

HOUSE OF ASSEMBLY

Thursday 17 March 1983

The **SPEAKER (Hon. T.M. McRae)** took the Chair at 2 p.m. and read prayers.

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Dog Fence Act Amendment,
Executors Company's Act Amendment,
Government Financing Authority,
Licensing Act Amendment (No. 3),
Mining Act Amendment,
Pay-roll Tax Act Amendment (No. 2),
Planning Act Amendment,
Racing Act Amendment (No. 2),
Savings Bank of South Australia Act Amendment,
South Australia Jubilee 150 Board,
Stamp Duties Act Amendment (No. 3).

QUESTIONS

The **SPEAKER**: In the absence of the Minister of Mines and Energy, questions relating to that portfolio will be taken by the Premier.

OMBUDSMAN

Mr OLSEN: Did the Premier or the Ombudsman make the initial approach that led to discussions on the Ombudsman's future? In reply to a question yesterday, the Premier clearly confirmed that he had discussed with the Ombudsman (Mr Bakewell) his future employment, thereby increasing speculation that the Government was considering the appointment of a new Ombudsman.

The **Hon. J.C. BANNON**: I thought that I dealt with the matter adequately yesterday. On coming into office, I had discussions with some officers occupying senior posts in Government, including the Ombudsman, as to how they saw their future role, and I was briefed on what was happening in various areas. Such discussions were quite proper and, despite the speculation fuelled on the matter, there is nothing further to report on them.

HEALTH INSURANCE LEVY

Mr MAX BROWN: Will the Chief Secretary, representing the Minister of Health, say whether the Government intends to impose a levy on health insurance funds similar to the levy now operating in New South Wales and Victoria? If the Government does not so intend, what action will it take to ensure that South Australian health services do not suffer as a result of the failings of the 'user pays' scheme introduced by the previous Federal Government? Has the Minister seen a major story in the *Whyalla News* of 14 March headed, 'Health plan could cost double here', and claiming that Whyalla residents may be forced to pay twice for the same hospital service if proposals from the Minister of Health are implemented? As the basis of this report appears to be totally false, will the Chief Secretary, on behalf of his colleague, assure the House, the people of Whyalla and all South Australians that the allegation that country people may have to pay twice for the same hospital service is spurious?

The **Hon. G.F. KENEALLY**: As the member for Whyalla was good enough to tell my colleague that he would ask this question, the Minister of Health has provided me with a reply. True, the Government intended, if the Commonwealth Government had continued its refusal to acknowledge the collapse of the 'user pays' scheme, to join with New South Wales and Victoria in levying health insurance funds. However, in the light of the change of Government in Canberra, the Government does not intend to follow that course of action. The disintegration of the Fraser Government's 'user pays' scheme has had a drastic impact on these funds. Briefly, so many Australians either refused to join health insurance funds, or simply could not afford to, that the actual return to the States from hospital charges will be dramatically lower than the projected revenue figure. In South Australia we are facing an enormous short-fall with one estimate that it will be as high as \$20 000 000.

The Minister of Health is deeply concerned about the effects of this short-fall and he will be pressing South Australia's case with the new Federal Minister for Health (Dr Blewett) as soon as is practicable. He will be pointing to the problems that must be overcome between now and the introduction of Medicare in January 1984.

I have seen the *Whyalla News* report to which the honourable member for Whyalla referred. It is a prime example of a newspaper beat-up and it is wrong in every detail. It is nonsense to suggest that Whyalla residents, or any other South Australians, would have been forced to pay twice for one hospital service if we had imposed a levy on health insurance funds. It appears to be a popular misconception that the levy would have been an extra burden on patients. Quite simply, Mr Speaker, the levy would have been paid by the health insurance funds and the Government would have waived out-patient charges for patients with hospital insurance. Patients would not have been affected at all.

Far from adding to the burdens of the patient, the levy would have meant savings in administration both by the hospitals and the funds and it would have accelerated the revenue inflow for the hospital system. For some reason the *Whyalla News* was advising its readers of what might happen because of the 'likelihood of a Federal Government change' nine days after the election had been held. It was equally out of touch on the supposed 'double' payment by Whyalla residents if a levy system was introduced.

It is quite true that South Australians in country areas cannot obtain the same services as are available to persons who attend a metropolitan teaching hospital. This is because doctors in country areas simply refuse to participate in any scheme which would give them sessional payments rather than the present system of collecting a fee for service or modified fee for service from patients. They maintained that refusal despite approaches from the previous Minister of Health in the Tonkin Government. All I can say is that the people of South Australia and, particularly country people, are fortunate that they will have the benefit of a universal health scheme next year.

OMBUDSMAN

The **Hon. E.R. GOLDSWORTHY**: My question is to the Premier and is supplementary to that asked by the Leader of the Opposition. Now that the Premier has confirmed that he approached the Ombudsman regarding his position, will he say when these discussions on the Ombudsman's future employment began, and whether they are still continuing?

The **Hon. J.C. BANNON**: I would have thought that the Opposition had more respect for the officers of the Public Service with whom they were working until only a few

months ago than to pursue this sort of nonsense. I have said already all that is necessary and have no further comment to make. The appropriate announcements will be made when they are to be made, and I do not think that anything will be gained by fuelling this sort of speculation.

Mr Olsen interjecting:

The Hon. J.C. BANNON: Yes, obviously the speculation will be kept alive by the Opposition. If it believes that this is a matter of fundamental importance to the State in the current situation of economic stringency, major sackings, retrenchments, the decay of our manufacturing industry, of major disasters through bush fire and flood, if it really think this is what we are all about in this Parliament, then heaven help it and the State.

QUEST TOURS

Mr WHITTEN: Will the Minister of Transport provide information concerning the operation of Quest Tours, a charter bus company operating from South Australia? A report on the *60 Minutes* programme on television on Sunday has caused great fears amongst members of the public relating to the safety of the charter bus companies operating out of South Australia.

The Hon. R.K. ABBOTT: I thank the member for Price for his question. There has been quite a good deal of concern over the segment that was shown on television and my transport officers have had many inquiries in relation to it. I am concerned that the *60 Minutes* television report on the weekend has caused unwarranted fears in the minds of members of the public. The report implies that conditions that applied to the bus industry at the time of the tragic Cooma and Hay accidents still exist. In this and on several other matters the item was incorrect and sought to be sensational and alarmist.

In particular, the programme has caused needless concern to people regarding the operations of Quest Tours, a charter bus company operating from South Australia. Since the Hay accident a new vehicle inspection station has been commissioned and has been operating successfully. New mandatory maintenance schedules are being introduced for bus operators whose vehicles will be subject to annual inspections as well as spot checks at any time. These procedures replace the present six-monthly inspection of buses. The present system to monitor bus roadworthiness is considered satisfactory and will be further improved by these additional procedures.

Although the present proprietors of Quest Tours took over the company just prior to the Hay accident, their operations since then have been quite acceptable. The Division of Road Safety and Motor Transport in my department is quite satisfied with the operation and maintenance of the company and the programme that it instituted to upgrade and replace equipment from that time. The operations of Quest Tours and all other bus companies have been monitored closely since those accidents several years ago. I think that my predecessor will appreciate the legislation which he introduced into this House and which was supported by the then Opposition to take care of the situation. The public should be reassured that Quest Tours is a good and responsible bus company.

OMBUDSMAN

Mr OLSEN: As the Premier has now confirmed that he is still discussing with the Ombudsman the question of the Ombudsman's future, will the Premier ask the Ombudsman to delegate all of his powers until these discussions have

been completed? In pursuing this matter, I make it clear to the House that I do not in any way reflect on the integrity of the Ombudsman or his ability to undertake the duties of his office.

An honourable member: You could have fooled me!

The SPEAKER: Order!

Mr OLSEN: It would not take very much to fool the honourable member. However, I believe that the situation which the Premier's answers this afternoon have revealed amounts to a clear breach of the principles which apply to the powers and functioning of the Ombudsman's office—and he does not even understand it. Those principles were clearly defined by the former Attorney-General and present Chief Justice (Mr King)—

The Hon. J. C. Bannon: Why don't you move a motion? Let's have a debate.

The SPEAKER: Order! The Premier will come to order. There are two matters which concern me. The first is a minor one, in a way. People debate their explanations regularly around here and I do not do terribly much about it; that might be my fault. Certainly, on this occasion I ask the honourable Leader to cease debating and to give his explanation. The other matter that is giving me some concern is the position of the Ombudsman under the legislation, and I would ask the Leader of the Opposition to couch his words very carefully, bearing in mind both those admonitions.

Mr OLSEN: I want to indicate clearly in my explanation the reason for the question in relation to the principles by which the Ombudsman is employed, I refer to *Hansard*, as follows:

The primary consideration is to ensure that the Ombudsman is completely independent of the Government in office at any time. Exactly the same consideration should apply to him as applies to a judge.

They are the words of the then Attorney-General (now Chief Justice King) in establishing the legislation. Mr Bakewell has publicly endorsed this principle following discussions he had with Mr Justice King after his appointment as Ombudsman in 1980. I quote from his annual report to Parliament for the year ended 30 June 1981, as follows.

Shortly after taking up the position, I asked many people, including the Attorney-General and the Chief Justice, how they saw the role of the office. Without exception, all pointed to the importance of its independence, and that not only should it be away from the hurly-burly of Government administration, but that it should be seen to be isolated from it.

The Premier has revealed in reply to questions this afternoon that Mr Bakewell cannot be seen to be completely isolated from the 'hurly-burly of Government administration' (as he has put it), or 'completely independent of the Government in office at any time' (as the present Chief Justice has put it). The answers of the Premier indicate that the Ombudsman and the Government are having discussions about the Ombudsman's taking up duties in another area of administration, possibly not completely independent of the Government, and potentially one which the Ombudsman's office may be called upon to investigate.

The Hon. J.C. BANNON: This is quite pathetic. I have not clearly confirmed anything. I have neither confirmed nor denied anything along the lines that the Opposition has attempted to allege.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: I will comment on the matter of the independence of the Ombudsman. My Government is totally committed to that principle. We introduced the office of Ombudsman and introduced the Ombudsman's Act. We have behaved properly and correctly in relation to the Ombudsman during the course of our Administration and, indeed, will do so in the future, contrary to the attitude

of those opposite in cases in which the Ombudsman referred specifically to Ministerial interference in his role. In fact, one member of the Opposition front bench was involved in such activity. What absolute, arrant and outrageous hypocrisy. Let us hear no more of that nonsense from the Opposition. I repeat: the Ombudsman's is an important office, he reports to this Parliament, he is independent, and he will remain so.

MURRAY RIVER WATER

Mr KLUNDER: Will the Minister of Water Resources indicate the likely cost of pumping and the quantity of water pumped from the Murray River this financial year and say how the figures compare with the previous financial year? Secondly, will he indicate whether the recent rains have had any impact on the quantity of water being pumped from the Murray River?

The Hon. J.W. SLATER: The latest estimate of the cost of pumping this financial year from the Murray River to the metropolitan area of Adelaide is \$8 500 000. That amount is broken up into \$4 800 000 for the Mannum/Adelaide pipeline and \$3 700 000 for the Murray Bridge/Onkaparinga pipeline. If the costs of the two other major pipelines are included, that is, the Swan Reach/Stockwell and Morgan/Whyalla pipelines, the total approximate cost for this financial year will be \$12 000 000. That compares with a total of \$1 400 000 for 1981-82. In terms of volume of water pumped, the estimate for this current financial year is 184 000 megalitres for the metropolitan area (or 231 000 megalitres, if we include the two non-metropolitan lines). That compares with 34 000 megalitres and 59 000 megalitres respectively for 1981-82. Because of the severe drought, 90 per cent of the total metropolitan consumption this financial year will be from the Murray River. On average it is 35 per cent.

Turning to the second part of the question, the heavy rains of 3 and 4 March were not a factor in determining the quantity of water being pumped from the Murray River. As a result of the rain, natural inflow into the metropolitan reservoirs was just over 1 000 megalitres, or .5 per cent of the total reservoir capacity. I also add that, since that time, we have had further rains which have provided some small intake to metropolitan reservoirs. It is also helpful that the consumption over the last few weeks has dropped to half the average March consumption. I announced last month that pumping from the Murray River has been scaled down to 50 per cent of the rate we normally use in the summer. The present rate is keeping pace with consumption.

We have maintained reservoirs at a steady level of 46 per cent capacity and the holding in the country reservoirs is somewhat the same. The reason for reduced pumping is in anticipation of good winter rains filling the reservoirs. This avoids the situation of reservoirs overflowing and previously pumped Murray River water being wasted by flowing out to sea. I also indicate that the Engineering and Water Supply Department is monitoring the situation constantly.

If we get a dry winter again, pumping will be progressively adjusted to ensure that we have adequate storages at the beginning of next summer.

NO-CONFIDENCE MOTION: OMBUDSMAN'S INDEPENDENCE

Mr OLSEN (Leader of the Opposition): I move:
That Standing Orders be so far suspended as to allow me to move a motion without notice, that motion being:

That this House no longer has confidence in the Premier because his discussions with the Ombudsman have clearly breached the accepted principles that safeguard the independence of the office of the Ombudsman.

Members interjecting:

The SPEAKER: Order! I have counted the House and there is present a constitutional majority. I accept the motion. Is it seconded?

Honourable members: Yes.

Mr OLSEN: In seeking to suspend Standing Orders to move a motion of no confidence in the Premier, I must at the outset say that the gravity of the circumstances—

Members interjecting:

The SPEAKER: Order!

Mr OLSEN: The gravity of the circumstances surrounding the discussions between the Premier and the Ombudsman has been revealed during questions in this House today. Moving a motion of no confidence is not an action which I take lightly. The facts concerning the clandestine discussions between the Premier and the Ombudsman about the Ombudsman's employment future strike at the heart of the authority and the standing of this Parliament, and at the independence and impartiality of the important position of the Ombudsman.

Members interjecting:

The SPEAKER: Order!

The Hon. G.F. KENEALLY: On a point of order, Sir, I understand that the Leader of the Opposition has been given the right—

Members interjecting:

The SPEAKER: Order! The House will come to order.

The Hon. G.F. KENEALLY: I understand that the Leader of the Opposition has been given the right to explain to the House the reasons why we should suspend Standing Orders and allow the motion to go ahead. I understand that he is now debating that matter rather than the substantive motion before the House.

Members interjecting:

The SPEAKER: Order! I think that it would help if some of these discussions ceased. I do not have a copy of the motion in front of me but the Opposition Whip kindly gave it to me, and I can remember it pretty well. The Leader of the Opposition is perfectly in order to give the reasons. Up to date, as far as I can understand, and as far as I can hear over the din from various places in the House (and that din will not continue, I can assure honourable members), he has not transgressed Standing Orders. The honourable Leader of the Opposition.

Mr OLSEN: Thank you, Sir. The fundamental reason for seeking a suspension of Standing Orders is to safeguard the integrity of the Parliament and the Ombudsman. The Ombudsman is not an officer of the Government. He is not a public servant. He is an officer of the Parliament and, clearly, the answer to the first question today indicated that the Premier does not understand even that basic fundamental principle.

The Ombudsman reports not to the Government, but to the Parliament. The Ombudsman is appointed by the Governor and can be removed from that office only at the express wish of both Houses of this Parliament. This motion is in no way intended to criticise, attack or demean the position of the Ombudsman or the man currently holding that responsible office, Mr Bakewell.

I am seeking an opinion from this House, however, on whether or not it can any longer have confidence in a Premier who clearly holds quite improper negotiations with a man who must not only remain independent of political influence but also be seen to be independent of—

The Hon. G.F. KENEALLY: I rise on a point of order, Mr Speaker. The Leader has just accused the Premier of

having improper discussions with an officer of Parliament. I point out that at this stage he is seeking to have a debate on the matter rather than, as he is now doing, actually debating the matter.

The SPEAKER: My ruling on this is twofold. First, there is going to be complete silence and, if there is not, I do not care who it is, on either side of the House: the appropriate action will be taken. That is the first point I make. Secondly, I think in the last couple of moments the honourable Leader of the Opposition might have transgressed, although not too blatantly, but for the rest of his remarks I trust that he will stay well within Standing Orders.

Mr OLSEN: In moving for a suspension of Standing Orders to bring this motion before the House I would like to draw on the words of a former Attorney-General, now the Chief Justice. He said:

The primary consideration is to ensure that the Ombudsman is completely independent of the Government in office at any time. Exactly the same consideration should apply to him as applies to a judge—

namely, that he should be appointed for his working life and should be removable only by the redress of both Houses of Parliament—

The primary consideration is that the Ombudsman should not only be independent but clearly be seen to be independent of the Government of the day and the majority Party in Parliament at any time.

I stress the words 'independent of the Government at any time'. It is patently clear that, while negotiations between the Premier and the Ombudsman are being carried out in connection with a new Government appointment for that position, the position of Ombudsman cannot be independent of the Government and will not be seen as such by the public. I again quote the Chief Justice:

We dare not create the conditions that could lead to suspicions that the Ombudsman was not acting independently because he desired to secure the favour of a political Party, Government or the majority Party in the Parliament.

The SPEAKER: Order! I think the point has now been reached where the honourable Leader is clearly debating the matter as distinct from giving his reasons.

The Hon. J.D. Wright: Why are you carrying on?

The SPEAKER: Order!

Mr OLSEN: Thank you. In view of the fact that the Government has just indicated that it is prepared to accept the motion, I will not debate the motion for a suspension of Standing Orders but will proceed to elaborate when the substantive motion is before the Parliament.

The Hon. J.C. BANNON (Premier and Treasurer): This really is quite a pathetic performance by the Opposition.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: I will use a couple of my 10 minutes. It is absolutely unprecedented (and, indeed, on every occasion during the last three years the previous Government refused to allow the Opposition the right) to debate a no-confidence motion moved in these circumstances. The normal courtesies are to give notice of such a motion at about 12 o'clock so that the Government can consider whether or not it finds it acceptable, and in most cases it will. If this motion had come about in some kind of spontaneous activity by the Opposition, one could say that there is probably some reason for the Government to accept it. In fact, the motion was all typed and ready to go before the Leader came into Parliament. So this whole little farce has been organised to try to get the headline 'Government ducks debate on Ombudsman'.

Well, members opposite are not going to get that headline because I am happy to do something never done by my predecessor and to accept this debate. Let us dispose of this

ridiculous, trifling matter and hear the arguments on it. The Leader spoke for seven minutes on this motion and five minutes of that time was taken up on unnecessary matter. Let us hear the flimsy arguments from the Opposition and let us have the debate now.

The SPEAKER: Before I put the motion, may I say that the procedure used by me was, I think, sensible. However, as it departed from the procedure used over the last three years, I will consider the matter further and bring down a prepared statement next Tuesday.

Motion carried.

The Hon. J.D. WRIGHT (Minister of Labour) I move:

That the time for this debate to expire be no later than 3.15 p.m.

Motion carried.

Mr OLSEN (Leader of the Opposition): I move:

That this House no longer has confidence in the Premier because his discussions with the Ombudsman have clearly breached the accepted principles that safeguard the independence of the office of Ombudsman.

First, I shall respond to one or two points made by the Premier on the motion to allow the debate to proceed. It was the Premier, in response to a question, who issued the challenge to the Opposition to debate this matter this afternoon. He said, 'Let's have the motion.' Well, we are moving a motion, and I accept the challenge. That is why the motion is now before the House. I make no apology for having a well-oiled Opposition that knows where it is going, which is contrary to the performance of this Government since it has occupied the Treasury benches.

Members interjecting:

The SPEAKER: Order! This is not a competition as to who can shout the loudest and the longest.

Mr OLSEN: I regret that the House must debate this motion, but it is essential that it considers and endorses the motion, because the principles relating to the office of Ombudsman are as clear as they are important. The Ombudsman is an officer of Parliament and not a servant of the Government of the day. He reports annually to this House and to another place, and can do so more frequently if he desires. However, the attitude of the Premier on this matter demonstrates that he does not understand or wants to ignore completely the role of the Ombudsman and the right of this House and of the people of South Australia to be assured that the Ombudsman is not only independent of the Executive but is seen to be independent.

I recall the response of the Premier: he initiated the discussions with the Ombudsman. Those discussions are continuing as to placing the Ombudsman somewhere else in the Government service, whereas it is not the Premier's responsibility to initiate such discussions. True, the Premier can do so with public servants, but he cannot do so with the Ombudsman unless the Premier breaches the principles of the establishment of the office of Ombudsman by initiating discussions as to an alternative position for the Ombudsman (Mr Bakewell).

The Hon. B.C. Eastick: In his reply, the Premier suggested that the Ombudsman was a public servant.

Mr OLSEN: Yes, and that shows how out of touch he is with the basic and fundamental principles established by this Parliament and clearly defined by the present Chief Justice (Hon. Mr King) when he was Labor Attorney-General in this House. The office of Ombudsman was established as a result of legislation Mr King introduced in September 1972. Explaining the role of the Ombudsman on that occasion, Mr King said:

The function of the official is to protect the citizen against the suspected abuse of administrative power.

He then outlined reasons why the appointment of an Ombudsman was appropriate and necessary, and he stated:

Modern day public administration is so complex that it can be undertaken only with a substantial measure of delegation of power to subordinate authorities, including the power to determine issues between citizens and public authorities without, in a number of cases, the right of access to ordinary courts of law. This growth of executive power has resulted in the increasing impact of government on the lives of citizens with a concomitant increased possibility of abuse of administrative power, whether deliberate or otherwise.

The Premier should be in the House while this motion is being discussed, so that he can at least participate in the debate. However, he has left the Chamber: no doubt he has gone to get some advice from his advisers in the passage concerning how he should get out of this situation. Mr King further stated:

It has been found that the traditional legal remedies are in some cases inadequate to cope with the abuses of power that may flow from the growth of executive power, and the Ombudsman concept has, so far, proved to be one satisfactory solution.

The former Attorney-General was defining a most important role for the position, one that this Parliament, and the people who elect it, can be assured is being fully effective only if the Ombudsman functions completely independent of any influence from Government or political Parties. Although the legislation received bipartisan support, the question of the independence of the Ombudsman concerned some members, including the now Supreme Court colleague of Mr Justice King, namely, Mr Justice Millhouse. The member for Mitcham, as he then was, moved amendments to the legislation in an attempt to clarify the question of independence. In support of these amendments Mr Millhouse stated:

He should be a Parliamentary officer but he cannot be that unless Parliament has the final say.

He also said:

This is to be a non-Party appointment: it should be an appointment apart from politics.

Although he did not support the amendment, Mr King defined in detail the principles under which the office would, and must, function, as follows:

The primary consideration is to ensure that the Ombudsman is completely independent of Government office at any time.

Exactly the same thing applies to a judge. While Mr King was referring to an amendment moved by Mr Millhouse to limit the tenure of appointment of the Ombudsman to seven years, the principle that he was upholding applies equally to the present situation in which the Government is discussing with Mr Bakewell his employment future. Such discussions inevitably raise the question why the Government wishes Mr Bakewell to move to another position. What has the Government offered Mr Bakewell? Is the Government concerned that it may be embarrassed by the work of Mr Bakewell's office? The Premier is aware that public speculation about Mr Bakewell's position began on Monday with a front page story in the *Advertiser*. I really wish that the Premier, whom this motion concerns, would return to the Chamber to participate in the debate. However, he is absent with his advisers, trying to muster some sort of response to the motion.

I point out that the speculation that has arisen was rife long before last Monday, although I have refrained from commenting on it. The point now is that, while the Premier is prepared to confirm that the Ombudsman's future is under discussion, he is not prepared to dispel any of the speculation or explain to this House (which has a right to know, because the Ombudsman is an officer of this Parliament) which role the Government has in mind for the Ombudsman.

Mr Groom: Is this a prepared speech?

Mr OLSEN: In these circumstances, using copious notes, I point out that, because the Premier will not give answers to these questions, it is inevitable that concerns will be raised about the motives of the Government and the independence of the Ombudsman in regard to the present Government. There is no doubt about that. In saying this, I am making no reflection whatsoever on the integrity of Mr Bakewell or his ability to effectively perform the duties of Ombudsman. However, it is impossible for this Parliament and the public to be completely reassured that the office is functioning as it should be while these discussions are proceeding. I again quote Mr King:

We dare not create the conditions that could lead to suspicions that the Ombudsman was not acting independently because he desired to secure the favour of a particular Party, Government or the majority in Parliament.

These discussions between the Premier and Mr Bakewell could involve the salary, the conditions of employment or perhaps the contract of service which Mr Bakewell would receive in another position—in other words, favours from the Government in the sense that to take up a new position Mr Bakewell would receive certain benefits in terms of salary, status, and the like, other than those applying to the current position he holds.

If this is the case (and the Premier has done nothing to suggest that it is not), the office of the Ombudsman cannot be seen to be completely independent of the Government of the day while Mr Bakewell occupies that office at the same time as he is having discussions with the Government about his future. If the Government wants to continue discussions with Mr Bakewell about another position, then I believe it should take the course that I suggested in my question this afternoon—that is, ask him to delegate his powers until the matter is finalised. However, I believe that the better course could be for the Government to confirm Mr Bakewell in his present position and get rid of this nonsense.

The Attorney-General in another place said this week that Mr Bakewell has been a good Ombudsman, and I share that view, even though I freely admit that at times some of his public statements were critical of the former Government. Indeed, Mr King anticipated such an occurrence (and it does not matter which Party occupies the Treasury benches) in the following words:

Inevitably if he does his work well he will tread on corns. He must act fearlessly being willing not only to criticise public servants but also, if the occasion arises, to criticise Ministers and the Government.

No-one would deny that Mr Bakewell has acted fearlessly in the performance of his duties.

Mr Bakewell has occupied the office for less than three years. He has given no public indication that he desires to move, and in his last report tabled in this House last October suggested that he looked forward to learning more about the office. He said that he had had an eventful couple of years and that there was time for him to learn more about democracy as seen by many of the thousands of people who approached him with their problems. The Ombudsman has the same status as a judge. Would the Premier consider it proper to offer a Supreme Court justice another job in a Government department, and would he do it whilst those negotiations were taking place?

The Premier has exposed the Ombudsman's office to exactly the same position of compromise and conflict of interest because he has been discussing Mr Bakewell's future while

Mr Bakewell still holds an office of judicial status. Judges are traditionally appointed to their positions for the duration of their working life. Mr King said that this should also apply to the Ombudsman. Mr King also said:

It is essential that the Ombudsman be appointed for the duration of his working life.

For this reason, I believe that the Government should immediately confirm that Mr Bakewell will remain as Ombudsman. This would end the speculation that has been going on for some considerable time about this matter. Discussions have been going on for months; however, we have almost come to expect that of this inaction, no decisions, do nothing Government that gets locked into its consensus, compromise, discussions and meetings but does not make a decision and does not give any leadership or direction. That is the hallmark of this Government and it certainly follows through from the indications that the Premier gave to the House that he initiated the discussions with the Ombudsman and that they are still continuing. This Government has been in office for 4½ to five months and no conclusion has been reached about this matter.

At worst, the Premier has compromised the Ombudsman's position by negotiating with him about the possibility of taking a new post within the Government when the Ombudsman is required to be seen as completely independent of the Government. I believe that at best he has treated the office of the Ombudsman and this Parliament with scant respect. This has left the people of South Australia without a fully effective watchdog over the action and the behaviour of the Government and Public Service in the interim. The editorial in the *Advertiser* last Tuesday concluded:

It would be scandalous if he were seen to be removed from doing his job too well, perhaps to the discomfort of others.

Such comments do nothing to engender and maintain public respect for this essential office, and I do not blame the *Advertiser* for that comment. I blame the Premier for creating the circumstances in which such a comment is a perfectly logical conclusion because of the silence of the Premier and his indication to the House in answer to a question yesterday that it was none of the business of the House.

The Ombudsman is an officer of the Parliament and not an employee of the Government of the day. He is not a public servant but rather an officer of the Parliament. It is the business of the Parliament as to what is the future of that person, and that office. A ridiculous answer was given to a question yesterday which was clearly followed through today and which indicates that the Premier does not understand the fundamental principles of the employment of the Ombudsman. In the first annual report that Mr Bakewell presented to this House, he stated:

Shortly after taking up the position I asked many people, including the Attorney-General and the Chief Justice, how they saw the role of my office. Without exception all pointed to the importance of independence and that not only should it be away from the hurly-burly of Government administration but that it should be seen to be isolated from it.

I suggest that, far from Mr Bakewell being seen at present to be isolated from the 'hurly-burly of Government administration', he is, in fact, very much a part of discussions which may project him back to the centre of Government administration.

The Hon. J.C. Bannon: What is wrong with that?

Mr OLSEN: What is wrong with that? How can he therefore be seen to be independent at this time? For all this Parliament knows, Mr Bakewell may be having discussions with the Premier about a role in the department. The Premier just said, 'What would be wrong with that? Discussions are continuing.' The logical conclusion the Parliament can draw is that that is exactly where the discussions are going with Mr Bakewell that have been going on week after week, month after month. It is the same as offering the Chief Justice a position in a Government department whilst, at the same time, the Supreme Court is hearing a claim for damages against that department.

The SPEAKER: Order! I trust that the Leader will make it quite clear that there is no reflection at all on Mr Bakewell in what he has just said in the analogy that he has just given.

Mr OLSEN: I can assure you, Sir, that there is no reflection whatsoever. Far from upholding the independence of the Ombudsman's role, the Premier is seriously compromising it by negotiating with Mr Bakewell while Mr Bakewell retains all his powers. The Premier has been incompetent in his management of the Public Service. One has only to ask some of the public servants around town to find that that is the case. He has allowed senior Public Service positions to become the subject of front-page newspaper speculation and has done nothing to dispel that speculation. He is damaging morale in the Public Service. In the case of the Ombudsman it is damaging public confidence in the effectiveness and independence of that office. The Premier has personally created this situation. None of his Ministers seems to know anything about it and, for that reason, he must resign.

The Hon. J.C. Bannon (Premier and Treasurer): We have an Opposition bereft of ideas struggling to find questions or matters to debate, staggering into Parliament with a little preconceived plot to ask one or two probing questions about speculation on moves within the Public Service and moves involving the Ombudsman.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. Bannon: Then, interestingly, a motion of no-confidence is moved out of the blue. The Opposition sat back and expected the normal thing to happen: the Government would refuse it and then the Opposition would beetle outside and say, 'Shock, horror, the Government will not face up to Parliament on this issue!' That spontaneous feeling, based around the heinous answers given by the former Premier, resulted in the Leader's neatly typing out a motion in large printed letters. He must have a typewriter under the desk so that he can work away. It is a preconceived motion.

Members interjecting:

The Hon. J.C. Bannon: Unfortunately for the Leader, we were prepared to hear his case and to allow the matter to go on. I am not suggesting that this will happen in all instances—it is most unprecedented. However, such was the trivial nature of this nonsense that I thought it better to get it out of the system of the Opposition so that it could concentrate on some of the more important and responsible areas of its constitutional role. If Opposition members want to forgo their questions (and I am sure that there are hundreds of hard-hitting, biting questions to be asked by all the shadow Ministers assembled), then that is bad luck. They cannot do it today.

I will deal with this question on two levels. I will first deal with the statutory position of the Ombudsman and this Government's attitude to it. I repeat, as I said earlier, that the position of Ombudsman was, in fact, the result of legislation introduced by a previous Labor Administration. It did not exist in this State before that happening. The principles of independence, surveillance, and recourse for alleged administrative malfeasance, or whatever, were all laid down by a previous Government. We are firmly wedded to those principles.

The pronouncements of Mr Justice King (with which in most respects I agree strongly) have been cited. He was the Attorney-General who steered this legislation through the Parliament, so there is no question of our Party's commitment to this office. We created it: we made it statutorily independent at the time that we were in Government. It

did not exist before. What happened when the present Government came to power?

An honourable member: Tell me.

The Hon. J.C. BANNON: I will tell the honourable member. A vacancy occurred in the position of Ombudsman—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: A vacancy occurred in the position of Ombudsman about the time that the Government decided to dispense with the economic development services of probably the leading expert in this State in the matter—a man with widespread contacts throughout the world, a member of the Commonwealth Economic Secretariat, of the World Bank Advisory Panel and a man involved in most of the economic development policy and planning of this State. He was head of the Department of Economic Development when the previous Government took over. Unceremoniously, he was sacked. He was asked to relinquish his position in a number of areas by that Government. The Commonwealth Economic Secretariat made a special request to the then Premier that, irrespective of whether he, (Mr Tonkin) wanted to use Mr Bakewell in this area of economic development, the secretariat could still have the use of his services. In other words, he might not be valued in South Australia in this area, but he was valued internationally. The answer was, 'No'. Mr Bakewell had to be got rid of. Mr Bakewell's term on a number of Government boards was curtailed. He was asked to resign from the Savings Bank board and from the S.G.I.C., which, indeed, he did. As a good public servant, he complied. That is what the previous Government did to Mr Bakewell.

Mr Bakewell then became Ombudsman, and a very good Ombudsman indeed. We did not criticise the appointment at the time. We certainly criticised the way in which the Government refused to use the economic development expertise of Mr Bakewell. That criticism stands, and stands very firmly. However, we did not criticise his being made Ombudsman because he has skills, knowledge and abilities which have made him a very good Ombudsman indeed.

Let us come to the way in which the former Government, having made that appointment, having got rid of Mr Bakewell in that way—and that shows how much stress they were putting on the role of Ombudsman—treated him in office. Mr Bakewell has been a singularly successful Ombudsman. He has developed an international reputation in that field. His reports have been enlightening and thorough. He has the confidence of many people in this community who have taken their problems to him. How was he treated by the former Government? Let me quote page 16 of the Ombudsman's Report of 1980-81 as an example of how he was treated:

Unfortunately, my relationship with the Ministry failed in one area. The Minister concerned seemed to have some misunderstanding of the statutory responsibility and function of the office of the Ombudsman. This particular Minister appeared to believe the Ombudsman had a function akin to Consumer Affairs—as part and parcel of the Government administration—rather than appreciating his independence, as a representative of Parliament. Indeed, Mr Bakewell could have said a lot more, and he did, in other parts of that report and subsequently. The Minister to whom he referred is a shadow Minister in the Opposition at the moment and was a member of the Government that this Leader of the Opposition says knew all about the statutory responsibility of the Ombudsman. What absolute sheer nonsense and hypocrisy! I suggest that before he starts lecturing us on what the Ombudsman's position means he should study his Party's record in Government, how it tried to treat this office, and what the Ombudsman had to say about that.

Then he could look us in the eye and start talking about what is or is not the role of the Ombudsman. We have had

enough of that nonsense. Let us clear the air on that. Now, let us turn to the precise issue of Mr Bakewell. It is most unfortunate and most irresponsible that the Opposition has tried to fuel speculation and carry on about this matter, but it has done it, and it wants the whole matter exposed, and I think it is in the interests of the public generally that it is aired.

I would remind the House of what I said a minute ago about Mr Bakewell's role in economic development, about his international status, about the range of his contacts, about the way in which the previous Government simply threw them off and said that it was not interested in them, and so we lost those services. Mr Bakewell and I had a discussion. I point out that, in administrative and other matters, Mr Bakewell and I have to meet because the office of Ombudsman and the Act are in the charge of the Premier. We had a discussion about Mr Bakewell's future career path. He was asked whether he envisaged himself remaining Ombudsman (because initially he had been put in the job against any choice of his), did he envisage remaining in the job or did he see himself as having some role back in the economic development area, because, if he did my Government would like to facilitate that. What is improper about that? What is wrong in that? Surely it is a fairly sensible means of using the skills of an extremely valuable South Australian.

Discussions obviously ensued about what that role might be, and it was made quite clear throughout that the role envisaged for Mr Bakewell in economic development must be divorced from with his role as Ombudsman. Indeed, it so happens just today that I am in a position (and this debate has made it necessary) to explain by reading a letter to Mr Bakewell on what has happened in these negotiations. An announcement would have been made in due course. Let me preface what I am going to read by saying, first, that I think it is a pity that Mr Bakewell's enormous skills have not been used in the economic development area in the last few years. It was a scandal that the former Government sacked him and decided to get rid of him, dispense with his services, and to try to kill him off by making him resign from boards, committees, and so on. Secondly, I put on record that, since he became Ombudsman, Mr Bakewell has picked up that role and has performed it in a way that is beyond question. He is effective and if he continues in the role he will continue to be effective. Whether or not he continues as Ombudsman is a matter for Mr Bakewell. Under the Act, he continues in office until such time as he chooses to relinquish the position, and that should be made quite clear. My letter reads as follows:

Dear Mr Bakewell,

This is to confirm that the Government will now take no further action on our mutual proposal that you take up a new position that would allow you to serve the State more actively in an area relating to economic development.

The basic proposal appeared to fit well with the Government's desire to move ahead vigorously with preparation for establishment of the State Enterprise Fund and some related matters. Accordingly, I have been willing to pursue the proposal seriously. Regrettably, it does not now seem possible as the special arrangements you had in mind are not acceptable and would not form a satisfactory basis for successful completion of the tasks envisaged. Accordingly, the proposal has now lapsed.

It would appear that only one matter raised during our discussions requires further attention. This is the question of the nature and extent of the constraints inherent in the position of Ombudsman. As you will recall, I expressed concern about the conflict of interests which could arise if the Ombudsman, who is, of course, responsible to Parliament, were to engage in some form of commercial activity or even some types of involvement with other Governments or public organisations. As the effective functioning of the office of Ombudsman is an important aspect of the good management of Government it is important that this situation should be clarified. It would be quite untenable if the position of Ombudsman were to become the subject of controversy over an actual or presumed conflict of interest. Consequently, I have

requested the Crown Solicitor to provide advice both on the generality of this question and on the appropriateness of your continuing or extending the business and other involvements you raised with me. This should help put the matter beyond doubt. This advice will, of course, be made available to you when it comes to hand.

I trust that you will be able to continue to provide valuable service to the State in your further work as Ombudsman.

That answers, beyond doubt, all the questions that have been raised. I suggest that we get back to the business of the State, the important things we have to do. I regret that this nonsense has been raised.

Mr OLSEN: A number of questions have been raised by the letter read by the Premier. First, when was that letter written?

The Hon. J.C. Bannon: Today.

Mr OLSEN: It went today. I remind the House that we asked questions of the Premier relevant to this in reply to which he was not prepared to take this House into his confidence, despite the fact that he had prepared a letter to go to the Ombudsman. We had to get to a no-confidence motion in this House to flush out the Premier, despite the fact that he refused to answer questions to this Parliament that were rightfully the prerogative of the Parliament. What an absolute contempt for the position of the Parliament! It is absolute contempt for the Parliament on the basis that he was not prepared to answer specifically questions posed to him by the Opposition. It was not until we got to a no-confidence motion that the Premier hastily pulled the letter out of the file, realising that he had locked himself in by refusing to answer questions yesterday and today. He was in a difficult position, and the only way out was to take that course of action. That is what the course is, and he clearly knows that he locked himself in.

All I can say is that, as Premier, he wants to perform a little better and a little more honestly to Parliament in answering questions than he has been doing in the last two days. This clearly reinforces the necessity for the motion of no confidence in him today. We have seen with this Premier and this Government the words of deception and misrepresentation that they employ when it suits them: when a difficult task is there, fudge the issue. In the preamble he talked repeatedly about reputation and qualities. I stressed in my remarks that there was no question on our part in relation to that aspect.

There is no doubt that the basic principles, the fundamental principles upon which the Ombudsman is in that position and office, have been breached by this Government and by the Premier. That has been confirmed quite clearly today in response to questions, in the response to the debate, or rather the lack of response, because he did not answer any of the specific questions posed in the speech. We see the capacity to try to fudge the issue so that the questions did not have to be answered. Clearly this no-confidence motion has caught out the Premier.

The Hon. Jennifer Adamson interjecting:

Mr OLSEN: Indeed, the only time he has a little colour in his face is when he is caught out. His contempt for this Parliament has been demonstrated, as well as conflict of interests that has occurred in the meantime. I reiterate that I do not in any way cast aspersions on Mr Bakewell or his performance in that office. In my remarks earlier, I indicated that he had undertaken his job fearlessly and the great king hit, supposedly, of the Premier in quoting from the Ombudsman's Report fell flat because I had already referred to that in my speech. He was not aware of that because he was out getting the letter hastily typed or getting the details ready for reply.

The Hon. Jennifer Adamson: Mr Bakewell probably has not read the letter yet.

Mr OLSEN: I am sure Mr Bakewell has not yet read the letter. I am sure that that is the case. Clearly, the performance of the Premier in answering questions and in his speech have indicated contempt of Parliament in that he was not prepared to respond specifically. It took a no-confidence motion for him to take the Parliament, in a position rightfully the prerogative of this Parliament, into his confidence today. He deserves condemnation.

The House divided on the motion:

Ayes (21)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Eastick, Evans, Goldsworthy, Gunn, Lewis, Mathwin, Meier, Olsen (teller), Oswald, Rodda, Wilson, and Wotton.

Noes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon (teller), M.J. Brown, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, Klunder, Ms Lenehan, Messrs Mayes, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Majority of 2 for the Noes.

Motion thus negatived.

SUPREME COURT ACT AMENDMENT BILL (No. 2)

Second reading.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I move:

That this Bill be now read a second time.

It is in the same form as a Bill introduced into the Legislative Council by the former Attorney-General. It deals with the prescription of court fees in respect of proceedings in the Supreme Court. At present, fees payable in respect of proceedings in the Supreme Court are fixed by rules of court made under section 72 of the Supreme Court Act. The power to make these rules rests, of course, in the judges of the Supreme Court. The determination of court fees raises questions of fiscal policy and, for this reason, the Government believes (as did the former Government) that the power to fix fees would vest more appropriately in the Executive rather than in the Judiciary. The purpose of the present Bill is, accordingly, to provide that the court fees are to be fixed in future by regulation rather than by rules of court. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 removes paragraph VI from subsection (1) of section 72 of the principal Act. This paragraph is the provision empowering the judges to fix court fees by rule of court. Clause 3 enacts new section 130 of the principal Act. This new section empowers the Governor to prescribe and provide for the payment of fees. The existing rules on the subject are, in accordance with the provisions of subsection (2), to be treated as regulations.

The Hon. H. ALLISON secured the adjournment of the debate.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 16 March. Page 424.)

Mr WHITTEN (Price): In rising to support the motion, I congratulate you, Mr Speaker, on attaining your high office, and I also congratulate the member for Whyalla on his election as Chairman of Committees. Both of you are

well equipped to do a good job in your new positions. I also congratulate the Premier and the other members of his Ministry. South Australia now has a great Government and in the next three years all South Australians will benefit very much.

Mr Oswald: What about—

Mr WHITTEN: After all the garbage the honourable member for Morphett delivered in this debate the other evening, all other members would know that he is not such a great judge. I congratulate all new members of Parliament, especially the members for Brighton and Mawson. They made a great contribution in moving and seconding this motion, and I am sure that they will be in Parliament for a long time because they are fine representatives of their sex and were given such a great majority by their constituents. I am pleased that the new member for Unley is now in Parliament, because undoubtedly he has a great role to play in future. He has been set a great precedent by his predecessor, who performed in an excellent manner as a member and who always had the interests of his constituents at heart. He also did a great job as Labor Whip and later as Speaker.

I congratulate the recently elected member for Hartley. In the Parliament of 1978-79, the honourable member did a great job as member for Morphett and, without wishing to cast aspersions on the present member for Morphett, I say without hesitation that it was a travesty of justice when Mr Groom was defeated at the 1979 election.

Also, the member for Hartley has a very high standard to live up to, and I am confident that he will do so. He follows a member who played a great role in this Parliament as the member for Millicent, the member for Coles, the member for Hartley, and the Minister of Marine; he held many other Ministries, and culminated his career by becoming the Premier of this State. I feel sure that no person could cast reflections on the previous member for Hartley, Des Corcoran. At a dinner held at the Hilton Hotel recently a tribute was paid to the former honourable member. The present Minister of Marine was in attendance as well as one of the previous Ministers of Marine, the member for Victoria. Chairman Sir John Knott paid a tribute to the former Minister of Marine, Des Corcoran.

I also refer to the present member for Goyder, one of the safest Liberal seats, which was well represented by Keith Russack, and I think that the present man has a great role to play, too. I had a great deal to do with Mr Russack in his capacity as Chairman of the Public Works Committee, and I can assure members that he did a great job. Perhaps I cannot pay the same respects to one of the former members for Mitcham who did not endear himself greatly to me, but I congratulate the present member for Mitcham on winning the seat.

I feel compelled to refer briefly to something that was said by the member for Eyre who, during his contribution to the Address in Reply debate, made scurrilous attacks on members of this Parliament. Last night the member for Newland mentioned that the member for Eyre had cast grave reflections on my integrity. I heard the member for Eyre doing so, and I believe that he deliberately told untruths in this Parliament. He cast reflections on me and made scurrilous statements that I resent. He glories in this sort of attack on people; indeed, before he attacked me unfairly, during the first 10 minutes of his speech he also unfairly attacked six members of this Parliament and put forward many untruths about them. I believe that his attack on me was a deliberate attack on my integrity and the integrity of this Parliament.

I have always been truthful, although I have never been afraid to say what I thought had to be said, but I have never put forward untruths about any other member. After

referring to the member for Newland and his appointment as Chairman of the Public Accounts Committee (a matter about which he was very disparaging), the member for Eyre, when talking about a Public Accounts Committee report with which I was involved, stated (*Hansard* 15 December 1982, page 222):

When this particular report was tabled in this House it attracted a great deal of publicity and discussion.

Mr Deputy Speaker, you would well remember this. The member for Eyre continued:

The report was obviously an embarrassment because it proved over a long period of time that there had been problems with the administration of the Hospitals Department.

I do not think that any member of this Parliament would dispute that. However, in the next sentence the member for Eyre said:

The member for Price, who at that stage, I understand, was State President of the Labor Party—

I point out that I am proud that I was State President of the Labor Party at that time. No member of the Labor Party could have a greater honour than to be an organiser, a State Secretary, President of the Party and also to be on the Federal Executive of the Party and to be Vice-President to Bob Hawke. The member for Eyre continued:

He was unceremoniously removed and placed on the Public Works Committee. The Labor Party got rid of him and it was my understanding that he was placed on that committee to make sure the Government was not embarrassed.

Mr Deputy Speaker, you would well know that I was not removed from the Public Accounts Committee. I served my full time on that committee, as the member for Eyre well knows. He had no right to mislead this Parliament and to say, for the benefit of new members, that I was chucked out of that job. I have never been chucked out of a job or an association in my life. I have left jobs and different committees, but I have never been chucked out. The member for Napier interjected during the remarks made by the member for Eyre, as follows:

You honestly believe in fairy tales, don't you?

I believe that the member for Napier had a point there. Then the member for Eyre said:

However, the member for Price was replaced on the Public Accounts Committee by the member for Newland.

The member for Eyre knew that that was not true, because he was on that committee. Further, the member for Eyre attacked the member for Newland, saying that he was a tool of the Government and that he would not do his job on the Public Accounts Committee. I interjected as follows:

That member has always worked hard.

The member for Eyre then said:

I have explained how the member for Price was unceremoniously dumped from the Public Accounts Committee when he got the Government into trouble. We need not hear any more on that subject.

I made up my mind that night that we would hear more on that subject, because I believe that it cast reflections on the committee. The House would well know, as would the member for Eyre, that I remained on the Public Accounts Committee for the life of that Government. Let us hear no more about that matter.

I happened to hear some of the other things the member for Eyre said. In the first five or 10 minutes of his speech he was not content to be constructive: all he endeavoured to do was cast reflections on certain members of this Parliament. He began by making some sort of attack on the present Speaker. I believe it was a scurrilous attack, and he accused the present Speaker of endeavouring to use his office to obtain a higher position. He alluded to the Judiciary. Referring to the Speaker, he said:

When one considers that the member for Playford is using his position as Speaker for advancement to another bench in the future, like all lawyers who aspire to become judges, I think it would be good training to have become used to wearing a wig.

I think that that is a scurrilous attack on the member for Playford, suggesting that, as Speaker, he is using his position to be appointed to the bench. I do not think that that is in the best interests of this Parliament for members to be so irresponsible. They have an opportunity to speak on any subject whatsoever, but they should at least be constructive. Since I have been a member, I have never used this Parliament to attack persons in such a way. I make no apologies for what I am saying about the member for Eyre this afternoon. He was not content with that. In the next paragraph, following an interjection by the member for Hartley, the member for Eyre said:

I will deal with the honourable member—temporary member—directly. So I wish the Speaker well, as I do the member for Whyalla—

he was very condescending to the member for Whyalla—who just scraped back into this Chamber after getting a fright from ex-councillor Murphy. I remember telling the member for Whyalla a few years ago that Mr Murphy would make him unemployed.

The member for Eyre said a few more things about the member for Whyalla and he then went on to deal with the new member for Brighton, who was the mover of this motion and who, making her maiden speech, did an excellent job. The member for Eyre also said:

I have a couple of things to say about the member for Brighton and about the dirty tricks campaign in which she was engaged in Brighton. . .

I think that members who have been around here for a while will know that the member for Eyre does not always speak the truth, although in this case I should have thought he would. He went on to refer to the member for Ascot Park, but I do not intend to deal with that reference. The member for Eyre then went on to talk about the member for Henley Beach and said:

They will soon be feeling the chilly winds at the ballot-box.

I do not mind that sort of comment, as long as it is the truth. He referred to me, in connection with the Public Accounts Committee, and then said that the member for Newland was placed on that committee to quieten down the report. Be that as it may, if the member for Eyre intends to carry on in this scurrilous manner and to speak untruths, I will certainly tell everyone the truth about him, and I do not think that that would be to his advantage.

I am disappointed to hear the Leader, in the couple of days that we have been back, speaking the way he has been speaking and adopting such a negative approach. First, he has referred to the Ramsay Trust, which I am sorry has not been more successful. Mr Ramsay was a great South Australian who did an excellent job, and I would have liked to see his name perpetuated in something that I believe would have been very dear to him. Today, I thought the Leader took a very negative and hypocritical approach on the position of Mr Bakewell as the Ombudsman. However, that matter has now been dealt with.

I am very pleased that, following an election on 6 November last, South Australia now has a Labor Government. We made a lot of pledges and promises at that time, and I assure members that those pledges and promises will be carried out to the best of our ability. We have come into office at an extremely difficult time, as all members would know, and it is not going to be easy to immediately implement all our policies. However, during the next three years of this Parliament I hope that those policies can be implemented. Following the successful Wran Labor Government in New South Wales, there is now the Cain Labor Government in Victoria, the first Labor Government in that State

for about 25 years. The people of Victoria are now gaining the benefits of Australian Labor Party policies. Then there has been the great victory in Western Australia, where there was a swing to Labor of 8 per cent. This was followed by the great Labor win on 5 March, when Bob Hawke became Prime Minister of Australia. We were told that the 8 per cent swing to Labor in the Western Australian election would be reduced, but in the Federal election the swing in that State increased to nearly 12 per cent. We can see that the people of Australia are pleased with Labor Party policies.

Now that the four southern States have Labor Governments and there is a Federal Labor Government, I believe that things will be very much different in Australia. There again, it is not going to be easy, but I think that South Australia will benefit greatly, because three Federal Ministers are from South Australia and this is something that has not occurred for a long time. When the Federal Liberal Government had a great majority, only two Federal Ministers were from South Australia, involving the portfolios of Aboriginal Affairs and Veterans' Affairs. Although those Ministers did all they could do, the three Federal Ministers from South Australia in the new Government will certainly be able to push South Australia's cause further than has been the case in the past, and I am looking forward to great results.

I believe that unemployment was one of the major issues in the last Federal election, as it was an issue in the State election. There are some 700 000 registered unemployed, and I suggest to the House that throughout Australia at present the total unemployed would be more than 1 000 000; a large number of people who are unemployed do not register because they are unable to obtain unemployment benefits, and they regard registering as futile. I suggest to members that a large percentage of people do not register. Immediately after the State election, announcements were made of further cut-backs in employment. I honestly believe that some of those announcements were held back until after the State election so as not to embarrass the Liberal Party prior to the election.

As members are well aware, two large companies—Kelvinator and Bridgestone—made announcements the week after the State election. Kelvinator sacked 140 employees and Bridgestone 200 employees. Immediately after the Federal election there were the same sort of announcements. I believe that those announcements were also delayed so as not to embarrass the Fraser Government. One can recall plenty of press reports that General Motors-Holden's would be making an announcement about a reorganisation of its Woodville plant. That announcement was to be made a fortnight prior to the election. Whether it was the intention of the company, or whether it was designed to assist the previous Government, I do not know. There was an announcement that the announcement on the Woodville plant would be held off until 12 March—last Saturday. We now know that, in South Australia, 700 employees will no longer have a job at General Motors-Holden's. I do not know where it is going to finish as it relates to not only G.M.H. Last week we had an announcement from Kelvinator that it would put off another 90 men. It concerns me greatly because both companies are in my electorate of Price. They have shed an alarming number of employees.

The Hon. T.H. Hemmings interjecting:

Mr WHITTEN: The number is well over 200 at Kelvinators. I am also concerned about G.M.H. at Woodville. I did have the dismissal figures but they have slipped my memory. However, it is a large number of people. G.M.H. has a policy of redundancy and early retirement arrived at in consultation with the unions. It is not a bad system if one wants to get out. However, those persons now left at G.M.H. at Woodville will not get a job elsewhere if they

get out. They are at an in-between age. If they leave G.M.H. they are too old to get another job and too young to retire. So, they would face many years of unemployment.

Presently, 700 people working at Holden's do not know their future. They do not know whether, in a fortnight (the deadline for the decision), they will have to take retirement. For the next fortnight they will not know whether a sufficient number will get out and say they will take two weeks pay for every year of work or whether they will be told that they are sacked. I respect the G.M.H. policy on redundancy and early retirement, but I can do nothing but condemn it for its lack of forward planning. By that I mean forgetting to prepare for the future.

Whilst it has lost \$126 000 000 this year, in previous years G.M.H. has not done too badly. Instead of sending its profits back to Detroit, some of those profits should have been put aside to look after the people who have made the profits for it. I am also concerned about Kelvinator as it has sacked people from its Woodville North factory in the heart of my electorate. It also has a redundancy scheme. Unfortunately, the company decides whether an employee is redundant or retrenched. It does not matter to the employer but it makes a lot of difference to the employee. If one is made redundant one receives extra payment. However, if one is retrenched (and that is the term the company is using), one is thrown on the scrap heap without any hope of further employment.

A couple of other companies in my electorate greatly concern me as they have put off a number of people. One is Port Steel Fabricators, a division of Colan Industries. That company was attracted to South Australia by the previous Premier. Incentives were given to it to establish in South Australia. I am not opposed to incentives being given to companies to establish in this State, but I believe that, when a company has been given some sort of endowment to establish in South Australia, it should be sufficiently financially secure that it can honour its obligations, not only to the Government that has given it inducements to come here but also to people attracted to its employment.

From investigations I have made, and from discussions I have had with people who work there and with the organisations that represent them, I believe it is a good company from the workers view point. The company pays reasonable wages but has had to put off a lot of men because it is in receivership. I can understand men working at Port Steel Fabricators saying that they will not allow any material out of the stores to finish off the two vessels for Tidemaster in Newcastle, which wants the vessels completed. Some of the men have been deprived of \$2 000. We get a great splurge in the press when they say, 'We have honoured our obligations and have given them a weeks pay in lieu'. From your experience, Mr Deputy Speaker, you know that that is only an award provision and that they are compelled to do that. If they are going to give an employee a minutes notice then they must give him a weeks pay in lieu. However, in the case of the men at Colan Industries and Port Steel Fabricators, their entitlements to annual leave, pro rata long service leave and holiday pay have not been provided for. They have not been paid. I believe that this is a case of fraudulent conversion. The company has robbed workers of what they have earned. It refuses to pay them because it has gone into receivership and the receiver cannot pay them.

I refer to G.M.H. at Woodville again. I compliment the Mayor of Woodville, Mr John Dyer. He spoke to me at the weekend of his concern for G.M.H. He told me of a survey conducted by the Woodville council over the last 12 months and of the situation in which the city of Woodville will find itself if there is a further downturn in the motor body building industry, particularly at G.M.H. at Woodville. He told me that he believes the city will suffer to the extent of

\$15 000 000—the amount arrived at 12 months ago in a survey. He rang me to find out the ways in which he as Mayor and his council might be able to assist to keep employment at G.M.H. I believe he has had discussions with the Premier and has offered full support for any attempt to assist people to retain their jobs at Woodville. The local paper—the *Weekly Times*—came out yesterday and contained the alarming headline 'G.M.H. chaos fear'. The article contains two statements which I will read to the House.

One statement was made by the Mayor of Woodville, John Dyer, and the other by the Federal member for Hindmarsh, Mr John Scott, formerly secretary of a union that has a large membership at Holden's, particularly in the tooling section. These are skilled workers who may be dismissed. An article which appeared in the *Weekly Times* of Wednesday 16 March 1983 under the heading 'Chaos Fear' and the sub-heading 'Local tension grows amid closure rumors', states:

Woodville Mayor John Dyer is seeking an urgent meeting with State Premier John Bannon to discuss the rumoured closure of General Motors-Holden's Woodville plant, which he claims will throw the local community into economic and social chaos.

Mr Dyer said this week the closure of the plant on Port Road would lead to the withdrawal of \$12 000 000 to \$15 000 000 from the Woodville business community.

Growing speculation over the future of the plant was rife last Friday as GMH announced 700 of its workers at Woodville and Elizabeth plants would be retrenched. A further 600 jobs will be lost at its Fishermen's Bend plant in Victoria. Although rumours of the closure of the Woodville plant, which employs 2 600 people, have been denied by GMH management, Metal Workers Union secretary Mick Tumbers said last week he believed the company was winding down its operations at Woodville with the intent of eventual closure.

Mr Dyer will seek both State and Federal intervention to help salvage the car manufacturing company and has called on local firms to offer support. 'I believe the local government should be acting as a catalyst to bring about some degree of compromise,' Mr Dyer said. 'As far as the city of Woodville is concerned, it is virtually structured around GMH. The closure would have a very traumatic effect on the turnover of this city. If it closes completely, then I really don't know how we are going to exist.'

Mr Dyer said every business enterprise within the local community would feel the effects of the closure. 'I don't think they are aware of just how much they will suffer. I feel quite distressed over how families of those particular employees are going to be affected.'

One can see from that that this is one leader in the local government area who is endeavouring to be positive. He has expressed concern. He wants to do something and he wants to be told how he can assist. He is greatly concerned about the people who will be sacked, the business sector and what will happen to the city of Woodville. I do not know what will happen to it because it is industrially based, particularly around Woodville. There are many factories and all this time they have been putting people off.

Another large manufacturer, namely, Chrysler Australia Ltd, had to close its truck division at Woodville North when Mitsubishi took over. All that that factory is being used for now is a big steel store for pipes for the natural gas pipeline. I said that I would like to read what Mr Scott had to say, but perhaps summarising it would be much better than reading the whole lot. Mr Scott has called on Federal Government intervention to force car manufacturers to rationalise the industry. He says that it will give us an industry which can cater for the recovery of Australia. Mr Scott was there referring to the fact that, whilst the car industry may not be a viable industry at present, that plant has the capacity to produce a lot of things other than motor vehicles.

Very, very soon G.M.H. will shift its automatic transmission section of the Woodville factory to Elizabeth. The whole of the Woodville district will suffer when that happens. However, a lot of plant and machinery from that factory could be used for the manufacture of other types of goods,

perhaps in the heavy earth moving equipment industry or a related industry, I do not know. What concerns me, as I said previously, is General Motors' forward planning. They still have plant that dates back to pre-war and plant which was purchased from the Munitions Department at the cessation of hostilities in 1945. In fact, they got quite a deal from the munitions section and it helped them along no end. However, they have not had new plant at Woodville since 1978.

There is quite a deal more about which I could talk. I would now like to make some reference to my electorate and to get away from gloomy matters. In the short time left to me I will refer to an application presented to the previous Federal Government concerning a nautical museum at Port Adelaide. I believe that a nautical museum would be a great asset to Port Adelaide, and I was pleased to hear the member for Coles, when she spoke on tourism yesterday, say what a great potential Port Adelaide has. She talked about the historic precinct and, in particular, about the great new restaurant that has been established in Port Adelaide. It is a restaurant of top standard—it could not be better. I hope that when we can establish the nautical museum, which I hope will be in the very near future (with the assistance of Federal funding), that will also be a great tourist attraction.

I will wind up on this point: the other thing that I want to see happen in the near future is the establishment of a community health centre in Port Adelaide. It has been talked about for a very long time and there is a great need for such a centre at Port Adelaide. I hope that this Government will now endeavour to do something about establishing this community health centre. Whether such a centre is staffed wholly by salaried medical officers or by a combination of salaried officers and general practitioners operating in the Port district I do not care. I am not greatly concerned about how it might operate as long as we get a health centre in Port Adelaide.

We have heard rumours about closing the special clinic in Port Adelaide. I feel sure that this is one of the facilities that could be housed in a new health centre. I hope that the Government builds a new building to house this very important centre. However, if the Government cannot build a new building I would like to see it buy or acquire a building in the central area of Port Adelaide so that the people of South Australia, particularly those in my electorate of Port Adelaide, will be looked after.

The Hon. H. ALLISON (Mount Gambier): I wish to address myself principally today to a matter of serious concern affecting not only South Australia but also Victoria. I do not think that anyone would need very much reminding that that would have to be the very serious disasters which overtook us very recently by way of the bush fires followed, most unfortunately, by the floods, which had a much less serious effect upon my electorate.

I make clear from the outset that what I now say is not intended as any form of political attack. I certainly recognise the assistance which has been given to those suffering in my electorate by Federal, Liberal and Labor Governments, by the present State Government, and also by the vast number of people who made voluntary contributions to try to ease the massive trauma which followed the bush fire. Of course, that day was a day of freak conditions. Both South Australia and Victoria were in tinder-box condition. The heat registered in the South-East was well over 44°C—a record high temperature—which is over 110°F. The wind which preceded the fire storm was bad enough, but it was followed by an even stronger wind which Woods and Forest Department officers estimate to have been somewhere in the region of 200 kilometres an hour, or 125 miles an hour under the old Imperial system of measurement.

The reason we estimate that the winds were of that velocity lies in the fact that whole plantations of pines that were burnt and blackened in the intensity of the inferno that swept through the South-East were subsequently snapped off several feet above the ground, just as if a giant hand had brushed plantations aside like so many straws. It is known that they were snapped off after the fire because the breaks were clean—they were not blackened by flame. In addition to the damage caused by the bush fire there was subsequent damage caused by the high winds, even outside the actual bush fire area.

The causes will no doubt be examined and reported on at length in the Coroner's report and I do not wish to pre-empt anything that might come out of that report. I simply want to make some comment on the fact that many people in South Australia who suspect that arson might have been the cause of some of those fires, particularly in the Adelaide Hills area, are incensed at the present level of penalties. They would like to see penalties for arson increased considerably. There is no place for a pyromaniac on a day such as the one on which the bush fires started. Another question which arises concerns the fires that were accidentally caused by the failure or collapse of Electricity Trust wires. This leads me to wonder whether or not the undergrounding of electricity systems might not in the longer term be a more economical proposition, high though the initial costs might be, because if we could avoid catastrophes of this nature a good job would have been done.

The disposal of bottles, whatever their colour, be they brown or clear glass, is another issue, because there is no doubt that the reflectory index of a discarded bottle plays a considerable part in starting fires spontaneously on hot days when the sunlight shines through them and is concentrated on one spot and when there is highly combustible material along roadsides in South Australia.

This is the worst disaster in Australia's history. I talk about it specifically today because I would not like people to think that the Government action which has so far been taken at State and Federal level, and the massive voluntary assistance that has been rendered physically and financially, is the end of the matter, because it is not. There is a long-term effect which is just beginning to show itself. I am sure these effects will be colossal in terms of human suffering and stock and property losses and the consequent decline in industrial activity throughout the South-East, which has been one of the most prosperous and productive primary-producing areas in South Australia. In my district in the South-East and the districts of the members for Mallee and Victoria, in whose areas most of the damage has occurred, we do appreciate the voluntary aid that was provided. I am not aware of the total amount of funds raised by many organisations on a voluntary basis and I do not know the present state of those funds, when the expected closure of those funds will take place, or what pay-outs have been made so far. I have deliberately kept away from political questioning and I will explain later why I am making this comment.

I have to pay specific compliments to many organisations. I do not intend to name individuals, because there were a great many unsung heroes as well as sung heroes during the disaster. However, the Minister of Community Welfare, under whose department the collection and dispersment of funds was, I believe, quite properly organised (as opposed to the case in Victoria where it has been done on a more *ad hoc* basis by a number of organisations), should take some credit, along with his department, for the co-ordination and disbursement of funds. They have been magnificently backed up by the officers of the Federal Department for Social Security, particularly those people who have been closely involved at a personal level with the victims of the

fires and the floods. I mention the Red Cross organisation; the St John people, who voluntarily assisted in the bush fire areas into the night and during the subsequent recovery days; the Lions organisation in the South-East, which initiated a substantial collection which has already reached \$200 000; and the many volunteers from a whole range of service organisations who came unquestionably into the breach which was created. Also, I must mention the bravery of the Country Fire Services organisations, Woods and Forests people, private mill organisations and the many others who just came along to fight the fire. There were many unsung heroes. I also recognise the State, interstate and international sources of bush fire relief moneys which are still coming in.

The real reason for my rising today to speak almost exclusively on this topic lies in the fact that we are now facing a new problem. There is now a secondary shock wave running through my district and the districts of my colleagues in adjacent areas. There are now personal, psychological, physical and financial problems which need addressing as people recovering from that initial deep-seated trauma begin to realise that the hard work, the long slow haul to normality, to recovery, to reconstruction is just beginning. Physical exhaustion is becoming evident after the first shock of the fire and several weeks during which people have been toiling to reconstruct and rebuild a way of life, starting from scratch in a great many cases. I have found from the many telephone and personal calls that have been made to my office this week that the limits of endurance have, in many cases, been reached and people are near breaking point. There is the worry of people knowing that they have no assets: no stock, no money, no farm properties, no houses, no finances, no outbuildings or machinery, completely burnt out pastures and woodlands and, as a result, no prospects. There is little hope of an immediate earned income for many of those people who simply had no job other than the work that they undertook for themselves on their properties.

The question of insurance is a pressing one. Some people are sympathetic, others totally unconcerned, at the fact that many people were carrying their own insurance, gambling, so they in fact have none, whilst a small proportion of people would have been completely insured, probably as small a percentage as 15 per cent or 20 per cent. In between there are many varying proportions of insurance help and so varying abilities to recover quickly. There is also the matter of existing financial commitments. They, too, vary from completely freehold houses and properties to heavily mortgaged properties. Therefore the ability of people to raise reconstruction loans varies quite considerably. The amount of voluntary work undertaken certainly helped in those few weeks after the bush fires and there has been a commencement on fencing, particularly on the perimeters of farm properties. We appreciate that that has been done. Also, immediate supplies of fodder were made available for the stock that survived, but the extent to which gifts of fodder can be made is limited because this bush fire followed immediately upon the heels of one of the worst droughts, if not the worst drought, in living memory across Australia.

Therefore, there is no pasture or grain available for these animals on a free basis. There are limits to the voluntary work that can be done, both physically and by way of donation. Even the \$50 000 agricultural loans and the \$20 000 housing loans may prove in many cases to be less than adequate for people who have lost everything and may be looking for an amount of up to \$400 000 to start again. The amounts being made available will enable people to survive, but the long-term prospects are now being analysed by people in the South-East and the outlook is not good.

The immediate problem is to carry on, and the long-term problems have not been addressed as yet. Together with the

Federal member for Barker (Mr James Porter), I raised with the Federal Social Services Department the matter of benefits. I appreciate the sympathetic attitude of the Minister of Community Welfare, who is in the House this afternoon listening to the import of this debate, because this matter concerns him greatly, and I appreciate his concern. I also appreciate the concern shown by the South Australian Director of the Commonwealth Social Services Department, who went to Canberra only yesterday to consult with Senator Grimes on this and other pressing matters. I appreciate all the hearings we have received, although what the results of those discussions will be I cannot anticipate because the Prime Minister and other Commonwealth Ministers, as well as the Premier and his Ministers, will be conferring, no doubt, both in South Australia and in other States in an effort to highlight these problems, which are by no means peculiar to South Australia. The Ministers will be aware that working-class people and farmers have lost their homes in the bush fires. I ask that special benefits from the Social Security Department be made available if we are to end this trauma and allow these people to borrow money in the long term. The health cover of people affected by the fires might be extended a little longer until more substantial long-term loans and other assistance become available.

I have referred to several problems, and I stress that for some people affected by the bush fires all these problems exist. Some people have lost every single thing, and their problems are of such magnitude that I detect despair setting in. Hard decisions are being made so that people may decide whether to carry on or to quit, become bankrupt, to forfeit everything and start again with nothing. There has never been a greater example of the need for a national disaster fund and national emergency relief than now, and I do not believe that any State with the population of South Australia could alone sustain the reconstruction work that now has to begin. So, I say 'Thank you' to the Commonwealth and State Ministers and officers for the assistance that has so far been given.

I ask especially for further and continued sympathetic hearings, especially at Commonwealth level, and for immediate and continuing relief to be made available. I do not suggest that the State Director for Social Services can know every single personal problem of all those affected, but I suggest that the national and State legislation never contemplated a disaster of this kind and, therefore, cannot be criticised as being inadequate. That legislation should be amended to provide an extraordinary discretionary power and funding, so that junior officers who are already acting in a humane and understanding way within the limits of the present legislation may be given further help to act in that way. Such officers have already shown that they have great perception and should be given further discretion so that they may assist people facing a personal problem. They should not have to say 'No' to people they would like to continue helping.

It is possible that some of those officers have already acted outside the bounds of their normal powers in personally contacting senior officers and even senior Parliamentarians, but that is not something they should be penalised for. It should be regarded by senior officers as simply a sign of the desperate urgency and the humane way in which these officers view their task. Such officers should be complimented rather than criticised on the way they have helped people by taking immediate and sympathetic action. I personally express my thanks to those junior officers who have exercised a sympathetic discretion.

There is the case of farmers' sons who have been away from home and who now want to help their family in re-establishing their homes, sheds, machinery, stock and pasture. However, such young people coming back from college or

university do not qualify for unemployment benefits, and the Government is not likely to accept the responsibility for paying young people to work at home. However, these are special circumstances and perhaps some form of benefit could be made available in such cases. Families paying for health insurance on a monthly basis now find they have no income, assets, or borrowing power and that they are not insured under any health scheme. They cannot go onto unemployment benefits because the work they wish to do is reconstruction work on their devastated properties, so they do not qualify for either unemployment benefits or free health insurance under normal legislation.

The Hon. G.J. Crafter: They should?

The Hon. H. ALLISON: Under special Commonwealth conditions. Some of these people are coming to me saying that they are destitute and asking where they should go for help. The existing Statutes are fine in normal circumstances and in normal times, but Ministers of Community Welfare, Social Security and Agriculture need special discretionary and emergency powers and funds to cope with disaster situations as they emerge. The recent disaster comprised the worst drought and the worst fire in history, followed by equally devastating floods in certain localities, and this set of circumstances must have taxed officials to the extreme. Legislation will have to be introduced to meet these circumstances and we will have to rethink our approach. I am sure that exceptions will be made on humanitarian grounds in the long term, and my immediate plea is made on behalf of people who will need much more finance than is provided for their survival by the present legislation.

I know of a case of a farmer who was too proud under normal circumstances to ask for help, but said that he and his companion were feeding themselves with food normally given to their animals. This may be an exceptional circumstance, but these are exceptional times and there are many proud people, workers and farmers, typical Australians, who never liked having to take a handout. However, this is an unusual situation for all of them.

In the South-East 50 000 acres (22 000 hectares) of prime timber has been burnt and often rendered unsalvageable by the following winds. The pine needs to be recovered swiftly, and the Woods and Forests Department is taking emergency action to salvage timber in Lake Bonney. Efforts are being made to place some timber under spray irrigation in small concentrated lots because the fungus, ever present in pine trees, starts to act quickly under hot, humid conditions once the pine tree has been killed. Fire hardly ever leaves the pine tree alive, whereas the Australian trees, such as the eucalypt, recover quickly after the fire. However, in the case of the pine tree the fungus blackens the timber and, although it may still be useful, it is difficult to sell.

It is the marketability of the pine that is in question. I simply add a plea that the salvage work needs to be conducted with as little industrial dispute as possible. There was some dispute a few weeks ago in the South-East, which may or may not have been totally resolved. In fact, there is enough work in the South-East salvaging those pines to keep all the pine haulers busy for the next three years. That is an indication of the magnitude of the task facing the Woods and Forests Department in saving at least some of that precious timber which is a vital asset to the State's economy.

I accept that the people in the mills are faced with an unenviable task of working with that very fine black powdery carbon—the charcoal on the outside of the trees when they are debarked. I have never questioned the right of workers to have some additional dirt money, as it is called, if conditions are particularly unpleasant, but I would hate to see additional industrial matters thrown in while these types of negotiations are taking place: the legitimate *versus* the other one which is part and parcel of the national wage

pause. I think it was that question that raised the ire of the people in the South-East who objected to industrial action at a time when the whole of the South-East had virtually come out as one person to help in the affected areas.

There were massive stock losses. There were 230 000 sheep lost, at an estimated value of \$2 500 000, together with the loss in wool over the next 12 months at an estimated value of \$3 200 000. Also, there will be far fewer lambs in the next lambing season, which is an estimated \$2 400 000 loss. It is the State's economy that is suffering. The natural flow-on from the earning and spending of that money within the South-East and within South Australia would be very difficult to estimate, but as it is millions of dollars the result means the loss of tens of millions of dollars in the circulation of money within the State's economy. There were 8 000 or more cattle lost, together with feed, fences, buildings, homes, machinery, equipment and vehicles over an area of 500 square miles, as well as all the wind damage that occurred in the area.

In many cases, spending in South Australia will be limited to the absolute essentials for survival and recovery, and as a result the non-essential consumer items which would normally have been purchased from a whole range of shops in South Australia will not be purchased over the next 12 months. That, too, must have a considerable impact upon employment within the shopping and business areas, and particularly on local businesses in the South-East.

The disaster followed the worst drought in living memory and hay is running out. The cost of hay is high and donated hay is almost at an end. In any case, it is questionable whether one should continue feeding stock with limited possibility of returns with extremely expensive hay. However, of course, some stock must be retained to ensure that breeding will take place and that there will be some replacement over the next 12 months. We appreciate the 1 000 tonnes of hay a week from Western Australia, but 2 500 tonnes of hay is needed weekly to sustain the stock in the area. My office is now receiving far more requests for assistance of all kinds than it did three or four weeks ago, hard on the heels of the fire. Hard decisions must be made and the hard work is just beginning for a vast number of people.

I must refer to the fortune of the fire. Millicent, Mount Gambier and Glencoe were completely unscathed because of a sudden unexpected wind shift which directed the fire from west to east across to the north of those townships. Mount Burr and Nangwarry, which are encircled with pines (and we have to examine the proximity of pine plantations to townships in determining whether they are too close) were almost unscathed with the exception of a few sheds belonging to the district council and to an industrialist at Mount Burr, one of the log hauliers. However, the rest of the houses which one would assume would have been under threat under normal fire conditions escaped. That was a God-send in its own right.

Tarpeena and Kalangadoo, which suffered heavy property losses, could have been completely devastated and wiped out. However, the Mount Burr, Nangwarry and Tarpeena mills were saved, thereby giving the very best therapy of all to those suffering loss: they were able to return to work, to carry on earning an income within a few days of the bush fire and the clearing up operations. That is something else that we have to be thankful for.

The fires have led to a considerable amount of extra employment and several hundred additional workers have been placed at the various mills in the South-East with the immediate task of salvaging and providing hundreds of thousands of fence posts to begin recovery work. We also have the Federal promise of more building to take place, both housing and industrial. A State commitment of over \$120 000 000 in housing was made by the previous Gov-

ernment and has been confirmed by the present Government. Even before the bush fire the signs were that the timber industry in the South-East was beginning to pick up. Orders were 10 to 12 weeks ahead even before the bush fire. Therefore, that therapy of work available to a great many people is something that we must be thankful for.

As I said at the outset, this problem transcends politics. We are grateful for every scrap of help that we have been given in the South-East and elsewhere. We seek continued sympathy and the humanitarian approach that has been so evident already at Government and officer level in dealing with local problems at the personal level. These officers should be supported and their discrimination respected and trusted. Speed at the moment is the essence of this contract and many people are at their wits end, simply looking for immediate help in order to survive.

I do not intend to speak at great length, but cannot let this opportunity go without referring to the education situation in South Australia. I simply point out to the House that the Minister of Education is deservedly under fire. In company with the present Minister, I attended a number of pre-election meetings when we addressed primary principals, pre-school organisations, the Institute of Teachers, and a number of other organisations which invited us to set out the good points of our various policies. At those pre-election meetings the present Minister wooed the teaching profession. He courted them with what they imagined was great sincerity. He promised, I believe, to be all things to all people. I thought he sounded almost like Moses leading them to the promised land. However, the coat of many colours seems to have turned to sack cloth at the moment.

The Hon. Jennifer Adamson interjecting:

The Hon. H. ALLISON: Yes, I think he has given the teachers the bulls rush, unlike Moses, who was in the bull-rushes. Whether he is a spent prophet or whether he has spent the profits, he is now having to explain why he has not met all of the high expectations that he led them to have.

The Hon. Jennifer Adamson: He is heading for the wilderness.

The Hon. H. ALLISON: He most certainly is. Having wooed the teachers, he has had the election. The marriage has been consummated, and, if the rally on the steps today is anything to go by, I suspect a divorce is imminent, and he is now reaping what he sowed.

Mr Trainer: How about a few more Biblical quotes?

The Hon. H. ALLISON: I thought that the honourable member would appreciate this.

Mr Trainer: I am not sure whether you are the voice of the Paraclete or the parakeet!

The Hon. H. ALLISON: It is certainly not Parachilna, although we are gorged with the promises of the previous Government; gorged as in surfeited! The Minister of Education is now alleged by the people who supported him so ardently before the election to have broken more commitments in four months than the previous Government broke in three years. I think that that is an admirable record. Those are not my words; they are coming from the profession. I point out a comment from one of the Minister's most ardent fans, Miss McCarty, from the Institute of Teachers, who, in the latest edition of the *South Australian Teachers Journal* said:

We believe, and we thought that the Government believed in [past tense, of course], staffing according to the needs, reduction in class sizes to improve learning, increased secondary retention by providing relevant curriculum and qualitatively better learning conditions for those students. One hundred and twenty more teachers are needed. Keep the pressure on the Government to honour its promises.

In other words, it has not fulfilled the promises made prior to the election.

The Minister has brought this on his own head because he sought the additional retention of students at the secondary level. If 2 000 students have decided to remain at school, then obviously he has not made any commitment to staff the schools. I regard that as a very important factor because the previous Ministers of Education in the Labor Government, Hugh Hudson and Don Hopgood, established formulae which we maintained in Government. We staffed according to formulae, we did not change those formulae, and now the Minister is simply being asked to staff schools according to that formulae. If the retention rate is increased, the formulae still have not been changed, so the onus is upon the Minister to ensure that the additional staff is provided.

What is he doing? He has claimed to have provided a considerable number of extra staff when in fact this Government had already committed \$1 000 000 for six months (that is \$2 000 000 for the full school year of 1983), for 100 additional staff, which have been absorbed by the Minister in his own Government's claim. We had already said that we would provide that staff.

Apart from that, he has ignored the fact that he was considerably helped by over-establishment senior staff in the secondary schools which the previous Liberal Government carried for three years, a steadily increasing senior staff because they were refusing (and refusing with the Institute of Teachers' support, I might add) to go into country areas. Therefore, we carried metropolitan seniors and appointed additional seniors in country areas. We carried some 40 senior staff over establishment which the present Minister can now absorb into the secondary teaching system to help him reduce class sizes but for which, of course, he is taking credit to which he certainly is not entitled.

He has effected secondary improvement at the expense of primary staffing, and that certainly was not part of his pre-election statements. He was saying that he would do everything for the primary sector, and make sure that it was far better staffed than ever before. There was an indication that he was going to stealthily move away from the primary sector some of those primary staff to help out the secondary staffing problem. That is what he has done. He firmly promised to reduce the junior primary staff student ratio to 1:25 and the senior staff student ratio to 1:27, and those figures are contained in the Labor Party's election education platform. He promised to do that within the life of the Parliament. I know that, at meetings that I attended in his company, there was a firm expectation that the improvement would be steady and would continue over the three years with the ultimate retention of 900 plus staff within the education system. There was no indication that he would start pruning from one sector to help the other given any crisis.

In fact, the Minister during his pre-election spiels implied that, irrespective of what had happened under the Liberal Government, his own Government would be a far better manager, that it had costed its promises so accurately and effectively, and would be able to do all of these things with the expenditure of a few million dollars. We costed Labor's promises, and education alone came to well over \$20 000 000. The Minister seemed to have completely ignored the fact that when staffing is on formulae and when that staffing is maintained, increased professional staff means an increase in ancillary staff. There was also the salaries negotiations under way, and we estimated that, given all of those factors and given a realistic salary commitment (we had budgeted each year for additions in salary in that round-sum allowance), the Labor Party costing was grossly inadequate. Instead of its projected \$9 000 000 it would have been much closer to \$21 000 000 and that, of course, has been proven to be the fact.

The Minister is really welching in a number of areas. He is claiming that the kitty is empty when, of course, his Government promised to go into considerable overdraft. He has erred in his estimates of expenditure, which indicates financial ineptitude right from the start. He is not mentioning that his Government is saving millions by reluctantly but effectively joining on the wage freeze while weeping crocodile tears and saying we will have to end this in six months. He is saving \$30 000 000 in salaries alone by doing that.

Mrs Appleby: Salaries from teachers alone?

The Hon. H. ALLISON: They are salaries within the Public Service sector, and of course teachers are the vast proportion of those, plus the ancillary staff. Here he is equivocating with the various officials, departments and organisations with whom he was previously negotiating on a goody-goody basis, and saying, 'I can't do that because of the wicked sinful Liberals.' I suggest he has made his own pudding. He has misread the situation.

The issue that I raised in the first part of this debate, the bush fire issue, has not been politicised by people on this side of the House, but I hope that, in view of the vast sums of money being raised voluntarily, it will not be used as too large an excuse by this Government or the Federal Government for saying, 'Look, we have to raise additional taxes.' All of these signs were in the Liberal Party's honest statements and honest appraisals of what the State could carry in taxation and expenditure for this year. They were there before the election, and I for one will be watching carefully to see the extent to which a natural disaster might be used as an excuse for renegeing on a great many promises which were made by this Government before the election, but which are already being broken aplenty.

Mr RODDA (Victoria): I rise with pleasure to support the motion for the adoption of the Address in Reply. It is one of the institutions of Parliament, despite the criticism that has been made about it. Over the years it has always been the Address in Reply debate that has attracted much attention and has underpinned the institution of the Parliament. It is for that reason that I find it a pleasure to support the motion for the addresses in response to the Speech with which his Excellency was pleased to open this Parliament.

I join with other members in extending congratulations to the Speaker (the member for Playford) for his appointment to the highest office that this Parliament can bestow on one of its members. I am sure from what we have seen thus far during his superintendence that the debates will be orderly and every member, irrespective of whether he is in Government, Opposition or minority Party, will be given a fair go. I think that that was laid down by the example of the previous Speaker, the member for Light.

It is pleasing to see the new Speaker continuing on those lines. I congratulate the Deputy Speaker on his gaining that office and also the office of Chairman of Committees. He had a rough ride to that office, but it was never in doubt. As always, he is a survivor; he has lasted a long time in this place. I have always enjoyed his company. Besides being a resident of one of the largest country towns in this State he has many and varied interests, not the least of which is his excursions to the turf. I do not wish that to be misconstrued. I am pleased to see the Deputy Speaker's success in this State that has been coming under a lot of fire recently in other areas. It is pleasing to see him enjoying success as a senior officer in this House and in other ventures.

I join with other members in welcoming the new members to this Parliament. On the Opposition side we have the new members for Mitcham and Goyder, both young men of attainment. In the districts to which they have been elected I believe they will serve for some time. They have both had excellent examples of representation in their electorates down

through the years, and I am sure they will set out to emulate what has gone before them.

I refer also to the new members on the Government side. We have four new members representing the electorates of Mawson, Brighton, Unley and Henley Beach, and I extend a welcome to them. I join with the member for Coles and say that I am pleased to see two women. So, to the girls—

The Hon. Jennifer Adamson: Don't call us that!

Mr RODDA: Do not be offended. I once heard a distinguished member of this House—the member for Ross Smith—being told not to refer to women as girls. He went further. I will not say what he said, although it was not uncharitable. I welcome the members for Mawson and Brighton, along with the members for Unley and Henley Beach. I have taken heed of the speeches they have made. For other members, it is not a case of welcoming them but rather welcoming them back. I refer to the member for Hartley (who was previously the member for Morphett) and also the member for Newland. Both members had a spell out to grass, and they are now back with bigger and broader opinions and will make inroads into the debates.

I also welcome the new members in the other place, including the Hons. Diana Laidlaw, Robert Lucas, Peter Dunn and Mr Gilfillan. I am sure the contributions they will make as new members will have a bearing on what comes from this House. I believe in the bicameral system of government. We have seen the new force coming up there; sometimes it pleases us and sometimes it gives us concern. However, that is how the people have voted and I am sure that in a democracy we accept it. The new members will find that this Parliament is renowned for its comradeship and friendship. We have seen the cut and thrust of politics today. One plays for one's side and loses no marks for doing so. Members will find down through the years that, as the session gets along and the new Parliament settles down, it is a friendly place. People on either side of the Parliament are only too pleased to help their colleagues in many and varied ways.

I refer to the new Government Whip, the member for Ascot Park. He is to be congratulated on his gaining that office. I had the pleasure of being Government Whip in the Steele Hall Government. It is a rewarding and exacting office. The Whip is a person of great power and must know where each member is 365 days a year, 24 hours a day.

A number of officers have retired and I acknowledge in particular Mr Keith Russack, a distinguished and dedicated member. If anyone kept up the numbers in the House, it was Keith Russack. He was a diligent sitter and always took his duties in this place with the utmost seriousness. He was a fine example. The only other member I have seen as diligent as Keith Russack is the Hon. Ron Payne, now a Minister. When he first came here he was of that calibre and always kept up the numbers in the House. Others of us are not as good. Gil Langley and Des Corcoran were also great personalities not only in the Parliament but on the South Australian scene. I pay a tribute to those gentlemen for the services they rendered to the State, Mr Langley as a distinguished Speaker and Mr Corcoran as Deputy Premier and also Premier for nearly 12 months.

I was sorry to see people such as Dick Glazbrook, Bob Randall, Ivar Schmidt and Brian Billard go. Their three years here were marked by their individuality and the distinguished representation that they gave. We look forward to seeing them enter this place (or another place) again in the days that lie ahead. In the other place, we have seen the Hons. John Carnie, Don Laidlaw and Boyd Dawkins depart the scene from what was the Government side. All three gave distinguished service to the State—John Carnie for some time in this place. Mr Don Laidlaw has been one of the State's leading industrialists in business circles. He

will not be lost, as his place has been taken by his daughter. The Hon. Boyd Dawkins, who received an M.B.E. in the New Year Honours List, was here for about 20 years. He was an authority on agriculture and stud stock, and his other great love was music. Those members have left marks that will be long remembered in this place. Another gentleman who retired was the Hon. Norm Foster. I pay a tribute to him as he took a very courageous move in the latter years of his service. It takes a lot of intestinal fortitude to do what he did and break from his Party over something about which he felt strongly.

The Hon. Jennifer Adamson: He let a few other people off the hook.

Mr RODDA: Yes, I think he did. He took a decision with which other people were having difficulty. I believe that in history Norm Foster will play a great part and will be recognised for the decision he took. He was a tremendous soldier and is recorded in the annals of war. He took that decision, and I pay a tribute to him. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

BUILDERS LICENSING ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

CONSUMER TRANSACTIONS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT

The Hon. G.J. CRAFTER (Minister of Community Welfare): I move:

That the House do now adjourn.

Mr GROOM (Hartley): It is really quite sad to see the Opposition returning to a role reminiscent of the type of style of Opposition typified in the years to 1979 under the member for Bragg. The Opposition is really playing something of a destructive role in South Australian politics at a time when the nation itself has called for national reconciliation, recovery and reconstruction.

The Leader of the Opposition is adopting this style, which as I say is very reminiscent of the style of the member for Bragg when he was Leader. He started off, and is reported in the *News* in December 1982, trying to undermine the Premier's efforts in relation to the wage freeze and saying that there was a union grip on the new Labor Government, that it was influenced by the power of the union and that therefore the Government did not have a free hand in this matter. That is quite untrue.

The Opposition Leader then sought to subvert the efforts made by the Premier and to call for a confrontationist approach to the trade union movement, despite the fact that there was a call for consensus, as reported in the *News* of 8 December 1982, by Mr Schrape, the South Australian Chamber of Commerce General Manager. The *News* states:

Mr Schrape said today that he would meet the Premier, Mr Bannon, early tomorrow to discuss the proposal for a six-month pause in South Australia. He said he welcomed the opportunity for early talks and that a consensus was necessary if the pause was to work.

Yet here we have the Leader of the Opposition seeking this confrontationist approach, using these very highly emotive terms which, in a particular sense, are totally out of keeping with the trend in the nation and they put South Australia in the position of being somewhat worse off in relation to a consensus for a reconciliation and reconstruction, approach and how we are to develop economically in future.

There was another example this week of attacks by the Leader of the Opposition on the Ramsay Trust, and this was despite the fact that it was reported in February 1983 that the Housing Trust had a record 7 175 applications for rental accommodation in the last six months of 1982. This was a 12.2 per cent increase on the corresponding period in 1981, and almost in gloating-like fashion the Leader of the Opposition appeared very pleased that the Ramsay Trust had failed, and it verified a position which he says he allegedly took. In fact, it was simply a failure of a debenture issue and there was no real regard for the number of people who have now missed out on housing in this time frame because of the benefits that the Ramsay Trust would have given. In fact, the correct approach for the Leader of the Opposition to follow was simply to encourage the Ramsay Trust and to encourage this type of development.

An honourable member: He didn't discourage it.

Mr GROOM: But what did he do to encourage it? I cannot see anything that he did to encourage it. In fact, the method by which he raised it in this House was quite clearly the reverse, and it cannot be anything else. It was to downgrade this type of development that would assist people to purchase a home in circumstances where they otherwise would not have been able to do so. With this type of destructive opposition approach, one would think that the national decision on 5 March would have put an end to these types of tactics. But no, the Opposition is still in line with the line that was taken by the Fraser Liberal Government in the last days of March, which was saying that there would be a devaluation because all this money was leaving the country. In fact, they precipitated that momentum towards money being taken out of the country and the necessity for devaluation, all to the detriment of our nation because we know that many international financial speculators made large profits out of the necessity for the devaluation. However, these types of tactics are quite destructive for our nation and for our State.

One only has to go back. It is reminiscent of the period of leadership of the member for Bragg, as we can all recall that. One has only to go back to his period of Opposition when the Liberal Party used to say, and say it up and down the State, that industry was leaving South Australia. We all know that this claim was essentially false. There was a depressed period of economic activity, but by continually parading these types of matters one precipitates the very course of events that one is allegedly seeking to avoid. However, they used to parade for years that industry was leaving the State and claim that industrial unrest in South Australia was amongst the highest in Australia. We all knew that that claim was false because when they were in Government they had to do the very opposite and say that we had the best industrial record.

They said that South Australia was amongst the highest in land prices of any capital city. One has only to pick up the weekend newspapers interstate and compare the land prices there with those here to see how false that type of allegation is. They said that taxation in South Australia is amongst the highest in Australia. However, a proper look at the figures quite clearly shows that that was not the case. They said that home building costs in Adelaide were higher than anywhere else. All these types of matters contributed to quite a depressed outlook as far as South Australians were concerned. When it got into office, the former Gov-

ernment had to start quickly reversing that type of trend and preach the opposite.

It is very unfortunate to see the Leader of the Opposition descending to these destructive tactics, which are simply not in the interests of South Australians, by his attempts to undermine the Premier over the wage freeze situation, by seeking a confrontationist approach when the employers themselves were calling for a consensus-type approach and then attacking the Ramsay Trust in the manner that he did. I hope that members opposite will take some note of these remarks and capture the spirit of 5 March when the people of Australia overwhelmingly endorsed an era of national reconstruction and recovery.

An honourable member: What date was that?

Mr GROOM: On 5 March of this year, during the Federal elections, for the honourable member's benefit. I wish to make a few remarks about the recent flooding. Honourable members may recall that the Hartley electorate was subjected to severe flooding in mid 1981, and extensive damage was done as a result of the problems along third and fourth creeks. Although on this occasion the catchment areas for third and fourth creeks were not amongst those as heavily hit as in other areas of the State, nevertheless I want to pay some tribute to the work carried out by the Campbelltown council during the past 18 months. In particular, it got in very quickly and acquired various properties along the creeks. It got in and cleared out the creeks, and it was certainly reported to me that during the recent floods third and fourth creeks flowed pretty freely. I think that that was in part due to the work undertaken by the Campbelltown council.

There is quite a lot more to be done. I know that there is a further stage of necessary development as far as fourth creek in particular is concerned, and I certainly recognise that the catchment areas were not hard hit on this occasion. However, I want to pay that tribute to the Campbelltown council for taking notice of what occurred in mid-1981 and getting on and doing something about it. However, it was certainly reported to me that the creeks tended to flow freely and were comparatively free of obstruction.

Finally, I refer to the Adelaide bicycle plan, as advertised in the February edition of the *Payneham News Review*. The O'Bahn bus route which was started by members of the Opposition when in Government is an eyesore on the landscape and ruins the Torrens Valley. However, it is there and this Government is compelled to continue with the venture. As a result of the bus route, various streets in my district have been closed, with the result that children attending the East Marden Primary School have been forced on to roadways which carries heavy vehicular traffic. The bicycle plan recommended a recreational and transportation corridor along the Torrens River and the construction of a bicycle track between Darley Road and James Street. No doubt people will comment on the project within the period allowed. Earlier, the Minister said that \$200 000 would be made available for certain work during the 1983-84 financial year, and I believe that the people in my district are entitled to some priority in this matter because of the inconvenience they have suffered as a consequence of the O'Bahn.

Mr LEWIS (Mallee): Last year, a matter was heard before Mr Justice Wells in the Supreme Court regarding compensation payable to Mr Jack Tynan by the Highways Department for land acquired from him between Coonalpyn and Yumali for the purpose of building a new carriageway on Dukes Highway. The plan is that, when the number of vehicles using that part of the highway exceeds 4 000 a day, the carriageway is to be duplicated to make it consistent with the highway between Tailem Bend and Swanport bridge: that is, a restricted access dual carriageway. Having contested the offer of the Highways Commissioner, Mr Tynan quan-

tified his ambit claim, among other things by seeking compensation for the cost of controlling pests, as he is required to do under the terms of the Pest Plants Act, 1975, and the Vertebrate Pests Act, 1975.

I refer especially to the effect of anomalies in the Pest Plants Act not only on Mr Tynan but also on many other landholders along Dukes Highway where land has been acquired by the Highways Commissioner for the purpose to which I have referred. In November, I received a letter from Jonathon Roberts, of Coonalpyn, after he had rung me on 11 November. His letter, dated 14 November, states:

I wrote to the commission on 19 March asking them to outline my responsibilities in relation to weed control on the new enlarged highway land. As I pointed out in my letter, the area controlled and the cost of the work was a factor in my accepting the offer made to me by the Highways Department for my land. It was two phone calls later before I got a reply and I do believe if I hadn't chased them I wouldn't have got anything. The answer is not at all satisfactory as it shows us landowners along the highway responsible for the weeds to the centre of the reserve, an area up to 10 chains wide.

I have measured the highway in a number of places, and it is over 10 chains wide in some places. Mr Roberts's letter continues:

This meant that:

1. If spraying is required we will have to risk our plant crossing a busy road and working beside fast moving traffic—perhaps some problems with insurance, etc., to my plant, myself and my employees.

2. A huge area to control and most of it now good old fertilised farm land—weeds will grow well.

I can assure members that weeds will grow extremely well on such highly fertilised land. The letter continues:

3. The Highways Department has not compensated us at all for this imposition.

Jack Tynan wrote to the commission at the same time and also had no reply, so when I contacted him about my reply he got on to the commission and got a reply the same as mine. Under the findings of the judge, in their court case 12 months ago—

that is, more than 12 months prior to November 1982—

Mr Justice Wells found that Jack's responsibility was only to the centre line of the new road after it is commissioned.

I will read that judgment in a minute. The letter continues:

Jack has contacted his solicitors who said straight out that the Pest Plants Commission cannot do that. It is contempt of court.

So, it is in contempt of Mr Justice Wells' ruling on the matter. However, the local board has been instructed by the commission to take proceedings against the landholders if they do not accept that responsibility and control their weeds. The letter continues:

The case was brought down to be only on Jack's property and not deemed as a test case, but the Highways Department used its findings as a yard stick for the rest of us—

that is, in negotiating the price to be paid—

and I cannot see why in this matter any of our properties should receive any different treatment to that which the judge found to apply to the Tynan property.

These people have asked me to take up the matter and I have done so, but without beneficial result. On 26 October 1982, the Pest Lands Commission wrote to Mr Roberts, pointing out that:

... under provisions of the Pest Plants Act the local Pest Plant Control Board has a responsibility to destroy all primary pest plants and to control all agricultural pest plants on all public roads within its control area. Owners of the lands adjoining public roads shall pay to the board the cost of such control each being responsible for that section of the road which adjoins his property up to the middle of the road.

'Public road' includes any land that lies between the boundary of adjacent land and the edge of the constructed carriageway, therefore, cost responsibility for control of pest plants is as indicated on the attached plan.

Mr Deputy Speaker, I seek leave to have the plan referred to reprinted in *Hansard*, because it is a diagrammatic rep-

resentation of the responsibilities, as the commission has interpreted them, of landholders adjacent to roadways.

The DEPUTY SPEAKER: Does the honourable member wish to incorporate in *Hansard* a diagram? Is it statistical or not?

Mr LEWIS: Yes. It indicates the percentage or proportion of responsibility of the adjacent landholder as to the road reserve as provided by the Pest Plants Commission.

The DEPUTY SPEAKER: I will not allow the honourable member to have it inserted in *Hansard*, although I will seek further advice and, subject to that advice, I will make a further ruling.

Mr LEWIS: Mr Deputy Speaker, thank you for your consideration. On page 32 of his judgment Mr Justice Wells stated:

In the circumstances of the present case, therefore, section 40, so far as it affects the owner of the retained land, imposes on him a responsibility that, in my opinion, extends only to the middle line of the new Duke's Highway road reserve, when it becomes a public road. Until it becomes a public road, Mr Tynan will be exempt from the responsibility. The old road reserve, while the subject land remains undedicated, will not adjoin the retained land. After the new highway has been dedicated, the old road reserve, if I have construed section 40 correctly, will not be a public road that attracts, by virtue of section 40, the responsibility of the owner of the retained land.

It follows then that the foregoing assumption about Mr Tynan's responsibility for the 'enlarged' road reserve—

that patch of country that was over 10 chains wide—

that Mr Maloney was induced to make is not well-founded in law. Moreover, I have no material before me from which I am able to fix, with confidence, the date when Mr Tynan's responsibility will commence.

To cut a long story short, he struck out Mr Tynan's request for compensation for the additional cost of controlling weeds that he was to incur as a result of having that huge area of land adjacent to his home from which he derived no production, but which he had to look after.

The DEPUTY SPEAKER: Order! The honourable member's time has expired. The member for Mallee sought leave to have a diagram inserted in *Hansard*. As I pointed out before, it is usual practice for honourable members to seek leave to have matter comprising figures or statistics inserted in *Hansard*. I point out to the honourable member that Standing Order 138 states:

Where a Member, in speaking to a question, refers to a statistical or factual table relevant to the question, such table may, at the request of the Member and by leave of the House, be inserted in the official report of the Parliamentary debates without being read.

That rule illustrates what I have already stated in regard to obtaining leave.

Mr MAYES (Unley): I refer to the editorials that appeared in the *News*, the Murdoch paper of South Australia, and in particular to the editorials published prior to the recent Federal election. If one carefully considers the drift in direction of those editorials published since late January, one can see that it was not a subtle but a clear direction that was being given to the voters of South Australia to support the Fraser Government and the conservative politics being projected by that Government. The heading of the editorial of 27 January 1983 clearly threw out a challenge to the then Leader of the A.L.P., Mr Hayden. It challenged his role in the Labor Party and his ability to maintain a Party that would win Government. The heading 'Looking to the left' was obviously intent on capturing the emotions of South Australian and Australian voters. To use a well-worn phrase, a red-baiting type of title was used.

Following the calling of the Federal election by the Prime Minister, the editorial of 3 February 1983 was entitled, 'A vote for Australia', and threw its support behind the then Prime Minister and the fact that we should be taken to the

polls prior to the expiration of a term of Parliament. In fact, the editorial gives clear support to this by stating:

The opportunity was too good to pass up and, accordingly, Mr Fraser has launched his political pre-emptive strike.

This was purely a cynical position taken by the Prime Minister in an attempt to maintain his style of politics and economic management of this country which has proven to be a failure over the past seven years. The editorial further states:

The Government has been able to convince the electorate that the recession is not of its making but is a consequence of an international downturn.

In fact, it has been demonstrated that the Fraser Government did not convince the electorate of that. Its attempt to transfer the blame away from its own mismanagement to the international scene failed, as it should have done, because the previous Federal Government was responsible for the high level of unemployment, and the suffering that many Australians incurred as a consequence of its policies over the past seven years.

The editorial then threw down the gauntlet to voters, having set the scene to encourage them to support a Fraser Government, by stating:

More is at stake next month than the political fortunes of the Party leaders. It is an election which is vital to the futures of all Australians.

That is something that was obvious to all Australians who went to the polls on 5 March. I refer next to the editorial of 4 February headed, 'A clear choice for the people,' which stated:

The Prime Minister was more than justified in calling the election when and as he did.

I could not agree with that, and I am sure there is a majority of Australians who support my opinion. The comment in the editorial I believe is an irresponsible statement. Why should the electorate constantly face short-term periods of Government and be put to the expense and inconvenience of having elections when there is already an elected Government in office? Fortunately, the electorate decided that Mr Fraser's time was up and that, in fact, we were due for a change. The opportunity was taken and there was magnificent support for a Hawke Government. The editorial further stated:

The alternative was worsening industrial strife with an election bound to come sooner or later, anyway.

The intent was to threaten the Australian electorate by saying that unless an election was held there would be worsening industrial strife. What an irresponsible and careless way of dealing with the important aspect of editorial comment in a major newspaper. The editorial of 7 February, entitled 'Hawke's big hurdle', was where the *News* started to build up its big campaign against the possibility of having a Labor Government—against the inevitable, as we found out on 5 March. The editorial stated:

Labor's change of leader has not altered the fact that the Federal Party was against the pay pause and was therefore allied to the trade unions working to break it.

The fact that the now Prime Minister indicated that he would call for a national summit before any issues of industrial and economic importance were decided was ignored. It had been announced that there was to be a major national summit involving over 100 represented groups, but the *News* did not bother to convey that to the electorate. It simply said that the Labor Party was maintaining a certain position. The editorial further stated:

But as of today it does not have a policy and its efforts to find one have been unconvincing.

The only Federal Party that was attempting to establish a situation of consultation and conciliation was being criticised by the *News* for not having a policy. It further stated:

But the initiative at this stage lies with Mr Fraser.

It was having two bob each way. The editorial of 10 February 1983, entitled 'More costly promises', launched into an attack of the Labor Party's constructive endeavour to get people in Australia back to work as follows:

The most familiar refrain of an Australian election campaign is being heard again: where's the money coming from?

One could say that that applies to the *News*, and I refer to the constant cries that we read about where the money is coming from, which is not a constructive approach, but a destructive approach. The editorial in the *News* of 10 February 1983 states:

... if the price is cut the Government bears the burden of reduction, its revenue must fall. The cost of Mr Hawke's promised 3c a litre drop could be around \$400 000 000 a year.

The editorial goes on to say:

There is also the argument that such pricing would diminish incentive for further exploration, an argument which should not be dismissed out of hand.

Here they are talking about the price of petrol. In tonight's *News* they are not satisfied with that. They were prepared, on their own initiative, prior to the election to criticise a Labor Government for offering a price cut if the crude barrel price of oil dropped. Tonight's *News* carries a headline 'Raw deal' on petrol pricing for South Australian drivers', so, on the one hand we are accused of being irresponsible for proposing a cut in the petrol price and, on the other, tonight's *News* states that we are being irresponsible because we have cut it. People should decide what they feel is being responsible to the community as a whole. I do not believe that either their approach or their attitude has been responsible. I have another quote, which states:

Petrol price cuts, as explained to date, are dubious economics and the kind of politics which have given election promises such a bad name.

Mr Trainer interjecting:

Mr MAYES: My colleague from Ascot Park makes the point that they are not consistent, and they have shown that time and time again. On the following day, 11 February, the *News* editorial explaining the Labor Party's policies was headed, 'Road to recklessness'. Here we have a further and constant attack upon the Labor Party's economic programme. What did we have from the Fraser Government? Nothing, except fear and division, that was what was being offered by the Fraser Government. Our position was to offer something constructive, to offer an alternative which provided employment and economic well-being in the community, yet the *News* constantly attacked our position. The editorial continued:

The Labor Party's economic programme is a disappointment and if the Party wins Government would prove a hideously expensive mistake.

And later:

And without pay restraint resulting inflation combined with spending, which would add \$1 500 000 000 to an already blown out deficit, would be disastrous.

Little did we know the size of the deficit that the Fraser Government was sitting on. On 14 February, the *News* editorial attacked Mr Hawke and the A.C.T.U. in one breath and, under the heading, 'The myth of harmony', stated the following:

Would the A.C.T.U. be able to guarantee that its members would abide by that agreement?

Public statements had been made and undertakings given by the Prime Minister and the President of the A.C.T.U. that there was a guaranteed agreement. People could not accept that and had to come out and attack the agreement when it was reached.

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

Motion carried.

At 5.24 p.m. the House adjourned until Tuesday 22 March at 2 p.m.