HOUSE OF ASSEMBLY

Thursday 1 November 1984

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

DEATH OF MRS GANDHI

The Hon. J.C. BANNON (Premier and Treasurer): By leave, I move:

That this House expresses its profound regret at the most untimely death of the Prime Minister of India, Mrs Indira Gandhi, and offers its deepest sympathy to the people of India; and that the Speaker convey this message of sympathy to the Speaker of the Lok Sabha.

In moving this motion I make the point that it is not common practice for us to acknowledge the death of world leaders or other Parliamentarians except in special circumstances, but this is such a special circumstance that I think should be formally noted by the House. Coming so soon as it does after the appalling bombing that took place in the United Kingdom, the death of Mrs Gandhi in the circumstances in which it occurred emphasises yet again the dangers and problems of the world political scene, the personal risk which is so often involved in taking public office and attempting to govern in the interests of the people.

Mrs Gandhi has dominated the politics of India for many years. She was the daughter of the first Prime Minister of independent India, Mr Nehru. She was therefore knowledgeable and skilled in the political process, particularly in such an extraordinarily diverse nation with so many religions and racial differences, with so many people and so many economic problems. The task of a Prime Minister in attempting to weld that nation, and most importantly preserve the democratic process in it, was one that Mrs Gandhi discharged through many problems in her period in public life.

She was certainly a symbol of India to the outside world and obviously commanded great respect and at the same time, as anyone in public office inevitably does, attracted some considerable controversy during the period of her office, but the manner of her death, the circumstances surrounding it, I think can only be the cause of profound alarm and regret. It is fortunate indeed that such events do not occur in our country, and long may that be the case. I think it is appropriate that when such things occur we should note them and express our regret and concern.

To conclude briefly on a personal note, I had the privilege of meeting Mrs Gandhi—fortuitously, as it turned out—on a plane journey in 1968. I happened to be on the same flight as she was. I was attending a student conference at the time, and she came through the plane acknowledging a number of her fellow Indian citizens and happened to speak to me for some few minutes. In that time I was able to refer to the generous gift that had been made by her father, Mr Nehru, to the University of Adelaide of an inter-faculty debating shield—a shield which was secured partly through the good offices of Sir Walter Crocker, who at that time was High Commissioner to India, and which in the last few years was lost and only a few weeks ago was rediscovered. In the course of that conversation it became clear that she was a woman of great personal charm, of enormous courtesy, of a very keen intelligence and human sympathy. It is a tragedy when such a world leader has her career and her leadership terminated in this way. I therefore believe that it is appropriate for us to offer our sympathy.

Mr OLSEN (Leader of the Opposition): I support the motion. This outrage has shocked and deeply saddened all peace loving people wherever they live in a free society throughout the world. To her credit, Mrs Gandhi was a long serving and determined leader of the world's largest democracy. This event and other recent outrages such as this highlight the fact that the world is going through an era of political violence inspired by terrorists. As we mourn Mrs Gandhi's death with all people who share our belief and hers in the preservation of democracy, we must recognise that that type of terrorism has become one of the greatest threats to democracy itself. It is incumbent on us to do all in our power to see that such an occurrence is never allowed to happen in Australia. I appreciate the opportunity to join with the Premier in expressing our sadness at the untimely death of Mrs Gandhi, and our sympathy to the people of India and to all people throughout the world who believe in a free society and the preservation of democracy itself.

The SPEAKER: I take it that the whole House concurs in the motion. That being so, I undertake to relay its contents to the Speaker of the Lok Sabha.

Motion carried.

VISITORS

The SPEAKER: Before calling on the business of the day, I point out that in the gallery is a group of American field scholarship students. I welcome them to this State, to this city, and to our Parliament House.

PETITIONS: OPEN SPEED LIMIT

Petitions signed by 439 residents of South Australia praying that the House urge the Government to reject any proposal to reduce the open speed limit from 110 km/h to 100 km/h were presented by the Hons H. Allison and D.C. Brown and Mr Meier.

Petitions received.

PETITION: WEST BEACH GOLF COURSE

A petition signed by 529 residents of South Australia praying that the House urge the Government to oppose the closure of the existing Marineland Par 3 golf course, West Beach, until a new course is completed was presented by Mr Becker.

Petition received.

PETITION: COORONG BEACH

A petition signed by 606 residents of South Australia praying that the House urge the Government to ensure that the entire Coorong beach remains open to vehicles and the public and that all tracks are maintained in good order was presented by Mr Lewis.

Petition received.

PETITION: X RATED VIDEO TAPES

A petition signed by 131 residents of South Australia praying that the House ban X rated video films in South Australia was presented by the Hon. H. Allison.

Petition received.

PETITION: ANTI DISCRIMINATION BILL

A petition signed by 39 residents of South Australia praying that the House delete the words 'sexuality, marital status and pregnancy' from the Anti Discrimination Bill, 1984, and provide for the recognition of the primacy of marriage and parenthood was presented by the Hon. E.R. Goldsworthy.

Petition received.

QUESTIONS

The SPEAKER: I direct that the written answers to question on the Notice Paper No. 149 and a question without notice, as detailed in the schedule that I now table, be distributed and printed in *Hansard.*

PINNAROO RSL

149. **Mr LEWIS** (on notice) asked the Treasurer: When will the Treasurer answer the letter from the Pinnaroo RSL seeking a definition of 'charitable organisations' and other information relevant to the financial institutions duty?

The Hon. J.C. BANNON: A reply to the member's letter dated 3 October 1984 on behalf of the Pinnaroo sub-branch of the Returned Services League was sent on 31 October 1984.

EGG MARKETING

In reply to **Mr FERGUSON** (16 October).

The Hon. LYNN ARNOLD: The South Australian Egg Board will introduce a six-egg pack as soon as the packages become available from the manufacturer. Following a petition from the Consumers Association of South Australia the South Australian Egg Board conducted a survey of retail outlets to determine the feasibility of introducing a new half-dozen pack for eggs. The results of the survey indicated that most retail outlets would stock the new pack. The Board therefore decided to introduce the new pack in the most popular grade, the 55 gram or large egg grade. The main drawback with the new pack is that costs are expected to rise by 2c per six-egg pack or 4c per dozen.

The extra costs result from the cost of the new pack coupled with extra costs of packing using equipment which was designed to handle one dozen cartons. However, it is expected that the extra cost will be more than offset by the added convenience and the reduced risk of breaking eggs. The rate of acceptance will be monitored and the six-egg packs will be introduced in other grades in response to consumer preferences. It is expected that the new packages will appear in the stores before the end of this year. The South Australian Egg Board should be commended for its positive response to the need identified by the Consumers Association.

MINISTERIAL STATEMENT: COSTIGAN ROYAL COMMISSION REPORT

The Hon. J.C. BANNON (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. J.C. BANNON: At the conclusion of this statement I will table five volumes and one appendix volume of the report of the Royal Commission on the activities of the Federated Ship Painters and Dockers Union, known popularly as the Costigan Report. These volumes comprise those parts of the full report of the Costigan Commission which have been determined by the Commonwealth and Victorian Governments as being appropriate for public release, edited to remove any matters which may prejudice further inquiries or legal action which may need to be taken in pursuance of the Commissioner's recommendations. The same material has a little earlier this afternoon been tabled in the Victorian Parliament.

I am tabling these documents in response both to a request from the Prime Minister and to discussions which took place in this House last week. As the Commonwealth Parliament is not sitting, the documents would have only the qualified privilege accorded under common law if they were tabled only in the Victorian Parliament. In the interests of ensuring uniform public access on a common basis as widely across Australia as possible, all State Governments have been asked to arrange for the tabling in their States. I understand that all other State Governments, with the exception of New South Wales, which believes there is already adequate statutory protection in that State, will be tabling the documents in their Parliaments today. I now table the documents and move:

That this House authorise the Report of the Royal Commission on the activities of the Federated Ship Painters and Dockers Union to be published.

Motion carried.

PAPER TABLED

The following paper was laid on the table:

By the Minister of Community Welfare (Hon. G.J. Crafter)—

Pursuant to Statute—

1. Legal Services Commission of South Australia—Report, 1983-84.

QUESTION TIME

COSTIGAN REPORT

Mr OLSEN: Can the Premier say what action the Government will take in view of the very serious findings in the final report of the Costigan Royal Commission about the activities of the Federated Ship Painters and Dockers Union at Port Adelaide? Mr Costigan's final report, released this afternoon, contains a 62 page section entitled 'Extortion in South Australia'. As well as finding that the South Australian branch of the Federated Ship Painters and Dockers Union is involved with other State branches in workers compensation frauds, fraudulent use of false names, addresses and dates of birth, and social security and taxation frauds, Mr Costigan has also singled out the South Australian branch for special comment about extortion rackets.

Giving 27 specific examples, Mr Costigan has reported that a pattern has emerged at Port Adelaide since 1979 of unreasonable demands being made to shipping companies for the payment of substantial sums of money amounting to many thousands of dollars. These examples have usually involved demands for payment for work not performed, with shipping owners being threatened that if the demands are not met their vessels will be prevented from leaving port. Mr Costigan has said that these activities have had a number of serious effects, which he has listed. They are:

Shipping freight rates have increased to cater for the possibility that such demands will be made of the shipping company.

That frequent occurrence of the demands has discouraged ship owners from using ports in South Australia.

The corresponding reduction in competition has caused an increase in freight rates; and

Poor international reputation of the Australian port facilities.

These findings are reflected in the significant down-turn in shipping activity at Port Adelaide. Last financial year, 917 vessels berthed at Port Adelaide, compared with 1 275 in 1980-81. In this period, the amount of cargo handled declined by some 13.5 per cent.

These findings by Mr Costigan come at a time when the present Government is continuing initiatives set in train by the former Government to establish a permanent shipping link with Japan and Korea. These efforts and others to improve throughput in our ports to boost economic activity in this State can only be significantly jeopardised unless immediate and positive action is taken to deal with these illegal union activities. In relation to those positive actions, the Opposition will support any determined positive action the Government takes to clean up what is an undesirable element in our port facilities in South Australia.

The Hon. J.C. BANNON: I should hope that the Opposition would support us in any action that we took. I appreciate that. I wish that the Opposition would support us in some other areas where that support would be useful, too.

In relation to the question asked by the Leader of the Opposition, I have heard of speed reading, but this is the first example I have seen of someone who is able simply to look at a document as it is tabled and extract detailed information from it. To that extent the Leader of the Opposition has an advantage over me, because I have not had a chance to read the report.

In fact, it was delivered to me as the House assembled in order for the tabling to take place. Naturally, the Government will examine the findings of the Costigan Royal Commission to the extent that action is necessary and appropriate in South Australia in terms of inquiries or other matters to be pursued. They will be pursued. We will obviously have discussions with our Federal colleagues on how we can co-operate with them in relation to such actions. I understand from what the Leader of the Opposition has said that these events took place from 1979 to 1982, during which, of course, we were not in Government and, therefore, not able to do very much about it.

The Hon. E.R. Goldsworthy interjecting:

The Hon. J.C. BANNON: The Leader of the Opposition was, in fact, in charge of police for part of that time and probably had some responsibilities in that area. However, we will certainly examine the Costigan Report and, when we have had a chance to read it, we will take what action is necessary. I am not convinced, without further investigation, about what cargo taken through the port of Adelaide is dependent on the factors that have been mentioned. First, one must bear in mind that the port of Adelaide has a far better industrial record than has any other port in Australia. Secondly, it is worth noting that much of the activities that Mr Costigan was investigating—and indeed the whole commencement of his investigation—related to the port of Melbourne.

The Hon. E.R. Goldsworthy interjecting:

The Hon. J.C. BANNON: Of course it matters here; it matters very much, and I am simply trying to put it in perspective. The port of Melbourne, which has been attracting the cargo, has been doing it for quite different reasons. The corruption and problems that were rife on the Melbourne waterfront far outweigh anything that has been found in relation to South Australia.

The Hon. E.R. Goldsworthy interjecting:

The Hon. J.C. BANNON: The Deputy Leader of the Opposition does not understand anything about this area; he would be wise not to comment on it. We are in a position of competition with the port of Melbourne where special rates have been paid in order to attract cargo. That is a serious problem that is totally unconnected with the findings of the Costigan Royal Commission. My colleague the Minister of Marine has referred to that on a number of occasions, and we have a plan of action to deal with it. Referring to the Costigan Report, there is no question that the South Australian police and the resources of the South Australian Government will be used in conjunction with those of the Commonwealth to do whatever is necessary arising from those findings.

OSBORNE POWER STATION

Mr PETERSON: I have a question of the Minister of Mines and Energy.

Members interjecting:

The SPEAKER: Order!

Mr PETERSON: Will the Minister of Mines and Energy provide the House with information on the Electricity Trust's future intentions in relation to the Osborne Power Station? I have been informed that the station's generators are to be taken out of operation progressively during 1985 and that the sole function of the plant by the end of 1985 will be to generate steam for sale at the adjacent ICI plant at Osborne. It has been put to me that there could be job losses and that, at a time when the State is investigating additional sources of electricity, it is inappropriate to close such a plant with its generation capacity and as a source of back-up electricity at a time of emergency.

The Hon. R.G. PAYNE: I thank the honourable member for his kindness in giving me advance notice that he wanted the information, which is of considerable concern to quite a few people. As the honourable member and perhaps some other members also would be aware, Osborne is a very old power station and, in common with all other old power stations, it is becoming increasingly expensive to run. The Trust informs me that, following the commissioning of the new Northern Power Station at Port Augusta, the older section at Osborne, known as B1, will be mothballed. However, there are no plans for its demolition, and I recall that some concern was expressed by the honourable member in his explanation about the future of persons who may be employed there. So, I am pleased to be able to say that the future of the other sections of the power station, as distinct from B1, will be reviewed from time to time. I can also give the honourable member information that I think he will be very pleased to receive: the Trust has advised me that there will be no loss of employment in this mothballing action that is being taken in B1.

SHIP PAINTERS AND DOCKERS UNION

The Hon. E.R. GOLDSWORTHY: Will the Premier propose to the Federal Government the establishment of a joint State-Federal police task force to investigate illegal activities of the Ship Painters and Dockers Union at Port Adelaide? The final Costigan Report exposes a wide range of illegal activities by members of the Ship Painters and Dockers Union at Port Adelaide, with specific reference to 1983, continuing into 1984, despite the Premier's assertion a moment ago with contrary information.

An honourable member: He didn't refer to 1982 at all.

The Hon. E.R. GOLDSWORTHY: That was an interesting comment from one who has not read the report. As well as extortion, they include conspiracy to defraud through collusion between cleaning contractors and the painters and dockers, workers compensation frauds, fraudulent use of false names, and social security and taxation frauds. The

examples of extortion alleged by Mr Costigan involve amounts of up to $16 000 in some cases. The major form of extortion involves what are called 'bogus job and finish claims', which Mr Costigan has described as follows:

> When the work is almost completed the painters and dockers make a claim from the contractors or shipping agents for a cash payment to do a 'quick clean job', that is, to finish the job. If the demand is not paid by the ship owners, the vessel will be delayed in port and be forced to pay berthing fees as high as $32 000 per day, averaging $14 000 per day.

Mr Costigan has also reported that, since the Royal Commission was appointed, the Australian Federal police suspect that the union is now carrying on a different kind of extortion, involving agreements entered into with contractors before the job even begins. In these cases, Mr Costigan reports that it is suspected that there is collusion between the contractors and the painters and dockers, whereby both parties obtain an unreasonable advantage to the detriment of the shipping owner. The findings of illegal activity made by Mr Costigan involve Federal and State laws, and the appointment of a joint Federal-State police task force to make further immediate investigations and to ensure that they are stamped out requires urgent consideration.

The Hon. J.C. BANNON: I repeat that I have not had the advantage that members of the Opposition apparently have had of seeing an advance copy of the report or reading it, so I can only rely on the information that members opposite have presented.

The Hon. B.C. Eastick: Telex and telephone?

The Hon. J.C. BANNON: Calm down, Bruce.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: I understood that we were told by the Opposition that it is treating this matter as serious. It would certainly surprise me and anyone else to find that that was how the Opposition was treating it. Quite clearly, members opposite are using it as a way to stir up a bit of cynical bashing.

An honourable member interjecting:

The Hon. J.C. BANNON: That is fine, and the interjections that are repeatedly being made demonstrate it. I say again that I have not had the advantage of reading the report and do not know what it contains. I have simply tabled it today. Naturally, the Government will be examining it as a matter of urgency. The responsibility for that would lie initially, I imagine, with my colleague in another place, the Attorney-General, and, of course, he will have to discuss police matters with the Minister of Emergency Services.

Reference was made by the Deputy Leader of the Opposition in explaining his question to certain Federal police inquiries. If there have been such inquiries, we do not know what stage they have reached or whether there has not been considerable co-operation between South Australian and Federal police already in this matter in cases where matters have been drawn to the attention of people as possible criminal matters. That is one matter that will obviously need to be investigated. Honourable members will be well aware of the leading role that we have taken in this State in arrangements to establish the National Crime Commission and our full and active participation in that. That will be translated into the full and active assessment of this report and action that will be taken. Instead of pathetic interjections, I would hope that we could have some genuine support from members opposite.

WOMEN POLICE OFFICERS

Mrs APPLEBY: Will the Deputy Premier advise whether a positive recruitment programme exists for encouraging women to apply for the Police Force in South Australia? From information I have received, I believe that there has been a decline in the number of applications being received from women for entrance to the Police Force. As a number of young women who are seeking employment would fulfil the criteria for application, it has been put to me that there does not seem to be any encouragement to do so. I understand that the decline in applications is very marked.

The Hon. J.D. WRIGHT: The honourable member refers to positive activities regarding the South Australian Police Force in relation to women entering the work force. I am not aware of any specific initiatives that have been taken by the police to encourage women to join the Force, but I did get out some figures that are quite interesting. In the light of those figures, I intend to discuss with the Commissioner the possibility of putting in train some specific initiatives in relation to encouraging women to join the Police Force.

The statistics that have alarmed me more than any others are those showing the decline not only for those actually entering the Police Force but also for those applying to enter. The figure for female applicants in 1979-80 comprised 43 per cent of the total processed. I would consider a ratio of 57 per cent male applicants to 43 per cent female applicants for employment within the Police Force to be reasonable.

However, during 1980-81, the proportion of applications dropped to 41.8 per cent; then, alarmingly, during 1981-82, to 39.6 per cent; and during 1982-83 (the latest figures that I have), it dropped to 29.6 per cent. What I do not know, and I do not suppose anyone else does either, is why there has been such a dramatic fall in the number of applications by women wishing to join the Police Force. One would have thought that it is a very good occupation: it is very stable and has some very interesting factors about it. The 254 women, I believe, who are there serve the State well and get total satisfaction from their jobs. So, it is an alarming situation that, for some reason not apparent, the number of women making application has declined. As I indicated to the honourable member, I will pursue her question with the Commissioner of Police, first, to discuss with him the possibility of some initiation to encourage more women to make application, and also to see whether or not it is possible to establish why women had not continued the trend that was occurring previously.

COSTIGAN REPORT

The Hon. MICHAEL WILSON: The Premier, in his answer to the Leader, said that he would have discussions with the Federal Government on the question of the Costigan findings. During those discussions, will he ask the Federal Government to have the Federated Painters and Dockers Union deregistered in view of the findings of Mr Costigan concerning the union's illegal activities at Port Adelaide? The Leader, in his first question, has summarised Mr Costigan's major findings on the activities of this union at Port Adelaide. While its membership at the Port has significantly declined in recent years to a present core level of between 20 and 25, Mr Costigan has reported that this has had the effect of stimulating the union to make its presence felt.

Because such a small group of people has the potential, as demonstrated in this report, to hold South Australia's major port to ransom through extortion and blackmail, immediate action must be taken to curtail its activities. As it is a Federal union, registered with the Federal Conciliation and Arbitration Commission, will the Premier consider asking the Federal Government to make an application, under section 143 of the Conciliation and Arbitration Act, to have

the union deregistered? Such action could help to limit damage to South Australia from the Costigan Report, because I understand that this is the only State in which Mr Costigan investigated and has reported upon extortion on the waterfront.

The Hon. J.C. BANNON: I cannot give a definitive answer to that question until we have had a chance to examine the matter. However, whatever action is appropriate and necessary will be taken.

HOUSE DESIGN RATING SYSTEM

Mr KLUNDER: Can the Minister of Mines and Energy provide the House with details of the five star house design rating system which I understand is being launched in South Australia today under the GMI builder education programme?

The Hon. R.G. PAYNE: Yes, I have details of this important builder education programme, and I will be delighted to give them to the House. The five star house design rating system was actually launched nationally on Monday. It is not being launched in Adelaide today, although the GMI team is visiting Adelaide today to further publicise, explain and sell the programme. Basically, the five star design rating system has been conceived to enable home buyers to identify houses which offer specified standards of comfort, value and energy efficiency.

Mr Mathwin interjecting:

The Hon. R.G. PAYNE: As a matter of fact, that is correct: this has now moved into the home building area.

Mr Mathwin interjecting:

The Hon. R.G. PAYNE: Would the honourable member like to answer the question? The system has been developed as part of the GMI builder education programme which aims to transfer the technology of low energy housing to the home building industry. Its development has been funded by the Commonwealth and the Governments of South Australia, New South Wales, Victoria and Tasmania, together with several building industry associations. The objective is to make energy efficiency a subject of interest to home buyers, easy to understand and attractive.

Houses which comply with detailed criteria relating to design, room layout, levels of insulation and thermal mass glazing will be eligible to receive a five star design rating. In effect, the rating will be a label which indicates to the consumer a high standard of energy efficient design. I suppose that is analogous to the energy rating labelling programme which is in the process of being undertaken throughout Australia under which, for example, labels will be attached to refrigerators with information that will enable prospective buyers to make a good assessment of the machine based on criteria that are not usually found in advertising pamphlets which sometimes promise more than a buyer actually receives.

The criteria from which assessments will be made have been developed from detailed research carried out by the CSIRO Division of Building Research. These are being incorporated into a design and construction manual as recommended specifications and construction details. The manual will also cover the marketing and selling of five star homes and will shortly be pilot-tested at a series of workshops involving key segments of the building industry. Assessment of house designs will not start in South Australia until the design and construction manual is available to builders and until a five star display house is available for public inspection.

I have considerable pleasure in announcing that Hickinbotham Homes has committed itself to the construction of at least one five star display house, to be opened by March next year. Builders who become involved in this manner will be given assistance in marketing and promotion. From next March, assessments will be carried out by the Department of Mines and Energy, operating through its Energy Information Centre on North Terrace. In the meantime, builders and home buyers who want more detailed information about the five star design rating system will be able to obtain it by visiting the Centre and talking to its staff.

NORTHERN POWER STATION

The Hon. B.C. EASTICK: In view of the impact which depreciation charges on the new Northern Power Station are likely to have on electricity charges in the future, can the Minister of Mines and Energy state what is the latest estimated completion cost of the station? Electricity tariffs are going up by 12 per cent from today, and the Electricity Trust has warned in its annual report tabled this week that it is becoming increasingly difficult to maintain a competitive position with the other States in relation to tariffs. One factor which the Trust says will further affect its operating results are depreciation charges on the new Northern Power Station at Port Augusta, which will be brought to account for the first time this financial year. These charges will be based on the completion cost of the station, which has escalated significantly in recent years.

When the project was first announced in the mid 1970s, the completion cost was put at $100 million. More recently, the Stewart Committee Report has put the cost at $480 million and, even allowing for inflation, that is a significant escalation of the original estimates. That Stewart Committee figure was a 1983 estimate, and I ask the Minister if there is now a more recent estimate which will have taken into account these depreciation charges.

The Hon. R.G. PAYNE: I am not aware of a specific figure more recent than the 1983 estimate of $480 million, but I suppose that any factor that is taken into account would be affected by the actual completion date. In other words, construction is still taking place.

The Hon. E.R. Goldsworthy: The BLF put it back a year.

The Hon. R.G. PAYNE: It seems to be union-bashing day today.

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. PAYNE: It is significant that certain volumes that have been tabled obviously give wide-ranging instances of varying forms of what could be termed criminal activity or abuse, and I should be surprised if only unions were referred to in the report. For example, it would seem that other sections of the community might be involved in tax evasion.

Members interjecting:

The Hon. R.G. PAYNE: I do not have the advantage of the speed reading course referred to earlier. Further, I have not yet seen the report. In fact, I may be due for a change of glasses, because I have had increasing difficulty recently in seeing in the House, although I do not think the lighting here has deteriorated.

It would not be wise for the member for Light or for me to give the House a figure in respect of the completion costs of the project when it is still some distance from completion. The first unit (NPS2) is on the current schedule and I have recently been informed that hydraulic and other testing has been completed on the boiler and that flame tests are soon to be carried out on it using oil firing, a technique that is often used in the running up procedure associated with such large boilers with a 250 MW electrical output capacity from the generating system that it drives. Therefore, I do not think I should forecast.

This question simply highlights the difficulty in providing electricity in modern society on a scale which people come to accept and use and which they wish to continue using. Many people have not noticed that the use of electricity per head of population has increased considerably over the past decade in this State. That is one reason why people are finding that their accounts are larger. It has not necessarily anything to do with increased tariffs.

Mr Becker: What about the past 12 months?

The Hon. R.G. PAYNE: There has been a fall-off and, if the member for Hanson gave this question the thought that he often gives to other questions, he would realise that seasonal conditions also affect the quantity of electricity used, just as they affect the quantity of water used. We had a relatively mild summer and a mild winter. If we were considering the use of electricity in the current quarter, it would seem that the use of electricity has increased.

The Hon. B.C. Eastick: Will you get an estimate?

The Hon. R.G. PAYNE: It would be fair to get the best estimate available from ETSA, and I undertake to do that and to bring down a report for the honourable member.

MULTI-CULTURALISM

Mr GROOM: Will the Minister of Education explain the Government's future proposals and likely action in the field of multi-culturalism and education? On 19 November 1983, the Minister appointed a task force to investigate multi-culturalism in education. Over the following months the task force sought submissions, undertook extensive investigations and consulted with all major educational authorities in South Australia. On 12 July 1984, the then Acting Minister of Education released the report of the task force, and I understand that the Minister has recently appointed a committee to consider the task force's recommendations.

The Hon. LYNN ARNOLD: I certainly have great pleasure in providing information about this task force report and indeed on the general issue of mulit-culturalism in education. As the honourable member mentioned, the report was released in July of this year by a Minister acting in my position while I was absent. As a result of that report, we have received considerable community feedback from specific groups in the community as well as from individuals.

I have appointed a steering committee under the chairpersonship of Mr Trevor Barr to consider, first of all, the feedback that we have received from the community on the recommendations and, secondly, to advise the Government on ways in which it can implement the recommendations of the Smolicz Report, as the task force report has become known. I expect to receive advice from the committee either in December this year or in the early part of the new year, so that we can take matters raised into acccount in the 1985-86 Budget, if not earlier. We will be able to take some things into account earlier, due to their being process recommendations rather than financial recommendations.

Indeed, one of the things that I found particularly interesting with the Smolicz report is that its recommendations canvassed a wide area of multi-culturalism at all levels of education, and examined not just those things that cost money but also those dealing with the way in which things are done. I know that some concern has been expressed about setting up a steering committee after a task force has been set up, but I make the important point that some pretty substantial recommendations were made in the report.

The Hon. Michael Wilson interjecting:

The Hon. LYNN ARNOLD: Some of them could have great cost attached to them—that is true—but others could have major process implications in terms of systems and major changes that would have to take place. It is appropriate that we listen to views that are being expressed by the community. Those views represent a number of different reactions. It is also important that we consider very carefully how the recommendations can actually be put into place within the various levels of the education system. That is why we think it is very important to go through this next stage, to determine how we can go about tackling those recommendations.

I want to make another point in relation to multi-culturalism and how this process ultimately works to the best effect. This is to do with the ethnic schools review, which I commissioned and which looked into the ethnic schools system in South Australia and the ways in which it could best be supported and liaise with the rest of the education system. The report on that matter was released for public discussion. There was considerable public discussion about that. We had received feedback by I think April or May of this year. That was then considered by departmental officers, who presented some findings to me. In other words, it was a steering committee that examined those recommendations that had been made. After I had received the report from that steering committee, I was led to the opinion that there was such significant differences of view on some of the issues covered in that report that it would have been inappropriate for me to simply adopt the recommendations of the original report without any further consideration.

I know that further work is taking place now, and in fact today I instructed my office to get in touch again with some of the groups in the community which expressed major concerns and to indicate to them where my thinking is going and to ascertain what their reactions would be to certain proposals that we might put to them. So, the kind of model of having a review, followed by public consultation, followed by a steering committee to tie all that together, and of coming up with firm advice for the Government is I think in the long term the soundest way of approaching fundamental areas of change in the education sector. It may mean that another three months consideration must go into something, but I believe that that time invested ultimately means that years and years of benefit will be derived from that. That applies no less to the ethnic schools review than it does to the consideration of the Education for a Cultural Democracy Report by George Smolicz and the other members of the task force.

COORONG NATIONAL PARK

Mr LEWIS: What consideration is the Minister for Environment and Planning giving to the proposal to extend the Coorong National Park on its southern boundary towards Kingston?

The Hon. D.J. HOPGOOD: This matter has been considered in the context of the draft management plan. It would be improper for the Government to make any decision on the matter until all the submissions have come in. The honourable member would have seen the letter in this morning's paper from Mr Bob Nichols (Director of the National Parks and Wildlife Service) in which he explained the mechanism that is involved. It is a requirement of us under the National Parks and Wildlife Service Act that when there is a draft management plan we should put it out, as it were, on public exhibition and that we should solicit suggestions. That has happened, and that matter will be addressed once all the submissions have come in. I really think that it would be quite improper for me, in the context of the Act that I am asked to administer, to be canvassing in here the particular rights and wrongs of an extension. Of course, in general terms, as the honourable member would well know,

I am always interested in any extension to any national park.

ASER SITE

Mr TRAINER: Has the Minister for Environment and Planning any information for the House concerning claims by the member for Murray made in the House yesterday which implied that a heritage item had been uncovered during excavations on the ASER site and had then been covered up at the direction of a person or persons unknown?

The Hon. D.J. HOPGOOD: Yes, my officers have worked furiously to uncover all the information that we possibly could for members today, given of course that the House will be in recess next week. I would like to share the results of that detective work with members. What particularly concerned me was that the member claimed that an order had been made by some unnamed persons to cover up this so-called 'heritage find' and that no public comment should ever be made. The honourable member is either confused, has been misinformed or, in any event, his reference to ASER threw me and my officers off the scent, at least for a time.

There are in fact two developments being presently undertaken within the vicinity of the Adelaide Railway Station. The first is of course the ASER development, and the second is the Adelaide Railway Station Concourse Redevelopment. The member's 'heritage find' could have referred to excavation carried out in either of these projects. In the ASER project the arch referred to by the member is in fact the rounded top of one of the city's main trunk sewers. The ASER developers were aware of the existence of the sewer, and it had been deliberately uncovered last Friday in order to establish its level to assist with the locating of the new mains sewer for ASER. The brick sewer was three metres below ground, north of the project site in the area currently used by the Festival Centre as a car park. Once located, the hole had been back filled as it was part of the main roadway through the car park.

With the railway station redevelopment, excavation for sewer drainage in the concourse area encountered a concrete slab and brick archwork, which was subsequently identified as old servicing tunnels associated with locomotive maintenance from the 1860s and later periods. Further excavation has exposed brick arched tunnels with bluestone walls. The arches appear to be spanning some 4 metres to 5 metres and the tunnels themselves appear some 4 metres to 5 metres deep and have their keystones at about two metres below concourse level.

It became clear on Thursday, 25 October that the tunnels represent a major obstacle to the services runs planned for the concourse. Further, it was clear that the excavations already made for the sewer running south of the tunnel were in danger of collapse and required both shoring for safe working and early back filling to ensure that the concrete slabs were not under-mined. Accordingly, an instruction was given that a solution for getting the services through the tunnel should be found as a matter of urgency, work in the area completed and back filled.

On Friday, following a contact made by channel 9 with Mr Rump, STA General Manager, the Development Manager of the STA gave a statement to Mr McGee of channel 9 which indicated what had been found, its background and what was intended to be done. The Development Manager advised Mr McGee that remnants of these tunnels, known as the Exhibition Tunnel, had been previously encountered by work on the Festival Centre complex and the existence of the tunnels in this area and across to the Memorial Gardens under King William Street was well known. It is our understanding that channel 9 made no use of the statement, apparently on the assumption that what had been uncovered was not really news at all.

On Tuesday, a consultant was instructed to devise the most appropriate, cost-effective and safe way of getting the essential services through the tunnel system. The consultant's report has not yet been received. I have instructed the Heritage Branch of my Department to examine the findings. It is important that this matter be resolved speedily as there is a potential danger to pedestrians using the concourse. Members will note that there has been no attempt to keep this find from public notice. It will also be noted that the excavation is still uncovered at this stage.

TRANSPORT QUESTIONNAIRE

Mr MATHWIN: Is the Minister of Transport aware of or familiar with a questionnaire which is at large in the community and which goes much further than its title 'Survey of transport patterns' or an explanation stating that it is an inquiry into transport habits and needs? I have been contacted by a very irate constituent (and rightly so, I might add) who objects to what is an inquiry and who stated that this inquisition was prying into private family matters far from its stated purpose. Indeed, the lady was kind enough to give me a copy and, after reading it, I must admit that I fully share her anger and understand her being so upset. The questionnaire 'Survey of transport patterns'—it has a photograph of the Minister on the front which really is not too good: I would alter my hairstyle, if I were he—states:

> By answering the questions in this survey, you will help my Department to better understand transport habits and needs in Adelaide. This in turn will help with the formulation of appropriate transport policies.

The third question on the questionnaire is, 'Please write the code for your highest level of education in the box:' The first option is 'none'. For a start, how would one write one's code in the box if one had not been educated? Further options include: 'did not complete primary school'; 'matriculated'; and 'trade training.' Of course, this information is no doubt very important to find out the transport needs of this State. The fourth question states, 'At present, what is your employment status? Please write in the appropriate code.' It asks whether one has a job for 30 hours a week, fewer than 30 hours a week, full time home duties, unemployed, and so on. Question 5 states, 'If you are employed or self employed, what is the name and title of your main job?'

Question 6 states, 'We would like information on all the trips you made last,', and then there are five pages on which one is asked to state every trip one has made for five days: this covers five complete pages of headings. One has to say from where one went, the purpose of the trip (so, I hope that no-one made a trip for some minor purpose), from where one left to where one went, how often one did it, the importance of it, with whom one travelled (I suppose that that is important), the main ways of travelling and the time it took to get there, and the alternative one would have during a petrol shortage.

Then there is question 8, and this is where we start the Monopoly: it is like a game. Question 8 states, 'If you do not drive a car, go on to question 11.' That is similar to, 'If you miss this turn go back and go to gaol'—that is Monopoly. It then states, 'How often do you put fuel in the vehicle that you use most?' The first option is 'never'; the second option is 'no regular time, when it needs it'. There are a few other options, but I will not delay the House. Question 9 states, 'If you usually put fuel in your vehicle, how much do you put in?' The first option is 'No particular

amount'. I will miss question 10 because it is not important. Question 11 states that everyone must answer the question, namely:

What is your gross personal income that you receive from all sources including any pensions or allowances, but not including housekeeping money given to you by your husband, wife or relations?

The options range from 'none' to '$34 000 a year'. This information is very important when one wants to know what type of bus is needed to service, for example, Hallett Cove. Question 12 goes on to ask:

If you have the main use of a motor vehicle for personal purposes . . . If you do not know the answer to a question, please write '9' in the space.

The thing about it is that there is no space. At the bottom of the page it states, 'Hard to work out how to answer? Ring Sue . . .' I understand that that is not the member for Mawson. It then goes on to deal with other questions relating to petrol shortages and asks:

Is it up to the Government to make sure that strikes and supply problems do not stop petrol being available?

You can say that you strongly agree, agree, that you are neutral, disagree or strongly disagree. The questionnaire further asks:

If petrol is in short supply, the Government should:
a. Do nothing.
c. Increase the price of petrol.
f. Take the seats out of buses so they can help carry more people.

We then get to the general knowledge questions. I remind the Minister that this information is all for the purpose of finding out whether we need buses, trams or trains. It goes on to ask:

Most of the oil used to make petrol sold in South Australia comes from:
1. The Middle East.
3. Indonesia.
4. America.
5. Japan.

This information is required in a questionnaire to ascertain whether one needs a bus to stop at the front door. Question 9 states:

When I hear there is a strike that may affect the supply of petrol:

. . .

3. I do not fill the fuel tank of my car as soon as possible but wait until petrol starts to run out at service stations.

So it goes on. If the Minister has not read the questionnaire, I have now given him some idea of what is in it. The Minister's photograph is on the front of the document, and it is not a very good photograph. The Minister would have done better to include a colour photograph. That form was given to one of my constituents, who has complained to me. I agree with the complaint about a document, asking about the transport needs of South Australia, requiring people to answer these silly questions.

The Hon. R.K. ABBOTT: I apologise to the honourable member for the photograph. I am sorry that it is not a prettier one, as I do take a very good photograph. I am not sure who put the photograph on the document to which the honourable member was referring, but that is the type of thing that happens when we do not use Australian National Opinion Polls. It is not unreasonable to ask the community what are its transport needs. The State Transport Authority is continually trying to ascertain community attitudes on origins and destinations in order to improve existing services.

Members interjecting:

The SPEAKER: Order! The honourable member for Glenelg had a fair go and a fair hearing. I ask that that apply to the Minister as well.

The Hon. R.K. ABBOTT: I do not think that that is unreasonable at all. If we get feedback from the community—and the STA is working in conjunction with community groups throughout a number of areas to try to improve the service—that is what it is about. If we can get that information, it assists us in making the adjustments to improve the transport service.

Members interjecting:

The SPEAKER: Order!

DOOR TO DOOR SALES

Mr FERGUSON: Can the Minister of Community Welfare, representing the Minister of Consumer Affairs, inform the House if any consideration has been given to extending the Door to Door Sales Act to allow for the cooling off period for sales contracts entered into by sales people invited to a home? The Consumer Association of South Australia has referred to the large number of complaints that it has received in regard to freezer food groups, and I quote from the *Consumer's Voice* of June/July 1984, as follows:

Problems include high prices for freezers and expensive extended credit commitments, sometimes involving Bankcard, which are entered into in circumstances where consumers have no opportunity to shop around either on credit alternatives or to verify the prices of freezers offered. In some cases, price structures are distorted with the offer of additional 'free' appliances, such as microwave ovens, making price comparisons even more difficult.

The difficulties of sales in this area have been increased because most consumers who have signed up in their homes have lost the protection of the cooling off period provided by the Door to Door Sales Act. The Act does not apply in circumstances where the consumer has invited the salesman to call.

The Hon. G.J. CRAFTER: I thank the honourable member for his question and I will be pleased to refer it to my colleague, the Minister of Consumer Affairs, for investigation by his Department.

LINCOLN HIGHWAY

Mr BLACKER: Can the Minister of Transport advise the House of the estimated completion dates of the various sections of the ABRD road presently under construction on the Lincoln Highway to the north of Port Lincoln? The original programme was for the total completion of the road by September. However, with wet weather and some other delays, the road is far from finished. My constituents are anxious to know whether the road will be completed prior to the coming harvest.

The Hon. R.K. ABBOTT: I will have to check on the exact date of completion of the road to which the honourable member has referred. I know that work is proceeding on the Lincoln Highway. I think it is intended that it be completed before the harvest, but I will have to check the exact date. I will be happy to do that and advise the honourable member.

INDIAN-PACIFIC RAIL SERVICE

Mr HAMILTON: Does the Minister of Tourism agree that the Indian-Pacific rail service be handed over to private enterprise to be run as a tourist operation? Each and every member in this Chamber would be aware of my profound interest in the tourism and railway industries and, indeed, in railway industrial matters. In a news report this morning, the Chairman of the WA Tourism Commission, Mr Hitchen, was quoted as saying that something had to be done about the Indian-Pacific service—either handed to a private operator or put in the hands of a separate national rail tourism

authority. This seems to run counter to the view of the Transport Minister in the West, Mr Julian Grill, whose statement on the matter I recently sent to the Minister. Mr Grill said that, amongst other factors, handing over the service to private enterprise could readily run it into damaging industrial disputes. I believe it is important that consultation take place with the rail industry. Having served in that industry for 24½ years, I am well aware of the problems that would be encountered if proper consultation and discussion did not occur with the rail unions involved in that industry.

The Hon. G.F. KENEALLY: I do not agree with the Chairman of the Western Australian Tourist Commission that the Indian-Pacific should be sold to private enterprise to run as a tourist train. Frankly, I do not believe, in the first place, that a buyer would be found; and, secondly, I believe that the expertise to run railroads in Australia resides within the appropriate authorities, Australian National and the various State railway authorities. I certainly agree with the comments made by the Western Australian Minister of Transport, and I am sure my colleague the Minister of Transport in this State also agrees. As Minister of Tourism, I have attended the last two conferences of Australian Tourism Ministers, and the Indian-Pacific was an item on each agenda.

It is of concern to tourism operators in Australia that when the Indian-Pacific is promoted as being one of the world's great passenger trains there is a certainty that the service will be provided if we are to encourage international visitors to Australia. This can be best achieved by working through the established procedures. A seminar will be held in Western Australia in January next year which will address this matter, and I would certainly expect that representatives of the appropriate railway unions would be involved in that seminar. I certainly will be there with officers of my department, and I believe that the member for Albert Park has been invited to attend that seminar, which I think will be a very valuable one.

The proposition that there ought to be a separate Government authority running the Indian-Pacific (separate from the New South Wales and Western Australian railways and Australian National, but nevertheless this separate authority would still employ members of the appropriate railway unions) is something that could be discussed with all those involved. I do not know whether that would improve the service—I expect not—but I believe that we already have the appropriate structures within which we can provide to our international and national travellers who want to utilise the Indian-Pacific a first class service equal to any in the world.

SITTINGS AND BUSINESS

The Hon. J.D. WRIGHT (Deputy Premier): I move:

That the House at its rising adjourn until Tuesday 13 November 1984 at 2 p.m.

Motion carried.

OMBUDSMAN ACT AMENDMENT BILL (No. 2)

The Hon. J.D. WRIGHT (Deputy Premier) obtained leave and introduced a Bill for an Act to amend the Ombudsman Act, 1972. Read a first time.

The Hon. J.D. WRIGHT: I move:

That this Bill be now read a second time.

It proposes amendments to the Ombudsman Act, 1972, that are designed to clarify the relationship between that Act and the provisions of another Bill presently before Parliament, the Police (Complaints and Disciplinary Proceedings) Bill, 1984. The Police (Complaints and Disciplinary Proceedings) Bill provides for a scheme under which complaints relating to the police, including administrative acts of the Police Department, may be investigated by the proposed Police Complaints Authority or under the supervision of that Authority. That could in odd cases lead to some overlap with the investigative powers of the Ombudsman which, although presently not applying in relation to acts of a police officer in his capacity as such, may according to the terms of the Ombudsman Act apply to some administrative acts of the Police Department. Accordingly, this Bill proposes an amendment under which the Ombudsman Act would be expressed not to apply in relation to any complaint to which the provisions of the other measure apply or to a matter to which the provisions of the other measure would apply if the matter were the subject of a complaint under that measure. I seek leave to have the explanation of the clauses inserted in *Hansard* with my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on the day on which the Police (Complaints and Disciplinary Proceedings) Act, 1984, comes into operation. Clause 3 amends section 5 of the principal Act. Subsection (2) of that section presently provides that the Ombudsman Act does not apply to or in relation to any member of the Police Force in his capacity as such a member. The clause substitutes for subsection (2) a new subsection that provides that the Ombudsman Act does not apply to or in relation to any complaint to which the Police (Complaints and Disciplinary Proceedings) Act, 1984, applies or any matter to which that Act would apply if the matter were the subject of a complaint under that Act.

The Hon. B.C. EASTICK secured the adjournment of the debate.

POLICE (COMPLAINTS AND DISCIPLINARY PROCEEDINGS) BILL

The Hon. J.D. WRIGHT (Minister of Emergency Services) obtained leave and introduced a Bill for an Act to provide for the investigation of complaints made in respect of members of the Police Force; to provide for the appointment of a Police Complaints Authority and to describe his duties and functions; to make provision in relation to police disciplinary proceedings; and for other purposes. Read a first time.

The Hon. J.D. WRIGHT: I move:

That this Bill be now read a second time.

It seeks to establish an independent authority to investigate complaints against the police and provides the necessary disciplinary mechanisms to ensure that any charge arising as a result of the conduct of a police officer is heard by a properly constituted tribunal.

South Australia is widely held to have one of the best Police Forces in the country. Our police officers have a high standing in the community, and I am certain that the Force enjoys the confidence of all members of Parliament on both sides of the House. However, this does not mean that, from time to time, there are not complaints made by members of the public about the conduct of individual

members of the Police Force. Given that this will always be the case in respect of an organisation such as the Police Force, it is essential that an independent mechanism for the investigation and review of complaints is available. This is necessary to protect both the public interest and the reputation of the Police Force itself.

At the present time, complaints against the police are investigated at the direction of the Commissioner of Police, by the Internal Investigations Branch. While the professional integrity and competence of the Branch is not under question, it is no longer realistic to expect that the public see the Branch as being able to conduct a truly independent review of a complaint. If the work of the Branch is to be accepted by the public and, indeed, the Government and the Parliament, as being independent and definitive, then the process must be subject to the oversight of a person who is not part of the Police Force and who has the full authority of this Parliament to investigate and report publicly upon any matter he thinks fit.

It was in this context that in 1983 the Government established the Grieve Committee to inquire into and report on the most appropriate mechanism for the creation of an independent authority to consider complaints against police. The committee was fully representative of the various parties interested in this matter. The committee also conducted a study tour of the various interstate jurisdictions which have established a police complaints system. This includes the Australian Capital Territory, New South Wales, and Queensland. I understand that Western Australia is also in the process of establishing an independent authority for this purpose. The final report of the committee was adopted by Cabinet earlier this year. The committee recommended the establishment of an independent Police Complaints Authority and made certain suggestions as to the constitution of the Authority and its method of operation. The final Bill is based on the Grieve Committee report and also draws on the Commonwealth legislation in respect of the Commonwealth Police Force.

I now turn to the more important provisions of the Bill. The Authority itself is to be constituted by a person who has appropriate knowledge of and experience in the law. The person is to be appointed for a seven-year term but the appointment shall not extend beyond the sixty-fifth birthday of the person appointed. The term of seven years was arrived at following consultation with the Ombudsman and the South Australian Council for Civil Liberties. The term is long enough to ensure the independence of the person appointed but also allows a periodic change in the person holding office as the Authority.

The Bill also provides statutory recognition of the Internal Investigation Branch of the Police Force. It is intended that the Branch will continue to play a very significant role in the investigation of complaints against the police, subject to the oversight of the Authority. Reports from the Branch will be forwarded to the Authority through the Commissioner of Police. However, the Authority will be empowered to investigate any matter itself where this appears to be appropriate. Where a complaint is made to an officer of the Police Force, the Authority will be notified of the complaint and a register will be maintained of all complaints reviewed. The Authority will be empowered to receive and examine anonymous complaints. While this has some undesirable aspects, the Authority must be free to examine all complaints received if this procedure is to represent a truly independent mechanism and the public interest is to be properly safeguarded.

The Authority need not further consider a complaint if it is trivial, frivolous or vexatious, was not made in good faith, or if the complainant does not have sufficient interest in the matter. This should provide adequate safeguards against those who seek to abuse the system. An important provision of the Bill empowers the Commissioner of Police, with the consent of the Authority, or the Authority itself to attempt to resolve a complaint by conciliation. This will ensure that where an informal explanation and discussion between the parties can quickly resolve the matter, the formal process of investigation and report can be set aside. The involvement of the Authority in this process will ensure that this informal process is only used in appropriate circumstances.

The Authority will have substantial investigative powers in order to ensure that, where a matter is serious enough to warrant investigation by the Authority itself, then the Authority is able to conduct a full and searching investigation. Where the Authority or a police officer uses the power under the Bill to require a person to answer a question, then the person is required to answer the question even though the answer may tend to incriminate him but the answer may not be used in evidence against the person except in proceedings for an offence of giving a false answer, or, in the case of a police officer, proceedings for a breach of discipline.

Following an investigation, the Bill provides that the Authority shall make an assessment of whether there was any wrongdoing or failure on the part of the police officer concerned and shall at the same time make a recommendation as to the laying of a charge for an offence or breach of discipline or other action he considers necessary in the circumstances. The Authority is to advise the Commissioner of his assessment and recommendations who is then required to notify the Authority whether he agrees or disagrees. After consultation the Authority is to confirm or vary his assessment and recommendations or make a new assessment or recommendation. At that stage, the Commissioner is required either to give effect to the recommendations of the Authority or to refer the matter to the Minister for his determination as to what action should be taken.

I must emphasise that the involvement of the Minister relates only to action to be taken in response to a determination by the Authority and does not in any way interfere with the independence of the Authority to make a determination in respect of any matter. However, the Minister is not to determine that a member of the Police Force should be charged with an offence or a breach of discipline except in consultation with the Attorney-General.

In this context, it is now relevant to look at the provisions of the Bill which relate to the hearing of charges against members of the Police Force in respect of a breach of discipline. The Bill establishes a Police Disciplinary Tribunal to be constituted by a magistrate appointed by the Governor. Charges against a member of the Force in respect of a breach of discipline will be heard by the Tribunal in private. However, to ensure that the public interest is seen to be protected, the Authority may be present at any hearing of the Tribunal. This is an important safeguard even though the primary purpose of the Authority, like that of the Ombudsman, is the investigation of complaints and the determination of the validity of the complaint rather than the disciplining of members who have been found to commit a breach of discipline. An appeal to the Supreme Court is available to any party aggrieved by a finding of the Tribunal.

Turning to the general provisions of the Bill, I would like to draw to the attention of the House those provisions which relate to the publication of reports by the Authority. As with any Ombudsman-like function, it is essential to the public credibility of the office that the person concerned has the unfettered right to bring matters to the attention of this Parliament.

The Bill provides that the Authority shall report to Parliament each year on the activities for the preceding financial

year. However, the Bill also empowers the Authority to make special reports to the Parliament on any matter arising during the year. This is a most important safeguard of the independence of the Authority as it ensures that the attention of the Parliament and therefore of the public may be drawn to any issue of importance arising from the administration of the Act as and when it occurs.

This Bill is a major item of legislation which will make an important contribution to maintaining the high standards of the South Australian Police Force and the administration of justice in this State. I commend it to the House. 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 provides that the measure is to come into operation on a day to be fixed by proclamation. Clause 3 provides definitions of expressions used in the measure. Attention is drawn to the definitions of 'conduct' and 'member of the Police Force'. 'Conduct' of a member of the Police Force is defined as meaning an act or decision of a member or failure or refusal by a member to act or make a decision in the exercise, performance or discharge, or purported exercise, performance or discharge, of a power, function or duty that he has as, or by virtue of being, a member of the Police Force. 'Member of the Police Force' is defined to include police cadets, special constables and officers or person employed in or on behalf of the department of the Public Service of which the Commissioner of Police is permanent head. It should be pointed out that the inclusion within the definition of 'member of the Police Force' of all those employees for whom the Commissioner is responsible does not subject those who are not members of the Police Force under the Police Regulations Act to disciplinary procedures under that Act and Parts V and VI of this measure. The investigatory functions of the Police Complaints Authority and the Ombudsman are, however, as a result divided clearly according to whether or not a matter the subject of complaint concerns the Police Department.

Clause 4 provides that the provisions of the measure are in addition to and do not derogate from the provisions of any other law. Part II (comprising clauses 5 to 12) provides for the office of a Police Complaints Authority. Clause 5 provides that the Governor may appoint a person to be the Police Complaints Authority. Under the clause the person must be a person who has, in the opinion of the Governor, appropriate knowledge of and experience in the law. A person appointed to be the Authority is to be entitled to a salary and allowances determined by the Governor. The salary and allowances so determined are not to be reduced during the term of office of the Authority and are to be paid out of the general revenue which is appropriated by the clause to the necessary extent. Clause 6 provides that the Authority shall not, without the consent of the Minister, engage in any remunerative employment or undertaking outside the duties of his office.

Clause 7 provides that the Authority shall be appointed for a term of office of seven years, or, if that period would extend beyond the date on which the person would attain the age of 65 years, for a term of office expiring on the day on which he attains the age of 65. A person appointed to the office of the Authority is to be eligible for reappointment. The Authority may be removed from office by the Governor upon an address from both Houses of Parliament praying for his removal. He may be suspended from office by the Governor on the grounds of incompetence or misbehaviour. Any such suspension, however, has effect only for a short period pending determination by the Parliament whether or not he should be removed from office. The office of the Authority is to become vacant on death, resignation, expiration of the term of office, removal upon an address of both Houses, bankruptcy, conviction of an indictable offence, or removal by the Governor on the grounds of mental or physical incapacity. In addition, the office would become vacant if the occupant became a member of any Parliament. Apart from the circumstances referred to, the Authority shall not be removed or suspended from office nor shall the office become vacant.

Clause 8 provides that the provisions of the Public Service Act are not to apply to or in relation to the office of the Authority. Clause 9 provides for the appointment of officers to assist the Authority. Clause 10 provides for the appointment of a person to act in the office of the Authority during any period for which the office is vacant or the Authority is absent for any reason. Clause 11 provides for delegation by the Authority. Clause 12 protects the Authority and persons acting under his direction or authority from personal liability for acts done in good faith. Part III (comprising clauses 13 to 15) provides for the Police Internal Investigation Branch.

Clause 13 provides that the Commissioner of Police shall constitute within the Police Force a separate branch to carry out investigations under the measure in relation to complaints about the conduct of members of the Police Force. The clause provides that the branch may in addition carry out such other investigations relating to the conduct of members of the Police Force as the Commissioner may require. Clause 14 provides that the officer in charge of the Internal Investigation Branch shall be responsible directly to the Commissioner for the performance by the branch of its functions. Clause 15 provides that where a member serving in the Internal Investigation Branch is able to do so without unduly interfering with the performance by the branch of its functions, the member may be directed by the Commissioner to perform duties not related to investigations into the conduct of members of the Police Force (not being duties involving the investigation of offences alleged to have been committed by persons other than members of the Police Force).

Part IV (comprising clauses 16 to 30) deals with complaints and their investigations. Clause 16 provides that a complaint about the conduct of a member of the Police Force may be made to that member or any other member of the Force or to the Authority. A complaint made to the Authority must, if the Authority so requires, be reduced to writing. The clause provides that the measure is to apply to a complaint whether or not the police officer complained about or the complainant is identified, whether the complaint is made by a person on his own behalf or on behalf of another, whether the complainant is a natural person or a body corporate and whether the conduct complained about took place before or after the commencement of the measure. The measure is not to apply to complaints made by or on behalf of a member or members of the Force in relation to the employment or terms or conditions of employment of the member or members or to complaints made to a member of the Police Force by or on behalf of another member. The latter exception does not, of course, prevent a member of the Force from making a complaint to the Authority, in which case the provisions of the measure would apply fully in relation to the complaint.

Clause 17 requires a person performing duties in connection with the detention of any person to provide, at the request of the person detained, facilities for the person to prepare a complaint and seal it in an envelope and, upon receiving the sealed envelope from the detainee for delivery to the Authority, to ensure that it is plainly addressed to

the Authority and marked as being confidential and delivered to the Authority without undue delay. The clause provides that it shall be an offence for a person other than the Authority or a person acting with the authority of the Authority to open such an envelope or inspect its contents.

Clause 18 provides for a complaint made to a member of the Police Force to be referred as expeditiously as possible to the internal investigation branch for investigation. The Authority is at the same time to be notified of the complaint and furnished with particulars of the complaint. Clause 19 provides for the case where complaints are made to the Authority. Under the clause, the Authority is required to notify the Commissioner of the complaint and to furnish him with particulars of the complaint and, subject to a determination under clause 21, 22, or 23, to refer the complaint to the Commissioner. A complaint referred to the Commissioner must be referred on by the Commissioner to the internal investigation branch for investigation. Clause 20 requires the Authority, except where the identity of the complainant is not known, to acknowledge by writing each complaint made to the Authority and each complaint of which he is notified under clause 18.

Clause 21 provides for determination by the Authority that a complaint does not warrant investigation. Under the clause, the Authority may, in his discretion, determine that a complaint (whether made to him or to the Commissioner) should not be investigated or further investigated where the complaint was made more than six months after the complainant became aware of the conduct complained of; where the complaint is trivial, vexatious, frivolous or not made in good faith; where the complainant does not have sufficient interest in the matter raised in the complaint; where a person has been charged with an offence or breach of discipline in relation to the conduct complained of; where the complainant has exercised a right of action, appeal or review in relation to the matter complained; or where the Authority is of the opinion that investigation or further investigation of the complaint is unjustified or unnecessary in the circumstances. Where the Authority makes such a determination, the Commissioner and the complainant are to be notified of the determination.

Clause 22 provides for conciliation in relation to complaints. Under the clause, the Commissioner may, with the approval of the Authority, attempt to resolve a complaint made to a member of the Police Force by conciliation. The Authority is empowered to attempt conciliation in relation to any complaint, whether made to him or to a member of the Police Force. Any investigation of a complaint that is the subject of conciliation may, under the clause, be deferred pending the results of that action. The clause provides that where the Authority is satisfied that a complaint has been properly resolved by conciliation undertaken by him or by the Commissioner, the Authority may determine that the complaint should not be investigated or further investigated.

Clause 23 provides that the Authority may determine that a complaint should be investigated by him where the complaint concerns conduct of a member of the force of a rank equal to or senior to the officer in charge of the internal investigation branch; where the complaint concerns conduct of a member serving in that branch; where the complaint is in substance about the practices, procedures or policies of the Police Force; or where the Authority considers that the complaint should for any other reason be investigated by the Authority. Where the Authority makes such a determination, the Authority may also make a determination as to whether there is to be some further investigation by the internal investigation branch in conjunction with his investigation or whether further police investigation should be prevented or limited.

Clause 24 permits the Commissioner, if he thinks fit to do so, to carry on investigations of a complaint in respect of which the Authority has made a determination under clause 21, 22, or 23 (that is, a determination that an investigation is not warranted; that the matter has been resolved by conciliation; or that the complaint should be investigated by the Authority). However, in that event, the provisions of this measure are not to apply and the investigation would, in effect, be an ordinary police investigation. This provision for continued police investigation is subject to any determination made by the Authority under clause 23 that the complaint, or a particular matter or matters raised by the complaint, should not be investigated or further investigated by the police.

Clause 25 sets out the powers of the internal investigation branch to carry out investigations of complaints. In effect, the powers of the internal investigation branch are the ordinary police investigative powers except in relation to other members of the Police Force. Under the clause, a member of the branch may require a member of the force to furnish information, answer a question or produce a document or record and the member is required to do so notwithstanding that the answer, information, document or record might tend to incriminate him. However, where the member has been expressly directed, under the clause, to provide the information, answer, document or record, it will not be admissible in any proceedings against the member other than proceedings for providing a false answer or information or proceedings for a breach of discipline. Under subclause (11), the officer in charge of the internal investigation branch may, subject to any directions of the Commissioner, require a member not serving in the branch to assist in the investigation of a complaint and, in that event, the provisions of the measure are to apply as if that member were a member of the internal investigation branch.

Clause 26 provides for the powers of the Authority to oversee investigations conducted by the internal investigation branch. Under the clause, the Authority is empowered to discuss the complaint with the complainant and to require the Commissioner or, as approved by the Commissioner, the officer in charge of the internal investigation branch, to provide information about the progress of the investigation or to arrange for an inspection of any document or record in the possession of the branch relevant to the investigation or for him to interview a person other than the complainant in relation to the complaint. Subclause (3) authorises the Authority to notify the Commissioner of any directions that he considers should be given by the Commissioner as to the matters to be investigated, the methods to be employed, the use for investigative purposes of members not serving in the internal investigation branch or any other matter or thing in relation to an investigation or investigations by the internal investigation branch.

Where the Authority issues such a notice, the clause provides that the directions are to be given by the Commissioner or, if no agreement can be reached, the matter is to be resolved by the Minister. It should be noted, of course, that the Authority has power under clause 23 to determine that a complaint should be investigated by the Authority, in which case, he would have the direct powers of investigation conferred by clause 28. Clause 27 requires the officer in charge of the internal investigation branch to maintain a register containing prescribed particulars relating to each complaint referred to the branch for investigation.

Clause 28 sets out the powers of the Authority to investigate any complaint that the Authority determines under clause 23 should be investigated by him. An investigation by the Authority is to be conducted in private and in such manner as the Authority thinks fit. The clause provides for the Authority to make use of members of the South Aus-

tralian Police Force or other Australian police forces by arrangement with the Commissioner or under arrangements made by or with the approval of the Minister. The Authority is empowered to require the provision of information, documents or records by any person and any such requirement is to be complied with notwithstanding any self-incriminatory effect. However, any information, document or record so provided is not to be admissible in evidence in proceedings against the person other than proceedings for providing false information or, in the case of a member of the police force, proceedings for a breach of discipline. The Authority is given power to enter at any reasonable time any premises used by the police force or any other place and there to carry on an investigation. The clause creates appropriate offences to ensure and facilitate the proper exercise by the Authority of the investigative powers conferred by the clause.

Clause 29 requires the Authority to maintain a register containing particulars of each complaint including particulars of any determination under clause 21, 22 or 23 made in relation to the complaint and particulars of any investigation or further investigation of the complaint. Clause 30 provides that any inquiry by a complainant as to the investigation of his complaint is to be directed to the Authority who shall provide such information as to the investigation as he thinks appropriate.

Part V (comprising clauses 31 to 36) deals with the action consequential on the investigation of a complaint. Clause 31 provides that the officer in charge of the internal investigation branch shall, on completing an investigation, prepare a report on the results of the investigation and deliver it to the Commissioner. The Commissioner must then either direct that further investigations be carried out or forward on to the Authority a copy of the report and any comments he thinks fit to make in relation to the investigation. Clause 32 provides that the Authority shall, on receiving a report under clause 31, consider the report and any comments of the Commissioner and notify the Commissioner, by writing, of his assessment as to whether the report discloses any wrong doing or failure on the part of the member and his recommendations as to whether action should be taken to charge the member with an offence or breach of discipline or whether any other action should be taken. However, under subclause (2), the Authority may instead, if he thinks it appropriate to do so, refer the complaint back to the Commissioner for further investigation or determine that the complaint should be investigated by the Authority. Clause 33 provides that where the Authority completes any investigation of a complaint conducted by him, he shall furnish to the Commissioner a report on the results of the investigation and include in the report his assessment and recommendations as to the matters referred to in clause 32.

Clause 34 requires the Commissioner, as soon as practicable after his receipt of an assessment and recommendation made by the Authority in relation to the investigation of a complaint, to consider the assessment and recommendation and the report and to notify the Authority by writing of his agreement or, as the case may be, his disagreement and the reasons for his disagreement. The Authority is required to consider any notice indicating disagreement on the part of the Commissioner and, after conferring with the Commissioner, to confirm or vary the assessment or recommendation or substitute a new assessment or recommendation. The Commissioner must, under the clause, give effect to any recommendation of the Authority with which he has agreed or which the Authority has confirmed, varied or substituted, or the Commissioner may, if he thinks fit, refer the matter to the Minister for his determination as to the action (if any) that should be taken. Where a matter is referred to the Minister, the Minister may determine what action (if any) should be taken or determine that the complaint should be further investigated by the internal investigation branch or the Authority. The Minister must make any determination as to the laying of charges for an offence or breach of discipline in consultation with the Attorney-General.

Clause 35 requires the Commissioner to notify the Authority of the laying of charges for an offence or breach of discipline or any other action taken in consequence of the investigation of a complaint. Where charges are laid, the Commissioner must also notify the Authority of the final outcome of proceedings in respect of the charges, including any decision of a court or the Commissioner as to punishment of the member concerned. Clause 36 requires the Authority to furnish to the member of the Police Force concerned and to the complainant (if his identity is known) particulars of the final assessment and recommendations made under clause 34 and, if a determination is made by the Minister under that clause, particulars of the determination. The Authority must also notify the complainant of any action taken including charges laid and the final outcome of the proceedings in respect of such charges, including any decision of a court or the Commissioner as to punishment of the member concerned. The particulars referred to must at the same time be entered into the register kept by the Authority pursuant to clause 29.

Part IV (comprising clauses 37 to 45) makes provision for a Police Disciplinary Tribunal. Clause 37 provides that there is to be a Police Disciplinary Tribunal to be constituted of a magistrate appointed by the Governor. The clause provides for another magistrate to act as deputy. Clause 38 provides for a Registrar and Deputy Registrar of the Tribunal. Clause 39 provides that where, in accordance with the Police Regulation Act, the Commissioner charges a member of the Police Force with a breach of discipline and the member does not make an admission of guilt to the Commissioner, the proceedings upon the charge shall be heard and determined by the Tribunal. This is to apply whether the charge is laid in consequence of the investigation of a complaint to which this measure applies or otherwise. The clause provides that where the Tribunal is satisfied beyond reasonable doubt that the member committed the breach of discipline, the proceedings are to be referred to the Commissioner for the imposition of punishment by the Commissioner under the Police Regulation Act. Under subclause (4), the Tribunal may indicate its assessment of the seriousness or otherwise of a particular breach of discipline and the Commissioner is required to have due regard to that assessment in making his determination as to punishment.

Clause 40 regulates proceedings before the Tribunal. The Commissioner and the member charged may call or give evidence, examine and cross-examine witnesses, make submissions and be represented by counsel or an agent. The Tribunal is to be bound by the rules of evidence and, as far as it considers appropriate, to follow the practice and procedure of courts of summary jurisdiction on the hearing of complaints for simple offences. Clause 41 provides for the powers of the Tribunal in proceedings for breaches of discipline. Clause 42 provides for the protection and immunity of the Tribunal, counsel and other representatives and witnesses in proceedings before the Tribunal. Clause 43 provides that the Tribunal may state a case upon a question of law for the opinion of the Supreme Court. Clause 44 provides for the Tribunal to make orders for costs. Clause 45 provides for the Tribunal to state in writing its reasons for a decision if requested to do so by a party to proceedings.

Part VII (comprising clause 46) provides for a right of appeal to the Supreme Court against any decision of the Tribunal made in proceedings of the Tribunal or any order of the Commissioner made under the Police Regulation Act

imposing punishment for a breach of discipline (whether in relation to a complaint or otherwise).

Part VIII (comprising clauses 47 to 54) deals with miscellaneous matters. Clause 47 provides that the Authority or the Commissioner may apply to the Supreme Court for determination of any question that arises as to the powers or duties of the Authority or the Commissioner under the measure. Clause 48 prohibits unauthorised disclosure of information acquired in the course of the administration of the measure by persons engaged in the administration of the measure. Clause 49 provides for offences of making false complaints under the measure or preventing or hindering or obstructing persons from or in the making of complaints under the measure. The clause prevents proceedings in respect of false complaints from being commenced except with the consent of the Authority and prevents proceedings in respect of any other offence from being commenced against a person in respect of his making a complaint under the measure.

Clause 50 empowers the Authority to vary or revoke a determination made by the Authority under the measure. Clause 51 makes it clear that the Authority or the Commissioner may, if either thinks fit to do so, report to the Minister upon any matter arising under, or relating to the administration of, the measure. Clause 52 requires the Authority to furnish to the Speaker of the House of Assembly and to the President of the Legislative Council an annual report upon the operations of the Authority. The Authority may, in addition, if it is thought appropriate, make a special report upon operations of the Authority. A copy of any such report must also be given to the Minister. Under the clause, the Commissioner is given an opportunity to have included with the report for the consideration of Parliament any comments he wishes to make on any criticism directed at him or the Police Force by the Authority. Clause 53 provides that proceedings for an offence against the measure are to be disposed of summarily and must be commenced within 12 months after the date of the alleged offence. Clause 54 provides for the making of regulations.

The Hon. D.C. WOTTON secured the adjournment of the debate.

POLICE REGULATION ACT AMENDMENT BILL

The Hon. J.D. WRIGHT (Minister of Emergency Services) obtained leave and introduced a Bill for an Act to amend the Police Regulation Act, 1952. Read a first time.

The Hon. J.D. WRIGHT: I move:

That this Bill be now read a second time.

This Bill proposes amendments to the Police Regulation Act, 1952, that are consequential to provisions relating to the discipline of members of the Police Force contained in another Bill before Paliament, the Police (Complaints and Disciplinary Proceedings) Bill, 1984. The Police (Complaints and Disciplinary Proceedings) Bill provides for the establishment of a Police Disciplinary Tribunal to be constituted of a magistrate appointed by the Governor. That Tribunal is to hear and determine any charge laid by the Commissioner of Police against a member of the Police Force alleging that the member has committed some breach of the regulations under the Police Regulation Act.

Under that Bill, there is also to be a right of appeal to the Supreme Court against any decision of the Tribunal in proceedings before the Tribunal or any order of the Commissioner of Police imposing punishment on a member of the police force for a breach of the regulations under the Police Regulation Act. The provisions of that measure are to apply in relation to any breach of the regulations under the Police Regulation Act whether or not a complaint has been made under that measure relating to the breach.

This system is to replace the present system under the Police Regulation Act. At present the Police Regulation Act provides for proceedings to determine whether a police officer has contravened the regulations to be heard and determined by a committee of inquiry which is constituted of a magistrate, a justice of the peace and a commissioned officer of police. Appeals in respect of discipline presently lie to the Police Appeal Board which is constituted of a District Court judge, a nominee of the Commissioner and a member of the Police Force elected by the Police Force.

The amendments proposed do not effect the present arrangement under which it is the Commissioner of Police who is responsible for determining (subject to appeal) the appropriate punishment for any breach of discipline by a member of his force. I seek leave to have the explanation of the clauses of the Bill inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on the day on which the Police (Complaints and Disciplinary Proceedings) Act, 1984, comes into operation. Clause 3 amends section 22 of the principal Act which provides, at paragraph (7), for the making of regulations with respect to the establishment, practice, procedure and powers of committees of inquiry to investigate charges of breaches of regulations by members of the Police Force, and, at paragraph (8a), for regulations empowering the Commissioner to punish any member of the Police Force guilty of an offence against this or any other Act or a breach of the regulations. The clause substitutes for paragraph (7) a new paragraph (7) providing for regulations empowering the Commissioner to institute proceedings for breach of the regulations by laying charges against members of the force and a new paragraph (7a) providing for regulations with respect to the procedure for laying such charges and for requiring members so charged to make an admission or denial of guilt to the Commissioner. The clause provides for a new paragraph (8a) providing for regulations empowering the Commissioner to make an order punishing a member of the Police Force guilty of a breach of the regulations (whether his guilt is established by an admission made to the Commissioner or by a finding of the Police Disciplinary Tribunal).

Clauses 4 and 5 amend sections 44 and 47 respectively which make provision for an appeal to the Police Appeal Board in respect of punishment imposed by the Commissioner for a breach of the regulations. The clause amends these sections by removing references to the imposition of punishment by the Commissioner, a matter which it is proposed will be a subject of appeal to the Supreme Court under the provisions of the proposed Police (Complaints and Disciplinary Proceedings) Act.

The Hon. B.C. EASTICK secured the adjournment of the debate.

COUNTRY FIRES ACT AMENDMENT BILL (No. 3)

The Hon. J.D. WRIGHT (Minister of Emergency Services) obtained leave and introduced a Bill for an Act to amend the Country Fires Act, 1976. Read a first time.

The Hon. J.D. WRIGHT: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill empowers the Country Fire Service to attend at and act in relation to emergencies generally and in particular in relation to the discharge of hazardous chemicals and dangerous substances. In this respect, the Bill is complementary to that recently introduced in relation to the Metropolitan Fire Service. When the Country Fires Act was first enacted, there was little perceived threat from the uncontrolled or accidental release into the environment of hazardous chemicals or dangerous substances. However, in recent years this threat has become all too real and the emergency services have moved to meet this threat.

Both the Metropolitan Fire Service and the Country Fire Service have accepted the primary responsibility within their respective areas of operation for combating this type of emergency. The Fire Services have obtained the necessary expertise, equipment and scientific information which is required to deal with the problem of hazardous chemicals.

The Bill seeks to give statutory recognition to this emerging role of the Country Fire Service. The service is empowered to take control of emergency situations which involve the escape of a dangerous substance or a situation which involves imminent danger of such an escape. The Country Fire Service will now be able to take command of an emergency situation involving the escape of a dangerous or hazardous substance, or the imminent danger of such an escape. The legislative endorsement of the use of the expertise of the Country Fire Service to combat the emerging threat from dangerous substances is essential if the service is to play an effective role in this area.

Clauses 1 and 2 are formal. Clause 3 amends the long title to the principal Act. This amendment recognises that the CFS brigades may assist at emergencies other than fire. Their area of expertise will be in relation to emergencies resulting from the escape of dangerous substances. However it is not intended that they will be confined to this class of emergency. Clause 4 amends section 16 of the principal Act which sets out the functions of the Board. The Board's functions are extended by this amendment to emergencies consisting of, or arising from, the escape of dangerous substances or imminent danger of such an escape. Clause 5 makes amendments to section 28 of the principal Act arising from the establishment in 1981 of the South Australian Metropolitan Fire Service in place of the Fire Brigades Board.

Clause 6 makes consequential changes to section 35 of the principal Act. Clause 7 amends section 52 of the principal Act. Paragraph *(a)* replaces subsection (1) with a provision that extends the operation of the section to emergencies consisting of the escape of dangerous substances outside fire brigade districts and situations that involve imminent danger of fire or such an escape. New subsection (8), inserted by paragraph *(d)*, ensures that all persons at the scene of a fire or emergency to which the section applies will be under the control of the Director or his delegate. Paragraphs *(b)* and *(c)* make consequential changes. Clauses 8 to 11 make consequential amendments to sections 55, 56, 62 and 68 of the principal Act.

The Hon. B.C. EASTICK secured the adjournment of the debate.

TOBACCO SALES TO CHILDREN (PROHIBITION) BILL

Adjourned debate on second reading.

(Continued from 30 October. Page 1595.)

The Hon. JENNIFER ADAMSON (Coles): I have pleasure in supporting this Bill, which is similar to a private member's Bill that I introduced on 13 September 1978. It is interesting to look back at that second reading debate and especially to the reply given by the then Minister of Community Welfare (Hon. R.G. Payne), who declined to support my Bill. I am pleased, however, that the present Minister of Community Welfare has indicated his Government's support for this Bill, which shows an enlightened attitude which has developed in the Labor Party in the past six years over this matter.

The previous Bill was similar to this Bill in its intent. My Bill had three principal purposes: first, to increase the fine from $20 to $200; secondly, to provide for a requirement for retailers to exhibit signs; and thirdly, to amend the Cigarette Labelling Act to ensure that prescribed warnings relating to the supply of cigarettes to children under the age of 16 years were included in addition to the health warning on the packet; and fourthly, to prohibit the sale of cigarettes from vending machines that were not marked with both the health warning and the 'prohibition of sale to children' warning.

This Bill does not deal with some of those aspects, although it does deal with others. It increases the penalty for selling tobacco to minors from $50 to $500. The $50 penalty was introduced by my colleague the Hon. John Burdett when the Community Welfare Act was amended while the Liberal Government was in office. This Bill also requires the exhibition of signs advising prohibition of the sale of tobacco products. Those two things are relatively simple provisions and not difficult to administer. The difficulty in administration comes, of course, in taking this portion of the law, which has resided in community welfare legislation or protection for children legislation since, I understand, the year 1904, from an area where it cannot be administered by the police and putting it into a separate Act which can be administered by the police and which provides some opportunity for the apprehension of offenders.

Nevertheless, it will be difficult to administer. The police are unlikely to be regularly frequenting delicatessens and other retail outlets with a view to catching retailers selling cigarettes to children—I was almost going to say 'catching children buying cigarettes from retailers' which, I suspect might be a more accurate description of the case, because it can be difficult to judge the age of 14, 15 or 16 year-olds, particularly of girls; it is less difficult with boys in that age group, but it is particularly difficult with girls who can easily pass for 17 or 18 years of age, depending on how they are dressed. That is why the Bill provides that it is a defence for the defendant to prove that he had reasonable cause to believe that the person to whom he sold or supplied the tobacco product was of or over the age of 16 years. That seems to me a very reasonable provision. I see nothing in the Bill dealing with the question of vending machines. I shall question the Minister during the Committee stage of the Bill as to what is the intention in regard to the administration of the legislation in that regard.

Referring to the situation as it stood six years ago, I recall asking a question of the then Chief Secretary, Hon. Don Simmons, as to how many prosecutions had resulted from the requirement stipulated in the Community Welfare Act in this regard, and I remember the House being somewhat bemused, as if honourable members were not aware of the provision, and some considerable publicity was given to the

question and answer at the time. Since then community attitudes certainly have changed. Now there is a much greater awareness of the dangers of tobacco and there is certainly a much greater acceptance of the fact that it is completely unacceptable for children to smoke, to be encouraged to smoke or to be given or sold cigarettes. But I wonder how much of a full circle we have come. As I have mentioned, the research that I have undertaken indicates that the first provision for the prohibition on the sale of tobacco to minors was made in 1904. It is interesting to look at the debate of that year on this provision and to learn that the legislators of the day described tobacco as not only a danger to health but also as a corrupter of the morals of the young. I presume that that was considered to be the case because smoking amongst youngsters was then, as it still is now, a surreptitious act, and the very act of deceiving one's elders by smoking behind a shed or the fence or whatever was no doubt considered to be an act of moral turpitude, as it would have been described then.

Mr Hamilton: Did you ever try it?

The Hon. JENNIFER ADAMSON: No, as a matter of fact I did not, although I do recall as a child being tempted by my brother to smoke some dried lavender stuffed into a gum nut which in turn was stuck into a small stick of bamboo to form a small pipe—and if that does not cure anyone from wanting to smoke, I suggest that nothing would! I think the effect on my throat and lungs of that first inhalation cured me for life.

Mr Hamilton: Perhaps we ought to do that to all children.

The Hon. JENNIFER ADAMSON: Possibly.

The Hon. G.F. Keneally: I smoked my brother's old stale tobacco under the bed, and I have never tried it since!

The Hon. JENNIFER ADAMSON: We are getting some good recipes for deterrents, Mr Speaker. The Minister of Tourism's brother's old tobacco under the bed was a good cure for him, apparently. This is a serious subject, and the purpose of this is because there is a very strong obligation on society to protect children in every respect. In respect of their health and the inculcation of good habits there is a very special obligation. I feel that the raising of the fine from $50 to $500 is a reasonable thing. To small business people, the retailers of cigarettes and tobacco, it may appear to be a heavy penalty, but I think such a penalty suggests very clearly the community's concern about a very serious problem.

I believe that tobacco is the most addictive of illicit drugs. The reality is that more and more children, particularly girls, are taking up smoking. I feel strongly about the influence that is brought to bear on them through the glamorisation of smoking, which in turn is reinforced by peer group pressure. It appears to work much more successfully for girls than it does for boys. There seems to be a belief amongst young girls and young women that somehow smoking will make them more sexually attractive, whereas I believe the opposite is the reality: the ugliness of the fag end hanging from the mouth, the unpleasant odour that hangs around a person's clothes and the general unattractiveness of the habit has not yet sunk in.

The Hon. G.J. Crafter: And the fire risk, too.

The Hon. JENNIFER ADAMSON: And a fire risk, as the Minister says, although I suspect that that is the least of the worries, the health risk being the primary one. I am pleased to support the Bill. I was questioned by way of interjection when I rose to my feet about my attitude to this matter as Minister of Health. The reason why a proposal to strengthen the law relating to the prohibition of sale of tobacco to children which was never brought before the Parliament whilst the Liberal Government was in office was because it was intended to deal with this matter under the Controlled Substances Act, and that was in process of preparation when we left office. The Bill dealt with while I was Minister of Health was a private member's Bill introduced by the member for Mitcham (then the Hon. Robin Millhouse) to prohibit advertising. It had nothing to do with the sale of tobacco to children. In my opinion that Bill was so simplistic as to be completely unworkable, and that was the reason for the Government's opposition to it.

I firmly and fully endorse the Bill and commend the Hon. Lance Milne on his effort to tighten the law in this regard. I believe that the Mixed Business Association—and indeed giving them due credit, the tobacco companies—have recognised the importance of this move. I understand the tobacco companies have prepared large signs of the kind that will be required under this legislation and have made them freely available.

However, I have not seen many exhibited in shops, and I hope that the administration of this law when it is passed will be attended to with extreme care. I know that there is a proliferation of signs in shops and that there will not be room for one more, but I venture to say that if retailers are willing to take down one tobacco advertisement and put up instead a sign advising that it is illegal to sell, lend or give tobacco to children, we will be taking one step towards a saner approach to health problems in our society. I support the Bill.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank Opposition members for their support of this Bill. As the member for Coles has said, this has taken us some years to evolve because it is not a simple matter. Whatever legislation is framed, it probably will not eliminate this problem in the community. However, we must continually try to pass laws which are workable and which also provide a framework of deterrents for those unscrupulous vendors who see no evil in providing cigarettes to minors. I must stress that the Government believes that education of the whole community is the most important deterrent and the most effective way of eliminating the health and associated problems with smoking of cigarettes and other harmful substances.

This obviously will increase the deterrent factor, and one would hope that that would be respected by vendors right across the State. It is proposed that signs be displayed prominently, and that is provided for in the legislation. That will be policed by health surveyors. I understand that, although no decision has been made by the Government yet, this measure will be vested in the Minister of Health. Ironically, the member for Coles referred to her earlier attempts, and I refer to the consideration that I know has been given by the present Government to placing this matter within the controlled substances legislation; it now returns to that area—to which I think it is more appropriate than it is to the field of community welfare. Departmental officers should be seen not as policing authorities in the community administering what is a *quasi* criminal offence, but more as a service to the community, giving positive assistance from a caring authority.

The health authorities do have that policing responsibility and it is more appropriate that it be placed there along the lines of policing other health factors in small shops. The measure was introduced by the Hon. Mr Milne in another place. It received unanimous support in that Chamber, and obviously it receives the support of the Opposition in this House. This piece of legislation can go to the community as having the unanimous support of the Parliament, and one hopes that it will achieve at least some of the aims of its architect.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Prohibition of sale of tobacco products to persons under sixteen years.'

The Hon. JENNIFER ADAMSON: In view of the Minister's comments in his second reading reply about the administration of this Act being vested in the Minister of Health, can he advise the Committee how many health surveyors will be available to administer this legislation? I am trying to establish, first, whether it will be only those surveyors who are employed by the Commission, or whether it will be health surveyors employed by local government which, of course, would enlarge the policing net considerably. Secondly, so that the issue can be seen in proportion, how many retail outlets for tobacco are there in South Australia which those surveyors might be expected to police?

The Hon. G.J. CRAFTER: I thank the honourable member for her question. I do not know how many health surveyors there are, but I can find that out. I imagine that the Government would be asking health surveyors whether they are under the Health Commission umbrella or under local authorities, to assist in policing this legislation. It is not an onerous task because those health surveyors, as part of their other duties, visit almost every outlet in the community that would sell other food products and the like for which they have responsibility.

I think that some news agencies perhaps also sell some foodstuffs. Tobacconists may be an area where foodstuffs are not sold but where there are cigarettes. I would need to take some advice on that. Obviously, health surveyors would go into hairdressing salons from time to time. That does not raise a problem, but I will certainly have the matter checked. However, the important part of their work will be to make sure that those signs are displayed prominently; it will be a matter of visual inspection to see that that occurs. Where there are complaints, then obviously further work will need to be done to see whether some discussion with vendors will solve the problem. If not, further policing activity would need to take place and that might well lead to charges being laid under this legislation. However, I will obtain specific details for the honourable member.

The Hon. D.C. WOTTON: I want to speak only briefly in order to back up what the member for Coles has said in regard to the number of health surveyors that will provide this service. As a father of four young children, I strongly support the legislation, but it will not be effective if it is not policed adequately. I hope that, when the Minister does follow up the question that was asked, advice will be given to the member for Coles so that she may pass it on.

I applaud the provisions of the Bill—for example, the necessity to have appropriate signs available. However, it will be useless legislation if no action is taken and if sufficient surveyors are not made available. In accepting what the Minister has said, I hope that he makes available to the member for Coles or to me information on the number of people who will be given an opportunity to carry out this service.

The Hon. G.J. CRAFTER: I will also be pleased to pass that information on to the honourable member. This matter has obviously concerned successive Governments, and I point out that under the current legislation it is almost impossible for the Department for Community Welfare and its officers to police this section of the Community Welfare Act. So, for a start, we will have an established policing authority in place in the community. That is a substantial improvement on what exists at the moment. I anticipate that that will have a marked effect—certainly a very strong deterrent effect—in this area. Nevertheless, the question needs to be answered, and I will provide that information.

The Hon. JENNIFER ADAMSON: One aspect that concerns me is the policing of vending machines. If such machines are in a small delicatessen or newsagency, it is relatively easy for the retailer to supervise but, if a vending machine is in a hotel lobby or railway station as part of a contract with some retailer in the vicinity of a concourse, that is quite another matter.

Of course, then we have things like vending machines at race meetings, shows, and all over the place in public places. Can the Minister explain to the Committee the responsibility of the owner of the vending machine when a child is caught, if one likes, obtaining cigarettes or tobacco from that vending machine? There would be no doubt in anyone's mind that the child was under the age of 16, so there is no protection for the vendor under clause *3(b)* in terms of having a reasonable cause to believe. Obviously, the defence is that the vendor did not know that it was happening but, at the same time, it seems to me that this Bill places a heavy responsibility on the vendor to know what is happening.

The law is there and there is a penalty for breaking it. Can the Minister indicate to the Committee how he perceives vending machines being effectively caught by this legislation, because it seems to me that they offer the escape route for children who want to have access to cigarettes and for thoughtless people who are not concerned about who consumes an addictive product?

The Hon. G.J. CRAFTER: The honourable member asks me a most difficult question, because obviously and ultimately that may well be decided by the courts. However, I think that it is obvious that the legislation does not envisage that vending machines for the disposal of cigarettes will be placed on the highways and by-ways of this State and that such machines should be under some degree of supervision; I think that that is desirable. However, the legislation also envisages that some responsibilities are vested in the community itself. Obviously, parental supervision, the obtaining of money by children, and the like, are outside the scope of any piece of legislation and cannot be provided as such. I suppose that one can take the next step and say that an uncaring parent can just buy the cigarettes and hand them to the child, anyway, and we cannot write law for those situations. So, this is a grey area.

However, in time it may well be that some of these situations are determined by the courts, but one would hope (and I would certainly hope) that proprietors of vending machines would make sure that they placed them in positions where they could supervise them properly. I believe that that is a concern to small business people, particularly because of vandalism that is associated with it and whatever else. Therefore, one would hope that they would, so to speak, keep their eye on vending machines. A defence is provided in the legislation, as the honourable member has said, but there are also some responsibilities and I do not think that it is possible to write into a Statute of this type a precise definition that would cover all those circumstances. However, one would hope that the spirit of this would be embraced by vendors and indeed by the community at large.

The Hon. JENNIFER ADAMSON: In speaking to this clause, I merely wish to make the point, having accepted the Minister's explanation of the vending machine situation, that the importance of education in this area cannot be stressed too strongly and to recommend to the Government and the Health Commission the study of a programme that I had the privilege of seeing operate in Canada in 1982. The Canadian Government, being keenly aware of the extent of the problem of children smoking and the perpetual life and health problems that result from that, had undertaken a national campaign costing some tens of millions of dollars, which is an unusual sum to spend on a health promotion of this kind, to stop Canadian children smoking. The aim was a smoke free generation, and they were starting with children as young as 10 years. They wanted all children under the age of 10 to grow up as non-smokers.

Mr Baker: They should start at five.

The Hon. JENNIFER ADAMSON: All children under 10, and they were aiming their advertising and education principally at the eight, 10 and 12 year old age group, with the view to making it extremely fashionable not to smoke; it was a most imaginative and effective campaign. I gathered from the Commonwealth officials in Canada that it was almost being used as, if one likes, a national unification campaign that had purposes that went beyond health education into a sense of national unity and purpose. That campaign was almost poetic in its attractiveness to children, and I simply say that I am quite certain that there are officers of the Health Commission who would have details of it and who, if necessary, would be able to adapt it to South Australia if funds could be allocated to that purpose.

I strongly commend any responsible effort to stop children from smoking, and I stress 'responsible' because some efforts in that direction can be counter-productive and can actually create a hostility in the child which is more likely to make him or her smoke. So, the activity has to be positive, and I certainly wish the Government well in setting up the administration for this legislation.

Clause passed.

Remaining clauses (4 to 6) and title passed.

Bill read a third time and passed.

PRISONS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 October. Page 1596.)

The Hon. D.C. WOTTON (Murray): I would suggest that many of the provisions in this Bill have become necessary as a result of the speed with which the legislation dealing with amendments to the Act was brought before this House in 1983.

Mr Baker: Rushed through.

The Hon. D.C. WOTTON: It was rushed through Parliament, as my colleage the member for Mitcham says. It was introduced and put through the House in a matter of days. We indicated our concern at that stage and as a result of the speed with which the legislation was handled then, we now find that there are some mopping up procedures and cleaning up that need to be done. There is only one exception to that, namely, the provision relating to the introduction of day leave, which was an initiative of the previous Liberal Government and which was an important plank in the Correctional Services Act which was introduced by the previous Government and which passed through this House with the full support of Parliament in 1982.

Again, I bring to the notice of the House the fact that that legislation was introduced two years ago and, as we all know, there are many provisions in that Act that have not yet been proclaimed. It is rather interesting, too, that the introduction of that provision relating to day leave appears in the Prisons Act. It was obviously a matter of the Minister in another place not having his act together, because it was indicated in the second reading explanation that the provision for day leave was introduced in the Prisons Act because it was felt that it would be some time before the Correctional Services Act was proclaimed and that there was a necessity for doing so.

Both the Prisons Act and the Correctional Services Act Amendment Bills are now before the Parlialment, so obviously the Minister in another place did not have his act together. The Minister has made clear where the Government stands in relation to the one amendment put forward by the Liberal Party in the Legislative Council. It is not my intention to proceed with that legislation further at this stage. Our position on that particular legislation has been made known. We expressed our concern about the changes to the provisions when the legislation was introduced and since that time, and we will continue to do so. It is not my intention to take up the time of the House this afternoon or to go through all the clauses in the Bill

When the legislation was debated in 1983, a number of people on this side of the House took the opportunity to speak to it. We expressed our concern about the change in the personnel having the responsibility of serving on the Parole Board, and I expressed considerable concern about the Parole Board possibly becoming a rubber stamp.

Clause 3 rectifies the situation concerning a few remaining prisoners who had applied to the old Parole Board for parole release before the 1983 amending legislation. At that time it was pointed out that there was a need to make some changes to enable those prisoners to be brought under the provisions of the Act. That advice was not taken, and hence the need for changes at this stage. This Bill makes it necessary for these prisoners to return to the appropriate sentencing court to have a non parole period fixed before they can be released from an institution. We recognise in this legislation the power provided for the Director to delegate, subject to the approval of the Minister. Some concern has been expressed to me about what could be seen as the removal of Ministerial responsibility. Personally, I think that there are appropriate safeguards, and I do not have many worries about that clause.

I referred earlier to clause 6 concerning the introduction of the provision of day leave. The Government is obviously keen to make this provision available now rather than wait until the Correctional Services Act is proclaimed. It is a provision that we strongly support and it is seen to regularise what is already happening and has been happening for some time. However, questions need to be asked concerning the security of the community, and it will be necessary to ensure that people will not be placed at risk as a result of such leave.

Clause 7 provides that non parole periods must be fixed by the courts for all sentences of one year or more. The Act as it now stands makes such provision only when the sentence exceeds one year. This is an administrative provision and one which the Opposition supports. Clause 8 has caused the Opposition some concern. An amendment to this clause was moved in another place, but the Minister's intention was made clear. It provides that a prisoner must be released on parole at a day no later than 30 days after the day calculated as the release date. As the Act now stands a prisoner must be released on that release day, and I appreciate that there has to be a little leeway. However, it has been strongly put to me that 30 days is too long. If the system is working well and there are no bureaucratic problems or problems in the system generally, the prisoners due to be released should be able to be released on a day no later than seven days.

I am not satisfied with the explanation provided by the Minister in another place. He skirted around the issue and was unable to indicate why there was a necessity for 30 days to be provided. He merely indicated that every now and again a situation might arise that would necessitate that period of time being set aside. The Government has made clear that it does not intend supporting that amendment. I know that people working in the system will disapprove of the Government's attitude on that matter.

Clause 9 makes clear that life prisoners released on parole prior to the Prisons Act Amendment Bill, 1981, remain on parole for the remainder of their sentence. Again, this is an administrative provision and one that should have been clarified in the 1983 legislation, rather than our having to wait for it to be included in a separate Bill. Clause 10

provides the Parole Board with the power to vary or revoke on its own motion parole conditions in respect of any parolee. Again, it is a tidying up procedure. So, we could go on about the need to introduce this second piece of legislation. However, it is a tidying up procedure and, after all, the Parole Board currently is really only a rubber stamp, and that is a major problem that we see as far as the system is concerned at present.

Clause 11 makes clear that a sentence of imprisonment in default of paying a fine or other sum does not operate to cause cancellation of parole. Recognising the system as it is, I suggest that this provision is quite fair and equitable. Clause 12 means that the granting of remission is done at the end of each calendar month and not at the end of each prisoner's month of imprisonment. Again, it is an administrative matter and will improve the situation as to calculating the remission time, and that is a significant problem that has come about as a result of the changes in actually calculating remission times.

So, apart from the introduction of the provision relating to day leave, which as I say was supported by the previous Liberal Government, the major part of this Bill brings the provisions into line with the changes in the parole system, and that is a matter about which we have had a fair bit to say previously. The Opposition made its attitude clear: because we are supporting these technical amendments relating to the operation of the Parole Board and the system generally it should not be taken for granted that the Opposition is in any way showing support for the substantial amendments moved by the Government in 1983. We will continue to express our opposition, and the opportunity will be provided in another Bill before the Parliament (the Correctional Services Act Amendment Bill) for us to go into more detail.

The Hon. Mr Griffin in another place stated the views of the Opposition very clearly in regard to concern about automatic remission and automatic release. In regard to automatic remission and automatic release, I was interested to read the interjection of the Minister in another place when he said, 'There is a high degree of predictability.' I would suggest that that is very much the case, and that is why we opposed it early in the debate last year.

The Hon. Mr Griffin asked why the Correctional Services Act had not been proclaimed, and the Minister indicated that that was because, first, there had been delays in preparing the quite extensive regulations and, secondly, when those regulations were being drafted a number of deficiencies in the Act came to light. We have continually been told during the past two years that it is taking some time to prepare the regulations. I repeat yet again that as we came out of office a good part of the regulations were almost finalised, and it was obvious that the Government had some difficulty in formulating its attitude towards this legislation.

To facilitate the improvements (slight as they may be) to the parole system as contained in the provisions of this Bill, the Opposition supports the measure. We will take the opportunity during the debate on the Correctional Services Act Amendment Bill to go into more detail in relation to our concerns about the parole system generally.

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

PLANNING ACT AMENDMENT BILL (No. 5)

Returned from the Legislative Council without amendment.

ADJOURNMENT

The Hon. G.F. KENEALLY (Minister of Tourism): I move:

That the House do now adjourn.

Mr BAKER (Mitcham): Last week I had the pleasure of visiting a high school in the western suburbs. I was invited to that school to address the students on the subject of future job opportunities. The title of the seminar was 'I am special'. A package was put together by the school which was aimed at raising the students' perception of where they could best develop their talents in this wide world once they had left school. I was invited because of some previous work I had done for the Department of Labour when I was Manager of the Manpower Forecasting Unit. I concurred entirely with the title 'I am special', because there is no doubt that our future will depend on these children and the way in which they participate in the work force, and how they conduct themselves in the future will have a big bearing on the future of this nation. I was delighted to attend this school and to be able to give the students some insight into some of the experiences I have had in looking at future job opportunities.

I will not bore the House with the full details of what I said. However, I did talk about the areas where new opportunities would arise and the areas that would continue to develop in the face of economic and technological changes. The three things I specified as being essential for those students' future development were: good education; maximisation of their skills and talents; and total dedication. When I was discussing the parameters of the work force, I mentioned that one of the essential ingredients in education today is the use of computers. As members on both sides of the House are well aware, computerisation is with us: it is a reality and it will become even more of a reality.

For this reason I said that all children and young adults who attend school should have the opportunity to use computers. Some children will obviously go on to occupations in which computers will play an important and intrinsic part in their job, and others will have contact with computers in a small way. The point I was trying to get across was that computers will affect everything, whether they are used for banking purposes or for work purposes. I asked the school staff how many computers they had, and I was told there were four. That high school has 700 students but it has only four computers.

The Hon. Jennifer Adamson: That is a very common situation.

Mr BAKER: It is a disgraceful situation. The member for Coles mentioned that it is a common situation. I know that it is quite common, because the Minister recently replied to one of my questions on notice on this very subject. The point I wish to make is that in this day and age the progress of the students in that high school with an enrolment of 700 will be impeded because the school has only four computers. I have received various complaints from parents in my district about the cost to them of schooling: they are being asked to provide money not only towards the running of the school but also for the provision of computers. They believe that it is unfair that they have to give substantial sums towards the running of the school and also have to provide the basic implements of education.

I do not wish to argue about who should be paying for the computers: what I wish to do is draw a parallel between that school in the western suburbs and some schools in my district. Some of the schools in my district now have considerable computer technology at their disposal. That is happening mainly in the primary schools where considerable fundraising by parents has enabled the schools to purchase

computers. That means that the children who attend those schools are able to learn two basic skills, the first being to learn about computers and the second to obtain hand skills.

They are both very important, irrespective of the vocation that the student ultimately decides to follow. Those schools with parents in the middle to high socio-economic groups will eventually provide sufficient hardware for schools in districts such as mine. However, what happens in high schools where the average household is in a lower socio-economic group? At the school that I visited the parents provide over $50 000 a year towards its running costs. That represents nearly half the school's discretionary budget and much of that money is spent on maintaining existing facilities. Little opportunity is available to provide extra funds for items such as computers.

Governments are ensuring that equity in the education system remains but a dream. I have heard members opposite refer to the needs of the disadvantaged. Indeed, they have spent many hours on their feet talking about, but not acting on behalf of, the disadvantaged. Here is one of the most fundamental needs in the education system today. Very little opportunity is available for some of these schools to generate enough revenue to purchase their own computers, and very little opportunity is available for students at those schools to sit at a computer, to make it work, and to understand its impact. Even if the student never becomes a highly skilled computer operator, the process of improving his or her hand skill would be of great benefit. If South Australian education is to be equitable, one of the most fundamental needs of any school is the provision of computer equipment so that all students, at least in one or two years of their education, can gain experience on it.

Many ways of redressing the problem are available. The first is for the Minister of Education to make a submission to Canberra for extra funds for this purpose. Other means are available, such as capital works expenditure and through leasing arrangements. It is more important to provide instruments such as computers in order to upgrade skills and learning than it is to spend money in some areas of education on which large sums are spent today. There seems to be a concentration by teachers on the numbers game, and they seem to believe that education revolves around the number of teachers employed and the student-teacher ratio. However, every member in this place knows that that is not true. There may well have to be trade-offs between facilities, between equipment and between teachers if the Commonwealth budget cannot be stretched.

Be that as it may, it is of great concern to me that people from disadvantaged areas are likely to remain disadvantaged because they will never have the opportunities that the Commonwealth Government and this Government purport that they should have. Both Governments continue to talk about the problems of disadvantaged children, yet they do nothing to help them. The Hawke Government has a disgraceful public record in this area. It is high time that this State Government took a lead and provided equipment that is fundamental to schooling in South Australia.

The ACTING SPEAKER (Mr Whitten): Order! The honourable member's time has expired.

Mr HAMILTON (Albert Park): The contribution of the member for Mitcham amazed me. He should be honest in this Parliament and stop mishandling the truth, especially in respect of the attitude of his Federal colleagues who were in power from 1975 to 1982. Anyone with an ounce of sense knows that we cannot solve all these problems in the couple of years that we have been in office.

This afternoon, I wish to raise a matter that I have raised repeatedly over the past few months. In January of this year, I undertook a study tour to inquire into the problems of the disabled and the elderly on public transport in Australia. I journeyed through four States and, with my background in the railways industry, studied the problems of transporting these people, recognising that this year an Asian-Pacific conference would be held in South Australia. I discussed this matter with people in Sydney, Melbourne and Queensland. Together with the member for Peake and with my wife, I journeyed in June and July of this year to Alice Springs. On my return I criticised the facilities that were available at the Keswick interstate rail terminal, which is operated by Australian National.

I am amazed that a Federal Government instrumentality can get away with not providing facilities for the disabled as Australian National has been able to do in this State. The Keswick terminal is a disgrace and I am outraged that Australian National can get away with the situation there. In saying that, I do not care whether a Federal Labor Government or a Federal Liberal Government is responsible for that situation. The Federal Government must put its money where its mouth is because the disabled and disadvantaged in this country are entitled to some recognition of their disabilities.

Any thinking person or any person with compassion who looks at the Keswick terminal will see how the needs of the disabled, in the main, have been ignored. True, at ground level there has been recognition of the needs of the disabled in terms of toilets, but problems face the disabled, the elderly, the arthritic, and the mothers of young children who try to get to an adjacent platform. Earlier this year, I wrote to the General Manager of Australian National and, on 10 September, I received a reply, which states:

> With regard to your comment concerning access to platforms, whilst the ramps and stairs are designed to modern standards with the least gradient possible in the area available, they are not considered any steeper than those previously available at the Adelaide Railway Station.

That reply is an insult to anyone's intelligence. As was stated in this Chamber earlier today, the Adelaide Railway Station is about 100 years old, and one would think that our present day architects, using modern design methods, could provide a facility at Keswick to cater for the disabled. However, money was the sole criterion in the design of the Keswick terminal. I am not so stupid as to believe that Australian National was not aware of the problems and criticisms that it would incur at some time in the future in relation to the needs of the disabled in this country.

The Hon. Jennifer Adamson: And not only the disabled, either—many other people were not catered for.

Mr HAMILTON: Indeed, as I have mentioned. Dr Don Williams talks about the Adelaide Railway Station, but at least that has a lift for the disabled and facilities for the aged, arthritic, war veterans, and so on.

The Hon. Jennifer Adamson: And at least there is a shelter over the platforms.

Mr HAMILTON: Indeed, as I stated in the press yesterday. I took one of my former workmates with me, namely, Mr Crossing, from the Australian Railways Union, having specifically rung him up and encouraged him to come. I also telephoned Mr Brian Bush, of the Australian Transport Officers Federation, to try to add some emphasis to my strong feelings and convictions about what is required for the disabled and all disadvantaged groups in the community. Dr Don Williams was not available for comment. Australian National Assistant Manager, Technical Services, Mr J. Green, said that he was not aware of any danger from oil contamination from the access roads—which was one of the criticisms in relation to facilities at Keswick. But there was no comment in relation to the facilities for the disabled.

I do not believe that the Federal Government or any State Government in this country has the right to opt out.

If private enterprise has to provide facilities for all these disadvantaged groups in the community to which I have referred, then Federal and State Governments should do exactly the same thing. They should be condemned for not providing those facilities. I feel very strongly about the matter. Any Federal Government, if it is sincere in its beliefs about providing facilities for the disabled and the other groups that I have mentioned, should at least reconsider the need to provide an escalator at the Keswick terminal for those people who use that facility. As I have said, the Asian Pacific Conference for the Disabled will be held in South Australia, at which time some 400 overseas delegates will be coming to this State.

The Hon. Jennifer Adamson: Do you know how many wheelchairs that might involve?

Mr HAMILTON: No, I do not.

The Hon. Jennifer Adamson: A lot.

Mr HAMILTON: It will be, and a number of those people will come into the Keswick terminal. Further, in 1985-86 many tourists will be coming into this country for the sesquicentenary celebrations. Hopefully, people will come from all over the world to visit South Australia. Today I asked the Minister of Tourism a question about the Indian-Pacific train. Many people enjoy train travel. No-one would question my sincerity in relation to public transport in this country, and I point out that people have to come into a facility like Keswick, only two or three years old, yet it does not cater for those basic needs of people as do other facilities in any modern country in the world. Even communist countries provide facilities for the disabled, the elderly and the disadvantaged.

I hope that this matter is further considered. On 20 October I wrote to the Federal Minister for Transport pointing out my concerns, having tried to convince Australian National to upgrade the terminal, but to no avail. I hope (and I will provide a copy of this speech to him) that the Federal Minister for Transport does take cognisance of these needs and that some time in the new year he will supply sufficient money to provide facilities for those specific groups to which I have referred.

The Hon. JENNIFER ADAMSON (Coles): I want to raise issues concerning education in my electorate. In particular, I refer to problems that are occurring in the area of special education in the electorate of Coles and no doubt in other electorates as well. All members would be aware that teaching in the field of special education is perhaps one of the most demanding tasks which face our schools today. Special education needs can be a cause of tremendous anxiety to parents, of great concern to children, in so far as they are able to understand the problems that beset them, and pose tremendous professional challenges to staff in the education system. Yet, it is the distinct impression of members of the Liberal Party that the area of special education in South Australia today is not receiving the attention that it merits.

I want to demonstrate how this is occurring in one school in my electorate, namely, the Magill Primary School. In referring to the special education needs at Magill Primary School, I do not wish there to be any confusion between Magill Primary School and Magill Special School, which is adjacent to the Magill Primary School and which has an excellent relationship with that school. I have received a letter from the Chairman of the Magill School Council, Dr P.W. Schultz. The letter, dated 10 October 1984, outlines the problem, and I can do no better than read extracts of that letter to the House. It states:

I wish to draw to your attention the extreme dissatisfaction of Council members with:

(1) the situation of one of our teachers, who works in the field of special education,

(2) the negative response to our application for a full-time special education position to be established at this school in 1985.

In 1982, a staff member, Mrs Lloyd was appointed 0.5 at Marryatville Primary school and 0.5 at Magill school. The class at Marryatville was disestablished at the end of that year due to decreased need; Mrs Lloyd was thus displaced and appointed to Rose Park Primary School on a 0.5 basis in 1983. That class will also be disestablished at the end of this year, and Mrs Lloyd is faced with yet another displacement.

The letter stresses the extreme demands made on teachers in special education, demands that would be difficult for a staff member to meet in a stable situation of full-time employment in one school. How much more difficult are those demands when a teacher's time and energy is split between two schools several miles from each other, teaching on a part-time basis in each. The letter goes on to say:

(1) The problems of two completely different groups of children, and their families, must be considered and a programme of work for each child developed. This creates what is, in effect, a double workload for the teacher.

(2) It is extremely difficult to feel a sense of 'belongingness' as a staff member; too often these teachers do not have the opportunity of getting to know all their colleagues and are not on hand to take part in decisions which are made within the school. It is also extremely difficult to find the time to discuss the children with whom they work with the class teachers; such two-way discussion is vital if the work of both teachers is handled in isolation.

(3) There is a need for much 'doubling-up' in, for example, the preparation of materials and teaching aids; the alternative is to be constantly transporting these items from one school to another.

No member would deny the logic of the case that has been put by Magill school for a more consistent approach to the placement of teachers in the special education field. I understand that the problems in regard to the Magill school are not unique to that school. I believe that they are also experienced at Payneham Primary School and at other primary schools. Mrs Lloyd's employment possibilities for 1985 are that she can do part-time work next year at Magill and part-time work at one of four other specified schools; she could take a full-time position at yet another school, which, of course, the parents of students at Magill school do not want because they appreciate her contribution; or she could reduce her position from full-time to part-time. This would reduce her burden but at the same time reduce her salary to half of that which she is presently earning.

Obviously, that is an unacceptable option. So the school has had a meeting between concerned staff and Education Department guidance officers, as a result of which the recommendation was made that the special education programme at Magill school be expanded to cater for the 12 students in need of full-time support and 25 others in need of part-time support, a further seven students needing assessment for possible inclusion in 1985. Despite that recommendation, it seems that the well documented needs of students at Magill school will not be met. The letter I have received, to which I have been referring, states that there are anomalies; some schools with fewer identified children have more special education staff than Magill; some schools have a larger amount of special education teacher aide time than Magill; that is not to say that these schools are necessarily over-staffed; and all this demonstrates a lack of forward planning. The letter continues:

For example, it there was sufficient need for a 0.5 special education appointment to be made at a school just last year, why will that class now be disestablished at the end of this year?

I know that my colleague the member for Torrens is extremely concerned about these issues. He places a tremendous priority on special education. South Australians can be assured that when the Liberal education policy is announced the needs of special education will be given much more sensitive attention under a Liberal Government

than they apparently are being given under this Government. The Magill school council letter to me continues:

> We firmly believe that current practices discriminate against special education teachers and that the decisions made about special education staffing for Magill school bear no relation to identified needs nor to recommendations made by special education advisers in this region.

I have had several dozen letters (I have not counted them specifically, but the pile looked to me like several dozen letters) along these lines. Obviously, the school parents are deeply concerned and, equally obviously, the Minister must respond to that concern by taking positive action to meet the special education needs of those children. If they are not met, the problem becomes worse year after year. The time to catch these children and give them a safety net, the support they need and the extra special care they need so that they can function normally and properly in the higher years of primary school and in secondary school is to meet their needs with special education now. The year after next year and the year after that is too late. What they need they need now, and it is false economy and poor organisation not to arrange staffing so that those needs can be met.

The same thing is occurring on a different scale and in a different school. The Minister on the front bench (the Minister of Community Welfare) will be aware of this, because it is happening in the Norwood District, at Norwood Primary School, and I raise it simply because it affects one of my constituents. The fact is that the building at the Norwood Primary School which currently houses the special small class is to be reallocated next year for offices, and the special small class—

The Hon. G.J. Crafter: That's not true.

The Hon. JENNIFER ADAMSON: According to the Principal, it is true. I have correspondence which indicates that another piece of bad news is that the beautiful building in which the special small class is located at Norwood Primary School is threatened because the Government wants it for offices next year, and at the moment there is no idea of where the class will be located. If the Minister can demonstrate that that is wrong, I will be delighted, because it will relieve the minds of the very worried mother and father of a little boy who has had in all his pre-school years extraordinary parental support and who is due to start school next year.

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

Motion carried

At 4.45 p.m. the House adjourned until Tuesday 13 November at 2 p.m.