this proposition might well be examined as part of the review of the Licensing Act that is to take place next year, but, if it is, no doubt the arguments that members have put in support of the member for Fisher will be taken into account along with all the other arguments.

However, as things stand, and as the Act stands at the moment, I do not believe that the amendment can or should be supported, because I believe that it represents a fundamental change to the whole concept and status of clubs. It would definitely put them in the direction of being in the same league as hotels. That is not what clubs are all about. Therefore, the amendment cannot be supported.

Mr EVANS: I am disappointed that the Minister did not answer one aspect of my argument, and that is that up until the Act was changed and the trading hours for hotels extended beyond 6 o'clock the role of a hotel was to serve liquor up to that time, to accommodate house guests with accommodation, dining and drinking facilities outside the normal trading hours for clientele off the street, and to provide luncheons and dinners in the normal hours up until 6 o'clock for trading. That was the role. A club or community role in those times was to have a community hall, run their dances, concerts, music, or whatever it might be, to raise their funds.

This Parliament saw fit in those times to change the Licensing Act to give hotels the opportunity to change their normal traditional roles. I make the point that it has been done before, and I support that. We changed the Act to cater for that changing role so that those involved could run dances, discos, concerts, vaudeville shows, or whatever it might be, of an evening. In that the community hall failed. It had to do so. It could not survive. So, I am now asking the Parliament to give an opportunity for clubs to change their role to a degree. I admit to the Minister that it is not only for members. It is giving the community the opportunity of having their club role changed to a minor degree. It is not every night of the week or every time that they open the club: it is 20 times a year, and it can be day time or night time. That is all that I am asking. I am asking today, for another section of the industry, the proposal that was acceptable in the late 1960s. My argument rests there.

I am disappointed that that aspect of the argument has not been answered to date. I do not believe that it can be answered logically because I believe that my logic stands. The role of the hotel changed in the late 1960s. I am asking that the role of the community club, the club that serves the community, be changed to a minor degree to allow that change to occur.

The Hon. JENNIFER ADAMSON: It was not by deliberate omission that I did not respond to the questions that the member for Fisher asked with regard to the situation that existed with community halls prior to the extension of hotel trading hours beyond 6 o'clock. However, as he has raised the issue again, I can say that I do not believe that his argument that we should somehow or other equate licensed clubs today to the community halls of yesteryear and the function that they could perform can be sustained. The whole scene has changed. I do not think that we can return to the situation that existed previously.

Mr Evans: I am asking you to go forward, not to return.

The Hon. JENNIFER ADAMSON: I see it in another light. The member for Fisher is, in effect, hoping that the licensed clubs can somehow pick up the role that was once performed by community halls. He would know as well as I that the whole changing pattern of society has meant that one cannot return to those days. To a large extent, the hotels themselves have picked up that role. What the honourable member is suggesting would have a profound impact on the hotel industry. I feel that there is no doubt on that. Such an impact would need to be assessed most carefully.

There would have to be a very pronounced and well identified wish on the part of the community to change patterns on social patronage in the way that the member for Fisher is suggesting should occur. The Government does not believe that there is evidence of any substantial wish for that to occur. I reiterate the fundamental objection to this clause, namely, that it would change the whole concept of the club as we know it, that is, an organisation licensed to cater for its members, and extend it into providing something of the status that is given to hotels.

Mr SLATER: I think we ought to be clear. As I understand it, the member for Fisher is intending that a club have the opportunity to have 20 functions per year, and in doing so I anticipate, anyway, that he is not intending that the function be handed over to some other outside body to be run. It would be run by the club itself.

Judge Grubb has made comments regarding clubs in a certain part of the State that have, as he claimed, not been doing the right thing by getting the visitors' book signed. There are occasions when a club quite legitimately runs a function on its own behalf and invites people as guests to attend that function. They are required, I understand, to sign the visitors' book. There may be occasions when the number of visitors exceeds the number of members present and, as a consequence, some difficulty is experienced with regard to the visitors' book.

I have been invited and have gone as a guest to a number of clubs. Sometimes they ask me to sign the visitors' book; sometimes they do not. When I have signed the visitors' book I have signed my wife in, too. I have noticed that no-one immediately comes along and signs me in. It is one of those peculiar situations. I realise that there must be some method of control over the number of people, besides club members, who are able to attend the club. In some situations one can sign one member in, and in other club licence situations one can sign three in. I recall some few minutes ago my collegue from Whyalla mentioned signing five people

in. In some cases, with a club permit, one can sign in only one visitor. I do not believe it is the intention, as the Minister believes, of the member for Fisher to challenge the role currently played by hotels. However, I repeat that there are occasions when clubs themselves might invite some affiliate organisation so all the members of which may not be members of that particular club, and that is where the problem arises.

What we are actually doing is encouraging people technically to break the law, and I do not believe in that. There may be unscrupulous persons, as in life generally, in relation to the clubs who take advantage of the situation, but we are not intending to help them. Rather, we are intending to help legitimate people who do not want to break the law and want an opportunity to get a reception permit, to do the right thing by both the law and the community at large. I believe that the amendment moved by the member for Fisher certainly has great potential as far as the clubs are concerned, but not to encourage them to play the part, as suggested by the Minister, of taking over the role of hotels. I see it as an opportunity for the club itself to have a dinner-dance or a function of some kind without going through all the falsities and charades that happens now with regard to signing visitors' books, and so on.

Mr MAX BROWN: I want briefly to explain to the Minister that I find the non-acceptance of this amendment rather strange. I speak only on my own experience on this question, but the member of a club about which I speak has the right lawfully to sign in five visitors. If that club wishes to run a function of any description, it has something like 250 members. That club would have the right by law to have 1 500 people in that club. The ridiculous part of that is that we would not get 1 500 people in the club in the first place. In the second place, it does provide, whether we like it or not, for that particular club to hold a function and through the law still be able to hold that function legally by signing in five visitors. That is the point that I am making. In my opinion this amendment merely takes away that obvious humbug that a club must follow by having someone in the foyer signing in people who are not members.

Mr Slater: Half the time they don't do it, anyway.

Mr MAX BROWN: I can only say in answer to the interjection by the member for Gilles that recently, as everyone in the House knows, His Honour Judge Grubb took the licensed clubs of Whyalla to task over this very matter. I think in some ways that it was a very unfair burst that we got from His Honour Judge Grubb on the basis that, at that time, no opportunity was given by the licensed clubs to answer the allegations that were made.

The Hon. M. M. Wilson: Greyhound clubs, too?

Mr MAX BROWN: No, they are not licensed, but I shall go into that matter if the Minister wishes me to do so. The second point that I want to make concerning the outburst by His Honour—

The CHAIRMAN: I hope that the honourable member is not going to—

Mr MAX BROWN: I am linking up my remarks; in the instance that I am talking about the provisions in the Act allow a club to have five visitors signed in. The amendment moved by the member for Fisher seeks to take that provision away.

Mr Slater: On special occasions.

Mr MAX BROWN: Yes, I realise that the issue of clubs requiring that visitors be signed in has not always been adhered to. One would have to be very brave to get up and say that visitors are signed in on all occasions in all clubs. In certain instances a person goes into a club and is technically not signed in. The Minister said that she did not believe that the role of a club should be that of providing a community service. I find that comment rather strange, because in my own area the licensed clubs are very much a community service. I would put it to the Minister that if we were bold enough to take away—

Mr Slater: Take them all away and see what happens.

Mr MAX BROWN: As the member for Gilles says, if we were bold enough to close down all the clubs, we would find that we had a real community problem on our hands. I can assure the Minister of that. The Minister also suggested to the Committee that the role of hotels is that of providing a service to the community. I ask how on earth the hotels got into the game of social clubs.

Mr Slater: That's right; they have their own social clubs, and they are bodgie, too, half the time.

Mr MAX BROWN: I can assure the member for Gilles that they are bodgie all right. The question of hotels getting into the area of social clubs alludes to the very thing that the member for Fisher pointed out, namely, that hotels want to be in conflict with the role of licensed clubs. However, on the other hand, I do not believe that clubs want to be in conflict with hotels. All they want to do (and the amendment we are considering would do it) is alleviate the humbug that they must go through.

Regarding clubs being required to sign in five visitors, three visitors, or whatever the number that may be required, the fact is that a club, through a hotel booth licence, can hire a community hall, and conduct a function where there is no law governing signing in of people. That seems to me to be an absolutely ridiculous situation, which means that any club can use a community hall by way of a hotel booth licence into which any Tom, Dick or Harry can walk.

Mr Slater: You can drag them in off the street.

Mr MAX BROWN: Yes; that is how ludicrous the provision in the Bill is. The amendment moved by the member for Fisher will merely alleviate the necessity to go through all the humbug that clubs must go through in regard to signing in people.

The Committee divided on the amendment:

Ayes (12)—Messrs L. M. F. Arnold, M. J. Brown, Corcoran, Crafter, Duncan, Evans (teller), Hopgood, Keneally, Payne, Peterson, Slater, and Whitten.

Noes (27)—Mrs Adamson (teller), Messrs Abbott, Allison, P. B. Arnold, Ashenden, Bannon, Becker, Blacker, D. C. Brown, Eastick, Glazbrook, Goldsworthy, Hemmings, Lewis, Mathwin, McRae, Olsen, Oswald, Plunkett, Randall, Rodda, Russack, Schmidt, Trainer, Wilson, Wotton, and Wright.

Majority of 15 for the Noes.

New clause thus negatived.

Remaining clauses (23 to 34) and title passed.

Bill read a third time and passed.

[Sitting suspended from 10.27 to 10.55 p.m.]

TRADING STAMP ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 1 April. Page 4000.)

Mr BANNON (Leader of the Opposition): The Opposition supports this Bill, the purpose of which is to prohibit certain forms of trade promotion aimed basically at promoting the sale of cigarettes. It is understood that certain schemes have been designed. I am not sure how many companies are involved; I suspect that at this stage only one is concerned. It is planning some sort of promotion that is aimed at encouraging the purchase of its brand of cigarettes by means of free gifts, competitions and other things that this Bill will help prohibit.

The Opposition agrees with the reasons that have been given by the Government in introducing the Bill. It does not sound to be a desirable type of promotion. With all the controversy that surrounds the use of tobacco and cigarette smoking and its connection with health, I am a bit surprised that any company would want to embark on this sort of scheme to promote its product. No doubt, the company concerned will argue that all that it will succeed in doing is a brand transfer, that is, a greater share of the market. But, in fact, it is in the nature of these promotions that they will inevitably increase the overall sales of tobacoo products, and that is something that the State should not be encouraging.

I might say in supporting the Bill that the ironical part of it is that it was this Government that introduced to the Trading Stamp Act amendments that permitted this sort of promotion. At the time, as I recall it, the Opposition sounded some warnings about the amendments that were being made, because although there may have been some desirable promotions that could have been permitted under this scheme, there were obviously a number of undesirable practices that could have occurred. Now we come up hard and fast against one of them, and it requires special legislation in this Parliament to deal with it. This indicates that with all this talk of deregulation, cutting red tape, and so on, there are prohibitions on the Statute Book that are there for some very good reasons. They were put in with some solid purpose in mind, not just because some bureaucrats or some Government decided that they wanted to regulate for the sake of it. I think there is far too great a willingness by this Government to see anything in terms of regulation as something that must be dispensed with. By all means, review it. By all means, subject it to tests as to effectiveness, but do not be too hasty about it. I think that this legislation is an example of how a hasty action taken in 1980 has had to be redressed, because it opened the way for an undesirable promotion that was not permissible at law prior to the change in the Act, and now is.

So, we are forced as we were fairly recently in relation to stamp duties, namely, to consider in this House legislation to correct something that need never have arisen. It is a pity that what was a soundly-based Act prohibiting certain practices was amended in a way that would permit this sort of promotion. Now, we have to introduce a special Bill to prohibit it. I certainly would not argue it on the merits. This sort of promotion should be prohibited, and accordingly the Opposition supports the Bill.

The Hon. JENNIFER ADAMSON (Minister of Health): I am grateful for the Opposition's support for this measure, but I would take issue with the Leader's assertion that the amendment to the Act last year was a hasty action. It was a considered action designed to ensure that South Australians had access to some of the trading stamp activities to which people in other States had access. Certainly, the Government did not foresee this kind of action on the part of tobacco companies. I agree with the Leader that it is hard to credit that such an irresponsible approach could be taken to promotion. Nevertheless, it has been. The Government believes that it should ensure that such promotions cannot occur in South Australia to encourage people possibly to take up smoking, and therefore it has acted to ensure that that cannot occur.

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

COMMERCIAL TRIBUNAL BILL

Adjourned debate on second reading.

(Continued from 30 March. Page 3685.)

Mr McRAE (Playford): I indicate that the Opposition supports this measure, but at the same time indicate that the Opposition does not believe that it goes far enough. The facts of the matter are these: we have a number of Acts that have been spawned over the years dealing basically with consumer protection. Under those Acts various boards and tribunals have been established. In the second reading speech the Minister mentioned no fewer than eight of them—the Land and Business Agents Board, the Land Brokers Licensing Board, the Land Valuers Licensing Board, the Second-hand Vehicle Dealers Licensing Board, the Builders Licensing Board, the Builders Appellate and Disciplinary Tribunal, the Commercial and Private Agents Board, and the Credit Tribunal. Each of these boards or tribunals is dealing with important areas. Members should make no mistake about that. However, I agree fully with some of the remarks made in the second reading speech, in particular, the paragraph that commences:

> There are considerable variations between the Acts as to the extent of these powers and the procedures involved. Furthermore, in the case of builders the power to license and to inquire into the conduct of builders rests with the Builders Licensing Board, whilst the power to discipline rests with the Builders Appellate and Disciplinary Tribunal.

The Minister went on to say that the separate existence of so many licensing bodies causes some confusion and duplication for members of the various occupational groups concerned. For example, if a person wishes to operate as a land agent, land valuer or builder and wishes to lend money or otherwise provide credit to his client, he is required to apply for four separate licences, each from a separate board or tribunal, for what he regards as one composite business. This involves so much duplication of effort by the applicant, as he is required to satisfy each licensing body separately with substantially the same criteria. There is also a danger that, as those licensing bodies are mutually independent, they might interpret identical statutory criteria in different ways, which could be confusing and unfair to the applicant. If the conduct of the licensee is later found to be such that his licence should be revoked, each of the four bodies would have to hold separate hearings for this purpose. This again results in the potential for inconsistency. The most telling part of the second reading explanation is as follows:

> The system as it now exists is irrational and inconsistent and, because of the bureaucracy and duplication necessarily involved, can constitute a significant cost burden on industry, which burden is ultimately borne by consumers. It is therefore clearly in the interests of both the industry groups involved and consumers generally that costs arising out of the licensing system are minimised. Accordingly, the Government intends to abolish all the existing bodies and to establish one body to hear all licensing and disciplinary matters concerning the occupational groups concerned. A single body under the same chairman, but differently constituted according to the nature of the matter before it, should minimise existing inconsistencies and duplications and reduce administrative and industry costs.
>
> This Bill provides for the establishment of this body, to be known as the Commercial Tribunal. The Bill does not, of itself, confer jurisdiction on the new tribunal—this will be effected by amendments to the other Acts that established the boards and tribunals that are to be replaced. However, all matters that should be uniform regardless of the particular Act under which the tribunal is acting are dealt with in this Bill.

I agree with all that as a half-way mark, but I must confess that, as a person involved in a community both in the interests of consumers and small business men and women in my electorate, I must come to the conclusion that the whole thing is a load of nonsense. What should be happening is that we should be transferring the whole of this jurisdiction back into the normal courts of the land. What really happened was that in the late 1970s an honest and fair appraisal of consumer affairs was made. Chief Justice King was one of the persons critically involved in this, but there were many others. In the enthusiasm of the moment it was

thought that those boards, those rapidly proliferating boards would be the answer to the difficult question of how to enforce the law to get a balance between consumer and the producer or the seller.

However, after now looking over the whole situation and having had some first-hand experience with the whole thing, I realise that there is no way that any of the boards of the type under consideration is a substitute for a properly appointed court. I believe that if money is to be spent, and obviously it will continue to be spent, because the whole thrust of the second reading speech was that we are merely duplicating personnel while at the same time changing the names under which they operate, and we want to get efficiency and eradicate the nonsense of four separate licences needed for one business, while at the same time protecting the consumer, what is needed is to go back to the ordinary courts of the land.

Recently I have had one or two experiences of this. I had a matter before the Land and Business Agents Board. I shall not bore the House (or what is left of it, and I do not particularly blame honourable members after last week and this week) with the full details, but with regard to the matter before the Land and Business Agents Board it took a whole year to obtain a judgment. The matter involved was not a minor one, it involved forgery, of all things. What happened was that it took a year from the time the evidence was completed to the delivery of the judgment. During the interim period I pestered and hounded the Attorney-General to obtain some sort of result on the books. The person for whom I was acting was found guilty, but I find it very odd that on an offence which under the Criminal Law Consolidation Act carries a penalty of either life imprisonment or 15 years, I have forgotten which, a suspended sentence or a bond was given. I could not help but reflect that the whole thing was just a bit too tough. A jury would have had four hours to deal with the same matter and, if I may say so, would have dealt with it better, as well as more expeditiously.

The Opposition cannot quarrel with the thrust of the Bill; indeed, the Opposition would argue that the Government should go further and get rid of this mass of boards and tribunals and put back these jurisdictions amid the ordinary courts of the land where we know that justice can be done, and done reasonably expeditiously.

The Hon. JENNIFER ADAMSON (Minister of Health): The Government is pleased to have the support of the Opposition for this measure. I am interested in the remarks of the member for Playford about the matter not going far enough. I think we might have cause to recall those remarks when the various amending Bills which will give effect to what is enabling legislation in this case are introduced in the House. I am glad to know that we can expect the support of the Opposition when those Bills are introduced.

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

TRADE MEASUREMENTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 31 March. Page 3807.)

Mr BANNON (Leader of the Opposition): As the second reading explanation states, this is a short Bill and a very simple one. It provides for the abolition of the Trade Measurements Advisory Council. According to the Minister's second reading explanation, the Trade Standards Act, 1979, means that the Advisory Council has ceased to have any function in relation to packaging matters, and therefore it should be abolished. The Minister's speech goes on to say:

> The Government believes that for the future it will be more appropriate to consult with industry groups and local government on an informal basis as and when the need arises.

The Opposition has no objection to this measure. If a committee is redundant, then by all means let it be abolished; therefore we support the amendment. The only question that arises in considering this Bill is the extent to which the Government has been consulted in relation to the legislation move it is taking. This is not just a Government committee; it is a committee to which persons were nominated by various bodies. For instance, one was nominated by the governing body of the Local Government Association. One was nominated by the Minister, but that person nominated by the Minister was presumably a person capable of representing the interests of local government. Finally, we had one person nominated from a panel of three submitted by the Chamber of Commerce and Industry in South Australia. So, there are two bodies which have a right of nomination to this council and before moving to their abolition I think the House should be satisfied that those bodies have been consulted, and are happy with the fact that the council is to be abolished and are satisfied with any alternative arrangement that might be appropriate.

The Hon. JENNIFER ADAMSON (Minister of Health): I am glad to have the Opposition's support for this measure. I am advised that the relevant nominating bodies have been consulted and that no objections have been raised to the course of action proposed in this Bill.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Arrangement of Act.'

Mr BANNON: Further to the statement made by the Minister in the course of the second reading debate, she has told us that she has been informed that the bodies have been consulted and have raised no objection. I would like to clarify the nature of that consultation. We have had occasions on which boards and tribunals have been abolished, by this Government in particular, and we have discovered after the event and after we have supported that abolition, based on the reasons the Government gave, that it came as a surprise to those in the industry or those concerned. We ought to have something a little more tangible from the Minister in relation to this, because this is the last opportunity we have to allow evidence of such consultation to be produced. I would like the Minister to reaffirm, in the course of the Committee debate, the nature of those consultations and the reaction of those bodies particularly to the second point I made. Are those bodies satisfied that the current legislation provides them with sufficient opportunities to make whatever representations they may have made as members of this advisory council?

The Hon. JENNIFER ADAMSON: I am advised that the Minister has written to both the Local Government Association and the Chamber of Commerce and Industry. The Chamber of Commerce and Industry responded saying it had no objections; the Local Government Association did not respond. Contact was made with it by telephone and the Minister was advised that the association did not wish to respond; in other words, it did not object, but it did not formally respond. I stress that the association was given two opportunities, one by letter and one by a telephone call, to object, and on neither of those occasions was an objection raised.

Clause passed.

Remaining clauses (3 and 4) and title passed.

Bill read a third time and passed.

OFFENDERS PROBATION ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 31 March. Page 3803.)

Mr KENEALLY (Stuart): This Bill is the legislative acknowledgement that the Government intends to create the office of Executive Director within the Department of Correctional Services. I understand that it is the intention to create the position of Executive Director with overall responsibility for the entire department and primary responsibility for the development of long-range plans, policy establishment and departmental direction and acting as primary liaison with the public, media and governmental agencies.

Under the existing organisational structure at head office of the department the position of Permanent Head (Director) is almost entirely related to daily matters and routine operations. This situation allows for the resolution of day-to-day matters at the expense of longer-term planning and strategic departmental direction. The Director's daily activities are further consumed by the demands of the Chief Secretary's Office, the Public Service Board, Treasury and additional external interest groups. These varying demands consume valuable executive time in allowing the Director the opportunity for planning and policy making.

In order to provide a workable environment which will reduce the demands and pressures upon the Permanent Head and at the same time provide the opportunity for executive policy making and planning, it was recommended to the Government that a new position of Executive Director be established to become the Permanent Head of the department and to focus primarily on planning and policy development.

This would allow for the separation of executive responsibility between planning and policy and operational management. The Executive Director position will allow for the orientation and development of all departmental planning (short and long term) and addressing of all strategic issues impinging upon the needs and requirements of the department. The Executive Director will be required to report to the Chief Secretary and liaise with outside organisations, interest groups and authorities. The Executive Director will embody chief executive authority within the department without becoming bogged down in daily matters. The responsibilities of the Executive Director will include:

- Chief Executive reponsibilities for the control, direction and effective operations of the department, including the development of overall strategies, plans and policies;
- serving as the Permanent Head of the department and therefore reporting to the Government on all correctional issues;
- establishing and updating key departmental objectives in concert with Government policy;
- planning policy making and strategies for the future thrust of the department. The Executive Director will be responsible for oversighting the development of all policies relating to the achievement of departmental objectives;
- serving as the arbiter for resource and policy conflicts throughout the department;
- delegating of authority through the Director, Operations (see Recommendation 3.3) and Assistant Directors to ensure the achievement of departmental objectives;
- providing the focal point in dealing with outside agencies and other interest groups in the dissemination of information relating to the D.C.S.;
- redefining, with branch heads, specific duties and responsibilities of head office personal, paying particular attention to the definition of reporting relationships within each branch.

The required level of skills for the appointee to the position of Executive Director will include the following:

- demonstration of senior executive management abilities gained through having achieved a most successful, progressive career path to date, attained through occupying senior managerial posts held in either private industry or the government sector;
- appreciation and strong awareness of the planning and policy making functions of management;
- strong administrative flair;
- skills in communication (oral and written);
- interpersonal skills in order to relate with superiors, peers and subordinates in implementing change;
- possession of a management style which is innovative, strategically orientated and characterised through a willingness to delegate authority, rather than accumulate authority.

Previous employment experience required for this senior position should be broadly based and it is not critical that the incumbent necessarily possess evidence of a career gained from having worked in a corrections environment. It is envisaged that this position could be filled on a contractual basis.

In case members of the House are impressed with my great understanding of the position of Executive Director of the Department of Correctional Services, I indicate that I have read from the Touche Ross Report that was commissioned by the Government. That report recommended fundamental changes within the structure of the department. I agree with many, if not all, of the recommendations in the Touche Ross Report. I believe it is a worthwhile report and one that any Government should be encouraged to follow. I do not necessarily believe that the creation of the position of Executive Director is a reflection on the current departmental head, but I do believe that there are limitations within the department in terms of wide experience.

I sincerely encourage the Government, in regard to the appointment, to seek a person who has the administrative skills and an understanding of correctional services and modern penal methods. This type of person is not freely available and therefore the position of Executive Director should be advertised in the widest possible way, not only in the appropriate Australian journals but also in overseas journals. Good executive officers in the correctional services area are very rare indeed. I sincerely hope that, when the Government makes the appointment, it is able to obtain a person of that quality. The South Australian community, the Department of Correctional Services, officers of the department, and the prisoners who, for the time being, are guests of the department, all, in their own way, are entitled to the appointment of the best person available.

The Bill merely changes the title of 'Director' in all the appropriate places to 'departmental head'. I have studied the Bill at great length, and I can see no problems in it. I do not believe that the Chief Secretary's well-known concern about challenge to authority will raise its ugly head in this piece of legislation, so he can be certain that he will get no more grey hairs because of this Bill. I am beyond worrying about grey hairs; I am more concerned with hair itself. We support the Bill.

The Hon. J. W. OLSEN (Chief Secretary): Briefly, I thank the Opposition for its support of this minor Bill. I am pleased that the spokesman for the Opposition in these matters agrees with the direction of the Touche Ross report. The Government intends to follow closely the direction as outlined in that report, certainly bearing in mind that, in looking for a person to take over this position, we will be looking for someone with a capacity to undertake those tasks that have been outlined in such accurate style by the member for Stuart. His outline coincides rather strikingly with the recommendations of the Touche Ross report.

The Government has advertised throughout Australia to encourage applicants with expertise to apply. A large number of applicants has been attracted and I hope that there is a person of that capacity within Australia who, in due course, will be the successful applicant.

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

[Sitting suspended from 11.32 p.m. to 1.5 a.m.]

WORKERS COMPENSATION ACT AMENDMENT BILL (1982)

Returned from the Legislative Council with the following amendments:

No. 1. Page 2, line 5 (clause 3)—After 'contribution' insert 'and industrial diseases'.

No. 2. Page 2 (clause 4)—After line 24 insert paragraph as follows:

(ab) by inserting after the definition of 'employer' in subsection (1) the following definition:

'exempt employer' means an employer in respect of whom a certificate of exemption is in force under Division II of Part XA:

No. 3. Page 2, lines 31 to 45 (clause 5)—Leave out the clause.

No. 4. Page 3, line 6 (clause 6)—Leave out 'one year' and insert 'two years'.

No. 5. Page 3, line 24 (clause 7)—Leave out 'a report' and insert 'every report'.

No. 6. Page 3, line 26 (clause 7)—Leave out 'by the medical practitioner'.

No. 7. Page 3, lines 27 to 31 (clause 7)—Leave out paragraph *(b)* and the word 'and' immediately preceding that paragraph.

No. 8. Page 4 (clause 9)—After line 2 insert paragraph as follows:

(da) by striking out subsection (6) and substituting the following subsection:

(6) In this section—

'dependant' in relation to a deceased worker means a member of the family of the worker who, at the time of the worker's death—

(a) was wholly or partially dependent on the earnings of the worker; or

(b) would, but for incapacity arising from the worker's injury, have been so dependent,

and includes a posthumous child of the worker: 'dependent child' means a child who was, at the time of the worker's death, wholly or partially dependent on the earnings of the worker.

No. 9. Page 5, line 3 (clause 11)—Leave out 'Where' and insert 'Subject to subsection (7a), where'.

No. 10. Page 5, line 4 (clause 11)—Leave out 'twelve' and insert 'twenty-six'.

No. 11. Page 5, line 5 (clause 11)—Leave out 'twelve' and insert 'twenty-six'.

No. 12. Page 5 (clause 11)—After line 9 insert new subsection as follows:

(7a) The provisions of subsection (7) are subject to the following qualifications:

(a) where a worker produces to his employer a certificate of a legally qualified medical practitioner certifying that, in the opinion of that medical practitioner, there is no reasonable likelihood of the worker being rehabilitated for employment, no reduction in the amount of weekly payments shall be made under subsection (7); and

(b) where a worker produces such a certificate to the Minister, the Minister shall refund to the worker any amounts paid to him under subsection (7) in respect of that worker.

No. 13. Page 6, line 13 (clause 14)—Leave out 'subsection' and insert 'subsections'.

No. 14. Page 6, lines 14 to 18 (clause 14)—Leave out subsection (1a) and insert subsections as follows:

(1a) A worker shall not, while receiving weekly payments, be absent from the Commonwealth for a continuous period in excess of 7 days unless at least 3 days before leaving the Commonwealth he informs the employer and the executive officer of the Workers Rehabilitation Advisory Unit in writing of his intention to be absent from the Commonwealth and of the duration of his proposed absence.

(1b) If a worker is absent from the Commonwealth in contravention of subsection (1a), his entitlement to receive weekly payments shall be suspended as from the expiration of 7 days from the time when he left the Commonwealth.

No. 15. Page 6, lines 25 to 27 (clause 15)—Leave out paragraph *(b)* and insert paragraph as follows:

(b) by striking out the passage 'by a registered optician or on the prescription of a legally qualified medical practitioner' in paragraph *(a)* of the definition of 'medical services' in subsection (2) and substituting the passage 'by a registered optician, by a registered chiropractor,'.

No. 16. Page 7, line 4 (clause 17)—Leave out 'twenty' and insert 'ten'.

No. 17. Page 7, line 5 (clause 17)—Leave out 'twenty' and insert 'ten'.

No. 18. Page 7, line 7 (clause 17)—Leave out 'twenty' and insert 'ten'.

No. 19. Page 9, lines 10 to 12 (clause 21)—Leave out the passage in parenthesis and insert '(other than exempt employers)'.

No. 20. Page 9 (clause 21)—After line 12 insert paragraph as follows:

(ca) a person who is, in the opinion of the Minister, a suitable person to represent the interests of exempt employers;'.

No. 21. Page 9, lines 13 and 14 (clause 21)—Leave out paragraph *(d)* and insert paragraph as follows:

(d) two persons who are, in the opinion of the Minister, suitable persons to represent the interests of workers;

No. 22. Page 11, line 19 (clause 23)—After 'contribution' insert 'and industrial diseases'.

No. 23. Page 14 (clause 28)—After line 26 insert subsection as follows:

(10) An employer who is required to be insured under this section shall affix and maintain in a prominent position in an office or other suitable place frequented by his workers a notice stating that he is insured under this section with an insurer named in the notice.

Penalty: Two hundred dollars.

No. 24. Page 18—After line 41 insert new clause as follows:

31a. Amendment of second schedule—The second schedule to the principal Act is amended by striking out the item commencing '"Q" fever' and substituting the following item:

Brucellosis, leptospirosis, or Q fever	Employment at, in or about, or in connection with, a meat works or involving the handling of meat, hides, skins or carcasses.

Consideration in Committee.

Amendments Nos. 1 and 2:

The Hon. D. C. BROWN: I move:

That the Legislative Council's amendments Nos. 1 and 2 be agreed to.

The first of these amendments is a consequential amendment. The second amendment covers a point that I will cover later, which amendment the Government will be accepting. It concerns the composition of the board, and we will accept the proposed amendment by the Council.

The Hon. J. D. WRIGHT: As we have only just received the amendments, can the Minister explain them? I understand the first one, but I am not quite clear about the second one. Does this amendment refer to the compilation of the board involving the Rehabilitation Advisory Board?

The Hon. D. C. BROWN: Amendment No. 2 is consequential upon the more major amendment that we will come to shortly. The effect of the amendment is that it alters the composition of the Rehabilitation Advisory Board. The proposed change increases by two the membership of that board, with the number of employee representatives to be increased by one, so that there will now be two employee representatives on the board. We have changed the classification of the employer who could also be a self-insurer. Now we would have an employer or a representative of an employer, a representative of the self-insurers, and still the representative of insurance companies. The Government recognises that the self-insurers comprise a large group of people; they employ about 20 per cent or 30 per cent of

the employees of this State. I think it is appropriate that as they do not deal through insurance companies they have representation on the board. Basically there is an increase in membership of two—one person representing the employees and the other representing self-insurers.

The Hon. J. D. WRIGHT: I thank the Minister for that explanation. The amendment does not go as far as the Opposition desired the provisions to go in the first place, but nevertheless it is an improvement, and there is no opposition to it.

Motion carried.

Amendment No. 3:

The Hon. D. C. BROWN: I move:

That the Legislative Council's amendment No. 3 be disagreed to.

This amendment concerns the deletion of clause 5. This clause had two principal purposes as it originally stood. The first was to define when a journey to and from work started and was completed and, members will recall that that was at the front fence. The second part of the amendment relates to a person who is found to have a blood alcohol level greater than .08 and who is not eligible for workers compensation if he happens to be driving a vehicle and has an accident on the way to or from work. I cannot accept this amendment. First, it runs directly counter to other laws in this State. There has been a significant change in the drink driving laws of this State since the Workers Compensation Act was originally introduced. Secondly, I think it is important that there be a clear definition in the Act as to when a journey to and from work starts and when it finishes. That lack of definition previously has caused some difficulty, and I believe it has led to a great deal of litigation where there is some uncertainty concerning where an accident occurred.

The Hon. J. D. WRIGHT: Obviously, the Legislative Council has picked up the argument advanced in the House of Assembly in the first instance and taken up by the Hon. Frank Blevins in the Upper House. In those circumstances I do not want to canvass the whole argument again. The Opposition supports the Legislative Council's amendment.

Motion carried.

Amendments Nos. 4 to 8:

The Hon. D. C. BROWN: I move:

That the Legislative Council's amendments Nos. 4 to 8 be agreed to.

Amendment No. 4 extends the period after the time in which a hearing loss claim can be made by the employee from one year to two years, except in death. Amendment No. 5 makes a grammatical change to the Bill and replaces the words 'a report' with 'every report'. Amendment No. 6 relates to clause 7—to leave out the words 'by the medical practitioner'. That amendment was superfluous and was cut out for grammatical reasons. Amendment No. 7 involves another grammatical error.

Amendment No. 8 picks up the point raised in the Lower House by the Deputy Leader of the Opposition. This is the case where there are dependants who are not necessarily a spouse or child, and it allows those dependants to make a claim for either all or part of a workers compensation lump sum payment where death occurs. This is to make sure that where there are dependants they do have some claim, and the extent of the claim depends on the degree of dependancy. We are accepting that amendment. I gave an undertaking to the Deputy Leader that I was sympathetic to his point of view. I am sure he appreciates the fact that we looked at that matter and that it was the Government that moved this amendment in another place.

The Hon. J. D. WRIGHT: Amendment No. 4 changes the period from one year to two years. This was something that the opposition supported quite strongly in the Lower House. While it is not as satisfactory as we would have liked it, the Legislative Council has at least had the initiative to deliberate on this matter and extend it by 100 per cent on what it was in the first place. Amendment No. 8 is the most important new provision in the whole of this legislation. For the first time, we now find that a person who is not substantially or wholly but merely alleged to be partially dependent will be entitled to receive at least some workers compensation allowances. It seems that the court will be empowered to judge an actuarial situation so far as the partial dependant is concerned. The Minister did give an assurance when the debate was in the Lower House that he would look at this matter, and I thank him for doing so. At that stage I thought that he was impressed with the situation, and any member would be impressed, because we have all had this sort of problem. However, I am pleased to have taken part in the debate that has led to such a decision, which protects people who previously were unprotected.

Motion carried.

Amendments Nos. 9 to 12:

The Hon. D. C. BROWN: I move:

That the Legislative Council's amendments Nos. 9 to 12 be disagreed to.

Amendment No. 9 is consequential upon amendment No. 12. I will leave the explanation of amendment No. 12 until I come to it and deal with it altogether. Amendment No. 10 involves the reduction in payment from 100 per cent to 95 per cent which, as the Bill left this place, was due to take place after 12 weeks. The amendment extends that to 26 weeks, and that is unacceptable. It basically destroys the whole function of the Bill because, unless the money is raised, there is no money to carry out rehabilitation. The whole purpose of this Bill is one of trying for the first time to introduce a clause on rehabilitation. This clause is absolutely fundamental to the functioning of the Bill. I think all members have agreed to the need for rehabilitation; no-one has criticised the concept of setting up a Rehabilitation Advisory Board and a Rehabilitation Advisory Unit. No-one has criticised the functions of that unit or the board. No-one has criticised what we are trying to achieve in putting a new emphasis on that rehabilitation compared to just compensation. Yet, an effort is being made to destroy the whole intent of that by making sure that there are no funds available to carry out that rehabilitation.

Mr McRae: Cut it short; you've always got the deals worked out.

The Hon. D. C. BROWN: I stress that, unless this part is included, the Bill has a lot of good intentions but there will be no money to carry out those intentions. Amendment No. 11 is on exactly the same matter as amendment No. 12 and was put forward by the Australian Democrat in another place, the Hon. Mr Milne. It relates to the fact that, if a person was classified by his doctor as being totally and permanently incapacitated, he would not suffer that 5 per cent reduction after a 26-week period. There are a number of reasons why the Government would reject that. One is, again, because of the funding arrangement, and another reason is that it puts the onus on the doctor to determine whether or not the person is totally and permanently incapacitated, whereas the rest of the legislation puts that responsibility on the Industrial Commission. It would be quite wrong for us to write in that power for a medical practitioner when, as the member for Playford would realise, the whole purpose of the Act is to place that power and responsibility with the judge in the Industrial Court. Therefore, we reject amendment No. 12, which is tied to amendment No. 9. Thus, we reject all of the amendments from No. 9 to No. 12.

The Hon. J. D. WRIGHT: I am in a rather difficult situation, because fundamental principles are involved. We on this side of the House do not subscribe to the view that a person should be forced to pay for his own rehabilitation. This debate must be very interesting to the Acting Premier, who has not stopped talking since the amendments came back to this place. In fact, he has been laughing for most of that time. He is very serious about the amendments. We might as well close up and go home, if that is the attitude of the man dressed in the dinner suit.

As I was saying (if I can be heard over the very loud voice of the dinner suit), fundamentally the Opposition does not agree that workers, under any circumstances, should be forced to pay any contribution towards their own rehabilitation. If a person is hurt in the process of his work, quite clearly it is the responsibility of either the employer or the Government, if it wants to set up its own funding through Treasury. In these amendments, a better arrangement will result than that provided by the Government in the first place.

In those circumstances, we have no option but to support the extension from 12 weeks to 26 weeks, while fundamentally believing that the principle is wrong. At least this will provide some relief before taxation is deducted from the employee as proposed by the Government. For those reasons we support the Legislative Council's amendments. I hope that the member for Playford will comment about this amendment, which provides:

> Where a worker produces to his employer a certificate of a legally qualified medical practitioner certifying that, in the opinion of that medical practitioner, there is no reasonable likelihood of the worker being rehabilitated for employment, no reduction in the amount of weekly payments shall be made under subsection (7).

The Minister said that he would prefer that sort of arrangement to be left with the jurisdiction of the courts. I put to the Minister that it seems to me that that certificate could only be produced by the medical practitioner in the first place. If I understand the amendment correctly, it means that, if a person is provided with a certificate by a properly endorsed and qualified medical practitioner, and if that person is fully disabled and cannot continue work, he is then entitled not to have taxation deducted. That seems to be a sensible way of approaching the matter. Again, for the benefit of the House, I reiterate that we are not in favour of any reduction, but at least, like the other amendments, this amendment goes a lot further to protect the employees. In those circumstances, the Opposition supports amendment No. 12.

Mr McRAE: I simply support what the Deputy Leader had to say in regard to amendments Nos. 1 to 7. Amendment No. 8 is a sensible—

The CHAIRMAN: Order! For the benefit of the member for Playford, I point out that the Committee is dealing with amendments Nos. 9 to 12.

Mr McRAE: Thank you, Mr Chairman. I therefore refer to amendment No. 12.

Mr Lewis: I hope so.

Mr McRAE: I am used to the contemptuous and ludicrous behaviour of the fools on the front bench opposite.

The CHAIRMAN: Order! That sort of comment is not necessary.

Mr McRAE: I do not want to make comments like that, but I am forced at times to do so when I am confronted by a confederation of dunces like the honourable member.

The CHAIRMAN: Order! The honourable member must confine his remarks to the matter before the Chair. Otherwise, leave will be withdrawn.

Mr McRAE: Yes, Mr Chairman. Amendment No. 12 edges towards the situation which I attempted to achieve in 1973 and which now operates in certain parts of the Commonwealth. If a legally qualified medical practitioner says that there is no reasonable likelihood of a worker being rehabilitated for employment and no likelihood of deductions being made under subsection (7), at least there is some certitude for a person like that. It is very rare indeed that any properly qualified medical practitioner would say that a person could do no work at all. Really, that is what the medical practitioner is being called on to do under the proposed amendment.

This is not the sort of amendment that either my Deputy Leader or I would like or would envisage in any sort of code. If we are to try to take some sort of miserable step forward (and it is really only a limp forward—that is the appropriate word in the circumstances), as was produced by the Democrat in the other place, presumably to square off his conscience because he must have seen so many workers who have been so badly disabled and treated under the current system, and if we can make some improvement, I would most assuredly support it.

There is room for modification and, to be blunt, consensus on the whole matter. If it is said that the amendment, by providing that a certificate of any legally qualified medical practitioner is all right (and that is what it amounts to) is too wide, it may be that a specialist position should apply.

I believe that there is scope between the two Houses to get some justice for some of the people who enter our offices. I do not know the sort of circumstances in which the Deputy Premier and the Minister work, but I assume that not too many people who are employed at SAMCOR, for instance, live in the district of those members. I will hazard a guess that there is none. Week after week, we see people with exotic conditions. The Minister used the word 'endemic', but I have checked that out: one half of the medical profession says that I am right and the other half says that the Minister is right. So, I will continue with my word and say 'exotic'.

The Hon. D. C. Brown: We're accepting it on brucellosis and leptospirosis, but we are not on that yet.

Mr McRAE: It is crucial. There is no way in which the Minister would possibly try to put that one over me. Of course he will accept an amendment that has been jollied out between him and the old chap in the Council. We have seen him there harassing—

The CHAIRMAN: Order! The honourable member for Playford may not reflect on a member of the other House.

Mr McRAE: I was not reflecting on a member of the other place: I was reflecting on the Minister, or I hope I was. That was what I meant to do. However, this is too serious a subject to have any levity at all about it. I see people coming only too often. They are in misery. It is a pitiful condition. If the Minister has been able to do some sort of deal with the Australian Democrat in the other place and work out a formula (and I am very skeptical of any formula they have worked out), I am still not happy, because I want to see that section 53 of the Act is also ticked off on my list and it is not ticked off, according to this document before me. It would not be so unless the Government was supporting it. If the Government would support it, I would be far happier.

I am quite prepared to adopt the attitude of being more cautious and saying that it should not be just any medical practitioner. It may be that it ought to be a specialist position or a consultant position (I think that is the term that is used often at present). I am sure that the Opposition would go along with that, if we can marry the two steps together. The whole way in which the Minister has dealt with this is a replica of what we have come to expect and what we have got over the years in this place. There is no way that the Minister is going to give anything but lip service to justice, and I oppose the Minister's proposal.

Motion carried.

Amendments Nos. 13 to 22:

The Hon. D. C. BROWN: I move:

That the Legislative Council's amendments Nos. 13 to 22 be agreed to.

The first amendment is a grammatical change to replace 'subsection' with 'subsections'. The second deals with the case of a person travelling overseas. We have removed the provision requiring the employer or the rehabilitation unit to give approval. Rather, it is now a matter of notification. When a person receiving compensation is going overseas or leaving the Commonwealth for more than seven days, three days before he leaves he must notify his employer and the unit in writing of his intention to be absent from the Commonwealth and of the duration of his absence. If he does not do that and is absent for more than seven days, payment can be stopped after seven days. Amendment No. 15 deals with whether a chiropractor needs to have a referral from a medical doctor and, as it comes from the other place, neither a chiropractor, an optician, nor a physiotherapist is required to have such a referral.

The Hon. J. D. Wright: Also a chiropodist.

The Hon. D. C. BROWN: Yes. None of those classifications would need a referral from a medical doctor. By amendment No. 16 the threshold level for hearing loss claims below which level a person cannot make a claim has been reduced from 20 per cent to 10 per cent. I have dealt with amendments Nos. 16, 17 and 18. Amendment No. 19 comes back to the composition of the Rehabilitation Advisory Board and makes an adjustment to that. The same applies to amendment No. 20, which makes an adjustment in the composition of the board. Amendment No. 21 increases from one to two the number of employee representatives. Amendment No 22 is very minor, dealing with industrial diseases. It deals with the heading. I ask members to accept those amendments.

The Hon. J. D. WRIGHT: We have certainly taken a big bite out of the apple here. As I understand the motion, we have gone from amendment No. 13 to amendment No. 22. The first deals with—

The Hon. D. C. Brown: That has to do with the worker who is overseas. He no longer has to get approvals.

The Hon. J. D. WRIGHT: I think that has brought some justice back into the clause. It was very strongly opposed here in the first place and, if I understand the Minister correctly, it means that the worker does not have to receive permission in future. He will notify that he is going and the onus is on him. That is a giant step forward, and I commend the Legislative Council for it.

Regarding the amendments concerning chiropractors, physiotherapists and chiropodists, the Legislative Council has reinserted the provision as it was in the Bill as introduced. We do not want to rehash the matter, but the Minister is prepared to accept that amendment, and I am delighted about that. I thought it was proper and just. If it was not 2 o'clock in the morning, we could say more about the matter. The Opposition is in a very difficult position regarding amendments Nos. 16, 17 and 18. I am not sure what amendment No. 19 does and may need information on that.

The Hon. D. C. Brown: Amendments Nos. 19, 20, 21, and 22 are on the composition of the board.

The Hon. J. D. WRIGHT: I have no complaints about those amendments, because they improve the situation, as I understand it. I have difficulty with amendments Nos. 16, 17 and 18, because I want to place on record again that I do not believe that there should be any percentage at which people become entitled to be compensated for loss of hearing, and the effect of these amendments will be that the Minister has had a victory. He introduced the legislation on a basis of 20 per cent loss before people were entitled to be remunerated.

That has been cut in halves, and I suppose one could say that that is an improvement, but it is not a sufficient improvement so far as I am concerned. I would like the Minister to answer this question as it was raised in the Upper House. Will the Minister listen rather than talk to the Minister of Education? Will he say whether a person who is diagnosed as having a 12 per cent hearing loss disability will receive 12 per cent compensation? Will the first 10 per cent not count, so that only the extra 2 per cent—

An honourable member: Yes, 2 per cent.

The Hon. J. D. WRIGHT: The first 10 per cent is not recognised. That makes it even worse. It is a shocking provision, and I am disappointed that the other place has seen fit to knock this out. We cannot do much about it now, because to vote against it would make the position ludicrous. It is an improvement on the provision that left this place, but I condemn the legislation as it now stands. The Minister will find much difficulty about it. There has been protest among the trade unions, and I believe there will be more when this provision becomes more commonly known. When this Party returns to government, we will change it back as soon as possible.

Motion carried.

Amendment No. 23:

The Hon. D. C. BROWN: I move:

That the Legislative Council's amendment No. 23 be disagreed to.

This amendment requires the employer to fix and maintain in a prominent position in an office or other suitable place frequented by his workers a notice stating that he is insured under the section with an insurer named in the notice, and a penalty of $200 is provided for non-compliance. The Act requires the employers to be insured, full stop. There is no need to wave it around. There is a requirement that people take out third party insurance for vehicles, and they do not have to nail that on their car or anywhere else.

Mr Whitten: There is only one insurer for third party insurance, and you know it.

The Hon. D. C. BROWN: That does not matter.

Mr Whitten: For you to use that as an example is as weak as can be.

The Hon. D. C. BROWN: I do not think so. I think the honourable member is missing the point. The Act requires every employer to take out workers compensation insurance for his employees, and he is fined if he fails to do so. I reject this amendment.

The Hon. J. D. WRIGHT: This proposition from the other place is consistent with an amendment that I moved in this Chamber. I cannot understand the Minister's objection. He has put forward no valid reason why there should not be a notice board bearing the information in question so that, when an employee walks past, he can read it and understand that the employer has him covered for compensation. The law is one thing, but the practicality of the situation is another. It is an assurance that a person can obtain from knowing that he is covered for workers compensation.

All sorts of situations can develop. In building areas, for instance, employees move from one employer to another. The Minister may say that the law provides that the employer shall insure his employees, but that is not always the case. There have been situations where people are not insured. What encumbrance does this cause anyone? It is no imposition, no penalty, and no added cost. The Minister is being adamant, but for no reason. I have never known an employer to complain about it, and I have raised this matter with them since it was raised with me. It is no trouble to carry

it out. The employer needs only a notice saying that workers compensation cover is provided, and I do not know why the Minister will not accept that.

Good sense has prevailed in the other place, and I believe the amendment is right and proper. I do not know how many Government members supported this or whether it was supported only by the Labor Party and the Democrats. If the other place, in its wisdom, decided to insert this provision, why should we be worried about that? It is nothing of great moment, and it simply compels the employer to notify his employees that they are covered for compensation.

Mr McRAE: I can think of a very good reason why the Minister would not agree. There are shonky employers and shonky insurance companies, who would be embarrassed if this had to be displayed in the light of day. We all know that the Liberal Party, in Government, normally deals in secrecy and in dark places, but on a matter of conscience such as this I would have expected a slightly different stance. We do not need a cockroach approach. Surely we can just advise that an acceptable policy has been taken out with a reputable insurance company; that is the end of the matter, and the notice is put on the board. We have all had enough of this idiocy of sitting 15 hours a day. It is disgraceful to see how this Government is conducting its business. However, it reminds me—

The Hon. D. C. Brown: You wasted day after day up there.

Mr McRAE: The Minister considers that his colleagues in the other place are wasting time, and he should get them into line.

The CHAIRMAN: Order! The honourable member will speak to the amendment.

Mr McRAE: I will do that. I was grossly and rudely interrupted. In the 1950s and 1960s we required that awards and other notices should be displayed. The Minister of Industrial Affairs and the Minister of Education are laughing and gesticulating, and it is sad that such a serious Bill should be reduced to the level of such childish behaviour. In the 1960s we demanded that industrial awards be affixed to walls of factories and building sites. The most awful concatenations occurred. Unlike the member for Salisbury, I cannot refer to them as apocalyptic revelations, but simple revelations occurred to me years later that the only reason for these gyrations was that, if something is put up on the wall, someone can learn from it what award he is under, what classification, and what is his rate of pay, what is his overtime rate, and so on. I would suggest that the only reason why those who pay the Liberal Party's bills object to this is that, by putting up such a notice, an opportunity is provided for search and scrutiny. We know that this is a Government of secrecy, and I am glad to support what the other place has done. In saying that, however, I am not giving any credence at all to the existence of the Upper House.

Mr PLUNKETT: I oppose the Minister's attitude towards the displaying of the name of an insurance company, because I have known of instances where an employer has not insured workers, and, after a certain time during which workers have had trouble obtaining money, they have found that a company has gone bankrupt, despite the fact that there is a law which provides that a employer must cover his employees. There are plenty of employers throughout South Australia who do not have their workers covered. I cannot see any reason for the Minister's protecting any employer from displaying such a notice. I hope the Minister can tell me why he has objections in this respect. I can assure the Minister that such a course of action is against workers and not against employers; it is a protection for an employer and for some shoddy insurance companies. That is the only answer that there could be, and it would be typical of the Minister.

Motion carried.

Amendment No. 24:

The Hon. D. C. BROWN: I move:

That the Legislative Council's amendment No. 24 be agreed to.

This matter concerns the case of brucellosis or leptospirosis, which amendment I think was moved by the Deputy Leader of the Opposition. The Government said that it would consider the matter and, again, proving that I am a completely reasonable and impartial Minister, I have accepted this reasonable amendment.

The Hon. J. D. WRIGHT: The Minister gave an assurance when amendments were originally moved by me and the member for Playford that he would examine this situation: the Minister has done that and he has cut our original proposition in half.

The present position now seems to be that the doctor will have the authority to determine without a blood test whether or not a particular person could be suffering from one of the brucellosis diseases. Previously, there had to be a blood test and an examination. I do not know how this will work out in practice, because I have not had an opportunity to talk to the Secretary of the A.M.I.U. about it. However, I would have hoped that the Minister would see his way clear, as a result of medical advice or whatever advice he may have received, to provide for what the original amendment intended.

As was explained in the first instance, there is a discrimination between white collar workers and blue collar workers working in an abattoir. I am not quite sure, but I think from the way it has been explained to me that that discrimination will still exist, and that situation that concerned the Opposition will not be overcome. I suppose we must be thankful for small mercies; the Opposition cannot do anything more about the matter in this place, as we cannot in any circumstances refuse to accept the amendments from the Legislative Council. The Legislative Council's amendment in this matter is a step forward, but it does not go quite as far as the Opposition would have liked it to go.

Mr McRAE: I think this is a disgrace. I want to recount the history of this matter, but first I want to place on record the fact that of the 10 people who are in the Chamber five are asleep.

The CHAIRMAN: Order! There is nothing in this amendment under consideration in relation to the comments that the honourable member has made, and I do not really think he is assisting the debate by continuing to carry on with matters that are completely unrelated to the Legislative Council's amendments. I do not want to bring this matter to the attention of the honourable member again. The Chair has been most tolerant.

Mr Lewis: *el Foldo Cactorum* is not mentioned here.

The CHAIRMAN: Order! The member for Mallee's assistance is not required.

Mr McRAE: Mr Chairman, you would well know from your own electorate the situation of people who do not suffer from brucellosis, leptospirosis or Q fever, but who suffer from diseases of a similar nature, diseases that are caused by employment in or about an abattoir or meat works through the handling of meat, hide, skins, or carcasses, and so would everyone else be aware of this. I am sick of this hypocrisy.

I am certainly not going to defy your ruling, Sir, since I consider that you have given me more than a fair go. Nor, as the Deputy Leader reminds me, is the Opposition in a position to change the matter. We are in a loser's position; we are in a no-gain situation, but just be it on the consciences of every Government member and be it on the conscience

of the Minister. I assure him that I shall be sending out to his electoral office those persons resident in the area of Pooraka, which is within my electorate, who are suffering grossly at the moment. The realities are that people working at Samcor are suffering grievously, and their families are suffering grievously. I would not mind if it was just a mad aberration of Terry McRae that he thought that the amendment ought to read somewhat differently, but that is not the case at all. My views are backed up by medical practitioner after medical practitioner, including medical practitioners who have spoken to the Minister himself and who have been told to push off—to simply push off because it is inconvenient.

The Hon. D. C. Brown: Rubbish!

Mr McRAE: It is not rubbish at all.

The Hon. D. C. Brown: Who has spoken to me and been told to push off?

Mr McRAE: I am not going to mention the name because you will blackmail the fellow. The Minister would know who has spoken to him.

The Hon. D. C. Brown: I don't.

Mr McRAE: The Minister well knows that a medical practitioner with some knowledge in this area spoke to him and confirmed to him exactly what I have said and that he was told to push off. Because the medical practitioner was not as tough and rough as the Minister he was told to push off. When the Labor Party is back in office I shall damn well see to it that justice is done for these people which will apply retrospectively. If it is not done retrospectively I will resign my seat, I can assure members of that. That is how seriously I feel about this whole matter. Recently two men have come to my office, one of whom is 85 per cent incapacitated; he is a man who is just rotting away, but the Minister's attitude towards a wellknown medical practitioner who was helpful and supportive was to tell him to push off, and because that medical practitioner did not have the guts or because the Minister was tougher than he was in the circumstances, nothing will be done.

We are in a no-bargain situation at the moment because this is a slight limp forward along a very stony road. There is no way that I am going to depart from what my Deputy Leader said. My God, on our regaining office unless I get justice for these people there is going to be plenty of trouble, and I give an assurance that I am going to demand from my colleagues not simply justice in future but justice retrospectively, because this Minister is being a hypocrite and a fool in the way he is carrying on.

I can only complete my remarks by saying that I am amazed that any person who has ever seen a victim of an exotic, an endemic disease (whatever you like to call it) or an animal disease, will know that these poor people waste away. Again, I see these snivelling Ministers drooling and laughing at me. Have they seen the results of this? Again, this fool of a Minister—

The CHAIRMAN: Order! The Chair has been most tolerant to the honourable member for Playford, and for the last time, I ask him to relate his remarks to the particular amendment without going into personal criticism which is quite unrelated and unnecessary. I do not intend to speak to the honourable member again.

Mr McRAE: I have absorbed all those remarks. I am simply going to end my remarks by saying that I will keep my word to my constituents, but I hope that the Minister might just carefully rethink his position.

Motion carried.

The following reason for disagreement to the Legislative Council's amendments Nos. 3, 9 to 12 and 23 was adopted:

Because the amendments destroy the purpose of the Bill.

[Sitting suspended from 2.10 to 3.30 a.m.]

LICENSING ACT AMENDMENT BILL

The Legislative Council intimated that it had disagreed to the House of Assembly's amendment.

Consideration in Committee.

Mr BECKER: I move:

That this House do not further insist on its amendment but make the following amendment to clause 8:

Page 2, lines 21 to 46—

Page 3, lines 1 to 10—

Leave out all words in these lines and substitute

'by inserting after subsection (5) the following subsection:'

This means that, if my motion is agreed to, clause 8 would then read as follows:

Section 19 of the principal Act is amended—

and we go down to new subsection (6), which states:

Upon the hearing of an application for the grant, renewal or transfer or removal of a full publican's licence, the court may attach such conditions to the licence as it thinks fit.

I must make very clear what I am endeavouring to do. For moral and other reasons presented during the debate, I am opposed to Sunday trading, so I have deleted the Sunday trading provision of clause 8 but retained new subsection (6). Doing so gives the court the power to impose conditions on a full publicans licence—

Mr Evans: And to renew them.

Mr BECKER: To renew them, and whatever. This is explained in new subsection (6). I consider it vital to the court, if we are to be certain of noise control in relation to discos, and so on. To make the matter clear, I want to give the Committee two chances: the Committee can have the choice of considering the whole of clause 8 as now reinstated by the other place; or, if other members, like I am, are opposed to Sunday trading, then we retain new subsection (6).

The Hon. JENNIFER ADAMSON: I move:

That all words after 'amendment' first occurring be left out.

This is a procedural amendment, following on the heels of the amendment moved by the member for Hanson, which will enable the Committee to do two things: first, to reconsider the issue of Sunday tourist trading on the limited basis as outlined in clause 8 of the original Bill; secondly, having considered that issue, and having either rejected it or accepted it, to consider the inclusion of that vital new subsection (6) inserted by clause 8 which was eliminated from the Bill when this place rejected the whole of clause 8 earlier in the debate. If my amendment is agreed to, there will be no need to consider the amendment moved by the member for Hanson which relates only to new subsection (6), because the whole clause will be reinstated.

What I am doing is a purely procedural matter that has been outlined to the leading speaker for the Opposition. I have been assured that it must be put in this fashion, otherwise it will not be possible for the two matters to be considered which I believe this place would want to consider, namely, the question of the inclusion of new subsection (6) and the reconsideration of the question of clause 8 in relation to limited Sunday trading. It is not possible for my amendment to be put first because, if it were lost, there would be no possibility of having a second opportunity to consider the inclusion of new subsection (6).

That is why the member for Hanson has moved his amendment and why I am moving to amend his amendment in order to enable the Committee to consider the two issues separately. I make quite clear to the Committee that there is no attempt on anyone's part to mislead anyone; on the contrary, I am attempting to enable the Committee to reconsider two matters separately, the first being the issue of limited Sunday trading. I urge the Committee to reconsider that issue. I believe that, when the vote was taken

earlier, those members who voted for the amendment moved by the member for Hartley and who were voting on a matter of principle, namely, a wish to see full optional Sunday trading, would not have wanted the final outcome, which is to maintain the *status quo*.

In other words, it is not even an attempt to introduce Sunday trading for whatever purpose, be it the tourist trade or whatever. I believe that some members at least would want to have an opportunity to investigate a further view in light of the Legislative Council's insistence upon clause 8 being in the Bill and as I believe that it is extremely important that South Australia establishes its position as a tourist State. I think that consideration of this matter, that is, the limited Sunday trading in tourist hotels, is an issue that is part of the overall question of the tourism policy of the State, and that it needs to be considered in that light. I stress again that the procedural motions are being moved to enable the Committee to reconsider the two matters separately so that members will be able to exercise their conscience vote on the question of limited Sunday tourism trading, and also to consider the inclusion of clause 8 (6), which has nothing whatever to do with Sunday trading for tourist hotels but which is essential if the intention is to enable a court to put conditions on a full publican's licence, and those conditions, of course, can relate to noise control if such a provision is to be included in the Bill.

There being a disturbance in the Strangers' Gallery:

The CHAIRMAN: Order! I will have the gallery cleared if there are any more interjections from the gallery.

The Hon. JENNIFER ADAMSON: I stress again that I believe that it is important that the Committee reconsider this question of Sunday trading. I think that the Government's move in inserting this limited tourist trading provision in the Bill is to be commended. I genuinely believe that the majority of the members of this Parliament would want to see this initiative take place, and I commend it to the Committee.

Mr McRAE: I move:

That progress be reported and that the Committee have leave to sit again.

I do so very strongly indeed. First, I believe that for the last 4½ hours manipulations and negotiations have been going on between the Minister, who advises that various members of the Liberal Party both in this House and in another place, and it is disastrous that—

The CHAIRMAN: Order! The honourable member has moved his motion. It is not particularly a subject for debate, and therefore I will put the question.

Mr McRAE: I am sorry, Sir. With regard to a point of procedure (I realise that you are always fair to me on these matters and that perhaps I was a bit rugged in my lead-off), I would like to explain why—

The CHAIRMAN: Order! The honourable member has actually moved a motion.

There being a disturbance in the Strangers' Gallery:

The CHAIRMAN: Order!

Mr McRAE: The situation confronting people at the moment is that at a quarter to four in the morning I am asked to deal with two complex procedural motions. I know full well, as does every member of the House, and I want to have it placed on record, that there have been—

The CHAIRMAN: Order! The honourable member did move that progress be reported; I suggest that he should just foreshadow that that is what he is going to do.

Mr McRAE: I am sorry, Sir. I rise to foreshadow that I will move a certain motion, and I thank you, Sir, very much for your guidance. I am very disturbed about the whole course of this debate. What has occurred is this: the Minister and the Government of which she is a member was caught short. As has happened so often in the past, the Liberal Party is so happy to talk about a so-called conscience vote, whereas in fact it has a blocked vote and it is a very brave member who crosses the floor without getting permission of the Premier, the Acting Premier, or whomever.

Mr BECKER: On a point of order, Mr Chairman, I ask what this has to do with the motion before the Committee. If the honourable member is seeking information that the Minister is prepared to provide, that is all right, but I want to know in what regard the honourable member's statements have to do with the matter now before the Committee.

The CHAIRMAN: Order! The member for Playford must link his remarks to the matter before the Chair. He is not permitted to enter into a general wide-ranging debate on subjects that are not related to the matter before the Chair.

Mr McRAE: I understand that I must link my remarks with my foreshadowed motion that I will move in due course, that is, that the Committee report progress.

The CHAIRMAN: Order! The honourable member must link up his remarks to the particular matters before the Chair which concern the amendment moved by the member for Hanson and the matter that the Minister intends to move.

Mr McRAE: If that is the case, I am only too pleased to oblige. Let me now make quite clear to members of the House that, unlike the members of the Liberal Party, I will not be drawn across the gun barrel and told what my conscience is going to be in relation to a matter. On a conscience matter, I will vote in the way that I see fit. I do not need any guidance from the Acting Premier, the Minister, my Leader, or anyone else: I will do it my own way. If I am not constrained by these rules, (and that is no reflection on you, Sir), I will go by the letter of the law. I refer to Bill No. 157 and the member for Hanson's amendment.

Mr Becker: No, it is a motion.

Mr McRAE: After considering clause 8 and the honourable member's amendment, I will say immediately (and let me get this quite clear in the *Hansard* record) that I accuse the member for Hanson of acting in concert with the Minister, other members of the Ministry and departmental advisers in trying to set up a situation—

Mr Mathwin: You can't reflect.

Mr McRAE: I will be heard out and will not be told by anyone on either side of the House to sit down unless it is by the Chairman. I accuse that honourable member of setting up a situation in which the member for Hartley's amendment is going to be throttled in the full knowledge that that member has not got a pair and was not advised of any of these events concerning our debating this matter at 10 minutes to four in the morning.

It is ludicrous and a scandal for the tourist industry and the public. I do not care about the member for Mitcham, but I do care about the honourable member for Hartley, who, I know, has spent a lot of time on this. I do care about the honourable member for Unley; neither of them have been consulted about this, and this is just an ambush. I am not going to be caught in that situation. I accuse the member for Hanson and his Parliamentary colleagues on the other side of the House of having got together to work out a very sly deal.

The CHAIRMAN: Order! I do not think it is necessary for the honourable member to carry on in that fashion; those comments are not required. I ask him to relate his remarks to the motion moved by the member for Hanson.

Mr McRAE: I retract the word 'sly' and insert the word 'cunning', if I may. They have got together to work out a very cunning deal under which they would undercut what the honourable member for Hartley and other honourable members were trying to do. It is supposed to be a conscience vote, and they all know this. They have grins across their

faces. All but three members of the Liberal Party have been caught into a very cunning buy. I am not going to be any part of that at all. I make quite clear that nothing short of full Sunday trading will satisfy me. It will not satisfy me until we have the whole lot and we have the industrial conditions sorted out. I am sure that that is the view of the honourable member for Hartley; I am sure that is the view of the honourable member for Unley; and I am equally sure that it has been put on at now eight minutes to four so that they will lose their pairs and can be robbed of their votes. That is absolutely disgusting. That is really driving low into the gutter; in fact, one would have to crawl up to the gutter once one reached that stage.

The CHAIRMAN: Order!

Mr McRAE: Again, I accept your rebuff, but I am made most angry by this, because the Government well knows that it parodies this cry of a conscience vote, well knowing that it has hog-tied all but three of its members into a block vote and that it is determined to get its own will. It may be determined to get its own will and it may be that persons in this House who have a different view will lose the day, but I will place on record for the protection of the member for Hartley that he had no idea whatsoever that this matter was going to be brought on at 10 minutes to four—

The CHAIRMAN: Order! I must point out to the honourable member that repetition is out of order.

Mr McRAE: I wish to point out that he had no idea that this matter was going to be brought on at six minutes to four. I also wish to place on record that the member for Unley had no idea that this matter was going to be brought on at six minutes to four. As for the honourable member for Florey, I have no idea what his vote would be, but I find the whole business totally abhorrent. Having got all that on record, I will go on to what is the real substance of the deal. I think your instructions to me, Mr Chairman, were that I should limit myself in the first place to the amendment moved by the member for Hanson. Let me say that I do not resile—

The CHAIRMAN: Order! The motion and the Minister's amendment are before the Chair.

Mr McRAE: The Minister's amendment was the original Government position. Let me place on record in relation to both those issues my understanding that, when the member for Hartley, the former Premier of this State, left the House tonight in the belief that the matter would not be brought on at five minutes to four the following morning, he would have opposed both; also that, when the member for Unley (the former Speaker of the House) left the House yesterday in the belief that the matter would not be brought on at five minutes to four the next morning, he would have opposed both. In fact, I oppose both. I find the whole attitude of the Government quite disgusting. I know, and every member of the House knows, what has been going on. There has been consistent lobbying backwards and forwards. It has been so transparent in the corridors of this House. There has been secret meetings between the honourable lady here and her counterpart elsewhere. Departmental officers have been wheeling and dealing in the corridors—

Mr BECKER: I rise on a point of order. With the greatest respect to the member for Playford (I accept the points that he has raised), I believe that it is contrary to Standing Orders to reflect on the staff who advise the Minister.

The CHAIRMAN: I cannot uphold the point of order, but I suggest to the honourable member for Playford that he relate his comments to the motion and the Minister's amendment.

Mr McRAE: Again, I accept your guidance, Sir, and want to make quite clear that, in referring to members of the staff, I accept that they are and always must be bound to the Ministerial rule. Well may the Minister look shamefaced with this disgusting display at this disgracefully early hour of the morning. I know, as every member of the House knows, that it is another con job on this House. I propose to divide on my motion. All members are so tired; I last slept at 7 o'clock—I think today is Wednesday—

The CHAIRMAN: Order! I do not think there is anything in the motion or the amendment about when the honourable member slept. I suggest he speak to his motion.

Mr McRAE: I want to move my amendment. I think after I moved my amendment that you, Sir, ruled that I could not say anything. I would like to say before moving my amendment that it is 23 hours since I last slept. I think it is disgraceful that I should have to debate the matter under these circumstances. I move:

That progress be reported and that the Committee have leave to sit again.

The Committee divided on the motion:

Ayes (16)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Crafter, Duncan, Hemmings, Hopgood, Keneally, McRae (teller), Payne, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (20)—Mrs Adamson (teller), Messrs Allison, P. B. Arnold, Becker, Blacker, D. C. Brown, Eastick, Evans, Glazbrook, Goldsworthy, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Wilson, and Wotton.

Pairs—Ayes—Messrs Corcoran, Hamilton, Langley, and O'Neill. Noes—Messrs Ashenden, Billard, Chapman, and Tonkin.

Majority of 4 for the Noes.

Motion thus negatived.

The Hon. JENNIFER ADAMSON: I want to make clear to the Committee that, in moving my amendment to the motion of the member for Hanson, I am trying to ensure that the normal Parliamentary process in dealing with a Bill that has been back to the Upper House and returned to the House of Assembly is dealt with in the most efficient way possible. My amendment, in effect, means that we are no longer insisting on the removal of clause 8 from the Bill.

I want to make clear to every member of the Committee that, if my amendment is lost, we will proceed to the motion moved by the member for Hanson, which enables a vital part of the Bill to be included, namely, subclause (6) of clause 8 of the original Bill, relating to conditions of licensing. Again, I stress in asking the Committee to support my amendment that, by including the whole of clause 8, we will enable limited tourist trading on a Sunday, and we will also enable the inclusion of subclause (6), which is important. I urge support for the amendment, because I believe that it certainly improves the Bill. I also believe that it will enable an initiative in relation to limited tourist trading on a Sunday, which will be of substantial benefit to the South Australian tourist industry.

Mr SLATER: I support the motion of the member for Hanson, because I see the need and I understand that the Licensing Court should be able to attach conditions to a licence for the renewal, transfer or removal of a full publican's licence by the court. I am not enthusiastic, and I have made the point many times during the debate, about the limited tourist hotel licence on a Sunday, and I do not believe that I need to rehash the arguments, because the matters were discussed for a number of hours this morning. I do not propose to support the Minister's amendment. The Minister is actually recommitting the proposal that was rejected earlier in this place.

Mr LYNN ARNOLD: Late yesterday evening, the Minister suggested that certain positions being taken by members of the Opposition represented convoluted thinking. I suggest

the way in which this matter is being approached now is certainly very convoluted. Perhaps Standing Orders require that to be the case, but very often we have to adopt procedures in this House to achieve a certain objective. I remind the House that Opposition members earlier this evening were doing precisely that.

Indeed, I take this opportunity to disabuse the House of the impression that I believe was created by the Minister earlier, when she attempted to suggest that I was abstaining from one aspect of the vote (which, I might add, was picked up by the *Advertiser* report, implying that I was abstaining from voting against Sunday trading). I repeat unequivocably that I am opposed to that concept, and I will vote against it. My motive earlier in the day was to enable the motion moved by the member for Hartley to become a substantive motion, thus bringing into focus the Sunday trading issue and removing the smoke screen of the tourist facility issue so that, when the House voted, it could vote on that issue, rather than hiding behind some obscure smoke screen related to tourism. My abstention was purely related to that gesture to try to get the issue before the House. It may have been convoluted, but no more convoluted than what is occurring now. Like the member for Gilles, I am inclined to support the amendment moved by the member for Hanson and to oppose the Minister's amendment.

Mr McRAE: I am not clear and I will not vote on this matter, Liberal or Labor directed (I have not been directed by one Party or the other), until I get this clear. The amendment moved by the member for Hanson, literally read, was to take out lines 21 to 46 on page 2 and then on page 3 to take out lines 1 to 10. Does that mean that there is then open slather? I have to ask you to rule on this matter of procedure, Mr Chairman. I am trying to find out the honourable member's intention. Is it that the court will then have open slather to decide trading hours willy-nilly?

Mr Becker: No.

Mr McRAE: I am hearing 'Yes' and 'No' from all around the Chamber, and I will ignore all of them. The Labor Party has a conscience vote, and I am standing up for that principle. We have had it since the foundation of our Party but I have not seen much evidence of it from the Liberal Party. I am calling for your protection, Mr Chairman, and asking what precisely is the intention of the motion. What is the state of the law to be if the motion moved by the member for Hanson were to be carried? Is it that the court could determine an undetermined number of hours on any day of the week, Sunday or whatever?

Mr BECKER: I appreciate the difficulty that the member for Playford may be experiencing. I tried to make my explanation as clear as I could, because it is not an easy matter. One must have the Bill before one, for a start. My motion is to retain new subsection (6) of section 19, as in the original Bill, which simply states:

> Upon the hearing of an application for the grant, renewal, transfer or removal of a full publican's licence the court may attach such conditions to the licence as it thinks fit.

The court cannot deal with hours because Sunday trading is not in the Bill and will not be in the Act. The court, in dealing with an application for the grant, renewal, transfer or removal of a full publican's licence is to deal with the conditions. The point that concerns me most is noise, so noise control could be incorporated. If a disco is being conducted at a hotel, and residences surround the hotel, such as in an Al residential area, which is the case near the two hotels in my district, and if the residents or a church complain about the noise from the disco, when that hotel comes up for licence renewal, conditions could be imposed relating to noise. It has nothing to do with hours, because morally I am opposed to Sunday trading.

Mr McRAE: I thank the honourable member for his explanation. I suspect that more than half the members in the Chamber did not have a clue as to what he was moving until I had to go through all that fuss to get it out. Having understood, I accept it as fair and reasonable. Now I ask for your guidance, Mr Chairman, on whether we are dealing simply with the amendment moved by the member for Hanson.

At 4.15 a.m., I am happy to turn my attention to the Minister's amendment, which is to insist upon her previous stance to put back what was not there before. I point out that it is by subterfuge that at this hour we are now holding a ballot carefully worked out by the Minister and the Deputy Premier so that the numbers may change, but consciences do not change. I will not let down the member for Hartley or the member for Unley. If they are to be swindled in their absence, so be members' consciences. The Minister will remember that the public has the circumstances of this debate on record. I would be sorry to sit down and not have one Liberal Party member support me, because Liberal Party members must know what has been going on in this Chamber.

The Committee divided on the amendment:

Ayes (19)—Mrs Adamson (teller), Messrs Allison, P. B. Arnold, Ashenden, D. C. Brown, Duncan, Eastick, Evans, Glazbrook, Goldsworthy, Lewis, Olsen, Oswald, Randall, Rodda, Schmidt, Wilson, Wotton, and Wright.

Noes (18)—Messrs Abbott, L. M. F. Arnold, Bannon, Becker, Blacker, M. J. Brown, Crafter, Hemmings, Hopgood, Kenneally, Mathwin, McRae (teller), Payne, Plunkett, Russack, Slater, Trainer, and Whitten.

Majority of 1 for the Ayes.

Amendment carried; motion as amended carried.

WORKERS COMPENSATION ACT AMENDMENT BILL (1982)

The Legislative Council intimated that it did not insist on its amendments Nos. 3, 9, 12, and 23 to which the House of Assembly had disagreed, but that it insisted on its amendments Nos. 10 and 11 to which the House of Assembly had disagreed.

Consideration in Committee.

The Hon. D. C. BROWN: I move:

That the House of Assembly do not insist on its disagreement to the Legislative Council's amendments Nos. 10 and 11.

Motion carried.

ADJOURNMENT

At 4.38 a.m. the House adjourned until Tuesday 1 June at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 6 April 1982

QUESTIONS ON NOTICE

POLICE COMMISSIONER

367. **The Hon. PETER DUNCAN** (on notice) asked the Chief Secretary:

1. Is the Police Commissioner to retire prematurely within the next few months and, if so, why?

2. Has the Minister or any person in the Government proposed that the Police Commissioner should be retired and then appointed as the Chief Executive Officer of the New Police Institute to be established in Adelaide and, if so, why?

The Hon. J. W. OLSEN: Mr L. Draper has recently retired as Commissioner of Police. The decision to retire was solely that of the Commissioner.

VISITING TRADESMEN SCHEME

374. **MR LANGLEY** (on notice) asked the Minister of Works:

1. How many local government councils or districts were notified of the visiting tradesmen scheme?

2. How many members of Parliament were notified of the scheme?

3. How was the money spent?

4. What amount has been allocated to each body and in which electorate was each project carried out?

5. What is the procedure for applying for this assistance and what is the criteria used for assessing eligibility?

6. Have any sporting clubs been helped since the advent of this scheme?

The Hon. D. C. BROWN: The replies are as follows:

1. and 2. The visiting tradesmen scheme was based on the concept that cash grants from Government to outside organisations may be reduced by offering the organisations the use of surplus P.B.D. workers or to substitute possible new grants with such manpower assistance. No local government councils or districts were formally notified; however, several may have heard about the scheme in discussion with individual Ministers when discussing possible grants.

3. On the employment of P.B.D. labour and, in some cases, the provision of materials.

4. Funds actually granted are as follows:

	$
Adelaide	
Multiple Sclerosis Society—Paving	4 362
Girl Guides Association	3 826
Adelaide Repertory Theatre—Upgrading	19 543
Alexandra	
Girl Guides Association—Douglas Scrub	18 506
Davenport	
Old Burnside Council Chambers—Renovations	36 227
Fisher	
Hawthorndene Kindergarten Inc.—Painting	1 104
Glenelg	
Townsend House—Playground Equipment	17 486
Henley Beach	
Charles Sturt Memorial Museum—Various repairs	2 482
Kavel	
Scout Association of Australia—Woodhouse—Tractor shed	14 313
Queen Victoria Jubilee Park—Williamstown—Extend pavilion	66 847
Mawson	
Sheidow and Trott Parks—Childhood Services Centres—Develop grounds	4 112
Mitcham	
Bedford Industries—Landscaping and drainage (Total funds approved $10 000)	919
National Trust—Mitcham—Cottage homes—Fencing	6 887
Murray	
Mt Barker Boys and Girls Club—Toilets and painting	4 292
Norwood	
Tubercular Soldiers Aid Society—Repairs and painting	4 614
Ross Smith	
Lutheran Welfare Centre—Enfield—Extension	20 893
Epilepsy Association of S.A.—Upgrading	5 780
Torrens	
Festival of Food and Wine Frolic Inc.	6 038
Walkerville Y.M.C.A.—Extension	13 420

5. Applications outlining the nature and extent of the project for which assistance is required are made to the Minister of Public Works. Organisations applying for this assistance must be non-government community-based organisations. Preference will be given to organisations which already receive Government assistance and where the provision of labour will partly or wholly offset this assistance. Projects will be carried out only if sufficient and suitable P.B.D. labour is available. Materials and trade contracts will be paid for only where hardship has been demonstrated.

6. The Barossa District Football Club Inc. has benefited from the extension of the pavilion at Williamstown Park. It may be pointed out that the football club is a joint beneficiary with the Williamstown Park Committee Inc. I understand that all discussions on the project were held with the representative of the Williamstown Park Committee.

S.T.A. SURVEY

394. **Mr HAMILTON** (on notice) asked the Minister of Transport: Has the State Transport Authority considered conducting an image and attitudinal survey amongst the public in metropolitan Adelaide to determine the needs of the travelling public and their views on the image of the S.T.A. as a whole and, if so, when, and, if not, will the Minister inititate such a survey in the near future?

The Hon. M. M. WILSON: The Department of Transport has conducted several studies over the past years which involve attitude toward public transport and the image of the service. Over the past 12 months, the department has carried out an investigation of marketing aspects in public transport. Nonetheless, it remains the case that the needs of the travelling public are best determined by origin-destination studies rather than image and attitudinal studies. The State Transport Authority conducts studies to determine the needs of users when designing proposed changes to the public transport system in local areas.

CARAVAN PARKS

449. **Mr HAMILTON** (on notice) asked the Minister of Health representing the Minister of Community Welfare:

1. What was the incidence of domestic violence, other forms of violence, alcoholism and other social issues in caravan parks for the past three years?

2. What inquiries into such issues have been conducted and by whom during the last three years and, if any, what are the titles of the reports and what major issues have been highlighted or exposed and if no inquiries have been conducted, will the Minister instigate them and, if not, why not?

The Hon. JENNIFER ADAMSON: The replies are as follows:

1. Statistical data collected by the Police Department do not identify offences to the extent described in the question.

2. No information is available regarding any studies undertaken into the issues raised nor, from the police point of view, have the problems experienced in caravan parks been highlighted to an extent which would warrant any special inquiries being instigated.

HOSPITAL BAD DEBTS

456. **Mr HAMILTON** (on notice) asked the Minister of Health:

1. What were the amounts of money outstanding for bad debts in each Government hospital at 30 June 1980 and 1981?

2. What were the reasons for these bad debts?

The Hon. JENNIFER ADAMSON: The replies are as follows:

1 *(a)* Total moneys outstanding at major Government hospitals as at 30 June 1980 and the total amounts remitted or written off as bad debts during the 1979-80 financial year were as follows:

Government Hospital	Total Moneys Outstanding $	Total Amounts Remitted or Written off as Bad Debts $
R.A.H.	3 468 859	43 134
Q.E.H.	1 779 900	60 566
F.M.C.	1 400 523	163 723
Modbury	436 381	21 811
Mount Gambier	175 357	4 610
Port Augusta	107 255	10 158
Port Lincoln	39 348	552
Port Pirie	134 742	793
Wallaroo	23 176	1 017
Whyalla	308 085	2 129

(b) Total moneys outstanding at major Government hospitals as at 30 June 1981 and the total amounts remitted or written off as bad debts during the 1980-81 financial year were as follows:

Government Hospital	Total Moneys Outstanding $	Total Amounts Remitted or Written off as Bad Debts $
R.A.H.	3 836 964	49 999
Q.E.H.	1 513 300	194 117
F.M.C.	1 395 602	91 429
Modbury	425 643	20 777
Mount Gambier	302 492	1 860
Port Augusta	103 196	—
Port Lincoln	39 376	1 096
Port Pirie	140 652	4 178
Wallaroo	19 760	1 760
Whyalla	281 299	10 726

2. In general, hospital records do not distinguish between amounts remitted and amounts written off as bad debts. Some country hospitals (e.g. Whyalla, Wallaroo and Pt Lincoln Hospitals) also include the 20 per cent bulk-billing discount offered to S.G.I.C. for settlement of claims within 60 days in this category. Nevertheless, the main reasons given for bad debts in the 1979-80 and 1980-81 financial years related to:

- the difficulties involved in tracing patients (e.g. wrong or false addresses given, use of services by overseas or interstate residents, etc.);
- the costs involved in pursuing relatively small accounts;
- the introduction of computer billing systems at several hospitals (e.g. this accounts for the relatively low amount of write-offs and remissions at the Queen Elizabeth Hospital during the 1979-80 financial year); and
- improvements in internal auditing procedures (e.g. at Whyalla Hospital during the 1980-81 financial year).

FIRES

475. **Mr CRAFTER** (on notice) asked the Chief Secretary:

1. How many reported fires were there in each of the years 1977 to 1981?

2. How many were caused by arson or believed to be deliberately lit for each of these years?

3. How many successful prosecutions have resulted from such fires?

The Hon. J. W. OLSEN: The replies are as follows:

1.

Period	Fires Reported
1976-1977	3 117
1977-1978	3 438
1978-1979	3 984
1979-1980	3 793
1980-1981	4 015
Total	18 347

2.

Period	Arson/Malicious
1976-1977	1 090
1977-1978	1 203
1978-1979	1 394
1979-1980	1 327
1980-1981	1 405
Total	6 419

3. 63.

TAPLEYS HILL ROAD

481. **Mr TRAINER** (on notice) asked the Minister of Transport: What decision has been made regarding the widening of Tapleys Hill Road in the Glenelg North area and, if none has been made, when will a decision be reached and how and when will it be communicated to residents, particularly those located on the eastern side of Tapleys Hill Road?

The Hon. M. M. WILSON: No decision has been taken on the possible widening of Tapleys Hill Road between the River Sturt and Anzac Highway. It is expected that the scheme finally adopted will be announced in approximately three months time after all liaison exercises and approvals are completed. Highways Department officers will maintain liaison with those residents whose properties will be affected by the widening proposal, as adopted.

BUILDING EXTENSIONS

482. **Mr TRAINER** (on notice) asked the Minister of Transport: Are residents living on the eastern side of Tapleys Hill Road required to seek approval for building extensions from the Highways Department instead of the Glenelg council and, if so, why?

The Hon. M. M. WILSON: Under the provisions of the Metropolitan Adelaide Road Widening Plan Act, 1972, as amended, the consent of the Commissioner of Highways is required to any building work proposed within 8.14 m of the existing road boundary of those properties on the eastern side of Tapleys Hill Road between Russell Street and the River Sturt. This distance is currently under review, and a decision as to whether it should be amended is expected in about three months time.

When, as in this case, there is a possibility that widening of an arterial road will be necessary at some future date, it is in the interests both of the Government, which may eventually have to acquire a widening strip, and of the owners of abutting property which may be affected, that the effect of any such acquistion on new or altered buildings be considered before their erection or alteration is proceeded with; the purpose of the Metropolitan Adelaide Road Widening Plan Act is to ensure that this consideration is given, and that no work proceeds which might result in an inordinately increased cost of acquisition, or which would be so affected by such acquisition as to result in severe disruption to the property and hardship to the owner. Whether or not consent is given will depend in each case on the nature and cost of the proposed building work and the period likely to elapse before any acquisition for road widening is necessary.

The consent of the Commissioner of Highways is in addition to any approval required from the Corporation of the City of Glenelg and not in lieu thereof.

TAXI METERS

489. **Mr HAMILTON** (on notice) asked the Minister of Transport:

1. When does the Government intend to introduce legislation for 'multi-hiring' taxi meters?

2. What types of 'multi-hiring' meters have been or are being investigated?

3. What recommendations have been made as to the type of unit to be installed and, if any, what is the approximate cost of such a unit, what is the cost of installation and what is the maximum number of persons able to use the meter on a proportional basis?

The Hon. M. M. WILSON: The replies are as follows:

1. The concept of 'multi-hiring' taxi meters is under investigation and the results of interstate experiments in this mode are awaited. Careful consideration is imperative to ensure that the public and the taxi industry benefit from such a proposal if it is to be implemented.

2. In 1981 the Schmidt multi-tariff electronic meter was evaluated. At that time it was the only meter capable of recording multi-hiring tariffs in the open-ended mode. Since then however the Novacs 80 and the new generation Martin meters have been programmed to carry out the same function. These are currently under investigtion. It is expected that soon almost all well-known electronic taxi-cab meters will be capable of the same function.

3. No recommendation has been made with respect to any one meter. Since most, if not all, of the new generation electronic meters will be capable of the multi-hiring function, it would be unlikely that the Metropolitan Taxi-Cab Board would demand that a particular brand of meter be installed. The approximate cost including fitting of the three current multi-hiring meters is $550. Meter technology allows for virtually unlimited calculation in the multi-hiring mode. In respect to taxi-cabs however which carry no more than 7 persons (not including the driver) the meters could be calibrated for up to that number of persons on a proportional basis.

SCHOOL VANDALISM

492. **Mr HAMILTON** (on notice) asked the Minister of Education: How many schools have been broken into and/or vandalised since 1 July 1981, what are the names of the schools and the amount of damage to each?

The Hon. H. ALLISON: This information is not readily available and the amount of time that would be involved in obtaining it cannot be justified. However, Education Department officers are currently investigating a system to collect data concerned with illegal entry, theft, vandalism and arson, but such a system is not likely to be in operation until later this year. As I reported in this House last year, building repairs resulting from vandalism are the responsibility of the Public Buildings Department and repairs are attended to following liaison between schools and the department's regionally based District Building Offices.

OFFENDERS AID AND REHABILITATION SERVICE

509. **Mr MILLHOUSE** (on notice) asked the Chief Secretary:

1. How much money has the Government given in each of the last three financial years to the Offenders Aid and Rehabilitation Service?

2. How much is expected to be given to it in this financial year?

3. For what purposes has such money been given and what inquiry, if any, does the Government make to ensure that the money is used for such purposes?

4. Is the Government satisfied that such money has been used for such purposes and, if not, what action, if any, has it taken?

The Hon. J. W. OLSEN: The replies are as follows:

1. 1978-79—133 120
   1979-80—153 212
   1980-81—177 472.
2. $226 747.
3. To aid the association in its activities, especially in the area of welfare and rehabilitation of prisoners following their release from prison. All grant expenditures are required to be provided each year.
4. Yes.

ILLEGAL BETTING

513. **Mr SLATER** (on notice) asked the Chief Secretary: How many prosecutions have been undertaken for illegal betting following the amendments to the Lottery and Gaming Act which came into effect in 1981?

The Hon. J. W. OLSEN: 93 apprehensions, but not necessarily prosecutions, were reported in the 12 months ended 31 December 1981.

ALGERIAN VISIT

519. **Mr LYNN ARNOLD** (on notice) asked the Minister of Agriculture: Did the Minister authorise a Mr Bob Hogarth to contact the Department of Foreign Affairs concerning a visit to Algeria by the Hon. B. A. Chatterton in April 1981 and, if so, what was the purpose of the communication and, if the Minister did not authorise it, who did and for what purpose?

The Hon. W. E. CHAPMAN: During my visit to Algeria and Tunisia, my Director-General and I received inquiries from Government officers who sought to clarify the correct status of the Chattertons. On my return I authorised officers of the department to discuss with the Department of Foreign Affairs the Chattertons visit to Algeria in 1981. Those officers were specifically authorised to discuss the Chattertons proposed further visit to the Ksar Chellala project, which is managed under my authority. Such discussions on management and operations, which include visits, are a normal part of our liaison with Foreign Affairs and the Department of Trade and Resources.

TUNISIAN VISIT

520. **Mr LYNN ARNOLD** (on notice) asked the Minister of Agriculture: Did the Minister or his officers write to or telex the Tunisian Ministry of Agriculture concerning the visit to that country of a member of the State Opposition in March, April or May 1981 and, if so, what was the context and purpose of the communication and what was the reply?

The Hon. W. E. CHAPMAN: The replies are as follows:

1. Yes, I forwarded a letter by telex to the Tunisian Minister of Agriculture.
2. To clarify the status of a visiting member of the Opposition and his wife, following inquiries from Government officials of Tunisia.
3. There was no reply required or received.

PARALOWIE CHILDRENS CENTRE

528. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education:

1. What is the present enrolment at the Paralowie Children's Centre, what staff does it have, what programmes does it run, how much time per week can it offer to each child in those programmes and what are the age requirements the centre applies in each case?
2. Is the Minister aware of the centre's submission for extra staff to assist with its growing numbers and, if so, has a decision been made and, if not, when can it be expected?

The Hon. H. ALLISON: The replies are as follows:

1. The present enrolment at the Paralowie Children's Centre is 48 three-year-olds and 82 four-year-olds. Staff to cater for the four-year-olds is one full-time director, one full-time teacher, one full-time aide. Staff to cater for a 3½-year-old programme is two teachers and one aide at five hours per week each for a total of 15 professional staff hours for 26 enrollees. The centre runs a full programme for four-year-old children offering each four-year-old child four sessions per week. Time for the 3½-year-old programme is offered for each child in accordance with the centre staff's professional judgment of individual needs and staff availability. Age requirements for the four-year-old programme are that the child be at least four years of age to be eligible to receive one full year of pre-school prior to normal commencement into year one.

Age requirements for the 3½-year-old programme are that the child be 3½-4 years of age, allowing enrolled children to commence a pre-school service 1½ years prior to normal enrolment into year one. Other extended services, beyond the two programmes cited, may be offered depending on staff availability and facility capacity, e.g. playgroups, parent groups.

2. Yes. In the March 1982 rationalisation review it was agreed that an allocation of one-half additional aide position should be placed at the Paralowie Children's Centre commencing term II, May 1982, as funds are available from the March 1982 rationalisation.

ANGAS HOME

529. **Mr LYNN ARNOLD** (on notice) asked the Minister of Environment and Planning, representing the Minister of Housing: Regarding the Angas Home, Parafield Gardens, and its purchase by the South Australian Housing Trust, what arrangements were made to permit exemption from the stricture at the time the property was vested with the trustees in 1899 that the property be used 'as a "home for aged and infirm deaf mutes" for all time'?

The Hon. D. C. WOTTON: The matter concerning the Angas Home, Parafield Gardens, was discussed with Mr Fraser, of the South Australian Deaf Society Inc. He advised that, in the 1890s, the land and buildings of the Angas Home were a gift from Mr J. H. Angas to be used for the accommodation and training of deaf mutes who, in those times, were unemployable. About 10 to 15 years ago the complex went into decline and ceased to function adequately for its intended purpose.

The S.A. Deaf Society twice approached the Angas family and the court, on the first occasion to sell off some surplus land and, on the second, to dispose of the remaining land and buildings. Both times the permission of the Angas family and the court was given for disposal of the interests, and the moneys received to be used at the unfettered discretion of the society. The society is using the funds for the provision of living units at its property at 262 South Terrace, Adelaide.

SALISBURY ELECTORAL ROLL

531. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education, representing the Attorney-General: How many additions have there been to the electoral roll in the House of Assembly district of Salisbury in each month since September 1979?

The Hon. H. ALLISON:

HOUSE OF ASSEMBLY DISTRICT OF SALISBURY

Additions each month since September 1979

Month	Names Added	Names Deleted	Net Change
October 1979	381	182	+199
November 1979	295	177	+118
December 1979	214	111	+103
January 1980	204	105	+ 99

February 1980	396	244	+152
March 1980	258	851	−593
April 1980	141	70	+ 71
May 1980	61	90	− 29
June 1980	216	136	+ 80
July 1980	232	160	+ 72
August 1980	244	167	+ 77
September 1980	901	519	+382
October 1980	503	80	+423
November 1980	202	204	− 2
December 1980	260	133	+127
January 1981	72	65	+ 7
February 1981	198	110	+ 88
March 1981	112	102	+ 10
April 1981	181	580	−399
May 1981	360	183	+177
June 1981	255	137	+118
July 1981	317	472	−155
August 1981	176	110	+ 66
September 1981	167	87	+ 80
October 1981	192	114	+ 78
November 1981	126	105	+ 21
December 1981	134	95	+ 39
January 1982	170	355	−185
February 1982	61	35	+ 26
	7 029	5 779	+1 250

KEEVES INQUIRY

535. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education:

1. What was the cost to the Government of the Keeves Committee of Inquiry into Education?

2. How was that amount made up in terms of salaries, publication costs and ancillary costs?

The Hon. H. ALLISON: The replies are as follows:

1. The breakdown of total expenditure on the Committee of Enquiry into Education in South Australia (Dr J. P. Keeves—Chairman) incurred over the 1980-81 and 1981-82 financial years is as follows:

	$
(a) Payments in the nature of salaries—comprising Secretariat salaries ($105 201) and members fees ($56 657)	161 858
(b) Publication costs	25 702
(c) Ancillary costs	15 170
Total Expenditure	$202 730

2. Against that expenditure can be applied the income derived from sales to the public of the two reports produced by the committee, estimated at $10 800 for the first report and $18 480 for the second report. Thus, the net cost to the Government of the operations of the Keeves committee is estimated to stand at $173 450

ABORIGINAL EDUCATION

539. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education:

1. Is the Minister aware of recommendation No. 17 of the World Council of Churches Report on Aborigines which suggests 'that State and Federal Governments involve Aborigines more fully in the formulation and implementation of policies on Aboriginal education'?

2. What is the present situation in this regard in South Australia and are any changes proposed as a result of or incidental to the W.C.C. Report?

The Hon. H. ALLISON: The replies are as follows:

1. Yes.

2. The present situation is that consultation takes place at many levels in Aboriginal education as illustrated by:

(i) the State Aboriginal Education Consultative Committee;

(ii) town-based Aboriginal Education Groups in places such as Port Lincoln, Port Augusta and Ceduna;

(iii) schools councils in Aboriginal schools;

(iv) panel representation for the selection of Aboriginal education workers and appointments to key positions, including principal of schools.

This is ongoing and developmental and no particular changes are envisaged in South Australia. I should add that South Australia is recognised as a leader in the field of Aboriginal education. Most of the recommendations in the education section of the World Council of Churches Report are based on things that are actually happening in South Australia and which the council would wish other States to emulate.

540. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education:

1. Is the Minister aware of recommendation No. 18 of the World Council of Churches Report on Aborigines which suggests 'that State Governments involve Aborigines in curriculum formation and introduce Aboriginal culture and languages into school curricula'?

2. What is the present situation in this regard in South Australia and are any changes proposed as a result of or incidental to the W.C.C. Report?

The Hon. H. ALLISON: The replies are as follows:

1. Yes.

2. There is a wide degree of involvement of Aborigines at all levels of curriculum formation. There is representation on:

(i) the State Aboriginal Studies Curriculum Committee;

(ii) sub-committees which vet teaching materials and advise on those which should be rejected because they contain material which could be regarded as culturally offensive or secret;

(iii) local committees which produce and print magazines and booklets concerning Aboriginal lifestyle;

(iv) the Aboriginal Schools Curriculum Committee, which develops curriculum material especially for children in these schools.

Several South Australian Aboriginal schools conduct bilingual education programmes and Aboriginal languages are taught in several schools. No changes are proposed as a result of the World Council of Churches Report.

541. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education:

1. Is the Minister aware of recommendation No. 19 of the World Council of Churches Report on Aborigines which suggests 'that State Departments of Education develop curricula that more adequately prepare children for life in a multi-cultural society. Departments of Education should seek to eliminate all racist bias in the interpretation of history and to encourage greater understanding of the culture of the Aboriginal people. Positive steps need to be taken to create a climate of awareness of the need for racial justice and mutual acceptance'?

2. What is the present situation in this regard in South Australia and are any changes proposed as a result of or incidental to the W.C.C. Report?

The Hon. H. ALLISON: The replies are as follows:

1. Yes.

2. The Education Department has undertaken the following in regard to Aborigines:

(i) formed a committee which closely examined children's literature and text books and has published a report to guide teachers in selection of school materials;

(ii) has involved Aboriginal people in the writing stages of new courses (especially social studies) to ensure sensitive treatment of all aspects of Aboriginality, as well as in development of specialised Aboriginal topics;

(iii) arranged for Aboriginal membership of the Multicultural Education Committee.

542. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education:

1. Is the Minister aware of recommendation No. 20 of the World Council of Churches Report on Aborigines which suggests 'that State and Federal Governments adequately fund Aboriginal initiated schools and programmes for the teaching of Aboriginal culture and tradition'?

2. What is the present situation in this regard in South Australia and are any changes proposed as a result of or incidental to the W.C.C. Report?

The Hon. H. ALLISON: The replies are as follows:

1. Yes.

2. State and Federal Governments jointly fund Aboriginal initiated programmes in South Australia. There are no Aboriginal initiated schools in South Australia.

ACTING COMPANY

544. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education:

1. What programmes has the Acting Company presented to schools in each year since its formation?

2. Is the Education Department presently considering providing the Acting Company with financial assistance in order that it can continue to work in schools and, if so, what forms of assistance are being considered?

The Hon. H. ALLISON: The replies are as follows:

1. Productions presented to schools by the Acting Company.

1980

- *The City of Unley Show*—which was presented for the Unley community, but was also available for schools.
- *Smile Smile Smile*—for both schools and general public.
- *Caucasian Chalk Circle*—for both schools and general public.
- *Macbeth*—workshop for schools only.
- *Sir Gawain and the Green Knight*—for both schools and general public.

1981

- *Sir Gawain and the Green Knight*—a return season for both general public and schools.
- *I Wanted to Draw the Mind the Other Day*—for schools only.
- *Smile Smile Smile*—repeat season for schools only.
- *Hamlet*—workshop, for schools only.
- *The Rags of Time*—for schools only.
- *Macbeth*—for both schools and general public.
- *Space Movers*—for primary schools.

1982

- *Space Movers*—a repeat season for schools only.
- *What the World Needs*—for schools only.
- *It's Absurd*—still in rehearsal, for schools only.

2. The Education Department currently provides the Acting Company with free accommodation. No financial assistance is being considered.

HOSPITAL LEVY

546. **Mr LYNN ARNOLD** (on notice) asked the Minister of Environment and Planning representing the Minister of Local Government: Which local government bodies have since the last State election made an adjustment to their rate as a result of the abolition of the hospital levy for community hospitals and how great was the effect on the rate in each case?

The Hon. D. C. WOTTON: This information is not readily available and would require an inquiry of every council in the State. No rates have been reduced to the knowledge of the Minister of Local Government. Following the abolition of the levy, councils have either redistributed the former commitment and thus held down the general increase in rates, or have redirected the former levy expenditure for other health-related activities. For example, the Salisbury council has put aside the levy money and redirected it into health-related activities, introducing amongst other things a $10 000 community health grant fund to assist local health activity.

LOCAL GOVERNMENT BORROWINGS

547. **Mr LYNN ARNOLD** (on notice) asked the Minister of Environment and Planning representing the Minister of Local Government: Which local government bodies in the last financial year borrowed their full entitlement according to Loan Council limits?

The Hon. D. C. WOTTON: Under the 1980-81 'larger authorities' borrowing programme (which relates to semi- and local government bodies borrowing more than $1 200 000), the Corporation of the City of Enfield and the Corporation of the City of Salisbury borrowed $2 200 000 and $1 700 000, respectively. Although Loan Council approves the aggregate borrowing programme of 'larger' authorities, the State Government determines the allocations of individual bodies in that category. The borrowing limit of $1 200 000 applicable to authorities not included in the 'larger' category was set and is reviewed from time to time by Loan Council. The Corporation of the City of Woodville was the only council to borrow the maximum amount of $1 200 000 in 1980-81.

MANU HIGH SCHOOL

550. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education: Is the school known as Manu High School registered under the requirements of legislation and, if so, when was it registered and what specification was provided by the school concerning its operations at the time of registration?

The Hon. H. ALLISON: Manu High School applied to the Non-Government Schools Registration Board for registration as a non-government school on 26 October 1981. The board, before registering a school, must be satisfied that:

(a) the nature and content of the instruction offered or to be offered at the school is satisfactory; and

(b) the school provides adequate protection for the safety, health and welfare of its students.

The board determined that the school should be visited before making any decision concerning registration. The school was visited on 5 November 1981 by a panel of persons approved by the Minister of Education to report to the board on the adequacy of the educational programme and the adequacy of the facilities. The board considered the report of the panel at a full meeting on 20 November

1981. In accordance with the provisions of the Education Act, 1972-81, Division II, Part 72g (4) and (5), the board decided to register Manu High School for a period of 12 months conditional upon the school achieving its estimated level of enrolments of 20 students by 1 July 1982. On the day of the visit the enrolments were 5 students. As at 26 February 1982 the enrolments had reached 39 students. The board will arrange for a panel of approved persons to visit the school during 1982 and on the basis of the panel's report a further decision with respect to registration will be made.

PORT WAKEFIELD ROAD

559. **Mr LYNN ARNOLD** (on notice) asked the Minister of Transport: Will the Minister consider stopping access to Port Wakefield Road, Bolivar, from Walpole Road in order to prevent:

(a) the serious dust hazard to residents on that road generated by the considerable volume of through-traffic using it; and

(b) the hazard to main-stream traffic on Port Wakefield Road from traffic entering and crossing that road from Walpole Road,

and, if not, why not, and what alternative resolution of the problems does the Minister propose?

The Hon. M. M. WILSON: The replies are as follows:

(a) Walpole Road is under the care, control and management of the corporation of Salisbury, which is the appropriate body to deal with the complaint raised by the honourable member.

(b) An examination of accident records for the junction of Walpole and Port Wakefield Roads does not indicate that this location is unduly hazardous. The Highways Department has no current proposal to stop access from Walpole Road to the Port Wakefield Road, but will keep the location under review.

FURTHER EDUCATION DEPARTMENT

567. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education:

1. How much money has been provided in this financial year by the Commonwealth Government for staff development in the Department of Further Education?

2. How many staff development officers are employed in the department and where are they located?

3. Has all the money allocated by the Commonwealth for this purpose been spent on staff development and, if not, what is the shortfall and on what has that been spent and why?

The Hon H. ALLISON: The replies are as follows:

1. $512 462 was provided from Commonwealth sources for staff development purposes in the Department of TAFE for the current financial year.

2. During this financial year there have been 11 professional officers deployed for staff development purposes in the Department of TAFE. All staff development officers are currently located at the Training and Development Centre (46 Greenhill Road, Wayville). These officers, however, spend significant amounts of time working in TAFE colleges, offering staff development activities and working on staff development projects with college staff. In 1981, the equivalent of two full-time staff development officers were deployed in colleges, assisting the principals with in-house staff development programmes. It is anticipated that an additional staff development officer will be appointed shortly, bringing the number of staff development officers to 12.

3. During the present financial year, the Commonwealth provided staff development funds will be fully acquitted in staff development programmes; no shortfall is anticipated.