

## HOUSE OF ASSEMBLY

Wednesday 20 March 1985

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

## PETITION: TURFED SURFACES

A petition signed by 1 854 footballers and club officials on Eyre Peninsula praying that the House urge the Minister of Water Resources and the Minister of Recreation and Sport to devise a scheme for the reduction of maintaining turf surfaces on Eyre Peninsula was presented by the Hon. B.C. Eastick.

Petition received.

## PETITION: PORNOGRAPHY

A petition signed by 288 residents of South Australia praying that the House urge the Government to tighten restrictions on and provide for Ministerial responsibility for the control of pornography was presented by Mr Peterson.

Petition received.

## MOTION FOR ADJOURNMENT: LABOR PARTY POLICIES

The **SPEAKER**: I advise that I have received the following letter from the Leader of the Opposition:

I desire to inform you that this day it is my intention to move that this House at its rising adjourn until 1 p.m. tomorrow for the purpose of discussing a matter of urgency, namely, that this House condemns the State Government for accepting policies dictated by the left wing of the ALP at the Labor Party State Convention at the weekend and in particular completely repudiates decisions made at the convention which will lead to higher taxes, increased business costs and more power for trade union officials.

*Members interjecting:*

The **SPEAKER**: Order! Honourable members know that they should not interrupt the Speaker while he is on his feet. Having considered the proposed—

*Members interjecting:*

The **SPEAKER**: Order! I ask honourable members to come to order. Having considered the proposed motion in the light of Standing Order 57 I rule that it is not a matter of urgency.

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

That the Speaker's ruling be disagreed to.

The **SPEAKER**: The honourable member must bring up his reasons in writing.

Mr **OLSEN**: I will do so.

The **SPEAKER**: Order! I ask for silence while I read out the motion now in front of me. Honourable members know the consequence of not obeying me. The Leader of the Opposition states:

I move disagreement with the Speaker's ruling, as the motion is a matter of urgency and it ought to be debated forthwith (John Olsen and Roger Goldsworthy).

Mr **OLSEN**: Yesterday, the Opposition asked five specific questions arising from the Labor Party's convention of the weekend. Those questions were questions of urgency, policy and priority to be adopted by this Government and implemented. There is no doubt that the implementation of those policies, as established by the convention at the weekend, will have the net effect of raising taxes in South Australia

and of providing extra costs for the business community in this State.

*Members interjecting:*

The **SPEAKER**: Order! I ask all honourable members to obey the injunction that I have already laid on them.

The Hon. J.C. **BANNON**: On a point of order, Mr Speaker, the motion that the Leader of the Opposition is speaking to is not the substance of his scurrilous so-called urgency motion, but, in fact, the reason why he dissents to your ruling that this motion is not a matter of urgency. I submit that he is canvassing matters within his motion and is therefore out of order.

The **SPEAKER**: I uphold the point of order and ask the Leader to restrict himself to the substantive issue of his motion dissenting to my ruling.

Mr **OLSEN**: I am trying to establish why this matter is urgent and should be debated forthwith in this Parliament. It seems clear to me that the Labor Party in South Australia is running scared, is on the skids and is trying to evade a debate on the matters I wish to bring before the Parliament as matters of urgency. I have not had the opportunity but for one minute to develop the reasons why this matter is urgent and should be debated today, yet the Premier rises to his feet in taking a point of order. Clearly, the specific questions the Opposition asked the Government yesterday were for the purpose of determining the significance of the policy directions given by the ALP conference at the weekend and to determine the extent of the left wing domination of that convention and the direction of those policy initiatives.

The **SPEAKER**: Order! I ask the Leader to resume his seat. Again, he is straying from the substantive issue that this is a matter of urgency. The honourable Leader of the Opposition.

Mr **OLSEN**: The matter before you, Mr Speaker, as a matter of urgency refers specifically to the domination of the left wing of ALP policy development in this State. It also clearly identifies that the ALP Government in South Australia picks up these resolutions and implements them as policy. In fact, a number of these policies are to be implemented forthwith. Let me give some examples to demonstrate the urgency of this matter.

The **SPEAKER**: The Leader has moved dissent to my ruling that this was not a matter of urgency in the light of Standing Order 57. The Leader must restrict his remarks strictly to that point and not deal with the substance of the letter. The Leader of the Opposition.

Mr **OLSEN**: I draw to your attention, Mr Speaker, that the motion delivered to you in my handwriting specifically refers to the motion that I wish to move. The basis of your ruling is that this is not a matter of urgency. That is the point on which we disagree. The reason why it is a matter of urgency is the fact that the questions yesterday were denied an answer. The Government has sought to run away from these policy resolutions of the convention, and they are of an urgent nature. Take one example: the redundancy provisions. The Deputy Premier yesterday was asked whether the intervention of the ALP Government in South Australia in the Industrial Commission was on the basis that it had been determined as a matter of policy, thus clearly showing that the Government was awaiting marching orders from the Trades and Labor Council. The direct effect of—

The Hon. J.D. **WRIGHT**: On a point of order, Mr Speaker, as I understand the proposition before the Chair at present, it is dissent to your ruling. Therefore, the Leader must attempt to establish reasons for dissenting to your ruling, Mr Speaker, which I think is a proper one. More importantly, the Leader is now telling mince pies to the House.

*Members interjecting:*

The **SPEAKER**: Order! I ask the Deputy Premier to resume his seat. I uphold the point of order in part in that

the last sentence of the Leader's remarks did stray from the firm line. In common Australian parlance, the point of dissent is: why should this not be debated today? Why cannot it be debated later? It is as simple as that. I ask the Leader to come back to that.

**Mr OLSEN:** I will explain to the House why it is an urgent matter today.

**The Hon. J.D. WRIGHT:** A further point of order is that the Leader is misleading this House because what he said a moment ago was not in the context—

*Members interjecting:*

**The SPEAKER:** Order! Members should calm this situation because there is a delay in the Leader's attempt to justify his situation, so I do not uphold the Deputy Premier's point of order. I ask the honourable member for Torrens to come to order. He has been here long enough to know that. I ask the Deputy Premier to restrict his remarks.

**The Hon. J.D. WRIGHT:** I would submit that my second point of order has not been allowed.

**The Hon. B.C. Eastick:** That is a reflection on the Chair.

**The Hon. J.D. WRIGHT:** You can make any judgment you like.

**The SPEAKER:** Order! I ask the Deputy Premier to resume his seat. In my opinion this is a matter of delay. I have a discretion in that matter. I do not uphold the point of order and ask the Leader to resume his remarks.

**Mr OLSEN:** It is quite clear what the tactics are. The members on the Government side do not want me to be able to speak.

*The Hon. J.D. Wright interjecting:*

**The SPEAKER:** Order! I ask the Deputy Premier to consider this situation: if he is now dissenting from what I said he is going to have to do it formally. What I have indicated I stick to, and I call on the Leader to continue his remarks.

**Mr OLSEN:** It will be interesting to see how many more points of order we get from the other side in an attempt to gag the Opposition in putting forward points before this Parliament why this motion should be proceeded with forthwith. Clearly the Government is running scared. I have no doubt that if the Government supports your ruling today it will be on the basis they do not want to debate those policy resolutions at the ALP State convention. They do not want this Parliament to be informed on the effect of death duties, whether they be introduced by a State Labor Government or the Federal Labor Government. They do not want to discuss in this Parliament the net effect of the redundancy provisions supported by the ALP State convention which will have an adverse effect on every business enterprise in South Australia.

In addition to that, it will have a net effect on job opportunities for South Australia. That is the direct cost of the Government policies, the ALP State convention policies. We asked questions yesterday as a preamble for today's resolution. We sought specific answers on a number of matters: death duties, on the visitation of nuclear powered vessels into South Australian ports, the Government's proposal to change local government rating systems, and the Government's public sector growth. They were specific questions for which we sought answers in this Parliament.

**The SPEAKER:** Order! I am the one making the ruling, not the Government. I ask the Leader to bear that in mind.

**Mr OLSEN:** The redundancy provisions are before the court right now. This Government is intervening in the Industrial Commission of South Australia. It has not seen fit to tell this Parliament the course of action it is going to follow, whether it will be following line for line the ALP State convention direction. In addition, the taxation summit is due to be held from 1 July to 5 July and submissions from the various State Governments have to be put in

writing to the Federal Government in a matter of weeks. The urgency of the matter is that these—

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

**The Hon. J.C. BANNON (Premier and Treasurer):** I will not delay the House for very long.

**The Hon. E.R. GOLDSWORTHY:** On a point of order, Mr Speaker, you gave a ruling pursuant to Standing Order 57 that this was not a matter of urgency. However, Standing Order 57 refers to motions to adjourn the House.

**The SPEAKER:** I adhere to what I said. The honourable Premier.

**The Hon. J.C. BANNON:** The motion refers to the House at its rising adjourning—

**The Hon. E.R. GOLDSWORTHY:** On an additional point of order, Mr Speaker.

**The SPEAKER:** Order! I ask the Deputy Leader to resume his seat. I have given my ruling. I do not uphold the point of order. I call on the Premier.

**The Hon. E.R. GOLDSWORTHY:** On a point of order, Mr Speaker, and as a matter of clarification, Standing Order 57, on which you based your ruling, states:

Motion for adjournment. The motion for the adjournment of the House may be moved only by a Minister . . .

It has nothing whatsoever to do with ruling on this motion of urgency. With respect, the operations of this House would be quite incomprehensible if quite specious rulings were given on quite false grounds. I am simply asking for clarification of the matter.

**The SPEAKER:** I will clarify the matter and admit a typing error. I should refer to Standing Order 59.

**The Hon. J.C. BANNON:** The question here is whether or not this is a matter of urgency. I support the ruling which you have made in this matter, Sir, and which was conveyed to me—not because I am concerned about debating such a spurious motion as this, but simply because I think that it is about time that the Opposition adhered to the forms of this House.

*Members interjecting:*

**The Hon. J.C. BANNON:** If there is some urgent and pressing matter, if there are some dire consequences about to occur as a result of this, the opportunity arose yesterday for the matter to be debated, but it was not debated yesterday. What has made it urgent today when it was not urgent yesterday? The answer is quite simple: the Opposition yet again has no questions of any substance to ask in this House. If members opposite came clean, we would not worry about that; if they stood up here honestly and said, 'We can't think what to do today, we will bring on an urgency motion to fill in time—'

*The Hon. B.C. Eastick interjecting:*

**The Hon. J.C. BANNON:** A former Speaker of this House is interjecting. I will watch very closely the member for Light, who gave at least two rulings during the period when he was Speaker in which this nonsense was ruled out of order because matters were not urgent. I expect that the honourable member will support this side of the House in supporting the Speaker's ruling, because the precedent is there. However, he has the audacity to interject—and now he will take a point of order to try to cover his embarrassment.

**The SPEAKER:** Order! The honourable member for Light.

**The Hon. B.C. EASTICK:** On a simple point of order, Sir, I ask you to rule on the relevancy of the activity on which the Premier is currently embarking.

**The SPEAKER:** I believe that the Premier has strayed well off the path. I ask him to come back to the motion.

**The Hon. J.C. BANNON:** I shall not deal any further with the gamekeeper turned poacher in this instance. I suggest that the House consider those precedents which are indeed relevant to this debate and consider whether this

spurious nonsense that the Opposition has produced is urgent. The fact is that it is not urgent. If the Opposition wants to question us about our policies, it is free to do so within the forms of the House. If members opposite want to move a motion of no confidence, as they seem to try to do every week or so, by all means, with proper notice, let them do so. However, to try to get in under this guise is just absolute nonsense, and your ruling, Sir, really requires very little debate at all.

**The SPEAKER:** Order! In my defence I indicate that I relied on three precedents: first, Speaker Connelly, 31 March 1977, *Hansard* page 3068; secondly, Speaker Eastick, 3 December 1980, *Hansard* page 2531; and, thirdly, Speaker Eastick, 27 August 1981, *Hansard* page 744. In my view the matter is not one of urgency, although I acknowledge that it could be one of no confidence in the Government. However, the more appropriate method for dealing with it in that case is by the use of other mechanisms provided in the Standing Orders. The only test I have applied is that of urgency, and I have explained that.

**The Hon. E.R. Goldsworthy:** I rise on a point of order. Is it proper for you, Mr Speaker, to base your ruling on that of former Speakers rather than on your reading of a Standing Order and its interpretation as enunciated in *Erskine May*? The fact is that the Opposition was far from satisfied with Speaker Connelly, who suggested that former Speakers had the ultimate authority—

**The SPEAKER:** Order! By way of explanation, before putting the question, I indicate that it is entirely proper, and has been done before, for the Speaker to form his own judgment in conjunction with the wisdom imparted to him by his predecessors.

*Members interjecting:*

**The SPEAKER:** Order! I will not go on calling the Deputy Leader to order much longer. The honourable member should appreciate that.

The House divided on the motion:

Ayes (20)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, D.C. Brown, Chapman, Eastick, Goldsworthy, Gunn, Ingerson, Lewis, Mathwin, Meier, Olsen (teller), Oswald, Rodda, Wilson, and Wotton.

Noes (22)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon (teller), M.J. Brown, Crafter, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenahan, Messrs Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Pairs—Ayes—Messrs Blacker and S.G. Evans. Noes—Messrs M.J. Evans and Mayes.

Majority of 2 for the Noes.

Motion thus negatived.

## QUESTION TIME

### LABOR PARTY INVESTMENTS

**Mr OLSEN:** Will the Premier say when he was first advised of the intention of the State branch of the ALP to buy a section of the Canberra Rex Hotel, and what action he took at that time to prevent the move? I understand that negotiations for this transaction have been under way for some time. The Premier's complete reluctance last night and earlier today to speak out against the transaction is clear evidence that, had this proposal not been publicly revealed last night, it would have been completed—

**The SPEAKER:** Order! I ask the honourable Leader to resume his seat. That explanation is clearly out of order, and I ask the Leader to come back to a proper explanation of the question.

**Mr OLSEN:** As intervention would not have taken place unless the matter had been revealed publicly, I ask the Premier to advise the House precisely when he was made aware of the plan by his Party to purchase the second floor of the Canberra Rex Hotel and what action he took in the first instance—not after the matter had been revealed publicly—to attempt to dissuade his Party from investing interstate in direct contradiction to the taxpayer funded SAFA advertisements seeking investment in South Australia.

**The Hon. J.C. BANNON:** This is not the sort of question to which one would normally respond, relating as it does to internal Party matters. There are one or two questions that I would be interested in hearing the Leader of the Opposition answering about his internal Party matters—

*Members interjecting:*

**The SPEAKER:** Order! The honourable Premier.

**The Hon. J.C. BANNON:**—and certain investments and other things. However, the question has been asked of me and, whilst I do not think it is normal, I will answer it.

**The Hon. E.R. Goldsworthy:** Come clean—what investments? What are you talking about?

**The SPEAKER:** Order! The honourable Premier.

**The Hon. J.C. BANNON:** Aren't you in on it, Roger?

*The Hon. E.R. Goldsworthy interjecting:*

**The SPEAKER:** Order! I advise the Deputy Leader of the Opposition that I will have no alternative, if his behaviour continues as it is, but to warn him. The honourable Premier.

**The Hon. J.C. BANNON:** It is clear that the Deputy Leader is not involved in the confidences of his Party organisation. Let me go on. The first time that I became aware of this—

**Mr Lewis:** That last statement of yours was piffle, and you know it.

**The Hon. J.C. BANNON:** The member for Mallee demeaned himself earlier today and I intend to speak to him privately about that, anyway.

*Members interjecting:*

**The Hon. J.C. BANNON:** It happens that I still have some residual respect for the honourable member and I am sorry when I see him behaving as he did earlier.

Let me return to the question. The fact is that I first became aware of it last Monday—that is, not yesterday, but the Monday before. At that time I objected to the investment proposals that were being developed. A meeting was held this weekend involving the directors of Labor Holdings and their investment consultants at which the matter was discussed. I certainly made my views known then. In the days intervening between then and the final decision made today, I have taken all action consistent with my belief that such investment should be made here in South Australia. That view has been accepted and adopted, quite properly I believe, and I believe that is the end of the matter.

### NON-GOVERNMENT SCHOOLS FUNDING

**Mr GREGORY:** Can the Minister of Education say whether the Government has cut funding to private schools? I have been contacted by a constituent who is most upset over a newsletter which he received from St Paul's College. The newsletter, in part, reads:

On 3 December (two days after the Federal election), St Paul's (and other independent schools) received the tragic news of a savage cutback in funding for 1985. You will agree, I am sure, that this very late announcement certainly did not give us fair warning. At the time we were told, our policy of curriculum improvements and class size reductions were already in place. The total shortfall on the amount we expected to receive is \$136 000 or \$35 000 reduction on what we received in 1984,

taking no account of our increasing enrolments or capital expenditure over the past few years.

**The Hon. LYNN ARNOLD:** Yes, I can give the House advice on this matter. As I have said on a number of other occasions, including in this place, the Government has not cut back funding to non-Government schools in South Australia. Indeed, the level of funding paid to non-Government schools is greater than it was in 1982, simply because of the rate of inflation, and we have passed all these increases into the non-Government school sector as well.

In addition, we have agreed to the model school formula being re-examined and a determination whether or not there needs to be any improvement in that formula. We have given undertakings that in the 1985-86 Budget that modification to the formula will apply, so that those betterments that have taken place in Government schools over the period of office of this Government will be passed on and reflected in terms of funding to non-Government schools. There have been quite clear benefits to Government schools, and they are therefore showing up in the model school formula. So, there has been no cutback in funding to non-Government schools.

What has happened, and what I stated before and since the last election (indeed, it is the policy of this Party), is that there was a need to extend the needs based funding mechanism for non-Government schools. As I announced in this House, I think in May last year, we had determined on a policy about the way in which that extension would apply for the next three years, and basically that saw a static per capita amount over the balance of funds available being increased by more than the inflation rate, and they would be allocated on the basis of need.

I referred that matter to the Advisory Committee on Non-Government Schools, under the chairpersonship of Di Medlin, and that committee spent some months examining how best to tackle the proposition. It came back to me in October last year with some options that should be considered. We discussed those options and they had a preferred option, which they wanted me to consider. I was persuaded by that and, indeed, we adopted the preferred option of the Advisory Committee on Non-Government Schools, which basically saw quite a fundamental change in the way in which the needs based portion was allocated. I could go into that at great length if members wanted me to do so.

The outcome of that was to see a readjustment in the amounts of money paid to various non-Government schools. I approved that on that occasion and during November the Secretariat of the Advisory Committee processed the decision and advised schools of what they would be receiving as a consequence. That happened in late November and early December. It had nothing to do with the timing of the Federal election: rather, it related to the workload of the Secretariat. It then became obvious that some non-Government schools were being especially hard hit by the readjustment of funds—not by the taking of funds from non-Government schools to Government schools but by the readjustment of funds within the non-Government school sector.

Indeed, some schools (one has been mentioned by the honourable member) felt that they would suffer unduly. I received complaints from those schools and consequently referred the matter back to the advisory committee under the then acting chairpersonship of John McDonald, Di Medlin being overseas at the time. I said that the complaints had been passed on to me and that the matter deserved further consideration. The advisory committee then examined that and informed me of a new set of recommendations accepting, in principle, the philosophy that we adopted in November.

However, the committee said that, in phasing them in in 1985, it believed that certain modifications should take place. The most significant of these was that no school in category C or below would receive less than 90 per cent of what it had received in the previous year if it did not happen to score too well under the needs based funding element as it then was. I accepted those amended propositions, and schools have since been advised of that.

I categorically refute any suggestion that the State Government has cut back on funding. We have lived up to our commitment to extend needs based funding and have done so on the basis of advice from the Advisory Committee on Non-Government Schools, which is basically made up of non-Government school representatives. This committee has done a commendable job in putting these propositions to me. I believe that the scheme is successful. It is a leader throughout Australia and other systems throughout Australia should look towards it in terms of the way in which they fund non-Government schools.

### LABOR PARTY INVESTMENTS

**The Hon. E.R. GOLDSWORTHY:** Did the Premier ask his Party to withdraw from its proposal to purchase the second floor of the Canberra Rex Hotel because one of the owners has a criminal record and the other owner is currently on remand on fraud charges? I have been told that one of the owners of the Canberra Rex Hotel has convictions for 17 fraud offences, is currently on a bond, and is also on remand to appear in the Sydney District Court on further fraud charges involving the alleged misappropriation of \$150 000. He was also summoned to appear before the Costigan Royal Commission. The other owner has been committed for trial on fraud matters and is also due to appear in the Sydney District Court.

**The SPEAKER:** Before calling on the Premier, I indicate the basis of allowing that question. In so far as it is directed to the Premier in his capacity as Treasurer, and in so far as he has or has not done certain things in that capacity, the question is admissible. In so far as it relates to his standing inside his political Party, it is not admissible. The Premier should answer accordingly.

**The Hon. J.C. BANNON:** Thank you, Mr Speaker. In accepting your guidance, my reply is that the question does not affect my role as Treasurer of the State and that, therefore, I have nothing to say about the matter.

### WORKERS COMPENSATION

**Mr FERGUSON:** For some time there has been speculation in the media about the timing of the release of the Government's package on workers compensation reforms. Will the Minister of Labour clear the air on this issue by saying when the Government intends to release its package?

**Mr Mathwin:** That's the wrong way to ask a question.

**The SPEAKER:** Order! I ask the honourable member for Glenelg to come to order.

**The Hon. J.D. WRIGHT:** Thank you, Mr Speaker, I need your protection from that bully of a man.

*Members interjecting:*

**The Hon. J.D. WRIGHT:** Members opposite do not seem to be awaiting for my answer with bated breath. Currently, there is agitation in the community about the possibility of a change in workers compensation. That agitation does not rest with employers or employees. It rests with insurance companies, lawyers, doctors, and people of that nature. It is true to say that in the main employers generally accept the propositions of the Government and that employee

organisations generally accept the ambitions and policies of the Government. It has been a very difficult period since June last year, when the new directions conference was held. I state, for the benefit of honourable members, that that was probably the most successful workers compensation conference held not only in South Australia but in the southern hemisphere. It is still being talked about in New Zealand and other parts of the world, such as Canada and the like.

This very successful conference set the scene for the possibility of changing away from the current system of workers compensation to a new system. I believe that the scene has been set. Since then I have had Professor Ison back in Australia, and he could only give us a month in assisting with the preparation of legislation and a policy document, which I hope will be ready certainly no later than the middle of April of this year. The plan then is to release the discussion paper to all and sundry—employers, employees, people, and organisations; whoever wants a copy of that document can have it and examine it. I will then give an opportunity to all those interested parties to examine and make submissions on that document, because I am not going to stand up before this Parliament or any congregation and say that the document that we produce will be the perfect document.

Workers compensation is a very serious and intricate matter. Everybody knows that. It is very difficult to reach agreement with all forces in these areas. The most important adjunct of what has been happening in relation to workers compensation in South Australia is that the majority of employers and employee organisations have at least come to think the same way. That has been a very big step forward and has taken a lot of hard work by my officers and me, a lot of meetings, and a lot of discussions—

**Mr Olsen:** The single insurer.

**The Hon. J.D. WRIGHT:** Yes, the single insurer. The information coming as late as this morning from employer organisations is that there has not been any great deviation away from that. The insurance companies are playing their part as they did in the Victorian elections. They manipulated in a lot of marginal seats. There is an admission of this: there is no denial of it. They spent money in Victoria trying to stop the Victorian Government from proceeding to a single insurer. The Opposition (and I am talking about the Liberal Party at the moment) must decide whether it wants a better method of workers compensation or whether it wants to dally with the old. By dallying with the old, I believe that this will go on for time immemorial and then it will not be fixed. One can make all sort of amendments to it: one can reduce it, one can cut it, or one can do something with the premiums. However, one will not get a perfect situation.

I am not suggesting that the document that we produce in April will be perfect, either. However, it is at least a signal of where I believe not only this Government but also (and more importantly) the State ought to be going. I now refer to one of the strongest complaints made by employers not only in South Australia but in Australia about the on cost that they experience. I will not detail them all, as members know them as well as I do. However, one of the more serious ones, particularly in the last 2½ to three years, has been about workers compensation on-cost costing in relation to insurance.

**The Hon. E.R. Goldsworthy:** Your legislation!

**The Hon. J.D. WRIGHT:** Whether or not it is my legislation there is similar legislation all over Australia and the complaints are similar all over Australia. The Labor States all decided that something had to be done to improve this situation.

*Mr Olsen interjecting:*

**The Hon. J.D. WRIGHT:** I have not seen much of your policy yet. One by one—

*Mr Olsen interjecting:*

**The Hon. J.D. WRIGHT:** Well, you are going to cut costs: you are going to cut the remunerations. That is the only policy that you have got. It is a pretty weak policy, in my view. Nevertheless, before the document is produced, matters will be very well researched, which means that the document will be easy to understand. Further, it is a document that we will seek to improve. I suggest that some time by the middle of April we will be in a position to produce that document. We will give people six to eight weeks to respond to it, and we will examine those forthcoming responses. I believe that the road will be clear to change the concept of workers compensation as we know it. In answer to the honourable member's question, I expect that that document will be in everyone's hands no later than the middle of April.

### LABOR PARTY INVESTMENTS

**The Hon. MICHAEL WILSON:** Does the Premier agree that the attempt by the South Australian branch of the ALP to invest funds in Canberra rather than keep those funds in this State was completely contrary to his Government's stated policy for investment in South Australia and, if he does, why did he not seek to intervene in this transaction immediately he became aware of this matter?

**The SPEAKER:** Order! Will the honourable member resume his seat. I rule that question out of order along the lines of my admonition to the Premier when he was answering a question, I think from the Leader. The distinction I am making is that questions that go to the internal administration of a political Party as distinct from the Premier's role as Treasurer are clearly not admissible.

**The Hon. MICHAEL WILSON:** On a point of order, Mr Speaker. The question related to a matter of Government policy and referred to the Government's policy for investment in South Australia. I cannot understand how you can possibly regard that as not being the business of the Treasurer of this State. I submit to you, Sir, that you should review your ruling. In fact, you allowed a question from the Leader of the Opposition, who asked when was the Premier first advised of the intention of the State Branch of the ALP to buy a part of the Canberra Rex Hotel. My question dealt directly with State Government policy as regards investment in this State. I fail to see (and I believe this would apply to every member of the House) how that can be deemed not to be a question for the Treasurer of this State.

**The SPEAKER:** I cannot add anything more. I have ruled previously, and I stand by my ruling. The honourable member for Hartley.

### ITALIAN YOUTH EMPLOYMENT

**Mr GROOM:** Will the Deputy Premier urgently examine, and bring to the attention of the Federal Minister for Employment and Industrial Relations, Mr Willis, the plight of young Australians of Italian background who are facing difficulties in obtaining employment in South Australia? A report by a South Australian youth researcher, who has conducted Adelaide's first survey of the plight of young Italian Australians, has referred to severe problems in relation to those people obtaining employment. The report indicates

that some of those people face identity problems arising from conflicting values from their parents and that for cultural reasons some of those people simply do not register themselves as being unemployed. Many of them are caught between two worlds.

The survey undertaken shows that in the Payneham and Campbelltown council areas alone there are some 2 000 unemployed young people of Italian background. A research project is being funded, I understand, by Federal Government grants to the Ethnic Affairs Commission, and it is designed specifically to highlight the problems faced by young Australians of Italian extraction. The survey confirms that urgent steps are necessary to provide special assistance to young Australians of Italian background. Finally, I should mention that I am holding discussions with local CYSS groups in an attempt to ascertain ways and means of ensuring that future employment schemes in my electorate are tailored to suit the needs of this section of the community.

**The Hon. J.D. WRIGHT:** I thank the honourable member for his question and congratulate him on bringing this matter forward in the public arena. I know that the honourable member takes an intense interest in not only the Italian membership of his electorate but the whole of his electorate. He has expressed on many occasions his concern for youth unemployment generally. Unfortunately, I have not seen the report and, although I did not quite hear the question, I think it was whether I would convey the report to the Federal Minister for Employment and Industrial Relations, Mr Willis. I will certainly do that, but before doing so I will examine the report myself.

It is daily becoming more evident that young people are finding it difficult to obtain employment. If there are barriers, such as an ethnic background, language, being disabled or handicapped, the difficulty becomes even worse. However, it is the area involving the very long term unemployed that is really causing major concern throughout Australia, not only in South Australia. The week before last this matter was looked at very closely by Labour Ministers in an attempt to try to overcome this situation.

There are presently many aspects of job creation, training and other related matters going through the minds of Government, and the Kirby Report is the latest development that has been brought to our attention. This report, which was undertaken for the Federal Government, deals with traineeships. I am not sure whether or not members have had the opportunity of looking at the Kirby Report, but I would advise them to do so, as I believe that it contains some fairly positive views. At the Labour Ministers' conference there was unanimous agreement to pick up the possibility of traineeships. Obviously, the employers would have to find the work for the trainees, and all Governments endorse the traineeship concept and will be up for the considerable cost involved in implementing this scheme.

The scheme will work: it could involve three days work and two days training or two days work and three days training, but that matter is still to be determined between the big councils, more particularly, the ACTU, the Trades and Labor Council and employer representatives, which will have to sort out a proper method of training young people, getting them to work and then finding full-time work following the traineeship period.

I have much sympathy for the honourable member's problem in Hartley. The problem is similar to that existing in my electorate, where many ethnic people reside, particularly in Thebarton, Cowandilla, Hilton and other such areas. I assure those people that the Federal and State Governments are doing what they can in the present circumstances to assist in many ways—training, employment and those areas in which one would hope that we can reduce increasing long term unemployment, particularly among

young people. In answer to the honourable member's question, if he conveys the report to me, I will certainly forward it to the Hon. Mr Willis, who no doubt will give it a great deal of consideration.

### LABOR PARTY INVESTMENTS

**The Hon. MICHAEL WILSON:** Does the Premier agree that the present loan raising activities of the South Australian Government Financing Authority have been seriously harmed by the decision of the South Australian Branch of the ALP in its attempt to invest funds in Canberra, rather than keeping them in this State? The State Government Financing Authority is running a campaign, in which the Premier features very prominently, to sell bonds. The objective of this bond issue is to retain South Australian funds in South Australia. Newspaper advertisements carrying the Premier's photograph emphasise that all funds raised are kept here in South Australia. However, the actions of the ALP, which have been revealed in the past 24 hours, obviously run completely counter to the theme of this campaign.

**The Hon. J.C. BANNON:** On the contrary, the ALP Holdings directors have advised me that they intend to make a substantial investment in the South Australian Government bonds—the SAFA bond issue.

*Members interjecting:*

**The Hon. J.C. BANNON:** It will make a substantial investment in that, and its general investment policy is to invest in South Australia.

### STATE TAXATION INQUIRY

**The Hon. B.C. EASTICK:** Will the Premier advise when his Government will initiate the comprehensive inquiry into State taxation that it promised before the last election? The Premier first promised an inquiry into State taxation in May 1982, when he released his economic development policy. He also undertook to complete it within the first term of a Labor Government. He repeated the pledge on several occasions before the last State election and told the Estimates Committee of this House on 27 September 1983 that the terms of reference for the inquiry had been established and a number of people identified to undertake it.

The question of a review of State taxation was raised again at the ALP State convention on Sunday, when a motion was passed, with the Premier's support, committing a State Labor Government to review the State taxation system to increase its equity. As such a review was first promised by the Premier almost three years ago, and would have been completed by now if the Premier had honoured the commitment he gave at the time, and again in September 1983 in the Estimates Committee, can he tell the House when the inquiry will eventually get under way?

**The Hon. J.C. BANNON:** The member for Light obviously has missed a number of statements I have made on this matter since September 1983. This is old stuff that goes back well over 12 or 18 months. In September 1983, I outlined the terms of reference and the way in which the inquiry would proceed. Members may recall a statement, made subsequent to what was said in the Estimates Committee, that at that time, following the change of Government, the Commonwealth was embarking on its inquiry into the taxation system through the Premiers Conference. A working party was vetoed. There was also a committee—

*Members interjecting:*

**The Hon. J.C. BANNON:** I have made this statement before. It will not be news to the member for Davenport,



if he has followed it. An inquiry was also undertaken by the Constitutional Convention, resulting from a motion on this matter which I think I seconded at that Convention. It was decided that, in view of those ongoing inquiries, we should not be in the business of duplicating those at the State level, but try to improve our input and, at the appropriate time, undertake our own inquiry. Since that time, of course, the Commonwealth Government has called the tax summit, and we are working on our submissions for that summit.

As I said at the weekend, the tax system in Australia needs urgent review. There are inequities and major problems in it, but they can only be solved basically at a national level by some kind of national agreement, and that is what we are working towards. If, at the end of that process, we are still in a position where our own State revenue base is not proving satisfactory and, for example, taxes such as pay-roll tax and others are raised in this context, obviously we will have to do our own review.

I have explained, for the benefit of the member for Light and other members opposite who do not understand, that the ALP policy document is the basic policy of the Party. They are the aims to which we aspire and the long term goals towards which we see ourselves working and which society may achieve. It is not, I repeat, a programme that the Government is elected on: it is a programme of policies and platform that we place before the people. In that respect we can be pretty proud of our record. I suggest the honourable member makes that distinction—that is just ancillary to the question he was asking.

### KINGSTON HOUSE

**Mrs APPLEBY:** Can the Minister for Environment and Planning indicate what plans his Department has for the use and control of Kingston House? Kingston House has recently been used for a community activity, one of the first in many years. The carnival held was a joint function—

*Members interjecting:*

**The SPEAKER:** Order! The member for Brighton is entitled to be heard. The honourable member for Brighton.

**Mrs APPLEBY:** The carnival held was a joint function of the Kingston House Development Committee and the Kingston Park Rotary Club, and involved Marion City Youth Support Scheme and individuals from the local community. Since the Kingston House Development Committee was formed 20 months ago, it has pursued a charter of ensuring that Kingston House be utilised by the community and establishing funds for the interior restoration following completion of the exterior restoration that was done by this Government at a cost of \$75 000. I ask—

*Mr Lewis interjecting:*

**The SPEAKER:** Order! The member for Mallee is out of order.

**Mr LEWIS:** I rise on a point of order, Mr Speaker. Do you believe that comment of this nature being made by the honourable member at this time, under the guise of an explanation, is a legitimate way for her to proceed in putting that to the House?

**The SPEAKER:** There is no point of order.

**Mrs APPLEBY:** I ask the question in the hope that an early settlement of the future of Kingston House can be assured.

**The Hon. D.J. HOPGOOD:** I would like to congratulate the member for Brighton for the very active interest she has shown in the redevelopment of Kingston House with a view to ensuring that the heritage values there are retained and that the area be properly used. I can indicate, of course, that the Government has agreed that an additional \$25 000

is to be made available so that some remaining repairs that have to be undertaken to the interior of Kingston House can be carried through. Just as soon as that has been done, and as soon as a survey (the necessity for which I will explain in a moment) has been completed, it will then be possible for the Government to lease Kingston House to the local committee at a peppercorn rental. The local committee in turn will sublease the house to the Marion CYSS for the purposes for which it has indicated that the house should be used.

The reason for the survey is that the grounds of the house are to be transferred to the care and control of the Corporation of the City of Brighton, and we need the survey to define exactly what part will remain in Government hands and what part will be transferred to the city of Brighton. That is basically the arrangement. The house will remain in State ownership but it will be leased to the committee at a peppercorn rental on the understanding that those people are able to maintain the upkeep of the place and that the grounds will be transferred to the care and control of the city of Brighton just as soon as the survey is commenced and as soon as our additional \$25 000 has been spent to ensure that the interior of the place is in reasonable order.

### PERSONAL EXPLANATIONS: GOVERNMENT FEES

**Mr LEWIS (Mallee):** I seek leave to make a personal explanation.

Leave granted.

**Mr LEWIS:** Yesterday at the conclusion of Question Time, in the course of a personal explanation to this Chamber, the member for Hartley exceeded what I believe to be his prerogative in accusing me in the following terms:

Indeed, by his actions the member for Mallee has simply condemned, from out of his own mouth, the Opposition's list as dishonest and misleading.

He was referring to a statement which I had made during the previous week, which was relevant to a table of increased taxes and charges since the present Government came to office, and which was incorporated in *Hansard* on pages 1510 and 1511. In his personal explanation the member for Hartley also said:

Dealing specifically with the allegation that I had included several fee increases paid by the Government as distinct from fees paid to the Government and the suggestion that the Opposition did not, I point out that in the list published by the Opposition on 9 November 1983, on page 2 of the *News* . . . states:

The honourable member not only misrepresented me but he also misread the record and misrepresented the Opposition, and me as a member of it. The Opposition did not publish that table: the *News* published that table. Secondly, the table to which the Opposition has referred and the table to which I have always referred is the table included in *Hansard* and the member for Hartley well knows it. There is not one instance in the table in *Hansard* to which I have always referred in which I have ever included any material which was of a like kind to that material which was incorporated in his table, to which I referred during my remarks last Thursday as a gross deceit.

**Mr GROOM (Hartley):** I seek leave to make a personal explanation.

Leave granted.

**Mr GROOM:** I stand by what I said yesterday. It now seems that there are two—

*Mr Lewis interjecting:*

**Mr GROOM:** Let me finish. It now seems that there are two lists: one put out by the Opposition Leader and released to the media on 9 November 1983, and one put out by the

member for Mallee and subsequently incorporated in *Hansard* last October. The reason for the two lists now seems that the Leader of the Opposition's list was wrong.

**The SPEAKER:** Order! The honourable member is clearly out of order. If necessary, I will withdraw leave.

**Mr GROOM:** In compiling my list, I have used the criteria adopted by the Leader of the Opposition when he released his list to the media on 9 November 1983, because I take that to be the official list. If the Leader of the Opposition is wrong, that is not my fault.

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

### RACING ACT AMENDMENT BILL (1985)

**The Hon. J.W. SLATER (Minister of Recreation and Sport)** obtained leave and introduced a Bill for an Act to amend the Racing Act, 1976. Read a first time.

**The Hon. J.W. SLATER:** I move:

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

It proposes amendments to the principal Act, the Racing Act, 1976, relating to TAB football betting. The Bill is designed to enable the TAB to conduct betting on SANFL football matches. There will be provision for three football bet types:

Footywin—where a team is selected to win within a nominated score range.

Footytreble—where the investor is required to select, from three TAB nominated matches, the three winning teams and the combined winning score range.

Footyscore—where the investor is required to select, from a TAB nominated match, the exact winning score in goals and points.

It is proposed that Footytreble and Footyscore net investments will jackpot, if not won, to the next week's nominated match/matches.

It is estimated that, in the first full year of operation, Footybet will generate approximately \$600 000 turnover. A total deduction of 20 per cent would apply to each bet type; of this, 1 per cent would be allocated to the TAB Capital Fund; after all operating expenses of the TAB are met, which are expected to be in the order of 10 per cent, the residual profit is to be allocated equally between the SANFL and the Recreation and Sport Fund.

I consider that the opportunity to wager on football would create a new source of betting turnover and therefore would not constitute a substitution of racing investments. With regard to the introduction of another form of gambling, there has been no evidence of any detrimental effects on the community in Victoria where betting on football matches has been available for approximately five years. As the gambling figure per capita is very much lower than that of Victoria, I consider there is room for a gambling form of this comparatively harmless kind, without the likelihood of any significant effect on the community in South Australia. 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. Clauses 2 and 3 amend headings in the principal Act. Clause 4 makes a consequential amendment. Clause 5 inserts definitions of terms used in the new provisions relating to totalizator betting on football matches.

The clause also makes consequential amendments to section 5 of the principal Act.

Clause 6 makes a consequential amendment. Clause 7 amends section 51 of the principal Act to provide that it will be a function of the Board to conduct totalizator betting on football matches. Clause 8 repeals section 56 of the principal Act. The substance of this section appears as new section 69 in Division II which deals exclusively with totalizator betting on races. Clauses 9 to 12 make consequential amendments.

Clause 13 inserts new section 69 into the principal Act. This section incorporates the substance of existing sections 56 and 69. Clauses 14 to 22 make consequential amendments. Clause 23 inserts new Division III into Part III of the principal Act. The new provisions are in the same form as the provisions of Division II relating to totalizator betting on races.

**The Hon. MICHAEL WILSON** secured the adjournment of the debate.

### REMUNERATION BILL

In Committee.

(Continued from 19 March. Page 3356.)

Clauses 24 to 26 and title passed.

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

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

**The Hon. B.C. EASTICK (Light):** The Bill, as it comes from Committee, is a distinct improvement on that which was introduced. There is a commitment by the Government to consider one or two matters that were canvassed last evening. Although there is a divergence of opinion between the Government and the Opposition, with the knowledge that these matters will be attended by way of consideration in another place, Opposition members support the third reading even though clause 23 is not, in our opinion, in a satisfactory state. I would not want it to be misunderstood that, by the Opposition's supporting the third reading, the continued debate promised by the Deputy Premier for the consideration of certain areas would be denied. I want the Opposition's action to be fully understood.

Bill read a third time and passed.

### STATUTES AMENDMENT (REMUNERATION) BILL

Adjourned debate on second reading.

(Continued from 27 February. Page 2927.)

**The Hon. B.C. EASTICK (Light):** The Opposition supports this measure, which is consequential on the Bill with which the House has just dealt. Last evening, there was a cross reference to certain factors associated with this Bill and I am sure that, after the Government has considered the examples in the Electoral Act, in the Highways Act, in the Industrial Conciliation and Arbitration Act, in the Ombudsman Act, certainly in the Supreme Court Act, and possibly in other Acts, it will realise that there is a vital duplication in the Bill previously considered. If we are to justifiably present measures to the public as considered Bills and the subsequent Acts, the wording must be precise and duplication must be avoided.

I make that point in explaining why, at the appropriate time in Committee, the Opposition will not seek to have this Bill amended to remove from those Acts to which I have referred the duplicated factor which does not permit



the incumbents of those specified offices to suffer a reduction in salary during the term of their employment in those offices. It would have been consistent with what I have indicated previously if the Opposition had sought to amend the provisions before us to achieve the result to which I have referred. However, in the light of the assurances that I have received from the Deputy Premier that this matter will be further considered, I am happy to give simple passage to the Bill.

**The Hon. J.D. WRIGHT (Deputy Premier):** I repeat the assurances to which the honourable member has referred and thank him for his support of the Bill. Obviously, there is no intention to destroy any relationship in regard to wage concepts or otherwise. The matter to which the honourable member has referred will be considered and, where there is a need to attend to duplication, the matter will be attended to.

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

### LIQUOR LICENSING BILL

Adjourned debate on second reading.  
(Continued from 14 March. Page 3293.)

**The Hon. JENNIFER ADAMSON (Coles):** This Bill represents the culmination of an enormous amount of work by many people. It is also the result of much intensive consultation over the past couple of years and of much lobbying by special interests over a long period. It is very natural that any Bill that deals with liquor, whether it is licensing, taxing or control, should involve conflict and controversy, simply because it is the subject of such special vested interest and simply because socially it tends to arouse strong emotion. People have definite opinions and they want those opinions to be heard and, if possible, to prevail. It is fair to say that the very reason we have liquor laws is the nature of liquor itself, that is, a substance the consumption of which alters behaviour. If it were not for that fact, there would be no more reason to regulate liquor than there is to regulate coffee, cocoa or cordial. It is the nature of liquor and its capacity to alter human behaviour that leads and has led in the past to controls.

It is very interesting to look at the liquor licensing legislation in other countries and to note the very strong trends which have developed over the years, which have become entrenched and which may no longer be valid in the eyes of the community but which are virtually impossible to alter because of this very fact that habit in relation to liquor laws dies very hard indeed and it usually takes a very substantial push on behalf of those involved in one way or another to get legislators to move on a subject that is known to be contentious.

I have been interested to read in recent days that liquor laws in the United Kingdom are about to undergo an overhaul and that any visitor to or indeed resident of the United Kingdom needs to be something of a Rhodes Scholar in order to make sense of the liquor laws in that country. On a visit to Canada and the United States in 1982, I was generally surprised to note the very strong conservative—one might also say puritanical—values which prevail in the Provinces of Canada and the liquor laws which were the result of those attitudes. It was even more intriguing to me to note those attitudes in the light of a very strongly developing and thriving tourism industry in a number of Canadian Provinces. If we can see our own situation in South Australia in the context of the rest of the country and the rest of the world, it will come as no surprise to members to know that

conflict is, and indeed always has been, at the very heart of liquor licensing.

In addressing the Bill, I would like to speak in the first instance broadly about these various interest groups that are involved and to attempt to see from their perspective what we as legislators should be doing in order to responsibly recognise interests that ought to be recognised, for one or another reason, either economic, cultural or social, and at the same time to discharge our responsibilities to the general community of South Australia who have no vested financial interest but a very strong social interest in the nature of liquor laws.

If we start at the beginning and look at the producers of wine in this State, we in this House see that we have a very particular responsibility. South Australia traditionally has been the wine State and in fact could well have adopted the slogan 'the Wine State' rather than 'the Festival State' because it would have been, and is, equally apt.

Barely three or four years ago, it was possible to state that South Australia produced 60 per cent of the nation's wine and 80 per cent of its brandy. We also contribute substantially to the production of barley and hops for the production of beer. However, it is very important that everybody realises that that pre-eminent position has deteriorated in recent years.

**Mr MATHWIN:** Mr Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**The Hon. JENNIFER ADAMSON:** The actions of Governments, both State and Federal, and in each case Labor Governments, have had and are having an adverse effect on the wine industry in this State. The increase in liquor tax at State level, the imposition of a sales tax of 10 per cent at Federal level, and the reduction by 10 per cent of duty on imported wines by the Federal Government, have all had an adverse effect on wine production in South Australia.

In addition, the market forces which have tended in recent years to lead to large cartels and monopolies taking over what were previously small family wine companies in this State have all led to a siphoning away from South Australia of the top management which formerly resided here and which had its head offices here. This has had a consequence (I think perhaps 'devastating' is too strong a term to use) effect on the industry, which leaves the wine and brandy industry in South Australia currently in a vulnerable and weakened position. That is not in the interest of this State and it should be of concern to every member of this Parliament.

I for one am deeply concerned to see action taken by another State Government, the Victorian State Government, at the behest of a former Premier of this State, to undertake a wine drive that is designed to wrest from South Australia our pre-eminent position and our reputation as the wine State and to give that title to Victoria. I have seen no action whatsoever at Government level in this State to in any way address that problem. It is happening before our eyes and, unless action is taken to ensure that the industry in this State is strong, stable, and knows that it is fully supported by Government, not just with words but with deeds, we will not only suffer in the half dozen or so great wine regions in this State that produce wine which is the equal of any in the world and which has brought particular lustre, and indeed visitors, to this State but we will also find that the flow-on effects of that benefit to the tourism industry are diminished. These matters are very much related to liquor laws and should be the concern of every member of the House.

Other industries which have a very strong interest in this matter are, of course, the hotel industry, the restaurant

industry, the clubs industry, and the tourism industry generally. Regarding the hotel industry, it is fair to say that South Australia has the highest overall standard of hotels in the country. It is no accident that this has occurred. It is very much related to our historical origins by comparison with those of the other States and to the fact that the industry in this State has been, and indeed still is, well led over the years.

The industry has had the strength to negotiate responsibly with Government, and it is fair to say that it has been a very solid force for social and economic good in South Australia. There are in excess of 600 hotels in this State, and in looking at the fabric of those hotels we are fortunate that South Australia has a healthy stock of very fine nineteenth century pubs which give our country towns, as well as the city of Adelaide, much of their charm and character. Most of those hotels, as well as the more recent constructions, depend on regular renovation, maintenance and upgrading in order to maintain physical standards which, in turn, affect the general social standards, which are important to the overall standards of hospitality offered by and social conduct in hotels.

Members who have travelled in other States and who perhaps have observed at close hand hotels at various localities in South Australia would know that hotels can easily degenerate into what are colloquially called squee pits if they are not regularly upgraded. Of course this requires capital, and to invest capital in restoration requires profitability for the replacement of that capital.

When matters pertaining to liquor tax were debated in this House 18 months or so ago, I provided to the House figures which indicated that, unless the profitability of hotels could be maintained, the construction and restoration programmes that hotels and holding companies were undertaking would be drastically cut. As I recall, a figure of \$6 million was slashed from the South Australian Brewing Company's programme of renovation and reconstruction as a direct response to the imposition of an increased liquor tax in South Australia. After intensive lobbying, the reduction of that tax from 12 per cent to 11 per cent was of little consolation, although at least it eased what otherwise would have been an intolerable burden which would have meant simply that hotels could not have undertaken programmes of reconstruction and restoration.

I understand that in the past year in South Australia an amount of \$20 million was invested by hotels, many of them in country areas, in reconstruction of premises. Most of that capital was borrowed, and those hotels depend for the repayment of those loans on maintenance of existing turnover and on general maintenance of the *status quo*. In other words, no more imposts can be imposed without that having an adverse effect on hotels. Anything in this legislation that would tend to diminish the profitability of hotels will have a flow-on effect that will go way beyond the hotel industry and into the construction, tourism and hospitality industries.

The employment generated by hotels is considerable and, of course, hotels are bound by industrial agreements to employ union labour and to pay award rates. They have obligations that extend beyond the provision of liquor and meals: they have obligations that one might say are self-imposed. I refer to the provision of facilities for the general community, particularly in country areas, for meeting places, and so on, and also to the provision of toilets; very often the only toilets available in a country town are those that are provided by a hotel. So, the old name of 'public house', and with it the implication that public needs will be fulfilled by that place, namely, a hotel, is still very much applicable.

Another area that comes quickly to mind when one is thinking of the tourism industry as having an interest in

this legislation is, of course, the restaurant industry. It appears that in South Australia we are so well served that we almost deserve the title of restaurant capital of the world. It is said that we have more restaurants per capita of population in the metropolitan area than any other capital city. I personally believe that that assertion could be challenged, although the fact remains that as of 30 June 1983 we had 401 licensed restaurants. In the main the quality of those restaurants is high. That quality could well be adversely affected if elements in this legislation in any way detracted from the profitability of those restaurants. The whole thrust of the legislation is towards deregulation. The Opposition supports that, but in deregulating we must ensure that any given sector of the hospitality industry is not adversely affected *vis-a-vis* another sector of the industry.

There are 287 licensed clubs and 864 permit clubs in South Australia. Of the licensed clubs, 93 per cent can sell liquor on Sundays, and 175 of those clubs can sell liquor for eight hours or more. Of the permit clubs, 671, or 78 per cent, may sell liquor on Sundays, and 326, or 38 per cent, of those clubs can sell liquor for eight or more hours. A picture is thus built up of a group of legitimate interests, all of which depend for their profitability on the sale of liquor, and, when one looks at the graphs—

**Mr S.G. Evans:** And food.

**The Hon. JENNIFER ADAMSON:** Yes, but without liquor, I suggest. We are debating liquor legislation, and it is only on liquor sales that we are concentrating in debating this legislation and the effect that this legislation has and will have on the sale of liquor. Having outlined the general nature of the interests which are concerned with this legislation—

**Mr ASHENDEN:** Mr Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**The Hon. JENNIFER ADAMSON:** The interests of the public in all this are of course paramount, and, I suggest, have been very much to the forefront of the thinking of the officers responsible for the conduct of the Review of South Australian Liquor Licensing Laws, which was presented to the Government in June 1984 and on which this legislation is based. Much commendation has been given to the review and to its authors, Mr Peter Young and Mr Andrew Secker, in debate in another place. I endorse what was said there. It was what might be described as a *magnum opus* and it will be a valuable reference work not only for South Australians but indeed also for any other community or Government wanting to examine its liquor laws and the issues that are an integral part of that examination.

A reading of the review clearly indicates that the interests of the public underline and overlie everything that should and can be done by way of regulating to the minimum degree responsible and practical the sale of liquor in this State. I am pleased that, as a segment of the public, children have been given special consideration and mention. The section of the Bill that deals with minors is a great improvement on the existing legislation. On page 13 of the review the authors quote from Father John Fleming, who wrote in the *Advertiser* of 22 February 1982, as follows:

To further extend drinking hours may have the good effect of increasing personal liberty. It may also have the bad effect of increasing the incidence of an already serious social problem.

I do not propose to canvass the social problems, which have been dealt with in another place and which are outlined in the report. They have been the subject of close examination by the Federal and State Governments throughout Australia, and also by Governments throughout the world. The abuse of alcohol is one of the most serious diseases confronting Western civilisation. Some of the most vulnerable victims, both directly and indirectly, are children. Therefore, one of

the first things that needs to be said in commenting on this Bill is to commend the sections which deal with minors and which place very strong restrictions on the sale or supply of liquor to minors.

Those restrictions under this legislation are stronger than has applied previously, because they place an additional responsibility on the licensee to prove, if liquor is sold to a minor, that the business was not conducted in such a way as to entice minors to the part of the premises in which the liquor was sold or supplied and that the licensee exercised proper diligence to prevent the sale or supply of liquor in contravention of subsection (1). That subsection identifies the fact that it is an offence to sell liquor to a minor on licensed premises.

That additional obligation on licensees is very responsible and reasonable and one which should signal clearly to the industry that the community at large (the people of South Australia) and the Parliament regard under-age drinking as absolutely unacceptable, a social evil and a practice that should be stamped out with every responsible measure at our command. I believe that further measures can be taken to strengthen these provisions, and my colleague the member for Fisher will be discussing those when he speaks to this legislation. The protection of children should always be at the forefront of our minds. I know that the hotel/restaurant/club industry would be the first to support any moves in that direction.

Another issue that is extraordinarily contentious and goes beyond the question of liquor is the question of trading hours addressed in the Bill. The history of trading hours in South Australia is interesting and is outlined in some detail in the review. I grew up at the time of 6 o'clock closing and the so-called 6 o'clock swill. I can vividly remember the singular unpleasantness as a child of passing a hotel at about 6 o'clock at night or shortly after. It was not a place where a young girl coming home from school would want to be. It was thoroughly unpleasant.

The legislation that altered 6 o'clock closing in the 1960s was, in my opinion, beneficial and led to a much more civilised approach. Since then attitudes have changed still further, and one can look at two separate philosophical questions in the matter of liquor trading hours. First, is it reasonable that, if one has access to the sale of alcohol six days a week, it should be extended to seven days a week? Is the timeless notion of the Sabbath being a day of rest and not of a day of marketing one that should be maintained in today's society where, for so many reasons and because of so many factors, modern life has altered that concept almost irretrievably? More flexible working hours, greater leisure, a more relaxed approach to what one might term the good things of life and a keenness to enjoy them on not just one day but two days of the weekend, greater mobility, and a huge and growing upsurge in tourism and travel have all led to a demand that alcohol should be available for sale on Sundays, not in the acknowledged artificial sense as being available through a so-called tourist hotel, but freely available.

The second question is rather deeper: should retailers be able to trade when their customers want to buy from them and, if so, is liquor any different from any other product? For the reasons that I outlined initially and because liquor changes behaviour, I believe that it needs to be subject to a different set of rules. But I am also among the number that generally believes that people should have the right to trade when they wish. For that reason I am pleased to see Sunday trading provisions which enable hotels to trade optionally—if they want to open they can, although admittedly within specified hours. If hotels do not choose to open there is no legal obligation on them to do so.

My colleagues and I believe that the same facility should be extended to liquor stores, and we are at odds with the

Government on that. I suspect that the reason has to do not so much with the nature of the product being sold but with the principle of trading hours generally, on which the Government is very anxious not to disturb the *status quo* and is hostage to the union movement. I hope that those difficulties can be overcome as soon as possible.

**Mr MATHWIN:** Mr Acting Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**The Hon. JENNIFER ADAMSON:** The question of trading hours is no less sensitive than the whole issue of the regulation of liquor. When one puts the two together one has a controversial situation. If the Government contends that it is reasonable for people to have access to hotels on Sundays for the purchase of alcohol, then surely it is reasonable for people to have the same access to other retail outlets for alcohol.

Having discussed the issue with a range of people, I certainly am now able to see that women particularly are, for a whole variety of historical and traditional reasons, more at ease going to a retail outlet than a hotel for the purchase of alcohol. The Government with its professed concern for the interests of women should surely be able to take that into account in arriving at its decision on the question of Sunday trading for liquor stores. The review deals, albeit somewhat briefly (which is understandable), with the effect on tourism of its recommendations. The first paragraph of the comments appearing on page 652 states:

In this context tourism means the industry which caters for persons who travel to or within a State, especially on holidays or other leisure activities. It includes the visitor from overseas as well as the local family on the Sunday drive. The tourist industry caters for these persons in many ways, such as by providing food and other refreshments, accommodation and souvenir shops. While we do not often specifically address the question of tourism in our report, many of our proposals affect it directly or indirectly.

The review goes on to outline the proposal that there will continue to be a separate licence category for hotels, which we would all endorse, and that the holders of these licences be required to provide lunch and dinner on request to members of the public from Monday to Saturday and on Sunday if they exercise their right to open from 11 a.m. to 8 p.m. The importance of this to the tourism industry cannot, in my opinion, be overestimated. I ask those members who may not see that issue as important to consider themselves when travelling interstate or overseas on a Sunday and to put themselves in the position of visitors. Quite often, if one is overseas on business, Sunday might be the only day when one can relax and see the sights.

**Mr MATHWIN:** Mr Acting Speaker, I draw your attention to the state of the House.

**The ACTING SPEAKER (Mr Ferguson):** A quorum is present. The honourable member for Coles.

**Mr MATHWIN:** I ask you, Mr Acting Speaker, to check the figures, as I believe only 14 members are present.

**The ACTING SPEAKER:** There are 17. I make it a quorum.

**Mr MATHWIN:** On a point of order, Sir—

**Ms Lenehan:** We were inside the door.

**Mr MATHWIN:** I do not want a personal fight with the member for Mawson, but with due respect, Sir, I point out that, when you indicated that a quorum was present, a quorum was not present. That could have been quite accidental, but I am drawing it to your attention for future occasions.

**The ACTING SPEAKER:** For the information of the member for Glenelg, I point out that one member by the back door walked out, and that member was included in the quorum count. At the time I indicated a quorum, there was in fact a quorum in the House. The honourable member for Coles.

**The Hon. JENNIFER ADAMSON:** Looking at the summary of provisions of the Bill and at the contents of the review, I do not propose to read it all into the record but give some indication of the range of issues that had to be dealt with in the Bill. We look at the establishment of a Commissioner, who will have the power to grant licences which, in itself, will provide a much simpler, less legalistic and less bureaucratic system than that presently applying with the Licensing Court. I do submit, however, that whilst I support this system, as with any judicial or *quasi* judicial system, which places enormous powers in the hands of a single individual, the nature, quality, integrity and general competence of that individual is absolutely central to the successful operation of this legislation.

**Mr ASHENDEN:** Mr Acting Speaker, I rise on a point of order. I refer to an earlier ruling you gave in which you intimated that a quorum was present, because in your count you included an honourable member who was leaving the Chamber during the count. I have been subsequently advised that I was the member referred to. I make clear that I was outside this Chamber during the quorum count. I re-entered during the discussion on a point of order raised by my colleague the member for Glenelg, and I then left the Chamber during that point of order. However, I was not present during the quorum count. As I was referred to when you stated that you saw a member leaving—

**Mr Whitten:** You're very seldom here.

**Mr ASHENDEN:** I am almost always here, as the honourable member well knows. I was going outside, because somebody wished to speak to me about a matter on which I am to speak shortly. As you, Mr Acting Speaker, indicated that I was the member, I draw to your attention that you were incorrect.

**The ACTING SPEAKER:** The honourable member has made his point. My ruling stands. At the time I indicated a quorum, 17 members were in the Chamber. My reference was to the back door. The honourable member has made his point; my ruling stands, and we will leave it at that. The honourable member for Coles.

**The Hon. JENNIFER ADAMSON:** As I was outlining, the Liquor Licensing Commissioner under this Bill has enormous powers, as outlined in clauses 6 through to 19. I want to emphasise, if emphasis is needed, that whilst the Bill as it stands is certainly in my opinion a good piece of legislation (notwithstanding my personal disagreement with some aspects of it) the whole thing could fall down if the quality of the Commissioner is not sufficient to sustain the powers that will be given to him or her. I could think of few other single Commissioners established under Statute of this State who will have such wide ranging powers and such potential financial and social influence as those to be exercised by this Commissioner.

On him or her will depend to a large extent the overall quality of liquor outlets in this State. Because of the close relationship between the quality of liquor outlets and general standards of social conduct and, if we go even further down the line, the possibility of low standards of hospitality and an association with crime which is inevitably and historically associated with liquor premises not properly regulated, the potential for this Act to fall down is very great indeed.

I think it cannot go without being stressed that the quality of the Commissioner is absolutely integral to the satisfactory application of the Act. It is possible with tribunals to have maybe one or two persons among half a dozen who may not be of the very first quality and competence but under this legislation so much depends upon the Commissioner that I am sure that the Government needs no reminder or reinforcement from me that that appointment will be very closely watched, rigorously scrutinised, by all sectors of the

industry, by all Parties in this Parliament, and by the community at large.

It will become very quickly apparent if the decisions of that Commissioner in relation to licensing are not based on the general principles that are inherent in the conclusions of the review. It has been a quite radical step, and one towards deregulation and delegalisation (if there is such a clumsy word), to appoint a single person. It simplifies the whole structure but at the same time it places enormous responsibilities which I think very few people would have the capacity to fulfil effectively.

**Mr INGERSON:** Mr Acting Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**The Hon. JENNIFER ADAMSON:** The classes of licence which the Commissioner is empowered to grant are outlined in clause 25. They are identified as hotel licence; residential licence; restaurant licence; entertainment venue licence; club licence; retail liquor merchant's licence; wholesale liquor merchant's licence; producer's licence; general facility licence; and limited licence. That is a considerable reduction on the proliferation of licences, some of which are quite archaic, which presently exists in South Australia. Looking at the list it is somewhat hard to identify how it could be reduced still further. Generally speaking, I think there is broad support for those categories of licence.

As shadow Minister of Tourism I am particularly interested in the entertainment venue licence, which I believe has considerable potential to assist the tourism industry in South Australia. The entertainment venue licence is defined in clause 32 of the Bill. It authorises the licensee as follows:

(a) to sell liquor at any time to a diner for consumption on the licensed premises, in a designated dining area, with or ancillary to a meal provided by the licensee;

(b) to sell liquor on the licensed premises for consumption on the licensed premises at any time between 9 p.m. of one day and 5 a.m. of the next, being a time at which live entertainment is being provided on the licensed premises.

The prospect of being able to drink legally to 5 a.m. is one that in the past would not have been considered perhaps desirable, let alone essential, by this Legislature. However, the review team and the Government, in response to its recommendations, have clearly recognised the changing nature of society and of recreation in the 1980s and beyond. It may well be that by the year 2000 all this will go out the window and a separate set of recommendations will be relevant and needed, but in the meantime it is interesting to contemplate the number of night owls, particularly those who are visitors to our State, who seek and welcome the prospect of being able to spend those hours with a convivial glass of wine, beer, spirits, or whatever they fancy, and be entertained at the same time. They are not necessarily looking for a heavy meal—many people are on their way home from somewhere else, they do not feel ready to call it a day or a night, and they want to enjoy relaxation in pleasant surroundings.

The entertainment venue licence will provide this opportunity. I suggest it will be particularly popular with group visitors to the State, convention visitors and sporting teams. I suppose a classic traditional user of these facilities is the crew of visiting ships: the Navy or the Merchant Navy. Any time a ship is in port people are looking to make the maximum use of the 24 hours in a day that they have at their disposal in port. These entertainment venue licences I think will certainly enhance the hospitality scene in Adelaide and I welcome them, provided, of course, that the requirement that the licensing authority should examine very closely the quality of the venue is applied for such a licence.

Another licence identified in that clause is the hotel licence. The changes to the existing hotel licence are outlined in

clause 26. A hotel licence will authorise the licensee as follows:

- (a) to sell liquor on the licensed premises for consumption on or off the licensed premises—
- (i) on any day (not being Good Friday, Christmas Day, or Sunday), between 5 a.m. and midnight;
  - (ii) on Sunday (not being Christmas Day or New Year's Eve), between 11 a.m. and 8 p.m.;
  - (iii) on Christmas Day, between 9 a.m. and 11 a.m.;
  - (iv) on New Year's Eve (being a Sunday), between 11 a.m. and midnight;
  - (v) on New Year's Day, between midnight and 2 a.m. (in addition to the trading hours permitted under subparagraph (i) or (ii) (as the case requires));

There is considerably more in that clause outlining the provisions of the hotel licence but in broad terms those provisions have been welcomed by the hotel industry and by the tourism industry generally. It will make life somewhat simpler and, one hopes, more profitable for the publican and it will make life simpler and, one hopes, more enjoyable for the patron, and for both those reasons the licence should be of considerable benefit to the tourism industry.

The restaurant licence authorises the licensee to sell liquor at any time to a diner for consumption on the licensed premises with or ancillary to a meal provided by the licensee. I would like to pay a tribute—

**Mr ASHENDEN:** Mr Acting Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**Mr TRAINER:** On a point of order, Mr Acting Speaker, I draw to your attention Standing Order 169, which provides:

If any member persistently or wilfully—

- (a) obstructs the business of the House . . .

The Standing Order then goes on to prescribe certain penalties. I put it to you, Sir, that that Standing Order could be interpreted to mean that persistent Opposition calls for a quorum at short intervals could go close to obstructing the business of the House.

**The ACTING SPEAKER:** At this stage I cannot uphold the point of order, but I will note it and confer with the Speaker in due course.

**Mr ASHENDEN:** On a point of order, Mr Acting Speaker.

**The ACTING SPEAKER:** I recognise the member for Todd.

**Mr ASHENDEN:** I believe that the rules of the House provide that it is the Government's job to keep the House and that, if 17 members are present, there is a full quorum.

*Members interjecting:*

**The ACTING SPEAKER:** There is no point of order.

**Mr S.G. EVANS:** On a point of order, Mr Acting Speaker, are you ruling at this stage that there may be substance in the point raised by the Government Whip (the member for Ascot Park) that it is improper for a member of the House to point out that there is not the required number of members in the House for the House to function, which is a quorum? If you are ruling that way, I ask you to put to the Speaker my view that it is appropriate that there be at least 17 members here and that any member has the right to draw that fact to the attention of the member in the Chair at that time.

**The ACTING SPEAKER:** I do not dispute the point of view of the member for Fisher. I merely say that, in view of the extraordinary number of quorums that have been called, I will take on board the remarks of the member for Ascot Park and refer them to the Speaker in due course. The honourable member for Coles.

**The Hon. JENNIFER ADAMSON:** Thank you, Mr Acting Speaker. Before I was interrupted by the continuing failure of the Government to maintain its numbers in the House, I was about to pay a tribute to the restaurant industry in South Australia and indicate that there is something in the lifestyle of South Australia that has happily

emerged in the past decade or so: a continuing appreciation of and fascination with food and wine by the people of this State and by visitors to this State. It is, of course, no accident that that should occur, because of the quality of our wines and the amazing variety and quality of the food that we produce. My only regret is that the restaurant industry in emerging, strengthening and flourishing in this State with great ingenuity, imagination and dedication, has not as yet capitalised fully and effectively on what I would describe as regional foods.

Although food is not the subject of the Bill, I make that observation in passing because, in a recent phone-in that I conducted, many people commented on their disappointment that, in visiting the various regions of the State, the speciality of those regions (for example, the Riverland for dried fruits and citrus, the South-East and Eyre Peninsula for seafoods, or the Mid North for beef), did not always appear to be featured on menus in regional localities. Clause 30 of the Bill provides:

(1) Subject to subsection (2), a restaurant licence authorises the licensee to sell liquor at any time to a diner for consumption on the licensed premises with or ancillary to a meal provided by the licensee.

(2) A restaurant licence granted subject to the endorsement of 'BYO' authorises the consumption of liquor on the licensed premises with or ancillary to a meal provided by the licensee but not the sale of liquor.

The matter of BYO seems to have been a bigger issue in Victoria than it ever has been in South Australia. Some of the arguments put by the Attorney-General in another place, indicating that BYO was simply a means whereby a diner might bring with him some cheap plonk and thereby reduce the total cost of the meal, are not valid in this State. There is a growing body of people (and I hope that it will grow still further) who are well informed, extremely knowledgeable and appreciative of wine. They are, to the benefit of many of us, building up private cellars and, when they dine out, they are often most anxious to take with them a wine that they believe will be suitable to the occasion or to the food. It is highly desirable that they should have the ready facility to do so.

Equally, I have experienced the disappointment of going to a restaurant believing that it was licensed, only to discover that it was a BYO restaurant, and having a dry meal or having to go to the nearest pub to get some wine. Therefore, the greater the flexibility that can be established in respect of BYO the better. Surely the goal of liquor laws in this State and in all other States is to enhance the responsible use of alcohol. In this regard, I stress the word 'responsible'. That does not necessarily mean drinking in great quantities, but it relates to drinking with quality. That quantity will be maintained in any of these outlets, whether they be restaurants, hotels, clubs or whatever, only if the margin of profitability is such that the operator can afford to establish and maintain quality. That applies to the small outlet and to the bottle shop and the hotel: if there is no margin for training and staff development to enable the retail assistant to advise the purchaser, in response to requests or even spontaneously, on the best way to fulfil his or her needs, quality drops. If one goes to a drive-in and says that one wants such and such, one may be told, 'You are out of luck: we haven't got it.' Overall, this depresses the whole opportunity for a community to be well informed and responsible in its approach on wines.

Many people out there who would like to know more have to rely on the retailers: the retailer of services as in restaurants and the retailer of goods as in liquor stores. These people are looking to these retailers for information, but they will not get such information unless our liquor laws establish a framework that guarantees at least some

degree of profitability of the operators in the industry. Clause 34 provides:

A club licence authorises the sale of liquor, during periods specified in the licence, to a member of the club or a visitor in the company of a member for consumption on the licensed premises.

Certain clubs historically have enjoyed what one might call special privileges that existed before the passing of the Licensing Act of 1967, and they could sell alcohol to their members. These clubs were the Adelaide Club, the Adelaide Bowling Club, the Adelaide Democratic Club, the Naval, Military and Air Force Club of South Australia, the Royal Adelaide Golf Club and the South Australian Commercial Travellers Association.

They have always had the power to authorise the sale of liquor to a member of the club or a visitor in the presence of a member at any time. The retail liquor merchants licences and wholesale liquor merchants licences have less restrictive conditions placed on them than in the existing legislation. The producers licence, which is a very important one because it relates so closely to the tourism industry and which is held by the wineries, usually in regions outside the metropolitan area, enables the licensee to sell liquor produced by him at any time on the licensed premises for consumption off the licensed premises and to a diner for consumption in a designated dining area with or ancillary to a meal. I have heard from producers that whereas five years ago when people came to the cellar door to buy wine and said, 'I will have two or three,' they meant—it was unspoken—that they wanted two or three dozen of a particular label or variety of wine. Nowadays it is more likely to be two or three bottles.

The wine companies quite justifiably expect a reasonable return for the considerable investment that they make in relation to cellar door sales. It is no small thing to maintain an open cellar door at weekends, bearing in mind the costs of employment and to maintain the surroundings that attract visitors to that venue. The classic example of recent investment in that kind of facility would be Thomas Hardy and Sons at Reynella, where several million dollars were spent restoring and enhancing those premises in order to attract people to the area for the purpose of cellar door sales. Wine companies have a reason that goes beyond the immediate profitability of the sale itself. They are selling not only wine but also an ambience which is enhanced if the purchaser can say, 'I drank Hardy's Rhine Riesling at their Reynella cellars. It was a pleasant experience.' That memory stays in the mind and they are likely to be loyal to Hardy's Rhine Riesling for some time to come; to purchase it and give it to their friends; and, in doing so, to expound on the beauties of the winery and the nature of the surrounding district.

All these things are intangibles, but they are tremendously important to the wine industry and were never better demonstrated than in the way in which the wine industry in France has approached its task of selling and promoting wine and consolidating France in the world market. They never rest in terms of their absolute commitment to make sure that their wines are pre-eminent. One of the ways in which they do it—

**Mr S.G. Evans:** The Italians are not far behind them.

**The Hon. JENNIFER ADAMSON:** Indeed the Italians are not far behind them, but I would suggest that we can never afford to impose conditions or indeed taxes (although that is not the subject of this legislation) which reduce their profitability to the point where they are not able to provide that very attractive framework which in itself upgrades the whole nature of the liquor industry and helps to exert a civilising influence on the people who drink alcohol. All these things are subtle. They are dealt with in the review. It is hard to put one's finger on any one element which can

adversely affect the whole, but, if there are adverse effects, it is very easy to see how standards can degenerate. In my opinion, the purpose of this legislation is to exert the reverse effect.

As has been stated in the debate in another place, this Bill is principally a Committee Bill. A number of amendments were moved by both the Government and the Opposition in another place. A number of the Opposition amendments were accepted by the Government, and the Bill is all the better for that. Much painstaking work was done on it by my colleagues, the Hon. John Burdett, the Hon. Trevor Griffin and others. The Bill as it comes to this House is contentious in only a very small number of respects. Because much of the debate will be in the Committee stage, I will conclude my remarks at this stage with again a tribute that I think needs to be underscored to all those elements who have been associated with the liquor industry in South Australia. I doubt that we realise how fortunate we have been in terms of the leadership of this industry in all its sectors. A lot of that quality involves family related investments, certainly in the wineries and the hotel industry.

There has been significant family input, which has gone from generation to generation and has become widely respected. Many of those wine and hotel families in this State (we have yet to see generations of restaurateurs families) have contributed to the welfare of this State way beyond the ambit of their particular industry. Again, I commend the authors of the review of liquor licensing laws. I believe that the Committee debate on one or two of the issues, notably the issue of the sale of liquor on Sundays from retail stores, will be vigorous, and I hope that, whatever the outcome of that debate, it advances the ultimate cause of freeing up the trading hours in this State for the benefit of all its citizens.

**Mr MAX BROWN (Whyalla):** I know that most members would be disappointed if I did not participate in this debate.

**An honourable member:** Hear, hear! And you will have a good audience, too.

**Mr MAX BROWN:** Of course I will. There will be no need to call for quorums. I will be able to hold the audience all right without much trouble. I suppose I have been involved in a major point on two aspects of the Bill: I have been involved in the hotel club relationship and, more importantly to me, I have been involved in the under-age drinking that eventuates from this Bill. It is the under-age drinking about which I am very concerned. If Parliament is to extend trading hours to liquor outlets, those liquor outlets have a responsibility to police and carry out their trading in a responsible manner. I do not believe that is asking too much. The majority of clubs have done this, but some hoteliers have considerably violated that responsibility.

In this speech, I want to deal with that side of the Act. Before doing that I should point out that we are now getting to the stage where I am wondering whether the future holds for us the possibility of our looking around for the eighth day of the week and the 25th hour of the day; I think that is the position that will develop in the near future. I believe (and I have stuck to this quite rigidly over the years) that when the Dunstan Government eased the licensing laws in this State it did so to provide the people of this State with drinking facilities that were acceptable to the family—not necessarily just to enable somebody to glory in the swill that can take place, similar to what the 6 o'clock swill did some years ago.

In relation to liquor licensing laws, in the Dunstan era licences were granted to certain clubs. I am not speaking out of school in saying that we all remember that those clubs were involved with sly grogging. Also, during that time hotel trading hours were extended in relation to lounges,



etc., and we saw the emergence of BYO restaurants and further licensed premises as a part of motels, and so on. In my opinion all this was designed to be of benefit to families and to people having a cordial drink with friends and acting on a proper basis.

Following the introduction of this concept, hotels vied very strongly with each other to supply the clubs that had been granted licences, and the clubs began to compete very strongly with the hotel suppliers. Also, motels competed very strongly with hotels. I believe very strongly that the present Licensing Act mess has occurred because of the haphazard approach to this matter by everyone, and I include myself in that, as well as the hotels themselves, the clubs (which have something to answer for in this matter), and even the courts. The court, in its wisdom or otherwise, over a period of time saw fit to differentiate between the licensing of clubs, and I refer particularly to clubs, because the court even went as far as to give full licences to clubs, allowing those clubs to sell bottles.

The previous speaker in this debate was the Minister handling the Bill that was introduced by the previous Government. When that Bill was introduced we had before the Parliament what I referred to at the time (and still do) as a brilliant amendment, enabling certain hotels, which in some magical way could prove to some person that they were involved in the tourist trade, to open their bars. In that previous debate, I said that the only tourist trade that I could find in Whyalla, for example, was King Billy coming around with his camels every three months and we would have to open the bar for him.

So, the sorry mess went on. I would go so far as to say that at least four hotels are opening in Whyalla although they are not catering for one tourist. What an absolute farce that provision is. On this occasion, the Bill provides that hotels will be allowed to open bars—

**The Hon. JENNIFER ADAMSON:** Mr Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**Mr MAX BROWN:** It will not worry me if we go on with this all afternoon, although I do not think it will assist the debate.

**The Hon. Jennifer Adamson:** Ask your colleagues to remain.

**Mr MAX BROWN:** Members opposite are carrying on like pork chops in a synagogue; they have three members in the goddam House. I do not know what they have to prove. Before the interruption, I was saying that under this Bill hotels will be allowed to open their bars. As I have said on numerous occasions, I believe that simply opening hotel bars will not solve the problems associated with the Licensing Act. As I am involved with and concerned about the problem of under-age drinking, it would be remiss of me if I said that hoteliers are opening their bars simply to attract family clientele because, on the contrary, the type of clientele that a hotelier attracts to his bars is anything other than family custom.

I do not want to describe in this House the sort of clientele that usually enter the bar of a hotel—it certainly cannot be described as family type drinking. I question very strongly whether this Bill will not simply intensify the current dog eat dog arrangement or do anything more for the family drinker. More importantly, as I have already mentioned, I am concerned that these provisions might exacerbate the under-age drinking problem involving people of poor social and economic backgrounds.

In the few minutes that I have remaining to me for debate I want to refer more specifically to the under-age drinking question. I recall very vividly my perhaps meagre (although it was certainly sincere) attempt to ease this problem. In his

second reading explanation of the Bill, the Minister referred specifically to under-age drinking as follows:

The Government is also very concerned about minors obtaining liquor from licensed premises or consuming it in nearby premises. A special effort has been made to address this problem. The Bill places more responsibility on the licensee as well as substantially increasing the penalties if liquor is supplied to a minor on licensed premises. The Bill provides that the licensee will have no defence if he has conducted his establishment in such a way that it attracts minors or makes their detection difficult through crowding, understaffing, poor lighting, or the like.

I certainly hope that the Bill will do all that, although I do not know whether it will do so. I have experienced situations where certain hoteliers have done everything possible to attract teenagers into their premises. For example, they have provided poor lighting (as referred to in the second reading speech), and used every known device—space invaders, slot machines, and so on—to attract teenagers into their premises. Also, I would suggest that on many occasions hoteliers have used as an excuse the poor unfortunate barmaid who, it has been maintained, had to serve a considerable number of customers and therefore may have inadvertently served under-age drinkers. I hope that this Bill will solve that sort of problem. I will be very interested to see whether the Bill can do that. A report concerning sport and alcohol at Whyalla which appeared in the *Advertiser* a few days ago stated:

19 per cent of Whyalla teenagers aged 12 to 15 visit hotels; 11 per cent want to: survey.

That is a shocking indictment on the whole system and shows quite glaringly that the youth in our society are unfortunately turning to licensed premises for a way out. There is nothing more to it. The report continues:

'It's shocking . . . you go to a pub to drink, that's all there is.' These are the words of Sue Hebert, 19, summing up the lack of entertainment facilities for young people in Whyalla. Sue, 19, is the president of Commonwealth Employment Project, Youth On The Move. Yesterday she said that Whyalla youth between the ages of 12 and 25 needed entertainment facilities as an alternative to alcohol and sport.

And her view is supported by the recently released Social Profile of Whyalla, 1983-84, prepared by the Whyalla City Council and the Department of Community Welfare . . . It also found that most young people spent their time either drinking, playing sport or watching videos. It also found that 19 per cent of teenagers between 12 and 15 years of age frequented hotels and 11.2 per cent wanted to do so.

'We can't say, but we presume that these kids who go to the pubs are also drinking,' she said.

It is interesting that a manager of a local hotel is trying to offer more. The report continues:

Mr Greg Short, of Telford Westland Motor Inn, said yesterday his hotel's policy was to provide varied entertainment. 'In the past we have always made a point of bringing big bands and big acts to Whyalla,' he said.

With respect to Mr Short, that is one of the grave reasons why youngsters frequent hotels. If youngsters frequent hotels, they simply drink. I become not only frustrated but very angry about this matter, because it does not solve their problem. I believe that the Government must spend more money not just on providing drinking facilities for youth or on extending licensing hours, as this Bill does, but on improving the environmental facilities available for young people so that we can get them away from the environment that alcohol provides. It is ironic that in the recent report *Future Directions for Alcohol and Drug Services in South Australia* tabled in Parliament by the Minister of Health, one of the recommendations concerning liquor licensing laws states:

Thus Task Force recommends that a levy of 1 per cent be made on all alcoholic liquor licence fees, with the revenue so collected being used to adequately monitor social, economic and health data on alcohol-related problems in the South Australian community, and to support community education programmes.

It is strange that this Parliament, under this legislation, will increase the alcohol problem, but it has now been suggested



in the report that we charge licensees 1 per cent of their liquor licence fee to overcome the problem created by their operations. The saga of the club/hotel relationship has been going on for long enough. Presently clubs have become the target for the clever and shrewd hotelkeeper. I do not say that lightly, because it is well known that hotels have gone into what they call the hotel social clubs. Those bogus clubs play no role in the community, and I find their establishment rather alarming. I know that a certain hotel social club in the metropolitan area saw fit, because of the profits it made out of its activities, to send its members to the Philippines for a holiday. If anyone can tell me that clubs were formed for that type of activity it surpasses my understanding of the purpose of clubs. It is time that Parliament looked at what is going on under the Licensing Act, and does not have this continual dressing up—

**The Hon. Jennifer Adamson:** That's what we are doing here and now.

**Mr MAX BROWN:** I point out to the honourable member that, although I support this Bill and recognise that it is probably a step in the right direction, I have grave doubts about whether or not it will solve this problem. If the honourable member thinks that this Bill will rectify the matter of the existence of hotel social clubs, she has not read it. I am only pointing out what is going on and my fears about it.

**Mr S.G. Evans:** No Government has been prepared to tackle it yet.

**Mr MAX BROWN:** They are the things I am concerned about. I do not believe, unlike the member for Coles, that this Bill will do—

**The Hon. Jennifer Adamson:** I heard you say that this was not a good look at the Licensing Act, and I am saying that it is.

**Mr MAX BROWN:** I am not disagreeing with that. I am simply pointing out that I do not believe that the Bill goes as far as I would like. It provides that certain clubs will be allowed to buy direct from the brewery. I believe that that will not be of benefit to any club. I have always strongly believed that clubs should buy from a hotelier, particularly in small country towns, where this activity is predominant.

*Mr S.G. Evans interjecting:*

**Mr MAX BROWN:** That is right. I do not believe that that particular part of the Bill solves the problem involving the relationship between hotels and clubs. A quite good relationship can be had between a club and a hotel, and any club would be foolish to sever that connection. If a club deals direct with a brewery, although the beer is cheaper, it has to pay increased licensing fees and make payments on a weekly basis to the brewery. No-one can tell me that a brewery will give clubs the same deal that certain clubs now get from hoteliers.

I am not talking about a proportion beyond 10 per cent, but about the relationship between the supplier and the club. For the clubs to come out in a press statement in the *Adelaide News* and say that they are going to fight the licensing authorities, I place on record the fact (even though I am club orientated) that they are complete fools. Clubs should look seriously at what they are proposing in their statement in the *Adelaide News*, as they are not being fair to their affiliated clubs, if they have any, although I have some doubt about that. The clubs themselves must enforce their relationship with the hotel supplier: that is the answer. If one can get that working on a proper basis, it will benefit the people concerned.

**Mr S.G. Evans:** We could have given greater flexibility to the clubs in the hours they operated, but we ran away from it.

**Mr MAX BROWN:** I take the point of the member for Fisher. There would be more benefit if the clubs fought

through this measure (I believe that avenues exist for them to do so) to extend their trading hours, not on a haphazard basis but on a real basis and one that means something to them. To argue as they have in the *Adelaide News* that they are going to fight for somebody is so ludicrous that it is not even funny. They must face up to their responsibilities in this matter and ensure that they have at least an equal chance to trade on a fair basis with the hotels. If we can achieve that through this Bill, it has done something positive.

**Mr S.G. Evans:** Also, the clubs having to sign the book on special occasions is really a wicked waste of time, isn't it?

**Mr MAX BROWN:** The honourable member is baiting me into an argument, whereas I think that that law is outside this Bill. I find that I can work with the set-up fairly well, as can the clubs, even though Judge Grubb did not see eye to eye with it when he came to Whyalla. I have some reservations about those two matters I have outlined. I have reservations about whether we will be haphazardly opening hotel bars, and I do not know that we will not be buying into the further problem of under-age drinking. Secondly, I say quite seriously that in my opinion some, although not all, hoteliers have to tighten up their practices. What they are doing is not in the best interests of the general community. It is no good their opening their bars, inviting people in to have a drink and then calling in the police to get rid of those customers who are the sort of people to whom we have been referring. It is time that we faced up to the situation as it has emerged, and it is time, too, that the hoteliers realised their own responsibilities in this matter. I support the Bill with those reservations.

**Mr ASHENDEN (Todd):** I want to address myself to a number of aspects of this Bill. The latter points made by the member for Whyalla have been made strongly to me by a number of constituents. The points he was making in relation to under-age drinking are ones with which I share his concern. My electorate has a large number of young people. Because of that, over the years that I have been the member for Todd many parents have approached me expressing their concern at two major aspects, one being that with the age limit of 18 years it is far too easy for young people today to present themselves in licensed premises as persons of 18 years or older and to look that way. In the case of my own sons and daughter and the children of friends and other persons I have known of 14, 15 and 16 years, when they dress up in their finery to go out I would challenge people to determine whether they are not 18 years or over. To my eye and the eyes of many persons, they appear to be older than they are, and that creates a major problem. In that and many areas in the Bill we are taking steps in the right direction to provide the protection for which parents are looking and trying to ensure that publicans will take a responsible attitude to supplying alcohol to young people.

As in all walks of life, the vast majority of publicans are sincere and genuinely want to do the right thing by their customers and the customers' parents. Unfortunately, some licensees do everything they can to attract young people to their hotels. Hotels set up discos catering for the very young person, and no bones are made about the fact that they are looking to attract young people. In environments like that most of the under-age drinking is occurring on licensed premises. I am pleased to note that this Bill is increasing the penalties to licensees if under-age drinking occurs on their premises.

I realise that a licensee and his staff are frequently in a difficult situation, in that they ask these young people whether they are over 18 years. Of course, they say 'Yes', but I am unfortunately aware of hotels and other licensed

premises where, if the question is asked and that answer is given, that is it: very little if anything is done to check the *bona fides* of the person and the age that they are purporting to be.

This Bill will make licensees look very much more carefully at persons to whom they and their staff provide alcohol. I agree with the member for Whyalla that that is a necessary and good step, and I am pleased to see that the Bill is moving in the direction of providing greater incentives—both positive and negative—to licensees to ensure that the persons to whom they serve alcohol are, in fact, 18 years or older. The review of South Australian liquor licensing laws upon which this Bill has been based goes into great depth on existing South Australian laws. It makes quite clear that in many areas the laws are sadly wanting.

The Bill presented to the other place and that which is now before our House goes a long way to meeting the recommendations put forward in that review. Unfortunately, however, in some areas the Government has not taken up the recommendations of that review. I would hope that, in some areas, this House will make amendments to the Bill presently before us for consideration. It is a good Bill and one that I basically support, although I believe that it can be improved.

I would like now to address myself to some of the areas that I support as the Bill stands and other areas where I believe improvements could still be made. First, I am glad to see that there is a move to change—

**The Hon. MICHAEL WILSON:** Mr Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**Mr ASHENDEN:** I support some aspects of the Bill wholeheartedly, and I would like to see other aspects of it improved further. One of the things I am glad to see is the change that has occurred in relation to Sunday trading. The move that was brought in to try to provide a service to the community in relation to allowing hotels in tourist areas to open for certain times unfortunately did not result in the improved trading conditions that the then Bill was seeking to introduce. Unfortunately, what happened was that, with the restricted hours of trading, and with the trading not occurring at all hotels and at different hours at different hotels, the old '6 o'clock swill' drinking habit returned in that persons, particularly young people, would find a hotel that was open, drink quickly because they knew they had only two hours in which to drink, and then they would move on to try to find another hotel. The move to cater for the tourist industry unfortunately resulted in repercussions that at the time were not foreseen. However, it is now acknowledged that the present situation is not satisfactory and a move has been made towards allowing extended trading hours on Sundays.

There is one basic disagreement between the Government and the Opposition in regard to Sunday trading. I am glad to see that the Government is providing the licensee with the option to open or not to open but unfortunately I believe the original Government proposal falls down in that the Government is seeking to include in the Act a provision that if a licensee decides to open on a Sunday he must remain open for a period of four hours. I cannot agree with that. I believe it is the business of the licensee to determine how long he stays open if he does decide to open. A licensee could perhaps get a knock on the door and under the provisions of the original Bill say, 'Yes, I am only too happy to open and provide you with a drink.' If that person wants only one drink and then leaves, I can see no real reason why that publican should have to remain open for the balance of a four hour period.

I therefore support the amendments moved by the Opposition in another place that allow the licensee to determine

whether he will open between the legal hours of trading but, more importantly, also to allow him to determine just when he will open and when he will close. I will certainly be raising that matter in Committee. I will be interested to hear from the Minister why the Government does not share the point of view that the licensee should be the person to determine when he trades during those legal trading hours on a Sunday.

I believe the step towards the new licensing authority is a positive one. I am delighted to see that in a small way this Government has moved towards deregulation. It is only in a small way, because the present Act provides for 17 general classes of licence, several categories of permits, nine specific purpose licences and some licences which have not been used for years. That is an iniquitous situation. This Bill simplifies that situation so that there will be 10 licences and permits only, covering the broad spectrum of licensing. In other words, the Government has removed some of the licences and that is good. It has moved some of the way towards deregulation. I make the point that there are other areas in which the Government could have moved further towards deregulation. I certainly agree with the move towards needing no licence or permit where a function is held on unlicensed premises and where liquor is provided at no direct or indirect charge. That is a step in the right direction.

**The Hon. Jennifer Adamson:** That is common sense.

**Mr ASHENDEN:** It is common sense, as the member for Coles says. The reduction in the number of classes of licence and the fact that licences will not be required where a function is being held where liquor is provided at no direct or indirect charge are moves by the Government in the right direction.

**The Hon. Jennifer Adamson:** You would not want to see total deregulation? You could end up with people taking wine into the local fish and chip shop.

**Mr ASHENDEN:** The member for Coles makes a point, and I think that the Bill as it stands does protect the move towards a situation where alcoholic beverage can be consumed virtually anywhere. Certainly there are areas in which regulation and licensing are still required. I do not deny that, and that is the point the member for Coles is making. There are other areas where I would like to see further changes introduced that would bring about further deregulation.

One area that I wish to mention is the club licence. Licensed clubs play a very important part, particularly within my present district and certainly within the new District of Newland. That district has in its area nine licensed sporting clubs and two licensed non-sporting clubs which have between them thousands of members who reside within my district. Obviously, licensed clubs provide a very important service to persons living within my electorate. Changes mooted in the Bill will certainly provide improvements in relation to the services that licensed clubs can provide for their members. I am pleased to note that the Bill as it comes to this place contains amendments that have been passed in another place which provide the possibility for licensed clubs to provide even greater services to their members.

As an example, this Bill will allow licensed clubs to sell beverages outside of the premises themselves but on property owned by the club. The Tea Tree Gully Golf Club, for instance, which has a pleasant club house and pleasant surroundings, under the provisions of the Bill would be able to provide entertainment on the grounds but outside the club house. In other words, it could provide a very real service to its members, who include over 700 full members and many hundreds of associate members. During the summer months it is not uncommon for golf clubs to conduct twilight competitions and after those competitions to have a barbecue at which husbands and wives can sit down and

enjoy a steak and a convivial drink. Under this Bill the Tea Tree Gully Golf Club will be able to conduct a barbecue outside its actual premises but on its own grounds and will be able to sell alcoholic beverages to its members quite legally, and therefore improve the facilities being offered by that club. That is the result of an amendment moved by the Opposition in another place.

One area that concerns me in respect of club licenses relates to the fact that an amendment moved in another place dealing with take off facilities for clubs, to enable clubs to sell bottled and other packaged forms of alcoholic beverages, was defeated. An amendment to be moved in Committee will, if passed, insert that provision in the Bill. The 11 licensed clubs in my district have put to me that they can satisfy a very real need of their members. In my district, there are only three hotels, one of which is at Inglewood, in the Hills, outside the true metropolitan area, and is a delightful and historic hotel. However, within the rest of my district there are only two hotels. With 11 licensed clubs and their many members, there is obviously a real need in my district for the take off facilities to be provided in licensed clubs.

I have discussed this matter with committee members at those various licensed clubs and they are unanimous in supporting the provision of such facilities. They do not doubt that, if their clubs could have these facilities, a real need of their members would be satisfied because many of those members, only rarely if at all, visit a hotel for that aspect of their entertainment. Most of them go to their licensed club and would prefer to have the facility of being able to buy their beer or wine there so that they could take it home rather than have to make an extra trip to a hotel to do so. I can understand the Australian Hotels Association being concerned about this aspect, but the vast majority of liquor sold through licensed clubs is purchased by the clubs through the local hotels.

**The Hon. Jennifer Adamson:** Hasn't that been changed?

**Mr ASHENDEN:** There is a \$30 000 limit, and most of the clubs in my district will be bound to purchase their supplies through local hotels. Therefore, I believe that the concern expressed by hoteliers in this regard will not be realised in practice. To provide a further protection for the hoteliers, I hope that an amendment which was moved in another place but which, unfortunately, was not successful but which I hope will succeed here, will tighten up that aspect. Clause 36 deals with the eligibility to hold a club licence.

*Members interjecting:*

**Mr ASHENDEN:** Where is the member for Albert Park? Is he present? Clause 36 provides at present that the limit for clubs purchasing their supplies through hotels is \$30 000 or such other sum as may be prescribed. I believe that the words 'or some other sum as may be prescribed' should be deleted, so that the sum of \$30 000 cannot be reduced. This will provide the protection that the Australian Hotels Association is seeking.

I have already discussed Sunday hotel trading. I hope that the amendment that was carried in another place will remain in the Bill in this House to enable the licensee to make a choice. Is the member for Hartley asleep also? Indeed, he is sound asleep. I hope that, when it is eventually passed in this place, the Bill will enable the licensee to determine when he or she shall trade.

The next aspect to which I wish to refer concerns the retail liquor merchant's licence. The Review of the South Australian Licensing Laws recommended that the retail liquor merchants should be able to trade on Sunday if the hotels could sell their bottled and packaged supplies of alcoholic beverages to the public on Sunday. In another place, the Opposition moved that retail liquor merchants

should be able to open on Sundays for the same hours as hotels. Unfortunately, a further amendment was carried to reduce the trading time of the retail liquor merchants by two hours. I shall support the amendment to be moved in Committee to provide the retail liquor merchants with the same Sunday liquor trading privileges as hotels. This amendment will not compel retail liquor merchants to open; it will only give them the opportunity to compete.

Retail liquor merchants in my district have pointed out that there is a real need for them to trade because women in particular, for various reasons, do not like having to go to hotels to get their liquor supplies. They much prefer to go to the retail liquor stores. If the Bill remains in its present form and the trading hours of retail liquor stores are not extended by two hours on Sunday, persons who do not like going to hotels to get their supplies of alcoholic beverages will be disadvantaged. Additionally, I believe that the retail liquor merchants will be placed at a severe trading disadvantage if the amendment to which I have referred is not carried. As the Bill now stands, at least it will enable the retail liquor merchant to make a business decision. At least, he can now personally decide whether to trade or not and is not forced by Government regulation not to trade.

Two members opposite thought that I was unfair to the Government when I said that it was being a little inconsistent in respect of its move in deregulating liquor licensing and that members should accept the amendment moved in another place to remove the restriction that the Government wants to impose on retail liquor merchants. In this regard, I shall wholeheartedly support the Opposition's move to retain that ability for those merchants.

Regarding the power provided in the Bill to remove persons who behave offensively, the Act that at present covers this aspect requires the police to remove from licensed premises persons behaving offensively. However, the Bill, as introduced by the Government, removes the aspect of the police being required to act in this way and merely provides the licensee with the right to approach the police and request that they remove a person who is acting offensively. Unfortunately, there are some irresponsible persons who drink on licensed premises and I believe that licensees should be able to have the police act on their complaint. I certainly hope that the Bill will be strengthened to ensure that that requirement of the existing Act remains.

I am concerned about drinking in public places. Again, the Opposition in another place has moved amendments that would go a long way towards removing the problems that occurred, for example, at the Colley Reserve 15 or 16 months ago. Local government, that is, city councils and district councils, should be provided with the power to prescribe places where the consumption of alcoholic beverages is prohibited. I believe that the member for Fisher will move an amendment that will provide greater control in relation to the consumption of alcohol in public places by persons under the age of 18 years.

Alcohol, if taken in moderation, can and does provide a very real pleasure to many people. Unfortunately, if taken in excess it can affect the behaviour of persons who act in a way that is totally out of their normal character. Restraints that provide the public protection from any such person must be maintained.

I am pleased that the review adopted the philosophy that only the sale and not the consumption of liquor in most instances need be regulated. I can think of only very few areas in which there should be regulation, and those I have addressed in my remarks a minute or two ago. Basically, I believe that the Bill has moved along the lines that were put forward by the review and has followed that philosophy of controlling the sale of liquor, and taking away many of the restrictions that presently exist on the consumption

thereof. As I said in my introductory remarks, the Act is needed. There is no doubt that the present Licensing Act is archaic. It is full of loopholes and unsatisfactory conditions. I can only think of one country which has an even more ludicrous situation than that which we have here, and that is in the United Kingdom, where all licensed premises are able to trade for part of an afternoon and must then close down, after which they are allowed to reopen in the evening. That is about the only situation I have seen anywhere in the world that is more ridiculous than our Sunday trading laws are at the moment.

The Bill solves many of the present problems. However, there are areas in which I would like to see further amendment. I know that amendments in a number of areas will be moved from this side of the House. I will certainly be supporting those to which I have addressed myself already in this second reading speech. I look forward to providing greater detail and support in some specific areas when the amendments to which I have referred are moved in Committee. I basically support the Bill, with hopefully some minor amendments being successful that will then enable this Bill to become an Act that meets the needs of all sections of our community.

**Mr LEWIS (Mallee):** What I have to say will not take very long. I rise simply to put before the House my view about this matter and the way in which society is affected by it. For the present time, I find that, whereas originally licensing premises to sell alcohol was intended to restrict the access which members of the general public had to alcohol and to further enable Governments to raise revenue from its sale and consumption, in the belief that by so doing we would not only reduce the ills visited upon the biological condition of life of those who consumed it, but also address the social problems which it created, that is no longer the case.

The day has long since passed when the Licensing Court, and any of the measures for which it is responsible and over which it exercises jurisdiction, regulates and moderates the sale of alcohol to the population at large in a way that is in any sense effective in controlling the undesirable biological (that is, medical) consequences of its consumption. Secondly, the means by which Governments can raise revenue from the sale of alcohol to the public no longer require the use of a Licensing Court and the Act which supports it.

I therefore strongly advocate, as I always have, its abolition, and I make no apology for that. I have had that discussion with interested and concerned parties throughout my electorate since I first became a member of this place in September 1979. There is no-one in Mallee with an interest in the subject who does not understand my views and accept my position as being logically valid, although they may chose to differ from me. Indeed, the vast majority support the opinion that I have just expressed.

I want to address some specific aspects of the way in which the Licensing Act has created a feather bed and position of privilege for a limited number of commercial interests and the position that those commercial interests now seek to defend tooth and nail, blood, hair and hide. I say to them for their advocacy, 'Be damned, I will not take a position which is either amoral or immoral'.

**Mr Ashenden:** Is the member for Albert Park here this afternoon?

**Mr LEWIS:** No, I cannot see him anywhere. He must have become disgusted with the dissertation that I am providing to the Chamber. I thought that the member for Albert Park was interested in this matter. However, his absence is a clear indication that he is not.

*Members interjecting:*

**Mr LEWIS:** No, he is not as diligent as he claims. The member for Hartley also sleeps comfortably, even at this early hour.

**Mr Klunder:** That cuts both ways, too.

**Mr LEWIS:** It can, it has and it will, and I will join the honourable member in that, whenever and as ever he wishes.

**The ACTING SPEAKER:** I ask the honourable member to return to the debate.

**Mr LEWIS:** I am remiss: I apologise to you, Sir, and other members for having strayed from the topic of the debate. I want to address the question of favouring the position of one vested interest group in the commercial arena as opposed to other vested interest groups as defined under the law as it now stands.

I see clubs as being no more or less, for the purposes of this Act, than co-operatives, and I cannot see for the life of me why any co-operative, established for the purpose of providing a facility and a service to their members, ought to be restricted by some other artificial device in their ability to enjoy the commercial benefits that should flow from their membership of their co-operative.

For that reason, I find difficulty in accepting the proposition that 40 clubs or thereabouts in South Australia ought to be allowed in law to enable their members—indeed the members of those clubs do have the right—to take away alcoholic beverages from their premises in bottles or any other containers in which they are packaged for retailing purposes, yet all the other clubs cannot do so. Where is the morality in that sort of law? Where is the logical consistency in that sort of position as a matter of policy? Where is the honour for members of this place who cannot face that reality?

I simply believe that clubs ought to be allowed to provide their members with take away facilities in bottles, kegs or whatever they want. I also believe that clubs should be able to purchase any commodities be they alcoholic beverages, orange juice or steak wherever they can get the best price. I can see no reason to discriminate against them on any grounds whatsoever. It is worth noting that there is a large number of clubs in the electorate of Mallee, and that the pubs argue that if clubs are given takeaway bottle licences the pubs will suffer and be unable to provide a standard of accommodation that they are required by the Licensing Court to provide. Accordingly, they argue, tourism will suffer and they would also all go down the drain. I point out to the House that the standard of accommodation in Tailem Bend, for instance, which has two hotels, one motel and several clubs, is not better in the hotels. Even though the motel does not have a licence, it still attracts a greater bed occupancy on a night by night basis than do either of the hotels or both of them put together.

Therefore, there is no relationship between making bottle licences available exclusively to the pubs (except for those 40-odd clubs which have a right to sell bottles to their members to take off the premises) and denying them to clubs, because the provision of accommodation in the tourism industry has nothing to do with who buys what from where in terms of grog. It is about time that the Hotels Association was forced to recognise the reality of that situation. The evidence of that fact is there in Tailem Bend, at Policeman's Point and at Pinnaroo on Highway 12. Tailem Bend is on three main arterial routes—Highways 1, 8 and 12. So, if there was a valid argument for country pubs to be allowed to retain the exclusive right to sell bottles to customers, and that clubs be denied that, there would be some evidence that there were indeed dire consequences to be realised if we were to change the law. However, we already find in those situations to which I have referred that the occupancy rate in the motels at Pinnaroo and

Tailem Bend, for instance, is higher than it is in relation to the pubs. So, that is a nonsense argument put by the AHA.

I refer next to the way in which we should regulate the consumption of alcohol, not across time from midnight on Sunday to the following Sunday at midnight, with 168 hours between the two, but rather in relation to consumption by whom and in what circumstances alcohol consumption should be permissible. As I have said, I do not think that there is any case for using a licensing law and the Licensing Court to try to regulate consumption or the behaviour that results from consumption. In no other place does the law do that. There is no Licensing Court for bakers or for glue manufacturers and resellers, yet we all know the danger and damage that some modern organic glues and their solvents can do to those who abuse them.

So, in the case of alcohol, there needs to be a sanction and a stiff penalty associated with that sanction in relation to wherever people consume alcohol in inappropriate circumstances or where inappropriate behaviour occurs once alcohol has been consumed. My view is that minors ought not be able to consume alcohol in public places unless they are in the company of their parents, guardians or responsible adults. In saying that, I point out that I cannot for the life of me understand how we can expect people, who by law are minors, to accept responsibility for their actions in both moderating their behaviour to the point where they do not become inebriated as well as moderating their behaviour in the event that they do become inebriated and to accept the responsibility for the damage that results from immoderate and intemperate behaviour when they are inebriated, unless we sanction the consumption of alcohol in a public place by minors who are not accompanied by responsible adults. That is the reason for my position on that matter.

Also, I believe that the onus of proof to determine and give evidence of age of a person suspected of being a minor should rest with that individual. The mechanism by which that individual citizen wishing to consume alcohol in a public house or public place proving and providing their identity must be positive. Some mechanism must be found to facilitate this, whether it is by means of photos on driving licences or another means of identification by means of a photographic likeness of the bearer, so that it is possible for those people suspected of being minors to be able to prove beyond doubt that they are not minors. If a person is left unchallenged and is served by a publican or his staff, the person responsible should be guilty of a crime and be subject to a stiff penalty. If a person is challenged and is unable to produce evidence of being of legal age to consume alcohol on those premises or anywhere else, and that person is found to be guilty of an offence after being so challenged, the full weight of the law and the full responsibility for that misdemeanor should rest with the minor.

Indeed, in my judgment, the people concerned are in danger if they think that that kind of thing is a big deal. In my opinion that is more reprehensible than, say, driving an unroadworthy vehicle that is deemed to be so because of a failed tail light globe, or driving a vehicle at four or five kilometres an hour over the speed limit.

I am opposed to minors being allowed to consume alcohol. I believe that people should be responsible for providing proof positive of their identity. In addition to all that, I think that, wherever we find unacceptable behaviour patterns that are a consequence of the consumption of alcohol, whether they involve abuse and violence or any other forms of reprehensible behaviour, or indeed whether it involves driving under the influence of alcohol whilst being incompetent to control a motor vehicle, that should be considered to be a criminal misdemeanor, and the penalties for it should be stiff. They are my attitudes to alcohol, the way in which its consumption should be regulated and the way

in which its sale in society ought not be regulated other than by market forces.

**The Hon. MICHAEL WILSON (Torrens):** I do not intend to speak for very long on this Bill other than to draw to the attention of the House the problems that exist in my electorate in relation to trading at hotels. Two issues have vexed the residents of the electorate of Torrens for some time, and I have been aware of these since I have been the member for Torrens. Those two issues have been consistently very much in evidence since I became a candidate for the Liberal Party. First, I refer to the question of transport and the effect of traffic on the residential areas of my electorate, although this is not the time to canvass that subject. However, I have referred to it in this place on other occasions.

The other issue that concerns my electors is the effect of the activities on the surrounding residential areas of the patrons of the hotels in the area. When this Bill was introduced, I wrote to some 600 households in my electorate adjacent to the various hotels in the area. The electorate of Torrens is small by State standards, but it has some 19 hotels. Therefore, in making this speech I am representing a fairly wide spread of opinions from the residents involved.

In response to the letter I wrote I received some interesting comments. I asked the people to whom I wrote to either ring my office or write to me. In general, the vast majority of respondents were opposed to any extension of Sunday trading, as contained in the provisions of this legislation. Some of the points made by people who responded by phone were that they were very upset at the activities of patrons leaving hotels, and mentioned noise, shouting, screaming, the revving of cars late at night, people entering properties and vandalism.

They also mentioned the drink driving problem and attributed road accidents to the effects of alcohol. In fact, one respondent pointed out that in Western Australia the road accident death rate increased by 39 per cent on the Sunday after the introduction of Sunday trading in that State. I have not been able to check that figure, but I think it is important and needs to be checked. The respondents also mentioned that there should be breathalysers in hotels and that it should be the responsibility of hotel managers to see that patrons are not over the limit. I do not necessarily support that, but I mention it as an indication of the strength of feeling of people in my electorate who have to suffer.

I know that one or two members of this House will not be pleased at this comment, but some respondents said that they were tired of everything being for the tourists and that the residents are the ratepayers. Some respondents thought that there should be increased penalties for under-age drinking and that Sundays should be a family day. Some mentioned (and I know that this view will not be shared by all) that if the husband was at the hotel all day it may contribute to broken homes. Many respondents mentioned the traditional values of a Christian Sunday. One or two believed that drugs as well as alcohol were a problem at some of these institutions, and so on.

The points I have mentioned indicate the strength of feeling of the people who have had to put up with the activities of patrons in some of the hotels in the area for many years now, much longer than I have been a member in this place, which is nearly eight years. This activity has been going on for 15 years at least, if not longer. For that reason I believe that I must oppose that part of this legislation which brings about an extension of Sunday trading. I also received many letters and will quote from three or four, because they are representative of all the letters. The first letter states:

We are strongly opposed to this proposal—

that is, the extension of Sunday trading—

- (a) we prefer the traditional values of a Christian Sunday;
- (b) it will result in increased deaths and accidents through increasing 'driving under the influence';
- (c) residents in areas adjacent to licensed premises are entitled surely to at least one day's peace in the week.

The letter continues later:

- (a) Sunday trading should not be permitted for licensed premises in residential areas.
- (b) Sunday trading, when permitted, should not include any increase in the present total trading hours. Moreover, any necessary reduction in weekday trading hours should be taken off the end of the day. In other words, every hour's peace lost on Sunday should be compensated by an extra hour's sleep on weekdays.

I am deliberately leaving out the names of hotels, and I say in all fairness that many of the proprietors and managers of the hotels in my electorate have bent over backwards to try to prevent what has been happening. I pay tribute to those people. The next letter states:

Thank you for your letter of the 5th instant. I am strongly opposed to the licensing of hotels on Sundays . . . Sunday is the only quiet day we have in this area—also in view of the recent escalation of accidents on the roads, mostly due to high alcohol level, it is surely contradictory to further extend hours, when the Government is supposedly trying to campaign to reduce the road toll.

The next letter, which mentions the name of a hotel, states:

This pub, for it is no more than that, has troubled my neighbours for many years. Apart from a few locals who drop in for convivial drinks after work, its patrons are mostly noisy hoodlums who arrive in cars from the outer suburbs later in the evening, particularly on Thursday and Friday. No doubt you have had many complaints from constituents regarding their behaviour when leaving.

The last letter states:

. . . fills me with deep dismay. I do not wish to be a 'wowsler' in any way, and most strongly support the rights of my fellow citizens to their freedom to enjoy the many delights that Walkerville offers. This must of course also work in both directions, and so far the expectations we have from some of the . . . clients fills us with dread, and we have no wish to increase the number of hours we must endure their unwelcome attention. Shouting, noisy cars doing 'wheelies' and 'laying rubber', urinating in our front garden, breaking decorations off our front wall and generally behaving in an anti-social way makes life uncomfortable on most Friday and Saturday nights. Whilst Sunday mid-day is somewhat marred by rowdy visitors to the hotel, Sunday evenings are relatively safe, so that we feel really apprehensive at the thought of unrestricted hours on Sunday evenings as well.

The people in my electorate have had to put up with enough without the extension proposed in this legislation for Sunday trading. Therefore, I feel that I must oppose it. However, I welcome some aspects of the legislation and compliment the authors of the working party report, because they have made a significant contribution to the licensing laws of this State, and in general I welcome most aspects of this legislation. In particular, I welcome the alterations contained in clause 112 concerning noise, which involves differences from what previously pertained in this area. Clause 112 provides:

- (1) Where—
  - (a) any activity on, or the noise emanating from, licensed premises;
  - or
  - (b) the behaviour of persons making their way to or from licensed premises,

and then the most important part—

is unduly offensive, annoying, disturbing or inconvenient to any person who resides, works or worships in the vicinity of the licensed premises, a complaint may be lodged with the Commissioner under this section.

That is a considerable widening of the present legislation, and on behalf of my constituents I welcome it. It is a real step forward. Clause 112 (3) provides:

A complaint shall not be made under subsection (2) (c) unless—

- (a) the complainant is authorised to make the complaint by a least 10 persons who reside, work or worship in the vicinity of the licensed premises;

That is welcomed, because previously it was 20 persons, and this increases the ability of citizens to group together, when they feel aggrieved by the conduct of patrons of hotels, to put in a complaint to the Commissioner. Another welcome subclause is 3 (b), which provides:

- (b) the Commissioner is satisfied that the nature or gravity of the complaint is such that it should be admitted notwithstanding that it is not authorised in accordance with paragraph (a).

That means that, even if one cannot get 10 people, if the Commissioner is satisfied that the complaint is serious enough he may admit that complaint.

We then have a most important change from the previous law, where the Commissioner shall endeavour to resolve the complaint first by conciliation. That is very important, because many citizens will not take the action when they are aggrieved if they know they must go before the Licensing Court in the first instance and have to go through the legal ramifications of making a complaint.

Under this very welcome legislation they can go straight to the Commissioner, who is in fact required by this legislation to try to resolve this complaint through conciliation in the first place. If conciliation fails, the Commissioner has to admit the complaint for a proper hearing by the court. I believe that that is extremely welcome, and I congratulate the authorities and members of the working party on introducing this measure. It ties in with what I had to say before that my constituents deserve this consideration, and I am glad to see that at least in this respect they are getting it, although they are opposed, as am I, to the extension of Sunday trading.

**Mr RODDA (Victoria):** This is a massive Bill of some 139 clauses and quite an extensive schedule. I, too, would congratulate members of the working party—Mr Peter Young and Mr Secker—and all who have helped, as they have obviously addressed themselves to the very broad ambit of social activity that we have attached to the consumption of liquor and the supplying thereof. We have heard some interesting speeches this afternoon, in particular from the member for Coles leading for the Opposition. She gave a long and reasoned address. I was also interested to hear what the member for Whyalla had to say. He made some pertinent points.

As a member representing the South-East, my district is concerned at the accident rate in that area which is associated with speed and the consumption of alcohol. I heard the observation made in one organisation with which I am associated that insurance rates attaching to very large motor cycles of 700 cc to 1100 cc capacity were to be increased beyond the going fee. I was told that they are the worst category in the State, with one exception, that being Naracoorte, and it was associated with drink and driving.

Notwithstanding all such constraints and parameters that confront this State and this country as a social question, the consumption of liquor in convivial surroundings is a social repast enjoyed by very many people. This House is charged with looking at the broad aspects of the issue and, in that regard, the report presented to Parliament by Messrs Young and Secker and their officers addressed all those questions. The recommendations we now have please many people, although I believe that all members have had their share of petitions duly lodged and noted by the House.

An able speech was made by my colleague the member for Torrens in which he pointed out problems experienced by people in his district. I know what he has had to face in this respect, because a large number of people in my district would like to see hotels and clubs closed with everyone in



bed as soon as the sun goes down, although possibly with a bit of gambling thrown in for good measure. There is an onus on all of us to keep within due bounds in all our leisure and pleasures and to have some constraints and responsibilities attaching to them.

We are unable to put old heads on young shoulders, and the matter is of great concern to us. Those of us who drive on the roads know we must not drink and drive. That is the only safe way, as we know that around the corner the blue lights could be flashing. The member for Torrens and I have a particular interest in that issue as we had the responsibility of bringing in the relevant measure, and we took all the odium at the time. Sometimes we wondered whether we did the right thing. I am not a teetotaler and neither is my colleague, and if we have been enjoying the good life we are happy to stay where we are, but one can get into rows doing that.

**The Hon. MICHAEL WILSON:** Mr Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**Mr RODDA:** I was interested in the machinery clauses in the Bill laying down the requirements which people must observe, there being severe consequences for those who do not. This will give effect to the major provisions, and those who will come to administer the new Act will be given plenty of time to put people on the straight and narrow, notwithstanding the difficulties of so doing. Powers are given to the police to enter and remove, and we see written into that section all the provisions that one would expect in a Bill such as this.

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

**Mr RODDA:** Before the adjournment, I was talking about the general preamble to the Bill, and in particular referring to Sunday trading. There has been quite a deal of discussion about that in my district, as there has been in most other districts. If I were to take a position on this, I would think that, on balance, we should be without it. The Sabbath is a day of rest. There is also a very strong body of opinion that Sunday trading is required. The other aspect is that there are people travelling, there are tourism considerations, and indeed hotels and clubs play a big part on weekends. I think the Bill addresses the wishes of all and puts the matter in some perspective.

My district, like most districts, has many clubs. A few weeks ago I was approached by the President of the Naracoorte Community Club, one of those listed in the 41 clubs with take away facilities. The Naracoorte Community Club has well appointed and quite extensive premises, and the board has gone to no small expense in their erection. The building, moved from Ormerod Street to Smith Street, has a large dining-room, as well as bar facilities and billiards rooms, and provides a facility for, I think, more than 1 000 members and a large number of associate members. The dining-room, detached from the general bar, is used for many functions (weddings, and so on). The President pointed out to me that it has undergone periods of downturn and at times has suffered financial difficulties.

A very active committee, appointed in the past 18 months, has been able to resuscitate its finances, but members are concerned about this Bill and are extremely interested in the discussions between the working party and the club representatives. The President's approach to me was that this club, because of its special bar and take away facilities, should enjoy the privilege of serving other clubs in the district, akin to hotels, as a commercial operation.

I want to refer to *Hansard* of 1967, with special reference to the Naracoorte and District Community Club. The club had its origin before I was in Parliament; I was involved in one of the formative meetings in about 1963. It was opened

in about 1964 in very small premises, an old shop, where the site of this now extensive club building stands. It had a licence granted on the understanding that at a specific time it would erect quite extensive premises (which it did), and it was given a take away facility.

In relation to legislation that was introduced in this place in 1966 (the Bill being passed in 1967), I was asked to introduce a deputation to the then Premier. During the Committee stage (and I think we were dealing with clause 66), I raised the following question with the then Premier, the Hon. D.A. Dunstan (*Hansard* of 1 August 1967, page 968):

As members of the Naracoorte Club discussed certain matters with the Premier and were assured by him that those matters were covered in this legislation, will he indicate the points raised by the club and how they are covered?

The Hon. D.A. Dunstan replied:

I do not have the particular submissions with me, but the Naracoorte Club was interested in off-licence sales, which were provided for in the *pro forma* Bill. The Club's representatives submitted that it could not continue effectively without these sales, because it was the only way it could finance its activities. The Bill provides that existing registered clubs can continue off-licence sales provided they do not have home deliveries. I had a discussion with the Naracoorte Club about the desirability of clubs providing a drive-in bottle department for their members, because my original view had been that we should provide that no club should have one of these. However, the Naracoorte Club pointed out to me that it already had one and it would be unfair to take it away. Accordingly, I provided the amendment, and there is no difficulty about the Club's continuation of that drive-in bottle department.

I then asked, 'What about a full publican's licence?', and the Hon. D.A. Dunstan replied:

The club does not have to go to a retailer. Under clause 27, a fully registered club can buy wholesale.

The Naracoorte Club has enjoyed that privilege and, of course, the consequences of this have been referred to in relation to football clubs and others that enjoy the privilege of take-off sales. At the time of the rewrite of the Act 10 years ago, the then Superintendent of Licensed Premises intimated that those privileges would be taken away. However, that previous assurance from the Minister was produced in court and, of course, what the Parliament had said reigned supreme, and that situation still applies.

However, I now find myself in something of a dilemma, after having discussed these matters with the working party and with people in the electorate that I represent: I would be a very lonely soul if I were to suggest by way of amendment what the Naracoorte Club wants to do at this juncture. Because of its licensing arrangements, it has been given the privilege of servicing other clubs. I know only too well, from discussions that I have had with the people involved, that if I were to seek amendment on those points such an amendment would not get very far. But I bring this matter to the attention of the House.

This will not be the last that we hear of the Naracoorte Community Club, because it must maintain its edifice. It will have to pay a large fee for this licence; I think it will have to pay full tote odds for it. The club will find it difficult because further demands will be placed on its income because of inflation, and so on. However, it will adjust to the situation through good management and good promotion, although its membership is up to the maximum number that the club can cater for now and the club will not get any bigger.

Details were recorded in 1967 and have again been recorded this year. Those arguments are there for time immemorial and if there are future arguments in this matter it will not be news to the authority responsible or the Minister of the day; they will know the problems with which they may be confronted. The die has been cast, no matter what we do in this place. I am not forecasting; it is just a



fact of life. We have had the privilege of reading debate from another place, we know the numbers in that Chamber and we know the consequential results of it. I wanted to put on record the Naracoorte Community Club's situation and to take it as far as I could at this stage. Undoubtedly, many clubs face the same situation.

I know of commercial undertakings that have to exist in the commercial world. The club requires that visitors have to be signed in by a member. So, one cannot just enter uninvited. We have had to face up to those constraints. My club is facing some problems, as many other members are today and will be in the days that lie ahead. As I initially said, this is a massive Bill. A big task confronted those charged with drawing up the amendments, per medium of the working party, and they have done a very good job. I hope that from the challenges and upheavals of people not doing the right thing, sober counsel will prevail, and a good example of citizenship will mean that we can go a long way towards a life that will be better for the community than it presently is. I support the second reading.

**Mr OSWALD (Morphett):** This Bill is of particular importance to me and those whom I represent. As honourable members know, the electorate of Morphett takes in the western suburb of Glenelg, which has received much attention during the past couple of years, first in relation to the riot and also the unruly behaviour leading up to that sorry event. The behaviour in the district has not improved very much, although I concede that the police have largely got some of the groups under control. It is of great concern to all at Glenelg that the licensing laws proposed in the Bill will still not guarantee peace and quiet to the local residents.

This Bill has been awaited with interest on the part of some residents and trepidation on the part of others, depending to which particular group in the community one speaks. Before I refer to the section of the Bill concerning Sunday trading, particularly by hotels and bottle shops, which is of interest to a section of the community at Glenelg, I will refer to a couple of aspects of the Bill that I am pleased to see incorporated. The first concerns restrictions on the supply of liquor to minors, and the second concerns the widening of procedures for the laying of complaints. The latter aspect is of particular interest to those who have been harassed and have to put up—

**The Hon. JENNIFER ADAMSON:** Mr Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**Mr OSWALD:** Before a quorum was called for, I was pointing out that I am pleased to see included in the Bill restrictions on supply of liquor to minors and the widening of procedures for the laying of complaints. This second aspect is of great interest for residents who live near hotels. One must bear in mind that, because of the nature of the Glenelg area, two hotels are located in the middle of densely populated, prime residential areas. Under this Bill, it will be an offence for minors to consume liquor in areas such as car parks of licensed premises, shops, cafes, dances, amusement parlours and other prescribed areas.

This is a step in the right direction. It perhaps does not go far enough, but later in my speech I will develop this theme. I am pleased that the Government has taken a move to expand this area of the legislation. I am also pleased to see that procedures relating to complaints have been changed so that a member of the Police Force, a local council or 10 or more local residents or worshippers can complain. This is an obvious improvement. I will return to this aspect of the Bill shortly.

In the short time available to me I will draw to members' attention the subject of Sunday trading. As a result of the Glenelg riots a couple of years ago, and some obviously

anti-social behaviour by a small number of Sunday drinkers in the Glenelg area, the thought of unlimited trading by bars and bottle shops on Sundays causes a chill to run down the backs of many of my constituents, many of whom passionately believe that Sunday trading is not necessary, although they know that it will be imposed upon them. Obviously, many members would have received the same sorts of complaints about this matter as I have received at my office.

People in years gone by have enjoyed relaxing on the lawns around Mosely Square and Colley Reserve but will no longer go to those places for fear of being molested by drunken louts who use any excuse to start a fight. It can be said that these no-hopers hang around these places on Saturday nights and week nights, but it has been put to me by constituents that some time ago, at least on Sundays, one could sit on the lawns in the area and be completely unmolested. The thin end of the wedge that changed this situation started back in the time of the tourist hotels, and there have been a lot of such hotels. Many Bay area residents have not been fussed by the introduction of those sorts of hotels. However, the persons to whom I have referred have caused trouble on the lawns around the sea front, and the trouble has got worse and worse.

Glenelg has always tried to provide free outdoor entertainment for all age groups, particularly family groups. It is important to consider the type of entertainment that was available in the Glenelg area, because families used to enjoy going to rock concerts at Colley Reserve. Those families did not have the money to go to such concerts at Memorial Drive, where they would have to pay big dollars to get in, but they could go as a family group—

**The Hon. MICHAEL WILSON:** Mr Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**The SPEAKER:** Order! It is important to point out to the House that, whilst acknowledging the right of any honourable member to call attention to the lack of a quorum, it is also, despite assertions to the contrary by members on my left, the duty of all honourable members, not just Government members, to maintain a quorum.

**Mr OSWALD:** Before I was interrupted by the call for a quorum due to the lack of attendance in the Chamber—and I notice that the member for Albert Park has left the House again—I was referring to a time when the public could look forward to free concerts at Colley Reserve. However, much of the entertainment will have to stop because of the abuse of the area and excessive drinking taking place there. A larrikin element has chosen to move in and make the place quite untenable for many local residents. If one adds that scenario to music, anti-social behaviour and other larrikins that move in, we have the ingredients for a riot.

To be fair to the local publicans, they make every effort to keep law and order inside their premises. The premises on the whole inside of their four walls are well run when they are open. Sunday trading hours was a matter that they addressed. They had staggered hours under the hotel tourist system and brought their hours together to try to prevent the '6 o'clock swill'. Hoteliers also made an effort during the summer months to restrict the sale of stubbies and to sell only cans, which was appreciated. It was a responsible action on the part of a group of local businessmen genuinely trying to stay in business whilst also trying to do what they could to control unruly behaviour outside their establishments. The anti-social behaviour occurs outside hotels and not inside them.

The Labor Party tonight has the numbers to force through this legislation. Certainly, it will be popular among a large section of the community, but the days of the free open-air concerts that people are able to enjoy at Colley Reserve are

finished. They are finished because, although we may legislate to ban the drinking of alcohol in areas such as Colley Reserve, short of fencing off the area and creating a gate, it will be impossible to police. It is all very well to enact legislation to ban the drinking of alcohol in public places and certain areas, but in reality it will not solve the problem at Glenelg, which means that a group of my constituents who have enjoyed going to Colley Reserve for free concerts for which they cannot afford to pay big dollars will miss out.

I refer to the area of the Bill that extends the scope for complaints. We have enormous problems around hotels in Glenelg. The behaviour of some patrons is quite unbelievable. I should place on public record some examples of the behaviour with which we must contend down there. The first example that comes to mind is bottles being thrown over fences in the early hours of the morning, with letter boxes and paths over fences being filled with vomit. I have heard numerous cases of cars having sides and hoods kicked in. I have been told of evidence of urinating and defecating around the area. I have been told specifically of evidence of fornication occurring in other people's laneways. There is continual shouting and swearing along with fighting, squealing of wheels and slamming of doors at two or three o'clock in the morning. Locals must contend with such behaviour.

People stand next to their car at 2 a.m. or 3 a.m. after premises have closed; there is continuous talking for an hour or so before patrons decide to give it away for the night. Plants are pulled up from front gardens and thrown on to verandahs. Some of my elderly constituents are terrorised by these larrikins calling out through the window to see whether people are awake. Legislation to make it easier to follow up a complaint should be applauded, and I am delighted to see the expansion of provisions that will provide an opportunity for people to take matters to court. If this sort of thing occurs outside hotels, something can be done about it. My constituents and I are fed up to the back teeth with having to contend with this sort of behaviour!

The Bill sets out procedures for the lodging of a complaint, and I hope that they work. The track record of the Licensing Court has not been all that brilliant in the past, in my opinion. The facts I cited have been put before the court but, for reasons best known to the court, nothing was done. Fairly convincing evidence was presented that residents are fed up with that sort of behaviour, but the hotels in question have been allowed to trade until the wee hours. I hope that this measure changes the situation because, if it does not, things will continue to be intolerable. Local councils should have more say on trading hours. The Legislative Council addressed this matter; the Government did it indirectly.

Clause 130 refers specifically to people drinking in a public place. The Mayor of Glenelg, at the Commemoration Day ceremony, highlighted the inadequate controls for drinking in public places, such as reserves, beaches and so on. It was stated in the press:

Speaking at the annual Proclamation Day ceremony at Glenelg, he said he looked forward to more positive action by the State Government and the courts to control undesirable crowd behaviour . . .

Presenting the view of the Glenelg council, Mr Mason said: 'One issue that gives us cause for concern is the matter of law and order, particularly as it relates to crowd control in public places, and the impact of extended liquor trading hours. We are concerned about the unruly behaviour and control of situations that develop outside licensed premises late at night which adversely affect our residents. And regardless of the possible problems, pressure and frustrations of these people, we have standards to maintain in the interests of the general community and the image in the minds of our visitors and tourists.'

The Attorney-General responded a couple of days later, and in the press of 31 December it was stated:

The State Government will consider allowing local councils to declare specific public places out of bounds to alcohol. The Attorney-General, Mr Sumner, said yesterday this suggestion, together with the whole question of the control of drinking in public places, would be examined before Licensing Act reforms were introduced in Parliament next year.

Mr Sumner's comments followed a call by the Opposition spokesman on consumer affairs, Mr Burdett, for strict controls on drinking in public places. Mr Burdett said South Australia had no laws prohibiting people from drinking anywhere in public, only laws against being drunk and disorderly.

He suggested local councils be able to pass by-laws—enforceable by police—making it an offence to drink in specific places and possibly at specific times. It was essential that in a potentially explosive situation—such as the Glenelg riots at Colley Reserve in January—police be able to exert 'some sort of control'.

That is fine. The only problem is that the Government did not do it. I understand that it altered it so that the control is in the Bill to allow councils to have some input but, as I understand it, it does not allow councils to make a decision; it is a matter of the Governor-in-Council doing that. Perhaps the Minister can explain the situation during the Committee stage but, as I see it, an amendment by the Liberal Party in another place, supported by the Democrats, creates a situation in clause 130 whereby councils are now allowed to declare an area in their council district as a specific place. I applaud that and totally agree with it. It is in line with what the Attorney-General told the press, in response to a move by the Hon. Mr Burdett, that he would look at it.

Obviously the Government has backed away from that point of view. In the other place the Government supported the notion of leaving it up to the Governor-in-Council. I believe that that is wrong. I believe that it should be around the other way. I have always believed that councils should have a say in the declaration of areas in their council districts where drinking should not take place. By the same token, I personally believe that councils should also have an input in relation to closing times for some hotels in their council districts. Hotels in the Glenelg district are found in similar residential areas, and I suppose that is one argument. However, the city of Marion stretches from Anzac Highway south down past the oil refinery, incorporating hotels in prime residential areas and other hotels in industrial areas. There cannot be a common ruling for both areas. A hotel in the industrial area hurts no-one if it remains open until 5 a.m., and I would have no objection to that; a hotel in a prime residential area could be compelled on sound grounds to close at midnight.

I believe that local councils should have some input. Clearly, that is not provided in the Bill and I have no show of succeeding with an amendment. That is a personal view of mine. I ask the Minister to seriously consider leaving clause 130 in the Bill. If he is not going to delete it, I am even more delighted. In the interests of the Glenelg council, which I know will support me to the hilt on this matter, I ask the Minister to please leave clause 130 in the Bill so that councils can have a say in the declaration of those areas which should be restricted. As Sunday trading is now a *fait accompli*, I say in closing that I have great faith in my local publicans to maintain law and order within their establishments. I only hope that the Government is prepared to bite the bullet and give the police the necessary powers to control the larrikins and yahoos which we as members of the public have to put up with, and I refer to those people who parade around the hotels and in the streets at night after closing time.

**Mr BAKER (Mitcham):** I wish to bring to the attention of the House a number of aspects that have concerned me over many years. Like possibly all members of Parliament I have received letters and petitions seeking the rejection of Sunday trading. Many of these people have expressed concern about obnoxious behaviour, alcoholism and the possible

impact on the road toll. These very genuine people are concerned about the extension of alcohol into the Sunday trading situation. There is one particular establishment that I wish to discuss in this debate tonight, and that is a hotel in the suburb of Mitcham. Residents surrounding this hotel—and the area is fully residential—are less than amused at the prospect of Sunday trading. As put rather succinctly by one of my constituents, 'We deserve one day of rest.' For the edification of the House, I will briefly address some of the problems outlined by residents living within half a kilometre of the hotel.

Residents have had to put up with being woken in the early hours of the morning to the scream of tortured tyres and loud voices, bent and broken letter boxes and fences, lawns and plants poisoned by urine, threats of assault and highly abusive remarks. As a result of representations to the Licensing Court we have achieved some improvement through the restricting of hours of trade in part of the premises. Despite this change and greater effort being made by the licensee I still receive complaints about the behaviour of inebriated patrons. No-one should be subject to these forms of abuse, irrespective of whether or not they live near a hotel. However, to date there has been no effective means to improve the quality of life of residents. I have been but able to listen sympathetically to their problems. On occasion, it has been possible to obtain some relief through the actions of the police and local council, but such action does not prove to be a satisfactory long term solution.

Mitcham residents do not want Sunday trading. Perhaps they can be consoled by the prospect of having a more meaningful method of objection in regard to unruly behaviour by hotel patrons. The new legislation is to come into force on 1 July 1985, and clause 112 provides:

(1) Where—

(a) any activity on, or the noise emanating from, licensed premises;

or

(b) the behaviour of persons making their way to or from licensed premises,

is unduly offensive, annoying, disturbing or inconvenient to any person who resides, works or worships in the vicinity of the licensed premises, a complaint may be lodged with the Commissioner under this section.

The clause goes on to provide that 10 names and signatures will be sufficient to lodge a complaint. I am delighted by this provision, part of which was introduced by the Labor Government but it has been strengthened by my colleagues in another place. There is a responsibility on licensees because the trade attracted to certain hotels lends itself to the sort of abuses that some of my residents have had to put up with over a number of years.

I do not believe it is good enough that we can turn a blind eye and accept that we can have hours of trading that will cause great detriment to the community at large. I know that the people surrounding the hotel do not want Sunday trading. They do not want to have to put up with the possible inconvenience that can be caused by people assembling at that hotel, receiving their dose of alcohol and then venting themselves on the surrounding community. Having said that, I believe that now the legislation has been strengthened in this area it will provide a meaningful method through which local people can object to some of the excesses of hotel trade in that area.

Taking a wider perspective, I find that Australians have an abysmal record in regard to drinking. Many members of this House have travelled to many parts of the world. I have never struck a population with such a low tolerance for alcohol and, more importantly, a greater inability to control excess as we have with the Australian public. I visited a number of places when travelling by motor car or coach and had some most pleasant hours in hotels on

Sunday afternoons in parts of Europe and Asia. Behaviour has always been exemplary in each place that I visited, and I believe that perhaps Australia stands alone as a country where people will never be able to control their impulses in regard to alcohol.

I find that especially sad, because alcohol is part of the community. In common with most members of this place I enjoy refreshment with alcoholic content, but as a community we cannot tolerate behaviour, especially by certain young people, who disregard their responsibilities to the community at large. As I said, I am pleased that this Bill provides some redress.

From a personal point of view, I am not particularly impressed with Sunday trading. I have never believed that Sunday trading is a necessary element of our way of life. I recognise, however, that Australia is a developed country. It should be seen in the context of the wider world, and most developed countries provide alcohol and forms of refreshment on a Sunday. So, if we are part of the wider world we should have some of those attributes.

Perhaps over a period the Australian public will become a little more sophisticated and we will not see the obnoxious behaviour that is carried on by a certain element of our community. I find the whole thing distasteful. I have a fond hope, as I said before, that perhaps in 10 or 20 years we will become a little more mature about the way in which we handle alcohol and treat our fellow human beings.

**Mr OSWALD:** Mr Acting Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**The ACTING SPEAKER (Mr Ferguson):** Before I call on the member for Mitcham to continue, I point out to members that it is the duty of all members to be in the House. I say that especially to members on my left: at the moment there are only four of them present. It is the duty of all members to provide a quorum.

**Mr BAKER:** Sir, what an amazing comment!

**Mr Klunder:** Are you reflecting on the Chair?

**Mr BAKER:** It is up to the Chair to decide whether or not I am reflecting on the Chair. I said, 'What an amazing comment!' It is the responsibility of the Government to keep up numbers in the House, as I understand it.

**The ACTING SPEAKER:** I will not have any reflection on the Chair. It is the duty of all members to provide a quorum, whether they are in Government or Opposition. I ask the honourable member to continue his remarks and make sure that he makes no reflections on the Chair.

**Mr BAKER:** I do not know whether the mirror is in order here, but I will continue with my remarks on the Bill.

**The ACTING SPEAKER:** I hope that that is what the honourable member will do.

**Mr BAKER:** As I understand it, Sir, it is the responsibility of the Government to maintain numbers in the House.

**Mr Trainer:** You're wrong.

**The ACTING SPEAKER:** Order!

**Mr Mathwin:** He is not wrong. He is right. You wouldn't know.

**Mr Trainer:** What are your responsibilities?

**The ACTING SPEAKER:** I ask members of the House to come to order, please. I ask members to stop the cross interjection and I ask the member for Mitcham to continue his remarks, address the Chair and restrict his remarks to the Bill.

**Mr BAKER:** I was addressing the Bill adequately until there was some interference, and I will get back to the Bill because I wanted to make a number of remarks about Australia in the wider context of the world. I expressed an opinion that Sunday trading, whilst I do not believe that it will do anything for the Australian community at large, which has had a history of alcoholic abuse, is part and

parcel of being a developed country. Perhaps that experience will stand it in good stead in years to come and we may see some of the attitudes I have seen overseas, and the hotels will be treated as places of relaxation rather than places where people can get a skinful and take it out on the rest of the community.

I would like to comment on particular aspects of the Bill. One is the amendment moved in the Upper House (and we have no indication whether it will survive down here) relating to the inclusion of bottle shops for trading on Sunday. If I were looking at the impact on the community, I would say it is more desirable to have bottle shops open on Sunday than to have hotels open, if past history is a gauge. In Canberra, as in many other places in the world, alcohol is available at supermarkets. There should be nothing magical about alcohol as such. It is a commodity that is demanded and can be made available through various outlets. The sale of alcohol through bottle shops on Sunday provides a balance in the Bill. I find nothing wrong with that. I find it particularly convenient, if I have some friends around on Sunday, to be able to nip down to the local bottle shop; it is quite a meaningful way of redressing my problem.

**An honourable member:** What about your wine cellar?

**Mr BAKER:** Sometimes I run out. More importantly, the principle is to buy at the bottle shop and take the bottle home. There has been a history of people attending a hotel from 8 o'clock at night through to 1 o'clock, purchasing certain supplies at the bottle shop attached, and then using empty bottles as missiles on the local neighbourhood. I know that members of the Opposition can point to a number of hotels where there has been broken glass outside the hotel. Where is the member for Albert Park?

**An honourable member:** He is looking for the bottles.

**Mr BAKER:** Or perhaps he is cleaning up the broken glass that hit the road yesterday. I find it reprehensible that some people have this behavioural problem; they go into the hotel at night then continue their drinking habits long after the hotel has closed. Some residents in my district have been subject to the flying missile machine operated by these people. Some people believe it is funny to hit a window if they are half drunk, and one or two of my residents have had to replace window panes.

**Mr Oswald:** Some throw bottles at policemen.

**Mr BAKER:** Yes, as my colleague says, some of these people think it is funny to throw bottles at policemen. I keep stressing to this House that it is my fond hope that we will become more mature in the way we handle alcohol. I expect that this Government, in whatever little time it has left, our Government and future Federal Governments will address this very question of what is abuse. It is interesting to note that the developing countries—and I will note a number of the Asian countries—address the problem in total. When they talk about drug abuse, they embrace all forms of drug abuse, and that includes cigarettes, alcohol, so-called soft drugs (such as marihuana), through to cocaine, amphetamines and heroin. We have not even developed a programme on that yet. One of the Government members—if someone can refresh my memory—suggested a programme on drug abuse. Mr Speaker, I call your attention to the state of the House.

*A quorum have been formed:*

**Mr BAKER:** I have referred to the principle of the availability of alcohol and the relationship between the purchase of alcohol from hotels and the type of behaviour that occurs after hours compared with the purchase of liquor from bottle shops. I hope that the amendment will survive, because I believe that it is in the best interests of the South Australian community. On looking back at legislation passed previously one becomes a little interested in how Sunday trading has evolved. I need not remind the House that we talked about

tourism as being the reason to extend limited trading on Sunday.

**The Hon. J.W. Slater:** A bit of a joke, isn't it?

**Mr BAKER:** It has become a bit of a joke, as the Minister of Recreation and Sport points out. We began with a very limited vision of tourism activity; we expanded the definition to include anyone who steps 10 metres outside their house; now to a certain extent we have taken off the limits, although certain stipulations in relation to trading hours still apply, as our sop to the community. In 10 years time, we may well look back and say that we did the right thing.

Some problems will occur in certain areas as a result of this Bill, but it has a number of very good elements. We have freed up the licensing system. I am a great believer in deregulation and find it incomprehensible that the Government employs, to apply regulations and to administer licensing systems, so many people who are not needed. That may create jobs for Government employees, but it does not create wealth and it retards growth. I am delighted with the Government's initiative to reduce the number of licences to make the procedure more sensible. There are a number of compelling features of the Bill which I find very admirable. I, too, want to congratulate the people involved in the review on the work that they did. Certainly I cannot agree with many of the recommendations put forward, but at least the review was comprehensive and one of the best that I have seen on virtually any subject since I have been in this place. That two inch green covered volume has certainly given me a lot of insight into some of the issues associated with licensing in this State.

I commend the Bill to the House. I hope that the amendments moved in the Upper House to provide safeguards on the operations of the Bill will be retained and that the Government does not see fit to amend those. Each of them have very desirable attributes. With those safeguards, I believe that South Australia can look forward to a far more advanced era in the licensing trade. In most aspects I support the Bill.

**Mr INGERSON (Bragg):** I support the deregulation methods in this Bill and congratulate the Government for recognising the need for a massive deregulation of this area. The pity is that some of the attitudes put forward in the working party report were not totally taken up. I do not suppose that one could expect every Government to accept all reports exactly as they are written, and this report is no exception. One or two areas, I believe, could have been looked at. The Upper House passed a couple of amendments which I think corrected and brought the deregulation back into line with the way it should be. It is reasonable in any deregulation programme that all people in the market are given the same trading guidelines. In this instance, hotels were allowed to open on Sunday, but liquor stores and bottle shops, which were selling exactly the same merchandise, were not able to open on the same day.

That is unfair and is not in the spirit of what any decent deregulation programme should be about. The amendment that was passed in the Upper House will enable liquor stores to trade between the hours of 11 a.m. and 8 p.m. on a Sunday, and this caters for a consumer interest. Any deregulation programme that does not take note of the fact that between 25 per cent and 30 per cent of sales of liquor go through a particular type of store needs correction. Consequently, I support the amendment that will enable liquor stores to trade between the same hours and under the same conditions as hotels.

Also, it is important that people should be able to choose to open their store, be it a hotel or a liquor store, and trade at the hours that they wish to. One thing is certain: Governments of any political persuasion have no idea of the situation in the local environment. If a storekeeper or hotelier

believes that he can get his best business (and we will use Sunday as an example) between the hours of 11 a.m. and 3 p.m., and not during that whole period, he should be able to trade within those hours. The same applies to liquor stores. If that person wants to open for an hour because he believes that is the best thing that he can do for his own business and his consumers, he should be allowed to do so.

Let us face it: unless consumers come there is no point in being open. That is what the market place should be about—encouraging business people to open their businesses when they want to and, if no customers come along, one does not have to worry about their closing down, because they will do so. No businessman will open his store and trade at a loss if there are no consumers.

The amendment that has been passed in the Upper House should be supported by this House, because it places the trading hours of such businesses in the hands of consumers. We should be moving to enable consumers to decide when businesses will trade and say to the businessman that it is up to him to provide the service.

The next point I raise relates to the move to introduced legislation to allow local councils to set up specific areas within their districts where certain rules are to be observed. I think that this is an excellent concept, and I hope that the House will pass that clause. Regarding Sunday trading generally, there is no question that the previous system, involving tourism, which was the excuse for hotels opening, was a sham. The Government is to be congratulated for changing that system and putting some sense into the situation so that anyone can open on Sunday if they wish. However, having said that, I think it is important to recognise that tourism is an important factor in this whole industry.

*Mr Mathwin interjecting:*

**Mr INGERSON:** If the Government does the right thing it should be congratulated, and I will continue to do so on such occasions. One of the important things is that tourism is a vital ingredient of our economic growth, and anything that opens up a chance to expand our tourist industry needs to be progressed. So the Government should be congratulated for moving down that line. I hope that there will be more such moves.

*Mr Mathwin interjecting:*

**Mr INGERSON:** It is true. Any movement that enables the tourism industry to be further promoted is a good thing. I am concerned about the number of under-age drinkers in hotels.

**The Hon. J.W. Slater:** I am worried about some of the over-age drinkers.

**Mr INGERSON:** Let us talk about under-age drinkers first. As the member for Fisher has said many times in this place, it is about time we considered the issuing of identification cards that clearly identified people so that people behind counters who were expected to monitor ages and who faced penalties if they served young people with alcohol would have a better way of judging ages. I have a 16 year old and a 17 year old child, and I would defy anybody to look at those children and say that they were under 18 or even under 20 years of age. I am sure that if any one of us went out into the community we would face the same situation. It is time we recognised that, if we are to penalise individuals for offences related to youth identification, such youth should have to carry identification cards.

In relation to general loutish behaviour around hotels, I am pleased to see that powers will be widened by this Bill to help control that conduct and that there will be more reasons why police can step in and control loutish behaviour. It is important that the Bill recognises that a smaller number of people will be able to raise an objection to this type of behaviour. It is important that in the same clause the Government is recognising conciliation in this area. If that can

be done before any move is taken by the court, it is important.

I would like to conclude by talking about the position of clubs. With about 840 clubs in the State, a large number of people in the community are members of clubs. In certain circumstances they should be able to purchase their goods at a wholesale rate. It is essential that a reasonable level of purchase be set so that in country areas some of the hotels that have served their community well for a long time will not be disadvantaged or forced to go to the wall through clubs being allowed to purchase wholesale. People decide whether they want to be a members of a club or to patronise a club, and I see no reason why large clubs should not be able to purchase their alcohol at the wholesale rate. I also support the taking away of bottles from clubs. I am a member of three clubs where that is possible at the moment and, upon discussing that situation with them, I found that in the last 18 months to two years the bottle sales of those clubs have gone down.

Much of the paranoia that has been put around that there is likely to be a massive effect on hotels or bottle shops through allowing clubs to serve their members with take-away bottles I believe is unjustified. If members were able to take bottles away, there would not be anywhere near the sort of movement currently suggested by the paranoia. With those comments and placing on record my view that it is important that an excellent deregulation process is taking place, I conclude my remarks.

**Mr BECKER (Hanson):** The member for Coles covered the legislation quite well in her speech, as did my colleagues who followed her. My observations are that, over the past two decades, Parliament has tried to bring in some sanity to our liquor licensing laws, but regrettably we have failed, because we have not been able to come up with a rational system, one that will ensure the orderly marketing of liquor in the State, the viability of retail outlets and the behaviour of those who consume the liquor. I do not care what we do to the legislation: it will not solve some of those problems.

I am worried about the viability of the retail liquor industry, which employs many people. As the member for Coles explained, it plays an important role in the tourist industry. The peace of residents within the State must be observed by those who wish to consume liquor but who regrettably are unable to control their behaviour. A large number of people comprise the increased incidence of alcoholism in our community, and it is as bad as any drug related problem. This legislation will do nothing for those people. In fact, it will make it more difficult for those in the field to try to assist them.

Be that as it may, I do not support Sunday trading. I will not support Sunday trading, as I do not believe in it, although with the laws we now have we have no alternative but to allow hotels to open between 11 a.m. and 8 p.m. on Sundays. There will be Sunday trading—we have no option. The legislation should therefore be improved to allow full trading on Sundays, giving seven days a week trading for hotels.

That may help introduce some sanity, but it will not help the viability of the hotel industry. We should take a leaf from the book of the Western Australian Government and establish a moratorium on licences. There was a moratorium in Western Australian for two years, and an extension of three years is being considered. Tasmania is also considering a moratorium. It is interesting to note that in 1968 there were 30 licensed restaurants in South Australia, and in 1983 (16 years later) there were 401. I cannot ascertain exactly how many of those restaurants have been established for more than 12 months, and I am having difficulty finding out how many were bankrupted or went into voluntary liquidation during that time, but I believe that at least one

quarter were involved. In 1968, 595 hotel and tavern licences were issued, and in 1983, 605 were issued, so there is stability in that area. There are 864 permanent clubs and 287 full licensed clubs at present. There has been general stability in relation to bottle shops, but I have no up-to-date figures in that regard.

I am concerned about the costs associated with this measure, but I am also concerned that the retail liquor industry is being asked to extend trading hours to provide additional services, yet the Government insists on taking a larger turnover tax than any other State Government in Australia: the liquor turnover tax in New South Wales is 10 per cent per annum; in Western Australia, 7 per cent; in Queensland, 8 per cent; in Tasmania, 8 per cent; in Victoria, 9 per cent; and in South Australia, 12 per cent, with a rebate of 1 per cent, resulting in 11 per cent. The Budget documents for 1984-85 show that the Government anticipates receiving \$31 million from liquor and other licence fees. In 1983-84 the Government estimated that it would receive \$22 million, but in actual fact it received \$22 663 906. That is a considerable sum when one takes into account the overall amount that the Government estimates it will receive from indirect taxation. Of some \$766 million in revenue, \$31 million comes from the liquor retail industry—a sizable contribution.

It could be argued that, on the debit side, there is a cost to the community resulting from drink driving, alcoholism and other health related disabilities. Liquor is part of our society and there is nothing we can do to change that except to undertake an extensive education programme and to ensure that there are sane liquor licensing laws. People's behaviour should be modified so that they accept that it is a privilege that they enjoy.

The member for Glenelg outlined his feelings and the feelings of his constituents following the Glenelg riots, two years ago, which triggered off a complete and total review of our licensing laws. Many reasons have been given for those riots but I still believe (and I have yet to be convinced otherwise) that they were partly premeditated. I believe that certain people were provoked but left the scene pretty quickly when the fighting started. In general, there was a conflict involving those who were feeling frustrated with society and the Parliaments of this country, after the build-up of a hot day and poor liquor licensing retailing, the whole thing culminating in one huge explosion, a scene that I hope will never be repeated. I was at Glenelg soon after the riots occurred and again at first light, and I saw the damage and the devastation that had taken place.

I hope that it never happens in any other suburb or town in this city. We have seen it happen in other cities in Australia. We have seen streets, hotels and damaged cars burnt. We have seen it in many sections of our community. If the licensing laws and this new legislation do not work, I think that Parliament must respond by having another look at it and then removing the privileges we are about to give the community, if the public proves that they are not mature enough to handle the consumption of alcohol under the new guidelines we are about to pass. The member for Glenelg also mentioned several problems. He and I both share a western boundary along the coastline.

I have received many representations from constituents concerning the consumption of alcohol on beaches, particularly of a weekend and on pleasant days when families visit the beach. It is nothing to see groups of four or five young lads visiting the beach, not dressed for beach activity, drinking stubbies; when they finish the stubbies, they throw them down on the beach or towards rocky areas. They do not care whether the bottles smash or hit people. If someone says, 'Hey, watch out what you are doing', they certainly receive a mouthful of abuse, and some people have even been attacked.

The community cannot do anything to control that behaviour, because they would be set upon by four or five of these louts, who are generally accompanied by dogs which have been trained in street fighting. That goes on and, in fact, I saw it two weeks ago in my own area as I walked along the beach. Knowing that this legislation was coming up, I wanted to see first hand the behaviour of some people who harrass families at our beaches at the moment. It is an utter disgrace. As I have said, I do not know what we can do about it, except to provide for continual policing of our recreation areas. However, that places the police in a situation where they are harrassing the community by having to continually patrol these areas to stop anti social behaviour. It all comes back to education.

I think that a lot of work needs to be done in this area. One of my constituents complained bitterly about the tremendous amount of litter that has been generated in the West Beach area, particularly beer bottles. Fortunately, on most mornings (but generally Saturday and Sunday mornings), three of my constituents at first light patrol the beach and pick up all the empty bottles and general litter they can find. They have been doing this for many years and they do not want to be recognised because they believe it is part of their community service and they enjoy the exercise. From Henley Beach South through to Henley Beach an organisation known as the Beachcombers (and the member for Henley Beach would know of it) does an excellent job for which we are grateful; it patrols on a regular basis to try and set an example to the rest of the community. However, we are continually let down by visitors to our beaches from outside our districts. They are generally from the eastern suburbs and they have no respect whatsoever for the western suburbs.

I contacted the South Australian Brewing Company and said that for years I had been asking for a large deposit on all bottles. I also said that it was about time that it did something and went down and examined the situation. Mr L.J. Pratten, the Manager of the Adelaide Bottle Company, wrote to me on 4 February, as follows:

Following advice of your telephone call to Mr Ray Foley (S.A. Brewing Co.), we thoroughly investigated your complaint about bottles littering beaches in your electorate. It has been our experience that bottles left lying on beaches during hot weather are very quickly picked up by an army of collectors. Crowds at the beaches leave litter which includes beer, wine, spirits and soft drink bottles. To satisfy ourselves and to look into your complaint, we made a survey of four beaches on 14 January 1985.

At West Beach we picked up seven echoes, two premiums and five stubbies, but there were also numerous other bottles including brandy, wine and soft drink bottles and cans. From West Beach to Henley five beer bottles and five echoes were recovered; included were wine, soft drink bottles and cans. At Henley Beach South we recovered one beer bottle, ten echoes and two stubbies, wine bottles, soft drink bottles and cans; while at Semaphore South the tally was four echoes, three stubbies, one premium and one 750 ml bottle. Soft drink bottles and cans were also discovered.

On all beaches there was a mass of general litter, including on one beach, a motor cycle frame which we photographed. Our survey team also noted broken glass from soft drinks, wine and beer bottles, as well as cans in the rocks at Henley where people park their cars. We all condemn littering, especially acts of vandalism, but would point out that bottles do disappear quickly from our beaches as they provide income for many people.

Whilst I appreciate that the Adelaide Bottle Company and the South Australian Brewing Company understand the problem, they may say that that is a small find of bottles, but perhaps they are unaware of the voluntary efforts of the Beachcombers at Henley Beach and my constituents who are constantly patrolling the beaches to remove the beer bottle menace.

At my instigation Kesab has come to West Beach to undertake patrols with one of its vehicles. Henley and Grange council is now providing more litter bins on beaches near walkways where they are reasonably protected from high



tides; it is not possible to provide litter bins in every beach location where people gather. However, it has come to a stage where we cannot rely on people to leave their empty alcohol bottles in the litter bins provided on the road: we have to provide litter bins at the actual spot where they consumer their liquor, and doubtless this is the situation applying at every other recreation park and the like in the State.

Last Sunday channel 7 sponsored two water ski events on the Patawalonga. To those of us who live near the Patawalonga that is just one hell of an afternoon because one can get neither in nor out of one's driveway. One encounters louts walking up and down residential streets consuming stubbies and throwing empty stubbies over front lawns with cigarette packets and every other possible type of litter. For local residents, alcohol at functions like that is an utter nightmare, and I do not see why people have to put up with it. It is bad enough having to patrol one's driveway and, indeed, the member for Albert Park has referred often to the situation at West Lakes near Football Park when people indiscriminately park their vehicles and the littering and difficulties encountered when they leave. This situation is a nightmare for residents.

I only hope that, as we relax such laws and deregulate, the people who will benefit will be a little more understanding and will adopt a greater education programme, because we do not want people walking down residential streets drinking alcoholic beverages. It is amazing to see people walking down residential streets drinking a stubby of beer at 11 o'clock in the morning.

*Mr Peterson interjecting:*

**Mr BECKER:** The member for Semaphore is right. Certainly, I like my West End Draught. Whenever I go interstate or overseas I ask for West End Draught.

*Members interjecting:*

**Mr BECKER:** I am not a Cooper's man, I am a West End Draught man. As the Chairman of the Public Accounts Committee knows, whenever I fly interstate I believe in promoting South Australian products and I insist on West End Draught. I could not come at a beer at 11 o'clock in the morning, and I could not drink one when I am walking down the street. I appreciate the situation (for example, at Glenelg) where councils—especially seaside councils—will have the opportunity to place controls over certain areas.

The constituent who wrote to me about the beer bottle problem at West Beach in fact wanted to ban drinking alcohol on our beaches. It is ideal if one can do it. I do not think that one can: it would be very difficult and costly to police, but if we look at that from the local government authority point of view we may be able to come up with something. If not, we should try to encourage the industry to come up with a promotional programme: 'If you like to drink, respect other people's wishes as well.' That has worked in the anti-smoking campaign. Today, I know that more people ask whether they can smoke a cigarette in one's presence. People just do not light up any more: they ask.

**Mr Mathwin:** They ask you, but when you say 'No' they get upset.

**Mr BECKER:** The way the honourable member would say 'No' would be a problem. As I said, this is the last chance that we as a responsible Parliament have to bring about sanity within our licensing laws. I appreciate that we will allow bottle shops the option of opening. At West Beach during the tourist season there is tremendous demand of a weekend at the local bottle shop. The proprietor will appreciate the opportunity to open on Sundays during the tourist season. It will be only for two months: he will not open during the winter; it would be an absolute waste.

The situation in relation to licensed clubs worries me: the large number of clubs that we have, and keeping them

viable. The loyal members until now have supported the licensed clubs. I have many of them: I only hope that this Bill will not unduly affect them. There will be those who appreciate, whether they go around on Sunday mornings, Sunday afternoons, or Saturday afternoons after sport to participate in a few social drinks at their licensed club, that this will help to keep that industry viable.

All in all, we must be ever vigilant to ensure that we are not creating a hornets nest for future legislators. Given the opportunity, time and maturity of the community, the problems that we have experienced in the past will disappear. We will still get disturbances. Whether it was in the depression years or at any other special time, whenever there is a reason someone will always over-indulge. Some do it good-humouredly and enjoy themselves; others, unfortunately, take it the wrong way and there is trouble. I hope that now those flash incidents will disappear and that the community once again will be able to relax and enjoy the recreational areas and recreational and social drinking.

**The Hon. J.W. SLATER (Minister of Recreation and Sport):** I had not intended to speak on this Bill but I have been listening very carefully to the debate. I honestly believe that we are in a catch 22 situation as far as liquor is concerned, not only in South Australia but throughout the modern world. This industry is a very important part of the State's economy. It employs a lot of people and adds substantially to the economy of South Australia.

**The Hon. JENNIFER ADAMSON:** Mr Acting Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**The Hon. J.W. SLATER:** I was making a point that the consumption of liquor is a very important part of our economy. On the other hand, I cannot think of anything that could cause a greater problem for society. So really we are just a bunch of sanctimonious hypocrites because we condone the consumption of alcohol as socially acceptable, yet we find—and I would only be guessing—that there are thousands of people in South Australia who have a problem with alcohol.

What we are doing and we have done in the past is provide more opportunities, by extending hours, for obtaining liquor. I want to make quite clear that I am not promoting temperance. I believe that liquor in its right place can be enjoyable for the individual, but the road toll, the health of the community and many other problems in society are generated by the consumption of alcohol. Previous speakers have referred to the problem of under-age drinking. People are acquiring the habit at a much earlier age. I do not have the solution. I do not believe that whatever legislation is passed in relation to the consumption of liquor will solve the problem of alcohol.

It is unfortunately part of the life style of Western society. It is socially acceptable. The problems that we have with the consumption of alcohol have really come home to me through a number of personal experiences that I have had over the past couple of years. People I have known have unfortunately become victims of the drug.

**Mr S.G. Evans:** And some of them not very old.

**The Hon. J.W. SLATER:** Some of them are not very old. As a member of Parliament who has a responsibility to his fellow man, I am very sad to see people who have been good citizens of this State fall by the wayside owing to the consumption of alcohol. I just wanted to make that point. I am not going to debate the merits of the Bill. I support the Bill, but I say that we need to address very seriously probably the greatest problem that we have. Alcohol is a drug. We can put it in the category of a drug, but it is a socially acceptable one.



These days there are not too many places one can go where an alcoholic drink is not shoved into one's hand. As I have said, I do not want to be considered a wowsler, but from my experience over the past couple of years I have found that the older I become the more averse I am to society shoving alcohol down people's throats. Indeed, that is exactly what we are doing by extending trading hours in relation to consumption of alcohol. As I have pointed out, it will not matter a damn what legislation is passed, whether we have bottle shops or hotels open on Sundays, or what opportunities licensed clubs or restaurants have to trade. No matter what is done, unfortunately the die is cast, and in future we will see the emergence of the real problems associated not with the pharmaceutical drugs, such as cocaine and marihuana, but with alcohol. We already have a significant problem in this country, and in Western society in general, with alcohol. We ought to be addressing that problem with far more determination than has occurred in the past.

**Mr PETERSON (Semaphore):** It is a pleasure to follow the Minister in this debate because I agree with much of what he has said. If it were up to me, I do not think I would allow the selling of alcohol on Sunday at all. However, the decision to be made here will not be made by me alone, as it is a decision to be made by both Houses of Parliament, and I will go along with what obviously seems to be the will of the people. The points raised by the Minister are valid. One of the biggest problems in our society is alcohol—and I note from press reports that it is the same in Russia, Scandinavia, and Europe. By restricting the sale of alcohol I do not think we will necessarily solve that problem. Unfortunately, we have a culture in Western society where alcohol is promoted fairly strongly.

**The Hon. D.C. Brown:** You will not solve the problem but you might reduce it.

**Mr PETERSON:** We talk about restricting the advertising of tobacco, but to my knowledge no-one has suggested restricting the advertising of alcohol. It is something that is always promoted. Again, I agree with the Minister: I am no wowsler and I like a sip of whatever is there, but we promote and try to sell alcohol, and this causes problems.

**Mr S.G. Evans:** And there is a fairly big tax on it.

**Mr PETERSON:** It is taxed fairly well now. Many reports about the effect of alcohol have been published, although I do not think we can address that matter in relation to this Bill. The Bill is to provide a facility for people to enjoy alcohol on Sunday. I noticed that a leader in one of the papers recently stated that Sunday is a family day. That is true in our society: many families enjoy Sunday as a family day, and they can enjoy alcohol and the facilities that are provided.

**Mr S.G. Evans:** In the front bar?

**Mr PETERSON:** Many people spend their Sundays in the front bar.

**Mr S.G. Evans:** As a family?

**Mr PETERSON:** However, there are many who do not. Many people enjoy Sunday as a family and they may go to a hotel for a counter meal or to one of the wineries to taste and buy some wine. I do not know how one could put a distinction on that. How do you stipulate what people can or cannot do in that regard? A similar argument arose during the debate in this House on casinos.

**Mr Mathwin:** That was a good debate!

**Mr PETERSON:** The honourable member ought to know; he contributed most of it. An argument raised at that time concerned the compulsive gambler. Of course we recognise that there are compulsive gamblers but, again, no-one had a solution, and we could not stipulate that people would be able to play certain games but not others. I have no answers. Not one of the 47 elected members of this House could

provide an answer in relation to alcoholism. We are now considering a matter concerning the provision of a facility to people for use and enjoyment—

*The Hon. J.W. Slater interjecting:*

**Mr PETERSON:** Self-discipline is something that is difficult to achieve in our present society. We live in an 'immediate' society, where people have to have something now, where buying and selling must occur straight away—and, as I say, alcohol is promoted that way. I have about a dozen letters from different organisations that were all anxious to let us enjoy our Sunday with alcohol, and I congratulate them for providing that facility to the public of South Australia. Obviously, they are doing it for the public and not their own benefit; that is to be commended! I hear a wry laugh—

*Mr Mathwin interjecting:*

**The SPEAKER:** Laughter is in order in moderation.

**Mr PETERSON:** I have a dozen letters, and these organisations obviously are interested in the wellbeing of the public of South Australia and are certainly not after their own vested interests! I congratulate them on that public interest. I have listened to most of the debate, although I missed some of it, and I have heard the diversity of opinion on some of the points brought up. I will mention a few points that caught my attention in the debate.

*The Hon. D.C. Brown interjecting:*

**Mr PETERSON:** I am sure there will be more to come. A couple of points made concerned the viability of clubs and hotels. Mention was made of 864 clubs and 240 hotels, and that 40 per cent of hotels are open on Sundays in South Australia. The viability of any business surely depends on use by the public. In my electorate there are some 10 hotels. I am sure that they cannot all operate on a Sunday and be successful.

**Mr S.G. Evans:** They will be compelled to.

**Mr PETERSON:** They will not be compelled to, and if they cannot they will not. I am sure that every electorate has the same situation. I do not know how the hotels will operate and work it out amongst themselves. This legislation will also open bottle shops on Sunday. I am not yet convinced that we are looking at this as it should be looked at. I have not been to a hotel yet on a Sunday. If I go to a barbecue or to have a beer on a Sunday, as the average South Australian did before Sunday trading, that situation is always catered for. Before Sunday trading I do not think that if any person really wanted a glass of beer they would go without.

**Mr Mathwin:** You would always find it somewhere.

**Mr PETERSON:** I believe that that is so. But we changed the law. A member of the Opposition said that the previous debate some years ago was a farce.

**The Hon. J.W. Slater:** I think it was the member for Bragg.

**Mr PETERSON:** The member for Bragg, was it? He was right. It was a farce. I am not saying that I was important in it although I did comment in it. I recall the member for Hartley—and I do not think that anyone thinks he is irresponsible—

*Mr Mathwin interjecting:*

**Mr PETERSON:** The previous member for Hartley, Des Corcoran. Several members said that it was a farce and was only opening the door. It should have been fully opened then and by now we would have sorted it out so we know where we are. However, we did not do it then because we were not game to do it then. We are now at that point and making a decision on the Licensing Act that will last for many years. We should look carefully at what we will do in this Act. Earlier I spoke about Sundays, which I believe, for many families, is a day they enjoy. People will abuse it and cause problems. The member for Hanson raised the

matter of litter. I think that there is an answer to that. If we look at bottle deposits—and it is not my place to make that move—we could find a way to overcome the litter problem.

The other matter relates to comments made about restricted areas. The member for Hanson mentioned the problem that occurred at Colley Reserve. That problem was caused by alcohol. If restriction can be placed on certain areas, whether Colley Reserve, Memorial Drive, or anywhere else where a problem may arise we will need to be able to impose a restriction. I would support that completely. I am not sure whether this power should be in the hands of councils, which are taking a hammering at the moment over some matters. We should look at who should handle this matter, perhaps in co-operation with the Police Commissioner.

I turn now to the matter of minors drinking alcohol—a major problem in our society. Not one of the 47 members of this House would dispute that this is a problem. I walked to the railway station the other night and observed a row of young people sitting near the pie cart drinking wine out of bottles. This should not occur.

*Members interjecting:*

**Mr PETERSON:** I do not know about its being uncivilised, because we all drink. However, it is a matter of their believing that it is a mark of something to sit there on North Terrace drinking alcohol and becoming intoxicated. That does nothing for them, or for us. There is something wrong with our whole concept of drinking.

**Mr S.G. Evans:** Is this part of the tourist attraction that we were talking about?

**Mr PETERSON:** The whole fallacy of providing drinks for tourists is going now, and that is a step in the right direction, because that was a lot of garbage. I have spoken to hoteliers in my electorate who make the point that they are concerned about minors drinking. I believe them. It was said during this debate that some hoteliers have used minors to make their money, which is true. I believe that, in the main, South Australian hoteliers are responsible people. Under this legislation, hoteliers who serve minors can be fined up to \$5 000. They do not want trouble with minors in their hotels but have trouble policing this matter.

We passed in this Parliament recently a Bill relating to medical consent by children of 14 or 16 years. That decision was made by this Parliament and will become law. This places more responsibility on young people. An article appeared in the *News* recently in which the Minister of Transport is recorded as speaking of young South Australian drivers facing a zero alcohol limit, thus placing responsibility back on those young people in relation to drinking while driving with L plates.

An alarming article appeared in the *News* of 25 February about student drink abuse. That report relates to Sydney, but I do not believe that matters are much different in this State. This is a problem. We must put more onus and responsibility back on young people. If we are to make young people responsible for their own medical attention and driving behaviour at a certain level (and the whole education process is geared to giving people more responsibility at a certain age), let them be responsible for their drinking. If they are drinking under age, they can under this Bill be fined up to \$500. However, I believe that we should be looking at heavier penalties.

**Mr S.G. Evans:** Where do they drink then?

**Mr PETERSON:** Where they drink now: in car parks, on the foreshore and in parks. Where and how they get the alcohol is a problem, because somebody somewhere is supplying them. I believe that suppliers should be heavily penalised, which they will be under this legislation.

**Mr S.G. Evans:** Not if they are supplied outside the hotel. This Bill doesn't cover that.

**Mr PETERSON:** Again, we come back to the problems of alcoholism and of people drinking, anyhow. I have no idea—nor does any member of this House—how we police that. There is no way that we can police it. Alcohol is not allowed on Aboriginal reserves, but it gets in there somehow. If we remove the glamour from the drinking of alcohol perhaps we will have a chance, although I doubt it. We must put more onus back on under-aged persons who are drinking, they must be responsible. If I am responsible for driving my car at over 40 miles an hour, regardless of whether I am 16 or 60, I should also be responsible for breaking drinking laws under the age of 16 years. There should be a substantial penalty and it should and must be applied. I will not take any more time of the House, but the area of concern to me is that of minors.

**Mr Becker:** Do you support South Australian beer?

**Mr PETERSON:** Yes, I enjoy a glass of South Australian beer, if I am to listen to an interjection. Of course I do! I like various forms of alcohol in moderation, as do many tens of thousands of people in South Australia. However, some people abuse it. If under-aged people are drinking, they should be heavily penalised. If they are beyond that and have a drinking problem, we should provide care for them. In the casino debate, I referred to Gamblers Anonymous in regard to looking after compulsive gamblers. For people with driving problems we have lectures and consultations. Drinking is a problem for many people, but is also not a problem for many others who enjoy it.

We now have a situation where the licensing laws will be changed. We are moving into the next century with this law, but the responsibility for juvenile drinking must be laid at their own doorstep. People will enjoy Sunday trading. A rush of people will try to capitalise on Sunday trading but that will rationalise and sort itself out. People who can survive will do so. If clubs cannot provide what is needed by members, they will not survive. The same will apply to bottle shops: if the market is not there they will close.

*Mr S.G. Evans interjecting:*

**The SPEAKER:** Order! We have had enough discussion across the floor.

**Mr PETERSON:** I have said enough. My major concern is for minors and people with problems. We can deal with that if we are strong enough, and only time will tell whether we are strong enough. The Bill takes us a step further in the licensing field and time will sort out the problems.

**Mr MATHWIN (Glenelg):** I am worried about this Bill as I do not support a free go on Sundays. I am worried about how we can say that we are concerned about the carnage on the roads, which is caused in the main by a combination of alcohol, speed and youth. I am suggesting that we are hypocrites if we are to support this Bill, as it all goes hand in hand. It all leads to killing off our youth in very large numbers. If we are to allow a free go for all on Sundays, we are supporting the carnage on the road. The other part of the Bill that worries me is that, if one looks at the reality of the situation in this place, we know that the Bill will be passed.

The Bill passed in the Legislative Council, and at this stage I merely say that I do not support it. There is one aspect relating to outdoor sales that is quite wrong. This investigation started, following the Glenelg riots, at a public meeting which I and some of my colleagues attended, trying to solve the shocking problems that had arisen at Glenelg. The problem was attributed to frustrated youth, and so on, but the nitty gritty of the matter was the vast amount of beer sold at outdoor venues at the time. Liquor was available to all, but young people in particular were allowed to take

away liquor not by the bottle but by the carton from a number of hotels in the Glenelg area. As one outlet closed, another opened, and so young people trekked from one hotel to the other.

We all know that it was a very hot day, a free concert for teenagers was held between 4 pm and 6 pm, and it was a decent time for young people to attend, parents being quite confident that, as it was daylight, nothing would happen to their children if they attended that concert. However, many young people were caught up in those shocking riots, and that is where this investigation commenced. Louts were loaded up with beer and other alcohol. In the cleanup afterwards, hundreds of beer, whiskey and wine bottles were found: in fact, all types of alcohol were consumed. I suppose that it started as a friendly argument, from one to the other; icecubes were probably thrown; and then bottles were thrown.

When the police arrived to try to quieten the situation, they soon realised that things were going wrong, and so reinforcements were called for. But it was a little late. The police tried to quieten some of the rowdier elements, but they were taken on and called all the usual names people of that calibre call the police. Bottles were aimed at the police. Those riots were a terrible blot on the reputation of Glenelg. People from the Glenelg area were not involved: the rioters came from a much wider area. I tried to assist and to give moral backing to the police and those who were trying to restore order, and I was very upset indeed at what was going on. I was horrified that the reputation of our great country, our great State and the great resort area of Glenelg with its beautiful beach was at stake. Our police were armed with truncheons and wore crash riot gear. It was an absolute disgrace—a horror. Many of the parents and young children were petrified.

Some of them tried to hide in the magic mountain side-show, but even the plate glass windows at the front of that establishment disappeared under a hail of beer bottles. That shocking blot on our history remains. As a result, a report was brought down which I suppose is quite good as far as reports go. Unfortunately, it appears to me that many people are now writing reports and that very few people read them; and even fewer organisations take note of what they say, so we are becoming a nation of report writers. However, in this instance, notice of the report has been taken in the Bill, much to the good of this measure.

As far as I am concerned, though, I do not believe that it is a good Bill. I do not support the opening of free trading in alcohol on Sundays. I am a fairly widely travelled person throughout most continents of the world and many countries. I believe that in this day and age travellers who wish to have alcohol with their meals should be able to do so, and I see nothing wrong with that. However, I do not think it should be free and open slather, although I think it is quite reasonable for travellers. To return to the area that I represent (which I am about to relinquish to my colleague the member for Morphett), one of the main trouble spots is the Holdfast Hotel, which is not far from the home of my friend the member for Mawson. She would well know of the great problems that have been caused to her friends, neighbours and people in the area resulting from activities at the Holdfast Hotel.

There has been a lot of trouble with that hotel; I suppose it is easing to a certain extent, but the problem nevertheless remains. There have been fights and bottles thrown: bottles are smashed on the roads and on Penzance Street; cars are damaged and people urinate all over the gardens and front porches in the area; and filthy language is used towards people who are not used to that sort of thing. That is the last thing that a person, particularly someone with a family, wants to hear. In fact, in many instances people who live in the vicinity of the Holdfast Hotel have been terrorised.

I am pleased to see that clause 112 deals with noise, as follows:

(1) Where—

(a) any activity on, or the noise emanating from, licensed premises;

or

(b) the behaviour of persons making their way to or from licensed premises,

is unduly offensive, annoying, disturbing or inconvenient to any person who resides, works or worships in the vicinity of the licensed premises, a complaint may be lodged with the Commissioner under this section.

(2) A complaint under this section may be lodged by—

(a) a member of the Police Force;

(b) the council for the area in which the licensed premises are situated.

I hope we will not have a repetition of the result of an objection by the Glenelg council to the licence of the hotel I have mentioned. The Glenelg council objected to the Licensing Court, as did a number of residents. However, the court took no notice and permitted the licence. I hope that we will have a little more understanding from the Licensing Court in relation to this problem, if it continues. Clause 112 also provides:

(c) any person claiming to be adversely affected by the subject matter of the complaint.

I suppose it is one step in the right direction. If we are to have Sunday drinking as an open slather situation, I suppose it is some consolation that some areas are covered in some respect.

In common with most members, including the member for Semaphore, I am concerned about the problem of minors and under-age drinking. Certainly, there would be something wrong with us if we were not concerned about this problem because most of us have families and we appreciate the problem that occurs with minors caught in a drinking web or encouraged by people or organisations to drink to excess. It is hard to control such a habit once some young people take to liquor because they think it is smart to get loaded but, unfortunately, it has pretty desperate and has rotten consequences for some young people. I am sure that we would all know of unfortunate cases where minors have been involved in drinking and where problems have arisen through minors being under the influence of alcohol, especially concerning driving.

The majority of bad and fatal accidents involving minors are associated with drinking. It has been proven that alcohol has been consumed heavily in most such accidents, and that is certainly alarming and worrying. The Bill deals with minors in Part VII and clause 116 deals with the sale or supply of liquor to minors, as follows:

(1) Where liquor is sold or supplied to a minor on licensed premises, the licensee, the manager of the licensed premises, and the person by whom the liquor is sold or supplied are each guilty of an offence.

(2) It is a defence to a charge of an offence against subsection (1) for the defendant to prove—

(a) if the defendant is the person by whom the liquor was sold or supplied—that he believed on reasonable grounds that the person to whom it was supplied was of or above the age of 18 years and that person was actually of or above the age of 17 years;

The clause further provides:

(3) A licensee who permits a minor to consume liquor on the licensed premises is guilty of an offence.

(4) Where a person, acting at the request of a minor, purchases liquor on behalf of the minor on licensed premises, that person and the minor are each guilty of an offence.

How can someone challenge the age of a young person, a minor? No-one can, because there is no way to do so. I defy anyone to look at young persons of 15 or 16 years, particularly girls, and determine whether they are 17 or 18. What proof is there? One can ask for a driver's licence, but minors can produce anyone's driving licence—it does not matter.

I support the view expressed over many years by the member for Fisher in this place that the only way anyone can prove their age is through photographic recognition. True, this will probably produce a scream from people who see it as a challenge of their rights, but whenever a person has come to me seeking a witness for a passport photo, I have told them that they must have a photograph and that I must write on the back of the photograph that it is a true likeness of the people concerned.

They have never said to me, 'All right, I will cancel my trip abroad because they will put a photograph on my passport'—not one. That would apply to all of us here. None of us would object to our photograph having to be on our passport. What is the difference in relation to a person having his photograph on his driving licence? Going even further than that, people should for many reasons have some identification. Most countries of the world have it; a lot of firms and businesses, such as security firms, have it; one must have an identity card containing one's photograph to prove who one is. That is the only way in which it is fair to the police and, in this Bill, to the licensee or the hotel keeper.

**Mr S.G. Evans:** And to their employees.

**Mr MATHWIN:** And, as my colleague the member for Fisher said, their employees who are responsible under the Bill. The problem will be dropped on them to say, 'All right, show me your driving licence or identity card.' That is the only way, because they need that protection. There is no way in which they know at all that that is the person who owns the driving licence unless a photograph is on it.

That can be used in many aspects of life generally. One has the same problem in the cinemas in relation to special marked films, which minors are not supposed to attend. The same thing applies in that situation, where again it is left to the proprietor, the manager or the attendants in the theatre to say to the minor, 'You are not of age.' What chance have they got of proving it if the kid says, 'Yes, I am'? There is no way unless one has some form of identity with the photograph to prove it.

That is only fair and reasonable to expect: if one is going to put the pressure on the person, the seller and his employees or the police, for goodness sake, they should be given a fair go. It is only right that they have the right and power to take some action in relation to this problem about which the member for Semaphore and all of us are concerned. Every one of us in this House is concerned about the situation in relation to minors and the carnage on the road, which reflects on the minors.

We must get around to it, whether we like it or not. It has to happen because it is only right. If we are to bring in rules, regulations and Bills of this nature, we must get the situation where people have a fair go in trying to police it; otherwise they have a very difficult job to do; one does not have to be a Rhodes scholar to work that out. Clause 117 (1) states:

A licensee may, with the approval of the licensing authority, declare any part of the licensed premises (not being a dining room or bedroom) to be out of bounds to minors.

Subclause (3) states:

If a minor (not being a child of the licensee or a manager of the licensed premises) enters a part of licensed premises that has been declared to be out of bounds to minors, and in respect of which notices have been erected, under this section—

What good is a notice if one cannot prove it? The clause goes on:

the licensee, an employee of the licensee, or a member of the Police Force may require him to leave, and, if the minor fails to do so, may exercise reasonable force to remove him.

Again, he must prove it, and what chance has he got? It is just about impossible. Clause 119 provides:

(1) A minor who obtains or consumes liquor in prescribed premises is guilty of an offence.

(2) A person who supplies liquor to a minor in prescribed premises is guilty of an offence.

The whole situation has to be tightened up, and the member for Fisher and I have been advocating action in this regard for many years. I am glad to see—I have to be glad about something in the Bill because we are going to have it, as the numbers will get it through—that local councils are able to exercise some control by making by-laws and declarations in relation to certain areas. Of course, by-laws must go through the Subordinate Legislation Committee and be laid on the table, I presume, for 14 sitting days of this House.

Therefore, councils can prescribe places to be out of bounds for drinking in public places, as provided by clause 130. This is another matter that was followed up after the Glenelg council was in such a difficult situation after riots in the area. The Mayor of Glenelg called for this type of provision when speaking at the recent Proclamation Day ceremony, as the member for Morphett told us earlier. Clause 130 provides, in part:

(1) A council may, by resolution, declare any public place within its area to be a prohibited area for the purposes of this section.

(2) Where a public place is declared to be a prohibited area under this section, the council shall cause notices, in a form prescribed by regulation, to be erected—

(a) where the place is enclosed by a fence or wall—at each entrance to the place;

(b) in any other case—in prominent positions in or adjacent to the place.

(3) A person who consumes liquor, or has liquor in his possession, in a prohibited area is guilty of an offence.

**The Hon. JENNIFER ADAMSON:** Mr Acting Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**Mr MATHWIN:** As I was saying, the provision which allows a council to take this action is, I suppose, a consolation prize as far as I am concerned because it improves the present situation and gives an opportunity for those who have the knowledge of local problems to deal with the matter as they see fit. I understand, from my reading of the Bill, that it enables a council to take some action where there is a problem in relation to noise. I referred to that earlier. Where there is excessive noise from a particular party or hotel, the council can take some action and expect it to be followed up.

I am not happy with the Bill. I do not support an open slather on drinking on Sundays. I think there is no need for it. Some members have said that people might run out of liquor for a show on Sunday. However, I suggest that most people who invite people to their home on a Sunday for a party, a celebration, a barbecue or a dinner would be unlikely to wait until about midday before thinking about whether or not there was enough beer for, say, 30 people. Most people make the necessary arrangements beforehand.

**The Hon. Jennifer Adamson:** What about a spontaneous celebration?

**Mr MATHWIN:** Usually a spontaneous celebration arises in circumstances where everyone is so happy and friendly that they say, 'Let's have a party,' and they all bring their own supplies. That is one of those situations where one says, 'Come to my place; the door will be off the latch; just push it open with your knee because your arms will be full of food and booze!' To suggest that liquor outlets must be open on Sunday in case one runs out of liquor is absolute rubbish. If one has planned a show then indeed one has supplies on hand. If that is not the case, one is a pretty poor host.

**The Hon. T.H. HEMMINGS (Minister of Housing and Construction):** I move:

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

Motion carried.

**Mr S.G. EVANS (Fisher):** During the 17 years that I have been in this place, this matter has been debated many times. Not many successful changes have occurred in that time. Whether or not the proposed changes are successful remains to be seen. I know that some of the proposals that I intend to put forward will not be successful. The present attitude may prevail for one or two years, but I am confident that by the mid 1990s the matters to which I will refer will be picked up. I have noticed in this debate that more members of Parliament now recognise that there is a serious problem with alcohol in our community, particularly as it affects young people, and they are now recognising that something should be done about the matter.

However, as a group we do not seem to be prepared to do something about it, and I do not know why members are not willing to take up the challenge. We have the power, the authority and the opportunity to do so. We know the cause and the results and we are aware of the associated costs to society. All of those things are acknowledged, yet we are still not prepared to tackle the problem. Perhaps it is hoped that at some time in the future an easier way of tackling it will become apparent.

The matter of licensing of premises goes back to the time when Governments thought that they needed to control to some degree the consumption of alcohol while at the same time seeing an opportunity to impose some responsibilities on the recipient of a hotelier's licence. This included having a morgue available if there was not one for bodies from the local community, and the provision of accommodation and food for travellers. In those days distances were travelled at a much slower speed, whether by horse or waggon. It took longer to get where one was going and one needed a break for the animals, if not for one's thirst or hunger. On that background we went to a licensing system and the Government saw the opportunity to collect revenue and has never ceased to obtain revenue from this source.

The member for Whyalla said that a health report tabled in this Parliament suggested that another 1 per cent should be added to the licensing fee to help pay for research into the problem of alcohol in our society, more particularly its effects on the health of society and the resultant astronomical cost to Government. The amount of excise and tax collected from alcohol would not pay for the health problems caused by that drug. I listened to the honourable member's argument. He was not advocating that that should be the case; he said that was in the report, and I accept that.

I do not advocate adding 1 per cent to the fee, as I think it is already too high. We should be prepared to tackle the other end of the problem: the result of too much advertising and promotion. Previously I have said that I am not opposed to some form of control over the advertising of alcohol. The effect of alcohol is just about as bad, if not worse, than is the effect of cigarette smoking, except that clinically it is not so easy to prove that a person who was under the influence of alcohol, who walked across the road, stepped in front of a car and was cleaned up, died as a result of drinking the alcohol. There cannot be the same proof in that situation as there is when a person dies of lung cancer caused by cigarette smoking, or when people are killed in accidents in motor cars, although one assumes in most cases that one of the parties involved was seriously affected by alcohol.

Some people would argue that I am a hypocrite to talk in this vein because I belong to licensed clubs; I am the President of two of them. I work with community groups that try to provide for the community facilities which are

in part funded by the sale of alcohol. I openly declare that to a degree I am a hypocrite when I continue to belong to those organisations and work for them, and yet know the serious effect alcohol has on our society.

It has been argued that the provisions in the Bill will help the tourist industry. That is a joke. When my Party brought in the original Bill to allow Sunday trading, we should have realised that most tourists are not interested in going into the front bar and having a swill. Most tourists are interested in going to the dining-room or lounge, where they can enjoy a meal or some socialising. One would not see an American tourist in Australia spending a substantial amount of money in the front bar of a hotel as the place to enjoy himself on a Sunday. It is more likely to be a dining-room or lounge. If we had then allowed hotels to open their lounge and dining facilities on a Sunday, in the same way as a restaurant, we might have been getting somewhere near the mark.

That debate was nothing but a farce. We said that the only venues that would get a licence for Sunday trading were those that were tourist attractions. However, the argument put was that a tourist was a person who came from five miles down the road, and who went to those venues because they had a better sign hanging out the front or the barman or barmaid was more attractive. My Party carries the responsibility of pushing that legislation through the Parliament with the support of people of the same philosophy in this Government. I believe that that is a reflection on the Parliament of the day that perhaps I should not make but I am concerned that that is how the law ended up. I am concerned that there are not many people listening to me at the moment, so I draw your attention to the state of the House, Mr Acting Speaker.

*A quorum having been formed:*

**Mr S.G. EVANS:** When people spoke of clubs during this debate they did not refer to them as tourist attractions. In my district there are hotels with a good standard of accommodation available at low rates when one considers the era in which they were built. They have good publicans with whom I hope I have good contact, and I respect what they do for the community and their relationship with local clubs. There is also in my district a golf club, the only facility in the Hills providing modern motel units; that is, the Mount Lofty Golf Club.

When speaking of tourist attractions one must ask whether tourists attended sporting clubs, golf clubs, yacht clubs, ethnic clubs or ethnic festivals. Are those clubs behind the tourist trade that they create? The Glendi Festival was held last week. Who was involved in the opening? Was it a tourist from another land? Of course it was. Clubs cater for and encourage tourism and promote it because of their common interest in sports or ethnic matters. Nobody in this place should argue that clubs do not promote tourism. Clubs are just as much a part of the tourist industry as are hotels, motels or restaurants.

When the closing time for hotels was changed from 6 o'clock to any hour of the night for five days a week and part of the sixth day, what happened? If one goes to country towns one sees what happened to the local community hall where dances, meetings and community activities used to take place. The halls are gone. So the communities set out to create clubs to raise funds. Hotels upgraded their facilities and set out to make more money by competing on a greater scale with the theatres, dance halls, discos, entertainment centres and restaurants.

I am not saying that hotels should not have done this, that was their right once we extended trading hours to allow that opportunity. We did away with the 6 o'clock swill and turned it into a 10.30, 12 o'clock or 12.30 swill, a time when people are tired and having to drive home in a worse condition than if the hotels had closed at 6 o'clock. I am

not advocating a return to 6 o'clock closing, but merely emphasising where some difficulties started for local communities.

That is why they turned to clubs: because there was no other community activity. If they tried to create a family activity, they had this other problem. I say that quite sincerely, because I have had young people from my community come to me and say, 'Mr Evans, you are always advocating things for young people in the form of sporting clubs and activities, and so on, but where can we go to meet fellow citizens of our age group unless it is in a licensed place, a club, hotel or restaurant?' The only place they can go is some of the pizza bars that do not have licences. There is nowhere else for them to go.

Many young people are quite hurt by the way in which alcohol and drugs have taken over their friends lives. Often they are more concerned than we as Parliamentarians appear to be. There is no activity in the community that we as a Parliament are providing, trying to encourage or working towards so that young people do not become involved in that scene.

I take my hat off to these people who are trying to form clubs and associations and to create peer groups so that their friends will leave the drug/alcohol scene until they are older and can cope with it. I have never been happy with children being allowed into front and saloon bars. I appreciate that under the Act we are giving licensees the opportunity to declare a bar or saloon as out of bounds to children. Last night I spoke to a publican who raised this matter with me. He can put up a sign saying, 'No children allowed in the front or saloon bar'. His competitor down the road will say that it is all right by him as he is getting an extra dollar and therefore will allow children in. That is the difficulty we have, and I hope the AHA will make a plea, for the sake of their own patrons who do not want two or three-year-old children running around in the front or saloon bar, and take the opportunity of using this provision to ensure that children are not allowed into the front or saloon bar. I offer that challenge to the AHA.

The member for Semaphore asked how we draw the distinction between people who drink or do not and how we divide the various classes. My colleague, the member for Glenelg, raised the point of identity cards. In Canada, they use identity cards, and one cannot get a drink in a licensed place unless one has a card to prove one's age. It is a voluntary system. The difference in that country is that all licensed places are controlled by the Government. So, the Government makes a regulation that those who work in a licensed place will not supply anyone else unless they provide an identity card to prove their age. If one is forced to get a drink under those circumstances, one is forced to get a card under the voluntary system. That was the situation in some Provinces when I visited the country in 1974, and I assume that the situation is still the same.

I give credit to Mr Virgo, the previous Minister of Transport, who advocated photographs on drivers' licences. That would be a step in the right direction. Some people say that it is an infringement of our rights. If we as Parliamentarians can grasp that today we should do it. What employee wants to take the risk of being fined and dragged through the coals because he has misjudged the age of a person or because some person whose age he should have known told him a pack of lies and he had no proof of such? The same applies to licensees. I believe that parents will accept it as a reasonable proposition.

I do not say that that will solve all the problems, because a person could say, 'I have not got a driving licence, but I am over 18.' But at least it would help. We must pick up that challenge at some time if we are to solve the problem. It has been stated that the hotel industry involves family

investment. I agree that that is so in many cases, although some hotels are owned by large consortiums; some large companies have interests in hotels and other retail outlets. I do not deny them that right, but we must not forget that clubs involve a form of shareholding—the person who has an interest, the person who becomes a member. Clubs have a community role: they are not just somewhere to go to drink. They provide sporting facilities, meeting places and family environments: there are family days when no alcohol is served. The clubs hold teenage discos where alcohol is not supplied and they have dry nights.

Those facilities are just as important in the community structure as was the old community hall before the licence hours were extended from 6 p.m. I know that some people find it hard to believe (and I lose the argument every time) that few members of Parliament have been involved with a local club, taking part in its activities. I say that quite sincerely. Very few members of Parliament have become involved in local clubs or been active on committees. I challenge members—

**Mr Peterson:** Come on, Stanley!

**Mr S.G. EVANS:** Members should think about it. The challenge is there. If members became involved, they would be aware of the role of clubs.

**Mr Peterson:** What sort of club?

**Mr S.G. EVANS:** I am referring to licensed clubs that cater for all sections of the community, young and old.

**The Hon. D.C. BROWN:** Mr Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**Mr S.G. EVANS:** Clubs have a vital role in our community, but this provision does not really help them. I do not advocate clubs buying alcohol direct from the wholesaler; they should at least buy beer from the local hotel. Sometimes there is a conflict between committees and management, and that will continue, human nature being what it is. But that is very rare. In the vast majority of cases hotels cooperate with local clubs. It might be all right for the bigger clubs—perhaps those clubs with a turnover of \$250 000 or more—to buy direct from the wholesaler, but I advise the other clubs to use their wisdom and ensure a good relationship with the local hotel, because that is better for overall community operation. If there is a problem in relation to teenage drinking, the two parties can come to an understanding about how to tackle it instead of operating in different arenas. I am not anti hotels in that sense: I believe that we have not accepted the role that clubs play in the community.

I was one of those members who spoke strongly against lowering the drinking age to 18 years. In 1969, I voted in this Parliament to keep the age at 20 years. I argued then that a young male of 20 would usually go to a hotel with a female of 18 years, two years his junior; an 18 year old boy was usually accompanied by 15 or 16 year old girls; and a young man of 17 would be accompanied by girls of 14 years.

People told me that I was wrong, that it would not happen. They now say that they know the problem is there but they do not know how to solve it. I made the same point about contractual arrangements, pointing out that big business was interested in the provisions in question because they could get more people into the system of signing contracts, getting them into the borrowing system and committing themselves for life in many cases; also, political Parties believed it was a way of winning votes, and that is the main reason that that legislation went through Parliament.

I turn to the powers of a council in the Bill, and I think it is a move in the right direction. Local government has been given the opportunity to declare areas where alcohol



shall not be consumed, and I support that. It is a step down the path that I want to take. I would like to extend it to a point where we actually prohibit persons under the age of 18 years from drinking alcohol in public places, including motor vehicles parked in public places.

If we are genuinely concerned about what is happening with young people and some of the problems they get themselves into through lack of parental control or as a result of our changing society, I believe we should accept this proposition: if it is argued that a young person under the age of 18 years should not drink alcohol in licensed premises where the owner or manager and his employees have some control and supervision, but that it is all right for young people to go into a park or some other public place and drink, how can we then complain because a bottle shop or hotel sold them the liquor? A person of 20 years could buy a crate of whisky and take it to the Aberfoyle Park grade 7s for a party in the local reserve. There is nothing in the law or in this Bill to stop that.

I accept that the Bill provides for local councils to prohibit alcohol in some areas but, if persons below the age of 18 years cannot drink in licensed premises, they should not be able to drink in a public place unless they are accompanied by a parent or guardian. Perhaps then we would be tackling the problem mentioned by the Minister of Recreation and Sport, the member for Semaphore and the member for Whyalla. It would do no harm to the hotel industry: it would have more credibility and so would the operation of bottle shops.

**The Hon. JENNIFER ADAMSON:** Mr Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**Mr S.G. EVANS:** As to the provision in the Bill allowing the Government to make regulations, I am led to believe that in these regulations it is possible to prescribe certain areas where alcohol shall not be consumed either for a special event or on a long term basis, and those areas include land as well as buildings. I accept that, if a future Government wants to take up the challenge under this provision, it can say that no-one can drink in, say, Hindley Street in a motor car or on a footpath. That is my interpretation of the provision. If future Governments are prepared to take up that challenge, it will solve some of the problems. The provision has been put in for that purpose: that is the Government's intention, but that matter has not been espoused to any great degree, to my knowledge. I ask the Minister to comment on whether the Government will consider that provision in that context if there are problems.

If there were problems, I would commend the Government for recognising the opportunity to take action. In my last three minutes I wish to refer to Sunday trading and say this: we cannot reverse the clock because of the current opinion of Parliamentarians about Sunday trading. I would have preferred for it never to occur, or for 10 or 20 hotels in the State that were genuine tourist hotels to operate under that provision. I thought that that was what my Party was after. I was a fool not to have believed otherwise, and I accept that I was a fool. I would like to leave the Sunday trading provision as it is, with four hours trading. I do not care whether it is four hours straight or in two lots of two hours. I am not willing to extend it further; indeed, I am strongly opposed to Sunday trading, and I express my view in the strongest of terms.

I would not care if the provision encompassed clubs, which would then have to be restricted. A club to which I belong does not open on Sunday evening, and I was partly responsible for that decision. Perhaps I will not always be in a position to make such a comment in the future, but I say strongly now that we have seen many problems arise from Sunday opening in different parts of the State. We

have ample opportunity to purchase what we want and keep it at home. This applies to other items such as red meat and many other commodities.

In fact, our parents had to buy their meat and bread three times a week and many of them otherwise did not go near shops. It is possible to do that if we want to, although Sunday trading is now in place over a period of four hours on that day. I am not trying to remove that provision but by amendment I will seek to leave that provision in place. I know I will fail because not enough Parliamentarians support that view, but I support strongly the concept that we should not extend Sunday trading one step further in providing public drinking facilities. Sunday trading has not proved to be of any great benefit to society. True, if Parliament tackled this matter and we could clean up junior drinking problems that exist and the excess drinking problems involving the few rabbits around the place who cause trouble in the community—they are older than 18 years—there would be no problem with Sunday trading, but otherwise I am not willing to extend Sunday trading any further.

**The Hon. D.C. BROWN (Davenport):** Before proceeding with my speech I draw your attention, Mr Speaker, to the state of the House.

*A quorum having been formed:*

**The SPEAKER:** Order! Before calling on the member for Davenport I again acknowledge the right of any honourable member to call attention to the lack of a quorum, but I do indicate that it is the duty of all honourable members to maintain a quorum—not just Government members.

**The Hon. D.C. BROWN:** I am opposed to this legislation, because it establishes the general principle of Sunday trading. Other members have talked about this at length and I will not go into fine detail, but my first objection is because of the social impact on family life; secondly, because our community has an alcoholism problem, in that many members of the community are involved and far too little is done to overcome the problem. Before trading hours are extended generally to cover seven days a week, greater effort needs to be made to resolve that problem. Thirdly, I have seen and I certainly see in my own district the adverse impact that Sunday trading or even Saturday and Friday night trading can have on residential areas immediately adjacent to hotels.

I know how the residents around a particular hotel—I will not name it—face considerable distress on Friday nights and Saturdays and for a limited number of hours at present on Sundays because that hotel is one of the so-called tourism hotels that is allowed to open. I know the extent to which the noise level is so great that many of the residents find that they cannot go outside their homes to enjoy gardening or a barbecue; they cannot socialise outside their homes and even within their homes at times the noise level emitted from a hotel becomes intolerable.

The streets around the hotel are absolutely jammed with cars, particularly on Friday and Saturday nights. Now, it tends to occur on Sundays, and this will consolidate it on Sundays. So, these people residing near the hotels will face what can only be described as a very unpleasant weekend every weekend from Friday night through to Sunday night.

I know that there are certain provisions in this legislation to control noise, but the noise invariably is emitted from the streets and will not be controlled by the legislation. The noise is invariably emitted by motor vehicles taking off at high speed. I have witnessed some of those vehicles and the extent to which they make noise. They speed down Fullarton Road three abreast shortly after closing times. Last Sunday I saw a motor bike that I believed came from a hotel, and it was travelling on my estimation at 80 to 90 mph down Fullarton Road. It was absolutely unbelievable



to see that motor bike. I was waiting for a car to come out from somewhere to kill that rider. This is the sort of problem that people face, at least in the near vicinity of this hotel, which I know reasonably well, because it is reasonably close to my home. Many of those subjects have been covered by other members of the Parliament.

The aspect on which I would like to touch, particularly, as the shadow Minister of Transport, is the impact of this on the road toll, road trauma and, in particular, on people who have to suffer as a result of road trauma. I will quickly give some statistics. Road accidents in Australia kill 3 000 people a year, approximately. They cost our community about \$3 000 million a year, which cost does not include the human suffering and pain that is involved. So, we have within Australia what can only be described as road trauma as a national epidemic.

I am concerned about the impact that general Sunday trading will now have on the road toll here in South Australia. So, I have looked for some statistics because we need to look at what has been the experience elsewhere. By far the best figures come from Western Australia, where a very detailed study was made. If any member of the House would like to refer to that study, I refer them to the publication *Journal of the Australian and New Zealand Society of Epidemiology and Research into Community Health* of the Australian Health Association. The publication, interestingly, is sponsored by the Australian Association of Brewers, and was convened by the Road Accident Research Unit at the University of Adelaide, and was published in March 1979.

I refer to a paper in it by Mr D.I. Smith, of Western Australia. In Western Australia, Sunday trading was introduced into the Perth metropolitan area. They did a very detailed study to look at how many people were killed on Perth roads on Sundays for the three years prior to, and the three years immediately following, the introduction of Sunday trading.

**Mr Whitten:** How does it compare with Saturdays?

**The Hon. D.C. BROWN:** I am coming to this. The study also looked at the number of people killed on the other days of the week for the three years prior to, and the three years after, the introduction of Sunday trading. The figures, in basic conclusion, are these: the number of people killed in the Perth area on the other six days of the week was virtually identical—403 prior to the introduction of Sunday trading and 404 people after the introduction of Sunday trading.

One could therefore say that the level of road accidents or the number of people killed was constant. However, the number of people killed on a Sunday increased from 50 in the three years prior to the introduction of Sunday trading legislation to 82 in the three years following the introduction of that legislation—a 64 per cent increase in the number of people killed on Sundays. It would appear from other statistics that there was a constant likelihood of road accidents as a result of other factors. The figures are staggering, and the increase is unbelievably high. These statistics are from properly conducted research involving the collection of full statistics for Western Australia, and I believe that they should be accepted. I seek leave to have inserted in *Hansard* without my reading them two relevant tables. The first table shows the number of people killed in the Perth area, and the second shows the casualty accidents that occurred in the Perth area. The tables are purely statistical and very brief.

Leave granted.

TABLE 1  
Persons killed in the Perth Area

|        | Sunday     | Rest of Week | Total        |
|--------|------------|--------------|--------------|
| Before | 50 (11.0%) | 403 (89.0%)  | 453 (100.0%) |
| After  | 82 (16.9%) | 404 (83.1%)  | 486 (100.0%) |
| Total  | 132        | 807          | 939          |

TABLE 2  
Casualty Accidents in the Perth Area

|        | Sunday        | Rest of Week   | Total           |
|--------|---------------|----------------|-----------------|
| Before | 1 439 (12.4%) | 10 159 (87.6%) | 11 598 (100.0%) |
| After  | 1 690 (14.2%) | 10 180 (85.8%) | 11 870 (100.0%) |
| Total  | 3 129         | 20 339         | 23 468          |

**The Hon. D.C. BROWN:** A further factor involved is that I understand that Sunday trading was not undertaken outside the Perth area. It is interesting to note details in relation to road deaths there. For the three years prior to the introduction of Sunday trading in Perth, the number of people killed on country roads in the rest of the State outside the Perth area was 91, and for the three years following the introduction of Sunday trading 91 were killed. Again, this is the same number of people for both periods. That highlights the fact that, with all other factors appearing to be the same, the only dramatic change was the number of people killed on Sundays, which amounted to a 64 per cent increase.

I refer to an article written by Mr Bob Jennings, the motor writer for the *Advertiser*, in which I think he referred to the figure of 32 per cent. However, I think he made a mistake with that figure. Because that figure was referred to by a number of speakers in the debate, I draw attention to the fact that from what I can ascertain from the original raw data available the correct figure in relation to the increase is 64 per cent. I further seek leave to have inserted in *Hansard* tables 3 and 4, which refer to accidents that occurred outside the Perth area. Again, I assure you, Sir, that they are purely statistical and very brief.

Leave granted.

TABLE 3  
Persons killed in the Rest of State Area

|        | Sunday     | Rest of Week | Total        |
|--------|------------|--------------|--------------|
| Before | 91 (18.0%) | 415 (82.0%)  | 506 (100.0%) |
| After  | 91 (17.4%) | 433 (82.6%)  | 524 (100.0%) |
| Total  | 182        | 848          | 1 030        |

TABLE 4  
Casualty Accidents in the Rest of State Area

|        | Sunday      | Rest of Week  | Total          |
|--------|-------------|---------------|----------------|
| Before | 579 (19.7%) | 2 367 (80.3%) | 2 946 (100.0%) |
| After  | 630 (18.4%) | 2 798 (81.6%) | 3 428 (100.0%) |
| Total  | 1 209       | 5 165         | 6 374          |

**Mr MEIER:** In view of the very relevant information that the member for Davenport is putting before the House, it is disappointing that a quorum is not present and, accordingly, I call your attention, Mr Acting Speaker, to the state of the House.

*A quorum having been formed:*

**The Hon. D.C. BROWN:** The statistics show that one in every two drivers killed on our roads has a blood alcohol level of .05 per cent or more at the time of the accident, and it is hard to know whether or not alcohol was the major contributing factor or a secondary factor in causing the accident. There is no doubt that in about half the fatal accidents a contribution is definitely made, and probably a very significant contribution, by alcohol to the cause of that accident. If we introduce general Sunday trading the people who are most likely to use it—and the experience from Glenelg would highlight and verify this—are the younger people. Certainly, my experience of so-called tourist Sunday

trading indicates that young people have tended to congregate in large numbers in hotels.

**Mr S.G. Evans:** You would agree that we made an error?

**The Hon. D.C. BROWN:** I am saying that I am clearly opposed to general Sunday trading. Research has shown that the very people who are likely to use hotels on Sundays are also the group most prone to accidents on the road—the young. Statistics indicate that the 17 to 25 year age group comprises 17 per cent of our population, yet accounts for 41 per cent of all people killed or injured on our roads; that almost three out of four motor cyclists killed are aged 17 to 25 years; and that the risk of death and injury amongst motor cyclists and pillion passengers is seven times greater than amongst drivers and passengers in motor cars.

There is no doubt that the very people who will use Sunday trading the most and congregate with their friends to fill in Sunday afternoons in certain pubs in large numbers will be the young. But they are also the very people who are learning to drive at the same time. Experience has shown that our road trauma is an epidemic that is most closely associated with the young Australian male who, for some reason or other, needs to get out and drink and prove himself on the roads. Statistics show that it is fatal to mix learning to drive and drinking at the same time. Yet, that is occurring and general Sunday trading will increase the number of fatalities, probably on the same basis as occurred in Western Australia.

I believe that the Government is negligent, to say the least, and has abrogated its responsibility in putting through this legislation, which we know will operate soon because obviously the numbers in the House indicate that it will be passed, without ensuring that legislation for zero blood level for L and P plate drivers is already operating and that random breath test methods of operation are improved and made more effective. I cannot understand how any Government (let alone the Minister of Transport, who is supposed to be responsible for road safety in this State) with a skerrick of interest in or responsibility for road safety can introduce this legislation without first putting those other two pieces of legislation in place. Only yesterday the Minister of Transport said that he intended not to introduce the legislation for random breath tests and zero blood alcohol levels for L and P plate drivers until the next session of Parliament.

*Members interjecting:*

**The Hon. D.C. BROWN:** I am asked what I did and what my Party did in relation to this matter. My Party introduced random breath testing. We said that the legislation needed review after two years, but it has taken this Government another 18 months even to review that legislation, a review that has not yet reported. It is completely negligent for any Government, or for any Minister of Transport, to have this legislation implemented granting general Sunday trading, knowing, as this Minister knows, what affect this will have on the road toll, without first putting in place these other two pieces of legislation. It disappoints me greatly that that has not occurred. As a result, our community, families and individuals will suffer losses of loved ones or cases of permanent injury to people they know.

I have made my point in relation to this matter and it is interesting to see the reaction from the other side of the House. I have obviously made my point effectively. There is only one other point I make about this legislation. If bottle shops are to be allowed to open on Sundays then liquor stores should also be allowed to open so that there is equity in the trade. Therefore, I will support any amendment put forward that allows liquor stores to open on Sundays if bottle shops are allowed to open then.

*Members interjecting:*

**The Hon. D.C. BROWN:** I am not being hypocritical at all but simply ensuring that there is consistency in the

industry. I am objecting strongly to general Sunday trading, particularly in hotels, because experience shows that the majority of their patrons drive their cars home from those hotels. I am not trying to blame the hotel trade for that happening, because the hotel industry has generally encouraged responsibility by drivers by using taxis or ensuring that the so-called captain does not drink and drive.

However, young people, because of their very nature (particularly young males), wish to prove themselves and, as soon as they have some alcohol, become more aggressive and take no notice of advice given to them. For that reason I am against the concept of Sunday trading and will vote against it. There are a number of amendments that need to be made to this legislation to ensure that it provides a fair and equal base for this industry.

**Mr MEIER (Goyder):** As members know, this Bill had much homework done on it before it was presented to this House. It appears that the review of liquor licensing laws conducted in South Australia has taken some 16 months. Many written submissions were received and interviews conducted throughout this State and, I believe, throughout Australia. Anyone who has looked at the report, that large volume consisting of hundreds of pages, must appreciate that many positive matters are brought forward in it. It is pleasing to see that adequate homework has been done in many areas. I have no disagreement with many aspects of the Bill or the report. In fact, I think that it cleans up an area that has needed cleaning up. I do not intend going through the whole report.

It is probably in the area of Sunday trading that the biggest contention occurs. When Sunday trading was introduced, I was not a member of the then Government, and certainly I had many reservations about the Sunday trading that was brought in at that time because, once it was allowed, it opened the gates for a further increase in Sunday trading. Many arguments have been put forward this evening as to the negative aspects of Sunday trading. What is the solution? The Bill proposes one solution. I believe that there are two possible solutions: first, to bar Sunday trading; or, secondly, to streamline the existing provisions. I am a sufficient realist to realise that to bar Sunday trading would have no hope of getting through.

**Mr Ferguson:** You introduced it.

**Mr MEIER:** If the honourable member had been listening, I said that I was not a member of the then Government and, in fact, I was not even in the Parliament, so please do not say that I introduced it. I had nothing to do with it. The honourable member can go back to sleep.

**Mr Ferguson:** Your Party did. You believe in you Party, surely?

**The SPEAKER:** Order! There has been enough discussion across the floor.

**Mr MEIER:** Without taking notice of the interjection, one benefit of our Party is that individuals have the right to express their own views on all matters, and that contrasts very clearly with the Labor Party wherein, once members have signed the pledge, they do not have that right.

*Members interjecting:*

**The SPEAKER:** Order! I ask that interjections and discussions across the floor cease. The honourable member for Goyder.

**Mr MEIER:** I thank you, Mr Speaker. I believe I covered that matter clearly in a sentence or two.

*Mr Plunkett interjecting:*

**Mr MEIER:** I will endeavour to ignore that interjection. I repeat that the options are to ban Sunday trading or to rectify the problems currently existing. Enough has been said on that.

*Mr Plunkett interjecting:*

**Mr MEIER:** I will come back to that matter later, for the benefit of the member for Peake, if he feels that I have not answered it properly. Representations from my electorate have been considerable when one considers the time frame about which we have been talking in regard to this Bill being introduced in the House of Assembly. I have received written as well as many verbal submissions on the Bill. I refer to a letter from the Church of Christ, at Balaklava, from the Minister there (the Reverend Graham Laurie) and the Chairman of the Board (Mr Neville Smith). It is addressed to me, and states:

Dear Sir,

We, the members of the Balaklava Church of Christ, strongly object to the proposed changes in the liquor licensing laws, particularly where hotel Sunday trading is to be increased.

Our reasons for objecting are:

1. We believe the present carnage on the roads will become even worse, as testified by the Western Australian experience where extended Sunday trading is in operation.
2. We consider that there is a contradiction of attitude by the State, where it increases the availability of liquor on the one hand, yet prosecutes the drinking driver on the other.
3. Above all we are concerned for families, and Sunday is a family day for many people. Extended hotel Sunday trading, we believe, will only contribute to the breakdown of more family units.

We urge you to consider our point of view.

Before referring to other submissions, I emphasise the points made about the Western Australian experience. The member for Davenport clearly enunciated the factors in that regard, and I will not comment further other than to emphasise the statistics that were outlined, namely, that in the three years prior to the introduction of Sunday trading in Perth 50 people were killed on a Sunday, but in the three years after Sunday trading was introduced 82 people were killed on a Sunday, an increase of 64 per cent. Thus the point put forward by the Church of Christ is well supported by the figures.

It is a great tragedy that this State has not learnt from example but is intent on ensuring more tragedy for its citizens. There seems to be a contradiction of attitudes in that the State increases the availability of liquor while prosecuting the drink driver, and this is a major point. During the past week we have debated whether P and L drivers would be subjected to zero alcohol readings, and there has been similar debate in other States. There has been talk of lowering the .08 blood alcohol level in this State, and with complete justification—statistics show that the drinking driver does not have complete control of his or her vehicle and therefore can kill or maim other road users. Yet this Parliament is suggesting that we extend Sunday trading hours. To me, that is saying, 'Let us extend Sunday trading hours so that a few more people can write themselves off or seriously maim themselves.'

Recognising that the Government has the numbers in this House, I will be interested to see the statistics for the next three years compared with those for the past three years in relation to accidents and road deaths on a Sunday, in particular those involving the consumption of alcohol. We could consider point No. 2, that is, alcohol in relation to other substances that are abused, particularly drugs, and we could even extend the argument to petrol sniffing. In the District of Goyder we are considering establishing a rehabilitation centre for petrol sniffers, and reports indicate that the consequences of petrol sniffing are rather horrendous. Society recognises this as a negative factor, yet I have been told that that sort of abuse is not different, in many cases, from the abuse of alcohol. Perhaps that is taking things to the extreme: I know that all things can be abused. If hotels are open for extended periods on Sundays, those who have a weakness for alcohol will be exposed for longer periods to the opportunity to engage further in that weakness.

Marihuana has been recognised by this State as having undesirable consequences. Thankfully, it is still an offence to smoke marihuana. Medical evidence indicates that marihuana has negative effects, including the effect on a person's ability to make judgments and therefore to drive on the roads. We recognise that, so we have kept limitations on its use. However, with alcohol, which has been proved beyond doubt to have negative effects on driving, we are permitting an extension of trading hours. It is a strange way in which our society works.

I attended a meeting held by the South Australian Video Retailers Association some weeks ago prior to debate on the Classifications of Publications Act Amendment Bill. Members of the Association drew an analogy between X-rated and R-rated videos compared with alcohol abuse. Personally, I do not hold to that view: I think they are two entirely different matters. Videos are very much a moral issue and can affect people in vastly different ways. The Video Retailers Association spokesman directed his comments particularly to members of the Opposition and said that we are hypocritical if we try to reduce X-rated videos without trying to reduce alcohol abuse. Many Opposition members have said exactly that this evening: we are concerned about proposals to extend Sunday trading. I emphasise that two different issues are involved, but it is worth noting that that statement was made.

The third point in the letter refers to Sunday being a family day for many people and that extended hotel trading on Sundays will, it believes, only contribute to a breakdown in more family units. It is difficult to pass judgment and say that that will definitely occur. Again, only experience will tell. I am well aware of many families where one member has a weakness to go to the hotel for extended periods. To date, with limited Sunday trading, I suppose it has been limited to up to four hours; it will now be increased to anything from 11 a.m. to 8 p.m. We probably do not hear a lot from members of those families: they learn to accept the situation for the rest of the week. However, I believe that Sunday has been the one day where, hopefully, that member of the family has been able to spend some time with the family and has been able to get away from having to rely on alcohol all the time.

I think the Church of Christ has a real point when it mentions that third factor. As indicated, many people have contacted me verbally expressing concern, and most of it has probably related to the situation where we are trying to limit alcohol consumption by drivers and, at the same time, saying that we should make alcohol more readily available. I will not go into specifics on that. Also, People for Alcohol Concern and Education prepared a submission for the 1984 Review of the South Australian Liquor Licensing Laws. I imagine that it was sent to the appropriate body, and I also received a copy. It makes quite a few points in its conclusions on the report. It is interesting to note that the Association suggests alcohol free zones. I wonder how long it will be before that comes in.

It is probable that, if someone had suggested smoke free zones 10 or 15 years ago, they would have been laughed at. I recall that in younger days it was certainly never considered and, as a student in earlier days, one never heard of it. Today, however, smoke free zones are prevalent and increasing all the time. People for Alcohol Concern and Education suggest alcohol free zones. The organisation believes that hospitals and schools have initiatives in declaring alcohol free zones with an appropriate certificate signed by the Ministers of Health and Education. Time will tell. They are looking into the future there. The organisation also opposes in principle hotels and clubs trading on Sundays. In its follow up letter to me, the organisation states:

We respectfully beg that the administrative procedures to encourage the police to apprehend and prosecute offenders will be given remedies which will make the law effectual.

That is in respect of trading, and to some extent the Bill covers that. Perhaps it is a step in the right direction. I also received representations from the Lord's Day Observance Society, which is based in London but which has an Adelaide branch. I highlight a couple of the points made in its one letter to me, as follows:

We would like to express our complete opposition to the sale of the intoxicating beverages along with practically all other forms of trading, buying and selling on the Holy Sabbath day.

They further state:

We would point out that a great many people are able to live and survive without ever consuming liquor. We consider that even the heaviest of drinkers should be well able to live without having constant access to liquor supplies over the counter every day of the entire week and year.

They have followed that up by sending me various pamphlets. Time will not permit me to give further details, but the first is 'Sunday Shops: An Earnest Appeal to Shop Assistants, Tradesmen and Shoppers'. Another is 'A Key Point, Why "Sunday" is the Centre of Attack'. Yet another is 'The Challenge of the Lord's Day', and another 'The Supreme Day'. As the title suggests, that group is much against Sunday trading. Also, I have received a submission from the South Australian Restaurant Association, which has gone into much detail on the various clauses. It would be more appropriate to refer to those matters in Committee. I acknowledge some of the matters raised, but in regard to clause 4 the Association states:

We think it is proper to suggest that premises be defined to include a tram so that use of the Bay-city tram as a mobile restaurant may be made possible.

On checking, I found that that suggestion is already incorporated in the Bill.

*The Hon. Jennifer Adamson interjecting:*

**Mr MEIER:** The honourable member might be right. It comes under the heading 'vehicle'.

*The Hon. Jennifer Adamson interjecting:*

**Mr MEIER:** I am not sure to what extent the other suggestions have been included; time has not permitted me to investigate that aspect fully. I have also received a submission from the South Australian Retail Liquor Merchants Association which, in its detailed submission, states:

The legislation as tabled disadvantages the retail liquor merchants and their customers by severely limiting the hours that they can trade when compared to their opposition—the hotels. Our suggested amendment will overcome this anomalous situation by proposing a compromise between the extended hours as recommended in the Young and Secker Report and the hours set out in the Bill currently.

Again, the factors that they introduce certainly deserve consideration in Committee. I respect the views that the South Australian Retail Liquor Merchants Association has put forward concerning that, if hotels are to be allowed free Sunday trading, why should we not allow other bottle shops free Sunday trading also. That is exactly what they are saying. However, for the reasons pointed out earlier, I do not favour the extension of liquor trading on Sunday. I cannot therefore support the retail liquor merchants increasing their hours as well. However, the argument that they make from a rational point of view is logical for anyone, including the Government, who supports the extension of trading hours.

One thing that I would point out is that one could easily examine the other factors of providing accommodation and meals, something that the Retail Liquor Merchants Association members do not have to do. Nevertheless, they compete on a six day basis now, so if hotels are open for seven days they should have a similar right.

Many factors in the Bill are appealing. One relates to the supply of liquor to minors. The Bill addresses this problem by imposing more responsibility on licensees and by increasing penalties. A lot of discussion has gone on among various speakers in relation to that factor. It is interesting that quite a few speakers have brought up the idea of identity cards so that licensees can clearly identify who is under age and who is of correct age. The provision that if licensees have any doubt they must err on the side of caution—in other words, if a person is 18 and the licensee thinks that they are 16 he can refuse to serve them—makes the law fairly clear for a licensee.

It is certainly a big responsibility that comes to the licensee. I fully appreciate that in a rush period when many people wish to be served a licensee could serve someone under age without realising it. For example, it may be thought that most members of a sporting club, such as a football club, are 19 or 20, but there may be an occasional 17 year old.

The increases in penalties must be applauded because the incidence of drunkenness and excessive alcohol consumption amongst the young is a real cause for concern in our society. Having lived in several small rural towns, I appreciate this problem more than would often be the case in the city, where the position is not so clear. In the small country towns it disturbed me, particularly in earlier days as a secondary school teacher, when I would see my students, who were still at school or had just left school, in the hotel thinking that they were fully grown adults and therefore entitled to all the privileges. That may be the case, but where privileges are abused, one has to pity those people. It is a problem that our society will have to address more in the future.

One also notes in the Bill that it will now be an offence for minors to consume liquor in areas such as car parks close to licensed premises and to some unlicensed premises such as shops, cafes, dances, amusement parlours and other prescribed areas. Other speakers have commented on that and dealt with the situation, but, generally speaking, it will hopefully stop the nuisance value that often spreads around hotels. The member for Torrens clearly enunciated many of the problems that he has in his electorate, which would include North Adelaide, where the residents are fed up with Sunday trading and other abuses from people who have consumed too much alcohol.

The fact that an applicant for a licence will have to satisfy the licensing authority that the grant of the licence is unlikely to result in undue offence, annoyance, disturbance or inconvenience to those who reside, work or worship in the vicinity of the licensed premises complements what I have just been saying. Hopefully, that will provide greater protection for residents in the area. I guess that all members receive complaints from constituents from time to time about noise and other abuses that affect them. It is often very difficult to give advice or to offer long term remedies. The easiest way often is to say, 'Look, have you got the money to sell out from there and find a nice quiet spot?' That is unrealistic in most cases.

For example, people who have moved into a new area who perhaps did not look around the area sufficiently beforehand, and who find that they are living very close to a hotel or a parking area where drinkers congregate might be a little more protected by the measure to which I have just referred. I refer also to the fact that local councils will be able to declare certain public places as being prohibited areas for the consumption and possession of liquor.

It is a pity that society has to move in this direction and allow such provisions. However, it is clear that changes are in the public interest if abuses have occurred in the past. I hope that councils will not object to another responsibility being thrown on their doorstep. It often seems that the State

Government does not wish to handle certain responsibilities, but in this instance I believe that certainly in relation to the city area, and also in certain situations in country areas, this will provide a safeguard for people who perhaps need protection.

There are many other positive aspects of the Bill. However, I am disappointed with the proposal to extend Sunday trading, as it has not been proved that it is beneficial for the community in any way. Obviously, people have the choice whether or not they consume liquor on a Sunday: that is fully recognised. However, it is disappointing that people are still being affected by others who consume alcohol and who are therefore abusive towards others who wish to be completely divorced from that side of life on a Sunday. In this society we seem to be getting more and more away from any concept of working for five or six days and then having a day of complete rest.

I referred to the Lord's Observance Day Society, but medical science indicates that the human being needs one day in seven for rest. All members of this Legislative Assembly would appreciate that often we go on for cycles of many more than seven days—sometimes 14 days or perhaps 21, at which time we are dying for a rest. However, we have chosen to come here, so I guess that we have only ourselves to blame.

In relation to the extension of hotel trading hours, we are forcing proprietors to open when perhaps they may not wish to do so. However, they must compete on equal terms, and in this regard we must consider the many people who will be obliged to work. However, again there are many exceptions already on a Sunday, so I suppose this is simply highlighting just one more. We seem to be quite intent on going along like the snow ball which gathers more and more snow as it goes.

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

**The Hon. D.C. WOTTON (Murray):** I want to speak only very briefly in this debate at this hour of the night. I indicate at the outset that I recognise that the amendments before the House at present will improve the Act considerably. I am aware of the many concerns that have been expressed over a period of time in relation to the failures of the principal Act. One has merely to refer to the Review of South Australia's Liquor Licensing Laws and the evidence that was provided to make up the review to recognise some of the considerable problems that are prevalent. The committee states in the first chapter of the review:

If we were to summarise very generally the submissions we received we would say that although some parties opposed relaxation of the law, or have no opinion on the matter, most consider that there is room for liberalising the laws and making them more flexible.

It further states:

Perhaps the most emotionally charged area was the operation of some licenced premises late at night. There is in several instances a clash between the interests of licensees trying to capture the trade of local residents who are deprived of sleep and quiet enjoyment of their homes.

As a former Minister for Environment and Planning and the former Minister responsible for noise legislation, I was made aware on numerous occasions of concern expressed by residents, particularly in the northern Adelaide suburbs, and I received many representations as Minister on that matter. Other areas of concern stated in the review include the inordinate number of classes and inflexible licences; Sunday trading; drinking by minors; liquor discounting; constraints on or abuses of trading conditions applying to clubs and wine licences; legal expense and delays involved in court hearings; paper work involved in obtaining occasional permits and in renewing licences; the inadequate

enforcement of licensing law provisions and of conditions applying to particular licences; and, finally, the archaic provisions in the Act.

I am aware of the vast amount of evidence that went into making up the review. I do not intend going into detail in relation to the specific improvements. They have been mentioned by a large number of members who have spoken in this debate. In fact, the previous speaker, the member for Goyder, went into considerable detail in relation to that matter. I unashamedly admit that I have considerable concern—and it is personal concern as a parent—about the extension of trading hours on Sunday. I have received representations, not necessarily from the wider community or a large number of constituents but probably more from friends who are of a similar age and have young families growing up, of general concern about the number of young people that find themselves congregating at hotels on Sundays.

With the extension of trading hours, that opportunity will be provided to an even larger extent for young people who have no other activities—to find themselves with friends at hotels all day on Sunday. I realise that to a large extent it is up to parents, if they are concerned about their young family, to find other things for the children to do as they grow up. Of course, we are not talking about children but young adults, and parents have that responsibility.

There is concern—and as a father I have that same concern—that unless other activities are provided for these young adults they will congregate at hotels. That might be good for the hotel trade but I am not too sure about it being good for the individual or family concerned. I also received considerable representation from my constituents very early in the piece, soon after the provision of tourist licences came into being. Of course, that was during the time of the previous Liberal Government.

My electorate contains the township of Hahndorf, which is a very popular tourist attraction. A large number of people come to visit. Hahndorf contains a lot for people to see and enjoy and the majority of people living in the town support the tourist trade very strongly; there is little opposition to tourism generally in Hahndorf. Early in the piece I received many calls from people on Sundays who were concerned—and I am talking about local people, not tourists—about some of the disorderly behaviour experienced in Hahndorf as a result of Sunday trading.

I know that that resulted from a large number of people congregating in Hahndorf because a hotel there was granted one of the early tourist licences, and people came from many parts of the metropolitan area and other districts to enjoy a social drink on Sundays. That certainly disrupted the lives of local people on a number of occasions. This was made clear to me on many times, but recently that situation has improved.

I have received calls from police officers expressing concern about the requirement in clause 54 of the Bill for a member of the Police Force to receive the consent of the Commissioner of Police before that officer can serve on a committee of management or hold any other office in a licensed club. Those officers who have contacted me have suggested strongly that this provision is not necessary and is unfair to police officers generally. I know of examples in my electorate of police officers being actively involved in district clubs. It is good that they are so involved, as it provides an opportunity for them to mix with members of the community, to make themselves available for questioning, and to become known on a personal basis and I support that. I agree with the representations that I have received from police that it should not be necessary for officers wishing to be involved in a club or wishing to take an active

interest at committee or executive level to seek permission from the Police Commissioner to do so.

The Police Commissioner, Mr Hunt, has said that he would be happy to approve applications (and I do not know whether he is in a position to say in most cases or all cases, because that would be a dangerous statement for him to make), and that he does not see any major problem with this provision being in the Bill. However, there will be other Police Commissioners who will have different views from those of the present Commissioner. Therefore, it is my intention to move amendments in Committee to change this clause. I do not intend saying more because many of the points that I would have raised have been raised by my colleagues. Having expressed a general concern about the extension of trading hours on Sundays and the problems and ramifications that may come from such an extension, I generally support the Bill.

**Mr GUNN (Eyre):** I have only one or two brief comments. First, many hotels in my electorate cater for the tourist industry, and they are the only places where members of the travelling public can obtain board, lodging and meals. I am most concerned about any course of action that will in any way affect their viability. I realise that there is a place in the community for clubs, and I belong to one or two. Clubs provide excellent facilities at sporting venues and have made it far more pleasant to attend sporting functions. However, I do not believe that those clubs should be placed in a position where they can compete for hotel trade. I believe it is important that we make sure that the hotel industry remains viable and is in a position to provide a high standard of service to the travelling public.

As someone who travels regularly through a large part of South Australia, I can appreciate the difficulties that the hotel industry would face if amendments were carried allowing clubs to trade on an equal basis to hotels. I include in that the sale of bottles. I do not believe that it is necessary to sell bottles in hotels or clubs on Sundays, anyway. I am not very supportive of Sunday trading full stop, and make no apology about that. I am personally very concerned about under age drinking and the effects of excessive alcohol consumption in the general community. It is a problem that western society has to face, and I express my concern on that matter.

The final point I make is that, for a long time, I have been concerned about the behaviour of certain groups in

the vicinity of hotels and the problems they cause to law abiding citizens. We have had lengthy discussions on the problems at Glenelg, and outside the hotels at Coober Pedy, Ceduna and other places. This legislation does address some of those problems. The Local Government Act is the appropriate Act to amend, and I sincerely hope that the Government will look favourably on those suggestions soon.

The hour is late and many speeches have been made, but I wanted to express those few points. I will have one or two things to say in the Committee stage. I emphasise that I sincerely hope that this House will bear in mind the services the hotel industry provides to the general community of South Australia. One cannot get a bed at a club and cannot have dinner at a club in many cases. It is very important that we do not make life difficult for the hotel industry, because it already has excessive costs to carry. The clubs with which I am familiar are operated by voluntary labour, whereas the hotel industry employs many people.

The big hotels in my electorate cater for the tourist industry and have massive overheads. In many, large amounts have been spent to provide facilities for the tourist industry. I hope that we tread carefully with amendments that will affect hotels. On Upper Eyre Peninsula and in other areas that I know well, the establishment of sporting grounds has greatly assisted clubs and created a more comfortable environment in which people can enjoy those fixtures. I support the second reading and will have more to say in the Committee stage.

**The Hon. G.J. CRAFTER (Minister of Community Welfare):** I thank all members who have contributed to this very long debate. The points they have raised require little response from me as they have been made in general discussion of the implications of this measure. Indeed, there have been incredible contortions of logic in the addresses given by a number of members, but I guess that that reflects some of the contortions which exist in the current legislation and which, hopefully, this full review of liquor licensing laws in the State will overcome. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

#### ADJOURNMENT

At 11.28 p.m. the House adjourned until Thursday 21 March at 2 p.m.