

HOUSE OF ASSEMBLY

Tuesday 28 October 1986

The **SPEAKER (Hon. J.P. Trainer)** took the Chair at 2 p.m. and read prayers.

FIREARMS ACT AMENDMENT BILL

His Excellency the Governor, by message, intimated his assent to the Bill.

EGG CONTROL AUTHORITY BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

PETITION: PROSTITUTION

A petition signed by 2 027 residents of South Australia praying that the House oppose any measures to decriminalise prostitution was presented by Mr Olsen.

Petition received.

QUESTIONS

The **SPEAKER**: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 149, 150, 163, 167, and 183; and I direct that the following answers to questions without notice be distributed and printed in *Hansard*.

TAFE COLLEGES

In reply to Mr **ROBERTSON** (24 September).

The **Hon. LYNN ARNOLD**: I have received further information in relation to the question raised by the member for Brighton on 24 September regarding the provision of courses during term 3 at two TAFE colleges. The Department of TAFE has redirected funds from other areas of its operation so that the Kingston College of TAFE and the Port Adelaide College of TAFE are now providing a reasonable enrichment education program in term 3. Detailed below are the additional courses generated by the redirection of funds:

Kingston College of TAFE:

Fifty additional courses have commenced. These are mainly in the areas of art and painting, craft/woodwork/carving, pottery and yoga. The classes are spread reasonably evenly across Camden Park, Mitchell Park, Brighton, Dover Gardens and O'Halloran Hill venues.

Port Adelaide College of TAFE:

Fifty-five additional courses have commenced in dress-making, art, health and recreation, cooking and technical (woodwork, carving, etc.) areas. These classes also are spread across a number of venues.

INSURANCE POLICIES

In reply to Mr **HAMILTON** (14 August).

The **Hon. G.J. CRAFTER**: Managers of the Grand Prix home-host accommodation scheme have included in the form which home owners are required to sign a warning that they should review their household insurance cover. Prior to last year's Grand Prix, the Insurance Council of Australia issued several press releases warning householders to check not only their house insurance but also their cover on cars, caravans, boats and any other valuable property. The Department of Public and Consumer Affairs has issued a press release advising home owners who are letting their premises or accommodating visitors to the Grand Prix to telephone their insurers to check their cover.

MINISTERIAL STATEMENT: TOBACCO TAX

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

Leave granted.

The **Hon. J.C. BANNON**: The House will be aware of publicity given recently to the activities of a limited number of tobacco retailers who are flouting the State law which requires them to be licensed. These operators are entering into commercial arrangements which have no other justification than the avoidance of their obligations to pay tax under State law. This practice is placing responsible retailers who are complying with the law at a great disadvantage, and undermining the determined efforts of the Government to discourage smoking and to relieve some of the pressures on our public health system.

The Government will not stand by and allow honest traders to be disadvantaged by unfair competition. We will not permit important public health initiatives to be jeopardised by people who refuse to act responsibly. Action is being taken to ensure that the law is complied with. If technicalities prevent any particular action to uphold the law I give notice that the Government will introduce retrospective measures to ensure that such retailers do not profit by their actions.

Prominent amongst those who have been engaging in these activities is a firm called B.H.B.S. Pty Ltd, of which a Mr B.M. Stokes is the principal. For the benefit of Mr Stokes and his associates and for the benefit of others engaged in or contemplating similar activities, I emphasise that the measures we are considering will be retrospective to the date of this statement. Directors and agents may be personally liable under these measures and under the accompanying legislation.

To avoid the possibility of incurring an obligation, consumers are advised to ensure that they purchase only from licensed retailers. We hope that these warnings will be sufficient to persuade those who are avoiding their obligations of our determination to ensure that such tax dodging is stopped.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Environment and Planning (Hon. D.J. Hopgood):

Planning Act 1982—Regulation—Victor Harbor Development.

By the Chief Secretary (Hon. D.J. Hopgood):

Firearms Act 1977—Regulations—Special Firearms Permit.

By the Minister of Employment and Further Education (Hon. Lynn Arnold):

The Flinders University of South Australia—Report, 1985.
Amendments to Statutes.

By the Minister of Transport (Hon. G.F. Keneally):

Health Act 1935—Regulations—Fees for Notification of Infectious and Notifiable Diseases.
Nurses Board of South Australia—Report, 1985-86.
State Supply Board—Report, 1985-86.

By the Minister of Education (Hon. G.J. Crafter):

Local and District Criminal Courts Act 1926—Rules of Court—Local Court—Preconference Trials and Costs.

By the Minister of Agriculture (Hon. M.K. Mayes):

Poultry Farmer Licensing Committee—Report, 1985-86.
Pest Plants Commission—Report, 1985.

ADELAIDE FESTIVAL CENTRE PLAZA

The **SPEAKER** laid on the table the following report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Adelaide Festival Centre Plaza—Repair and Improvement.

Ordered that report be printed.

QUESTION TIME

ROXBY DOWNS

Mr S.J. BAKER: As the Minister responsible for worker safety in South Australia, can the Minister of Labour say whether the provisions laid down in the Roxby Downs indenture to ensure worker safety are adequate?

The Hon. FRANK BLEVINS: I thank the honourable member for his question. The Radiation Protection Act is under the authority of the Minister of Mines and Energy, and I am sure he would be able to give a full and detailed explanation.

The Hon. R.G. Payne interjecting:

The Hon. FRANK BLEVINS: It is the Minister of Health; sorry, my mistake. As it is the Minister of Health, I am sure he will be able—and probably is doing so at this moment—to give a full and detailed answer.

Members interjecting:

The Hon. FRANK BLEVINS: I do not give opinions—I only state facts. The fact is that the Minister of Health within the next 10 minutes, I am sure, will be giving a very full and detailed response to a similar question in the Legislative Council.

TOOLING CENTRE

Mr De LAINE: Given recent reports about the possible establishment of a national tooling centre in Adelaide, will the Minister of State Development and Technology advise the House of the importance of tooling in the manufacturing sector?

The Hon. LYNN ARNOLD: I am certainly very happy to receive the question from the member for Price, who has maintained an active interest in this particular area. It is true that there have been press reports recently about discussions that are taking place. It is too early to say what

the outcome of those discussions will be and, as information becomes available, the House will be kept informed.

There is an important point to be noted about the concept of tooling. I note with some dismay that there are some in the community who do not understand just how important the maintaining of a tooling capacity is to the manufacturing sector of any State. There are some who would believe that a manufacturing sector need consist of nothing other than a fabricating sector. That is not the position in regard to a true manufacturing sector: a manufacturing sector is much more complex than that. To have a viable and strong manufacturing sector that is well founded requires adequate capacity in research, innovation, design, tooling and fabrication.

In South Australia, we have good expertise in the research and innovation area and very good expertise in the design area. We are amongst the best ranking in the nation in that area. Our fabricating sector is as diverse as is any other fabricating sector in the nation and, historically, we have had a very good tooling sector as well. This Government is keen to maintain that tooling capacity and expand it, and we will continue to work aggressively in that direction, not because just in itself it is an interesting and worthwhile activity, but because the capacity to make the machines, the dies and the tools that make the products is fundamental to a healthy manufacturing sector.

ROXBY DOWNS

Mr OLSEN: Does the Premier still believe that the codes of practice for worker health and safety in the Roxby Downs indenture are inadequate and, if so, is it the Government's intention to enforce further controls even if this means breaking the indenture? While it was opposing the Roxby Downs indenture in 1982, the Labor Party claimed that codes of practice in the indenture for worker health and safety were inadequate and called for amendments to allow a future Government to impose requirements for radiation protection beyond the statutory limits contained in the indenture. This was despite evidence from the Health Commission and a world authority on radiation protection and control that the provisions of the indenture were more than adequate to ensure worker safety.

Following the 1982 election, the Government changed its mind to full support of the indenture. Now, however, the Government position is again unclear, for, at their meeting with the Premier on 18 September, representatives of the joint venturers put the clear view that new regulations proposed by the Minister of Health would breach the letter of the indenture.

The Hon. J.C. BANNON: My position on this (and that of the Government) is totally consistent. Before the last election—not after it—we indicated that we would honour and stand by the Roxby Downs legislation as passed by the Parliament. In fact, we have done so consistently, and it is because of that that the project is in fact employing 700 people at the moment. I have given consistent undertakings that without the consent of the parties, unless there are dire circumstances that warrant the intervention of Parliament, we will not seek to amend that Act. We have consistently resisted any moves to do so.

It is very interesting that just last week, when the Hon. Mr Gilfillan moved in the Legislative Council a motion that included a reference to changes being made to the indenture, when that amendment was put before the Council, members of the Liberal Party in that Chamber joined with the Democrats to oppose the amendment that we had

moved. We sought to put beyond any doubt that the indenture was under threat in that motion by seeking to delete from it, after talking about uranium sales to France, the words, 'and that any such sale would jeopardise the Roxby Downs (Indenture Ratification) Act 1982', the implication of that being that the indenture would be threatened if certain action did not take place. We sought to delete those words to put it totally beyond doubt that the indenture would not be under threat, and members of the Liberal Party in the Legislative Council joined with the Democrats to oppose it. They are all there.

Members interjecting:

The SPEAKER: Order! I call the Leader of the Opposition to order.

The Hon. J.C. BANNON: That is where we stand on the indenture, and nothing has changed. Section 8 of the indenture Act provides:

If at any time legislation of the Parliament of the State requires any person dealing with radioactive substances to hold a licence, authorisation or permit to do so, the Minister, person or body responsible for the issue of that licence, authorisation or permit shall, upon application by the joint venturers, grant to them any such licence, authorisation or permit required for the purpose of enabling them to undertake the initial project or subsequent projects.

It is that provision that is being invoked in the negotiations or discussions that have been going on in the context of the Radiation Protection Act.

A licence is required to be issued. In fact, as has been made clear by both my colleagues the Minister of Mines and Energy and the Minister of Health, the indenture as worded at the moment makes it virtually impossible to enforce except by the most drastic action possible—and that would be to cancel the whole thing and suspend the project. We are ensuring, first, that the indenture's integrity remains untouched and, secondly, that the highest standard of radiological protection is maintained. Both of those things are occurring. It is not a question of whether or not a particular point of view is accepted or whether the joint venturers are happy or unhappy. The Government will do what is necessary to be done to ensure that that protection is given.

There are really three attitudes to Roxby Downs, and they are all represented in the debate that has been going on in both this House and in another place. First, there are the Australian Democrats, whose aim and object has been consistently—and I do not criticise their consistency on this; they have the luxury of being able to wash their hands of this vital project and they have taken that approach—directed at closing the project, preventing it from going ahead, and they have taken every possible action to ensure that that occurs. That is their position, and they have a perfect right to hold that position. However, I suggest that every comment made by the Democrats should be read in the context of their basic position, which is that Roxby Downs should be closed and we should not have it. There is another group, which is well represented in this Chamber and the Deputy Leader of the Opposition probably personifies it more than anyone: it says that at Roxby Downs anything goes—

Mr Olsen interjecting:

The SPEAKER: Order! I call the Leader of the Opposition to order for the second time.

The Hon. J.C. BANNON: That group says, 'We are terribly sorry that we even had to put some conditions in the indenture. We would like you to get in there, dig it out, recklessly, as fast as you can, sell it to anyone who is in the market and make sure that you do anything possible to make big profits and be totally reckless as to worker safety and as to the destination of the uranium product of those mines.' We reject both those extremes. We totally reject the

attitude of the Opposition, which is grossly irresponsible; and we also totally reject the Democrats' attitude, which is equally irresponsible.

We say that in South Australia there is a commitment to this project and there is an indenture which establishes it. We will honour and support that indenture, but not at the cost of worker safety or any other particular aspect that it is within our power to prevent. That is exactly what we are doing. Whether that is acceptable or unacceptable to the joint venturers or anyone else, that is how the project is being managed, and it is going ahead on that basis.

QUEENSLAND POLICE

Mr ROBERTSON: Is the Minister of Emergency Services aware that his Queensland counterpart, the Deputy Premier and Minister of Police (Mr Bill Gunn), has written to an Adelaide man who was physically abused and falsely imprisoned by the Queensland police in January, to inform him that an internal investigation conducted by the Queensland police had 'failed to establish sufficient evidence that would justify any action being taken against the police officers concerned'?

On 23 January this year a gentleman who now lives in the electorate of Bright was holidaying in Queensland. On the night in question, I am told, he was walking along the street minding his own business when his attention was drawn to an area marked for redevelopment. Whilst he was looking at the redevelopment site, a police car pulled up behind him and, when he asked for information on the project, he was accused by one of the officers of being drunk and told to get into the police car. The gentleman in question speaks rather quickly and tends to slur his pronunciation, but he informed the officer that he was not drunk, had not had a drink for a fortnight and would gladly subject himself to a breathalyser or blood test. His protests were to no avail and I am assured (by the gentleman in question) that he was bundled into the police car by two policemen during which process he suffered a bruised shoulder, a bump on the head, bruised ribs and a cut shin. When taken to the Brisbane watch-house, he again repeated his willingness to be subjected to any form of tests for drunkenness—

Mr OSWALD: Mr Speaker, I ask you to rule that this is an inadmissible question. Clearly the Minister in South Australia has no jurisdiction whatsoever in relation to an offence that took place in Queensland or to subsequent proceedings that will be before the Queensland courts.

Members interjecting:

The SPEAKER: Order! While the Chair is considering that point of order, we will proceed to the next question. I ask the member for Bright to bring the initial part of his question up to the Chair so that I can check its exact wording.

ROXBY DOWNS

The Hon. E.R. GOLDSWORTHY: My question is directed to the Premier. Does the Government now reject advice given by senior Government officers to the select committee on the Roxby Downs indenture Bill—

Members interjecting:

The Hon. E.R. GOLDSWORTHY: Surprise, surprise!—that the provisions of the indenture are adequate to ensure worker safety and are enforceable? Today the Premier stated that, as far as the Liberal Party and I in particular are

concerned, anything goes. The leaked BP documents reveal that the Minister of Health does not believe that the indenture provisions are adequate to protect workers at the mine. In fact, we were at great pains to see that the radiation controls in the Roxby Downs indenture—

An honourable member: That's comment.

The Hon. E.R. GOLDSWORTHY: It is a statement of fact, and it is pertinent to what the Premier said. We were at great pains to see that the radiation controls that the Roxby joint venturers had to observe were the most stringent in the world, and that is the indenture to which the Premier has given some grudging support today. The fact is that the Minister of Health has said that the provisions are not enforceable. Such views conflict entirely with the evidence given to the Roxby Downs select committee in 1982 by senior Government health and legal officers about the strict procedures already in the indenture. Of course, I was responsible for them, and that gives the lie to what the Premier said earlier.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: Well, we do not like untruths to get too much currency, do we? Or do we? Mr Speaker, we always like to keep them honest, if we can. It is difficult, but we try.

The SPEAKER: Order! The Deputy Leader should try to stick to the explanation of his question—

The Hon. E.R. GOLDSWORTHY: Thank you, Mr Speaker, I am just putting the Premier back on the straight and narrow, if possible.

The SPEAKER: Order!—without any additional comment that could be looked on as contempt of the Chair.

The Hon. E.R. GOLDSWORTHY: Yes, they do not like it. The principal Health Commission officer—Dr Keith Wilson—gave evidence to the select committee before the Bill came into the House in relation to provisions in the indenture and the radiation protection and control legislation. Paragraph 252 of the evidence contains the following statement:

Commission officers generally believe that both pieces of legislation give ample ability for controls to be imposed and monitored and to ensure adequate protection of employees and members of the public.

I quote that paragraph so that, if members opposite have the wit or the interest, they can look it up.

The SPEAKER: Order! That is the last opportunity that the Deputy Leader of the Opposition will have to avoid having leave for his explanation withdrawn. The Deputy Leader may now continue.

The Hon. E.R. GOLDSWORTHY: In relation to the enforcement of these provisions, Mr Michael Bowering, who was heavily involved in the negotiating team for the indenture and was then of the Crown Solicitor's Office, having recently been appointed a judge by the present Government, told the select committee in paragraph 293 of the evidence that the joint venturers were 'contractually obliged' to comply with the ALARA principle and that, if they did not, they were in breach of the indenture. He said:

The answer is to take action against them for breach of the indenture. If that persists long enough, the consequences to the joint venturers might be most stringent. They stand, in effect, to be totally dispossessed.

That is, of course, as a last resort.

An honourable member: And therefore it is important.

The Hon. E.R. GOLDSWORTHY: Of course it is important. In view of the Minister of Health's recent statements and those of the Premier in the *Advertiser* this morning confirming the Government's intention to press ahead with tighter health and safety codes and questioning the administration of existing arrangements, is it now the Govern-

ment's position that it rejects the advice that I have quoted from the Health Commission and legal officers given in 1982?

The Hon. J.C. BANNON: Obviously, over time standards change. They change in the light of evidence and in the light of developments that have taken place. We are concerned to ensure that not only does the licence that is required under the Radiation Protection Act apply but also that the standards are to the appropriate level. Whatever the contemporary level by the international standards which have to be observed, that is the requirement which will be made on the joint venturers—and that is what they will have to accept. Simply left as it was in the indenture, should there be a breach of those conditions, the only recourse that the State would have would be to terminate the entire indenture and the contractual relationships that go with it. That makes it quite impossible to enforce in practical terms.

Members interjecting:

The Hon. J.C. BANNON: Members opposite like to say that it is nonsense now. I believe that they may well have had that in mind. Without the issuing of that licence, that is the position.

The Hon. E.R. Goldsworthy interjecting:

The Hon. J.C. BANNON: I am very gratified indeed. It is four years on, and the member whose views were to 'Dig it up and ship it out' is now telling us that he has this great and overriding concern for the radiological hazards of Roxby Downs. I wish he had communicated that a little more accurately and effectively in the period during which he was Minister in charge of this area.

Members interjecting:

The SPEAKER: Order!

QUEENSLAND POLICE

Mr ROBERTSON: I repeat my question. I ask the Deputy Premier and Minister of Emergency Services to intercede on behalf of an Adelaide man who was physically abused and falsely imprisoned by Queensland police in January. I point out to the House that he has just received a letter from the Queensland Minister of Police informing him that internal investigations would not be pursued. On 23 January this year—

Mr S.G. EVANS: On a point of order, I was of the belief that, seeing that a point of order had been raised with you, even though you may have privately given permission to the member to continue with the question you, Sir, might have advised the House why—

The SPEAKER: I accept the member for Davenport's point of order; the Chair was at fault. I should have pointed out to the House that, after private consultation with the member for Bright, I am satisfied that the wording of his question as resubmitted will be in order.

Members interjecting:

The SPEAKER: Order!

Mr ROBERTSON: On 23 January a gentleman who lives in my electorate was holidaying in Queensland. On the night in question he was walking along the street minding his own business when his attention was drawn to an area marked for redevelopment. While he was looking at the redevelopment site, a police car pulled up behind him and, when he asked for information on the project, he was accused by one of the officers of being drunk and told to get into the police car. The gentleman in question speaks rather quickly and tends to slur his pronunciation, but he informed the officer that he was not drunk, had not had a drink for a fortnight and would gladly submit himself to a

breathalyser or blood test. His protests were to no avail, and I am assured that he was bundled into the police car by two policemen, suffering a bruised shoulder, bump on the head, bruised ribs and a cut shin. When taken to the Brisbane watch-house he repeated his willingness to be subjected to any form of test for drunkenness, but he was relieved of his possessions and thrown into a cell for four hours.

My constituent was also refused permission to make a telephone call at the time of his detention. When he was released, he was told that \$2 had been taken from his wallet for bail, and he was unceremoniously cast out into the street with his belongings in a paper bag. On 1 March my constituent wrote to the Queensland Minister of Police and Deputy Premier, Mr Bill Gunn, asking for an inquiry and complaining at the conduct of the police officers concerned. Unfortunately, he was unable to identify the officers, because neither officer was wearing an identification number.

Last month my constituent received a letter from Mr Gunn informing him that the investigation had been carried out by a 'commissioned officer of police' attached to the internal investigation section. The letter stated that the investigation had failed to establish sufficient evidence to justify any further action being taken against the police officers concerned. Mr Gunn also states in his letter:

It is not proposed to take any further action in relation to the matter.

In the light of the apparent unwillingness of the Queensland Minister to see justice done—

The SPEAKER: Order! That remark in the honourable member's explanation is clearly comment.

Mr ROBERTSON: I apologise. I ask the Minister to make every effort to ensure that the investigation is reopened and that the matter is not laid to rest in this way.

The Hon. D.J. HOPGOOD: If what has been reported to the honourable member is factual, it represents an appalling sequence of events and something that should be followed up with all due rigour. I cannot recall whether, in fact, there is a Police Complaints Authority in Queensland. I suggest to the honourable member that he make those inquiries and if, in fact, the machinery exists in Queensland, as it exists in this State as the result of a successful legislative initiative by this Government some years ago for these matters to be reviewed by the Police Complaints Authority, his constituent should take up that matter with the authority where no doubt it could be considered further. Should his constituent find that such a course of action is not open to him, the honourable member could refer the matter back to me and I will check up with whoever may be Minister of Police in Queensland in a few days time.

CHILD MAINTENANCE

Ms GAYLER: Can the Minister of Transport, representing the Minister of Community Welfare in another place, say whether the South Australian Government supports the principles contained in the Federal Government's discussion paper on child maintenance by non-custodial parents, and whether the Government will be making a submission during the consultation period, especially suggesting ways of helping existing custodial parents not receiving adequate support? The Commonwealth report entitled 'Child Support' was released earlier this month and, in relation to South Australia, it concludes (at page 6):

While the South Australian agency has been very effective in obtaining and collecting maintenance payments, it assists less than 30 per cent of the South Australian sole parent pensioner popu-

lation, which is not much more than in States without similar agencies.

Recent data from the Australian Bureau of Statistics suggests that more than 70 per cent of non-custodial parents do not make regular payments in support of the 450 000 children cared for by 250 000 sole parents in Australia. The report goes on to propose important reforms to alleviate the plight of sole parent families. However, the reforms would not apply to all parents separated before the new system is introduced.

The Hon. G.F. KENEALLY: I thank the honourable member for her question, the short answer to which is: 'Yes; the State Government supports the thrust of the Federal Government's discussion paper.' However, I think that the honourable member's question needs a more detailed response and I should be happy to refer this matter to my colleague the Minister of Community Welfare in another place. It is an extremely important area. It covers a problem of some magnitude and it is one in which all members are interested. I congratulate the honourable member on raising the matter in this form and I will get a response as soon as I can.

URANIUM MINING SAFETY

The Hon. B.C. EASTICK: Does the Minister of Mines and Energy agree with statements of the Minister of Health that mines inspectors are not the appropriate people to look after the safety aspect of uranium mining, that the Minister of Mines and Energy has a vested interest in this matter, and that, in these circumstances, it is wrong to have someone from the Department of Mines and Energy acting as a health and safety officer? The foregoing statements, which were made by the now Minister of Health in 1982 while he was opposing the Roxby Downs indenture Bill, seriously reflect on officers of the Department of Mines and Energy. According to a statement by Dr Cornwall reported in the *Advertiser* on Saturday, he still holds those views.

This matter is currently committed to the Minister of Mines and Energy under arrangements which the Health Commission found entirely satisfactory in 1982. I quote the following evidence to the Roxby Downs indenture select committee by Dr Keith Wilson, principal Health Commission officer, as follows:

We envisage a three tier monitoring plan. There is the continual day-to-day monitoring by the company as required under the code and our requirements. The mines inspectors will have a daily or almost daily presence on the site and then, superimposed over that, will be our monitoring surveillance, which will be more in the nature of coming into the field of operation and doing detailed monitoring all at once, and comparing our results with the results sent back from the company and the mines inspectors.

I ask the Minister whether he still supports the arrangements as detailed by Dr Wilson, or whether he agrees with the Minister of Health that it is not appropriate for mines inspectors to be involved.

The Hon. R.G. PAYNE: I have been asked whether I agree with statements put forward by a colleague of mine in 1982. The best way to answer that—initially, anyway—is to say that, if my colleague Dr Cornwall had the same view on every matter today that he had in 1982, I would have a very poor view of him as a colleague. Everyone ought to progress as time goes by.

Members interjecting:

The Hon. R.G. PAYNE: It would seem that not to progress is what members opposite require. Clearly, that is what I am being asked to agree with. Does the member for Light believe it would be reasonable that my colleague, now that he has held office in the very responsible job of Minister

of Health for some years, has a good deal more knowledge of the area than he had in 1982? Clearly, the answer to that question is 'Yes'. Therefore, I point out to the honourable member that, if my colleague said those exact words in 1982—I am not saying that he did not, because I do not carry around in my head a compendium of all that Dr Cornwall (or, for that matter, all that the member for Light) said in 1982—

Mr Olsen interjecting:

The Hon. R.G. PAYNE: I did not say that he was ignorant in 1982 at all. It is no use the Leader trying to put words into my mouth. I said that since that time—

The SPEAKER: Order! The Chair reluctantly points out to the Leader of the Opposition that he has been called to order twice this afternoon. If the Chair has to do so again, there will be certain consequences. The Minister of Mines and Energy.

The Hon. R.G. PAYNE: Thank you, Mr Speaker. I noticed that we were being treated to direct quotes—I took it that that was what was being fed by the member for Light—from statements made in the past. I wish honourable members would look at statements made as recently as today, one of which was in this morning's *Advertiser* editorial. I bring that before the House and the people of South Australia as the correct attitude relating to this whole matter. The *Advertiser* editorial states:

Pressures from vested interests, political—

members opposite—

commercial or philosophical, should take a back seat to safety.

I point out to some members opposite who are staring blankly into space as they usually do that, clearly, they have not caught up with the *Advertiser* editorial this morning. That is a far more contemporary event than anything my colleague may or may not have said in 1982. The issue revolves around the safety of the work force and sensible operating procedures to enable the project to proceed for the benefit of all South Australians. The Premier adverted to that matter earlier. That is the matter being addressed continually by me as the Minister responsible under the indenture. I am sure it is being addressed by every one of my colleagues wherever they have responsibility in this matter, and not just by the Minister of Health, to whom reference has been made. Therefore, I draw those matters to the attention of the honourable member, who has raised this question with no other intent than to create a mischief which is not necessary in this matter.

Members interjecting:

The SPEAKER: Order! The honourable member for Henley Beach.

WORKERS COMPENSATION PAYMENTS

Mr FERGUSON: I direct my question to the Minister of Labour—

The Hon. E.R. Goldsworthy interjecting:

The SPEAKER: Order! I warn the Deputy Leader of the Opposition for continuing to interject after having been called to order. The honourable member for Henley Beach.

Mr FERGUSON: Can the Minister of Labour inform the House whether long delays by insurance companies and solicitors in providing cheques to employees following workers compensation settlements has ever been brought to the attention of his department? I have recently had a series of complaints from constituents following long delays in receiving settlement cheques after agreement has been reached for settlement in workers compensation cases. After contacting solicitors, generally, agreement can be reached

for prompt payment of these cheques. I have made inquiries of the Law Society and have been informed that it is not unusual for three or four complaints to be made to the Law Society each week about similar problems. One problem that people encounter is that social service benefits cease from the date that settlement is reached and I understand that delays in providing the settlement cheques can last for two or more months. My constituents have stated to me that they have found themselves in financial difficulties in having to wait so long for financial settlements.

The Hon. FRANK BLEVINS: The Department of Labour does from time to time have queries from people who are waiting for settlement of a workers compensation claim. There is not a great deal that we can do about it, because the position is fairly complex. I would like to put on the record some of the complexities involved. As the honourable member said, under the current workers compensation system, delays can occur between the settlement of a claim and receipt by the worker of the settlement cheque. Once settlement has been agreed and consented to in the Industrial Court, a cheque cannot be drawn until the orders of settlement are received from the court. This can take from one to two weeks from the settlement date.

In addition, further delay can arise where a worker has been in receipt of social security payments. In these cases settlement cheques cannot be sent until the repayment figure to the Department of Social Security has been provided. This repayment figure cannot be provided until the Department of Social Security has sighted the court order. As soon as the Department of Social Security sights the court order it ceases social security payments. A period can then occur where the worker is without any form of income whilst waiting for the settlement cheque—clearly undesirable.

Delays between the agreement to settle and receipt of a settlement cheque can arise because of the number of parties involved in the proceedings. When a court order has been given, the lawyer appearing for the insurer advises the client insurance company, which then prepares a cheque. This cheque is sent to the employer's lawyer, who in turn sends the cheque to the worker's lawyer for payment to the worker. Before a worker is paid, however, all outstanding accounts must be met and, for example, delay in receiving a final treatment can forestall payment.

Disputes can also arise in relation to outstanding accounts and with the Department of Social Security over any monies owed to it. All these factors can lead to distressing delays for workers awaiting compensation.

I point out to the honourable member that the workers compensation system that the Government is attempting to get through the Parliament will resolve a large number of those problems and ensure that workers get not only immediate treatment but also immediate financial compensation. I look forward in the not too distant future to that legislation passing the Parliament so that some of the problems—in fact, the majority of the problems that the member for Henley Beach outlined to the House—will then be avoided.

ROXBY DOWNS

The Hon. P.B. ARNOLD: Has the Minister of Health told the Minister of Mines and Energy that there will be 40 extra cancer deaths at Roxby Downs unless stricter radiation protection and control arrangements are established and, if so, does the Minister of Mines and Energy agree with his colleague? I ask this question in view of the following reference in the leaked BP documents:

Payne said that Cornwall takes the view that he 'Doesn't want on his shoulders the 40 extra cancer deaths'.

The Hon. R.G. PAYNE: In a way I am glad that the honourable member has raised this question, because it gives me the opportunity to point out that the meeting at which these events allegedly took place does not even appear on my diary. That is because it was a not prearranged call on me, I think at Parliament House, by the persons whose names appear in the released papers. For that reason, since I was the only person there (apart from those listed), I believe that it would be of very little profit or of any sense if I were to assert my viewpoint of what actually transpired at the meeting when I would be making an assertion against stuff that has been already leaked and is now believed by many people.

However, I will say that it is not necessarily an accurate report of my recollection of the meeting. I think the honourable member asked whether the Minister of Health had made that comment to me. The answer is 'No'. However, in honesty I indicate that a similar statement has been made to me by the Minister concerned. I do not believe that the word 'extra', for example, featured at any time when I heard the other details.

Mr Ingerson interjecting:

The Hon. R.G. PAYNE: The honourable member asked a question. I am trying to give my honest recollection of what has occurred in this matter. I did not go away and write down any notes, as apparently some other people did, for whatever purpose I cannot imagine. Allegedly, that is the only record of that meeting apart from what I have in my head, and I am now trying to indicate what is my memory. I do not think the statement is critical. The critical thing for the honourable member and every other member of this House to take into account is that, if there is any risk whatsoever of any deaths associated with the mining activity at Roxby Downs that are preventable by some action that we as parliamentarians can take, then we damn well ought to take it. I suggest that that may well be the motivation of the Minister of Health and myself in this matter.

Let us get it quite clear here and now: there is no dispute between the Minister of Health and me, as has been portrayed in the supposedly accurate leaked documents. There is disagreement on some matters of detail. There is a hell of a lot of difference between a disagreement and a dispute. What we are attempting to do even now—as late as yesterday—is to work out a sensible and workable arrangement to provide the protections that must be provided for the work force at Roxby Downs. We do not have people up there who will dig up a shovelful of radioactive ore. Millions of tonnes of the material will be taken out of the mine. It is a massive operation, an extremely large underground mining operation, and every measure that can be taken must and will be taken.

I do not suggest that the joint venturers oppose the institution of proper safeguards in this matter. The joint venturers gave assurances which have not been quoted in this House by members opposite who seek to be mischievous in this matter. I was a member of the select committee, I know what was said during that time and I had a very cautious approach to this whole activity at that time. However, I have a belief, which I am happy to indicate to this House, that the activity, properly regulated, can be done without harm to the work force. To the question 'Will it be regulated properly?', the answer is 'Yes'.

PORT CONTAINER FACILITIES

Mr PETERSON: Has the Minister of Marine investigated the proposed changes to the Australian Customs Serv-

ice cargo clearance systems and does he now believe that these changes have the potential to seriously affect Port Adelaide as an employment and cargo handling centre? I first raised this matter in a question to the Minister two months ago on 28 August and again in debate on 17 September. However, it was not until the Estimates Committee of 2 October that notice was taken of these proposals. The response from the Australian Customs Service was that the changes will not have any effect on Port Adelaide. I, and many others, disagree with that opinion. Does the Minister consider that aspects of the port's operations are now at risk?

The Hon. R.K. ABBOTT: I firmly believe that the Australian Customs Service Comptroller, Mr Hayes, who, I believe, was sent over to extinguish a few fires, has totally misread the likely impact on the port of Adelaide and the whole of South Australia in relation to the proposal put forward by the Australian Customs Service for cargo to be cleared in the Eastern States. I still have every reason to believe that if those proposals go ahead there will be serious effects on employment and some customs agencies in Port Adelaide.

However, I do not intend to back down from what I stated publicly about the effect that this is likely to have. I took advice from the Ports Liaison Advisory Committee, which advises me and is the expert in the field, and I support what it said. I am very much aware of the need to combat the illegal entry of drugs into Australia, but we are also keen to look after the interests of South Australia.

Because of the Government's concern, a committee has been established to determine strategies to protect the interests of South Australia should the Australian Customs Service introduce an integrated cargo control and clearance system for container traffic. The committee comprises representatives from the Department of Marine and Harbors, the Department of State Development, the Advisory Services Division of the Department of the Premier, the trade unions involved, and any other interested party connected with container shipping.

A draft economic impact statement is presently being prepared by two economists from the Department of State Development for consideration of the committee, and a wide range of interested organisations and companies are being consulted during the preparation of that statement. It is expected to be ready for committee consideration in approximately two or three weeks. I understand that we have a little bit of time on our hands in relation to this matter, as the Australian Customs Service indicated that it would implement some of the proposals by June next year.

I have received a response from the Federal Minister for Commerce, Senator Button, acknowledging the telegram of protest that I sent. However, I have heard nothing official from the Federal Minister for Transport, or for that matter any detail from Senator Button. We are following this matter very closely and are determined to look after the interests of South Australia.

ROXBY DOWNS

Mr GUNN: Is the Minister of Mines and Energy concerned by the attempts of the Minister of Health to undermine the Roxby Downs indenture and what action has he taken to prevent this?

Members interjecting:

Mr GUNN: As usual, the member for Mawson continues to interject. I ask the question in view of the following statements in the leaked BP documents:

He [referring to the Minister of Mines and Energy] alleged that the Health Commission continues to brief politicians and others on the basis that the standards at Olympic Dam are and will be inadequate and constitute a health hazard.

It states further:

Payne said that it was only through his intervention that Western Mining and BP got to see the proposed amendments beforehand, because Cornwall was on his way to moving the Bill ahead without the joint venturers having any prior review.

These statements indicate a deliberate attempt by the Minister of Health to undermine the indenture and I ask the Minister of Mines and Energy, who has responsibility for the indenture, what he is doing to put a stop to this action.

The Hon. R.G. PAYNE: I would have thought that I was speaking in a loud enough voice before to indicate to the honourable member that more than one description could apply to the conversations that took place on the fateful day in question, and which relate to the leaked documents. Certainly, I have indicated to members that other interpretations could be put on what was said. However, I also pointed out or tried to indicate in my earlier answer, that one of the things which I abhor in these matters is, when something is being said later on, one's trying to take the opportunity to wriggle out, readdressing a matter, or saying that one was misquoted.

I invite members to have a look at my record in this House since 1970 and see how many times I have attempted to correct something that has been attributed to me. On this occasion I say only that I have not been accurately reported, and I will leave it at that. The topics contained in those words were canvassed. However, I give the honourable member the following answer to his question: I do not believe that there is any need for me to take any action whatsoever with the Minister of Health other than that which I am already taking, because he is not seeking to undermine either the Roxby Downs indenture or any of the associated legislation and requirements that go with it.

CRICKET ACADEMY

Mr RANN: Will the Minister of Recreation and Sport inform this House as to the progress being made in establishing a national cricket academy in Adelaide? It has been reported in the *Advertiser* that a decision will soon be made on a proposal by the Australian Cricket Board to turn Adelaide Oval into a cricket academy for the nation's elite young cricketers and test players. Mr David Richards, Executive Director of the Australian Cricket Board, said that this proposal—which, I might add, is strongly supported by the member for Adelaide—is part of a radical talent identification program to adopt a more scientific and professional way of getting a break on the rest of the cricket world.

The Hon. M.K. MAYES: I thank the member for his question and interest. I am not sure whether this comes from his experience last year playing against the Southern Districts Working Men's Club. I noticed that some of his googlies were rather devious and often caught square leg or silly mid-off unawares. Certainly, the batsmen were quite surprised.

The Government is very excited about the prospect of having the AIS program located here in Adelaide. It is dependent on two decisions: first, the decision by the Institute of Sport to accept cricket into its program and, secondly, on its relocation here to Adelaide. Both those actions, of course, require Federal Government approval, and it seems that the ACB and the South Australian Cricket Association are both quite positive about Adelaide being the location for the new academy of cricket as part of the Institute of Sport's program.

The Premier and I had the opportunity to meet at a lunch about three months ago with the President of the ACB and South Australian Cricket Association President, Mr Phil Ridings and the executive officers. The discussions indicated that all parties at cricket and State Government level were very keen and positive about the idea of establishing here an academy attached to what I presume would be the South Australian Institute of Sport, as well as about the location of the practice nets and indoor facilities and, probably, some of the lecture room facilities at Adelaide Oval.

So, the whole concept is being worked up by the ACB and the SACA. The State Government has indicated its support but we must wait for the decision from the Australian Institute of Sport and the Federal Government whether it will be accepted in this year's program. It could come during the latter half of this financial year. If it does, the State Government would be most keen to have it and I am sure that the Premier supports me in these comments. However, capital must be discussed as well as recurrent costs, because it is estimated that, in respect of the physical facilities required by such a sport, up to \$500 000 would be required constantly to service recurrent costs. Therefore, we must look at a fairly large budget to run between 18 and 20 scholarships in Adelaide annually under the AIS banner.

The State Government is excited and keen about the concept, as I am sure is all the South Australian cricket community. Adelaide has been chosen for its obvious natural attributes and its central geographic location. We have the most picturesque cricket oval in the world. The location of the oval and the facilities available at SASI enhance the whole project, and we can be happy that the ACB and the local association have seen fit to support it. The State Government will join with them in their enthusiasm.

URANIUM MINING SAFETY

Mr LEWIS: Is the Deputy Premier, as Minister of Emergency Services, aware of plans which anti-nuclear groups such as CANE are making to organise demonstrations at Roxby Downs and coordinate them by bringing together as many people as possible from campuses of tertiary education institutions all around Australia after the completion of exams late in November? Further, does he know of their plans to blow up or otherwise breach the new security fence which has just been erected around the mine site, put there by Roxby Management Services to protect the safety of the workers from danger which would result from sabotage to equipment committed by organised nefarious elements such as this? If he is not aware, will he have investigations made so that he can be informed and take action to prevent the plans of these emotional nuts who use rent-a-crowd and employ other tactics—

The SPEAKER: Order! I think that the honourable member is aware that he is straying into comment rather than giving the background explanation of his question. If he insists on proceeding along those lines, I will withdraw leave for his explanation. However, pending what he has to say, we will hear the rest.

Mr LEWIS: With respect, Mr Speaker, and with the leave of the House, I would like to explain the question.

The SPEAKER: In view of the fact that the honourable member introduced comment into his question rather than the explanation, I withdraw leave and call on the Deputy Premier to reply.

Mr LEWIS: On a point of order, Mr Speaker, with respect, I seek to ascertain which comment it was to which you took exception, because I had not in any sense put a sentence to this House that was not a question.

The SPEAKER: Order! It was the number of adjectives applied to the alleged group. I cannot from memory recall the exact words, but 'nuts' and other such words were used, and the explanation clearly strayed into the area of comment. The Chair is making every endeavour to see that Standing Orders are adhered to. The honourable Deputy Premier.

Mr Lewis: That's what I call censorship.

The SPEAKER: Order! I call the honourable member for Murray-Mallee to order.

Mr GUNN: On a point of order, Mr Speaker—

The SPEAKER: Order! The honourable member for Eyre.

Mr GUNN: It would appear from your comment, Mr Speaker, that I am not permitted to rise on points of order. You seem to take exception to my rising on a point of order.

The SPEAKER: Order! What is the honourable member's point of order? If he has no point of order, the honourable member will resume his seat.

Mr GUNN: My point of order is that the honourable member for Murray-Mallee was asked to resume his seat without an opportunity to rephrase his question, whereas the honourable member for Bright was given the opportunity to rephrase his question and explanation so that it could be brought into line with Standing Orders.

Members interjecting:

The SPEAKER: Order! The first Question Time of the week is the one that normally sets the tone for the remainder of the week. Therefore, the Chair has tried to be particularly stringent in applying Standing Orders today. However, in view of the remarks put to me by the member for Eyre, the Chair will take what is probably, I believe, the unprecedented step of permitting the honourable member for Murray-Mallee to continue with the explanation to his question. The honourable member for Murray-Mallee.

Mr LEWIS: I thank you, Mr Speaker, and the House, for leave to explain my question. A number of constituents and citizens of this State alike have expressed to me regret that Special Branch was abolished. In this instance, the explosives planned to be taken to the site and used by the people involved clearly indicate that worker safety will be put at risk. Indeed, I refer to the Premier's own remarks in replying to an earlier question today, that the dire circumstances warrant it. I draw to the attention of members the comment in today's *Advertiser* editorial quoted by the Minister of Mines and Energy: namely, 'That pressure from vested interests, political, commercial, or philosophical, should take a back seat to safety.' So, the Kamikaze left—

The SPEAKER: Order! I withdraw leave. The honourable Deputy Premier will, I presume, reply to at least one of the questions asked by the honourable member.

The Hon. D.J. HOPGOOD: I think I can recall the questions, although it seems a long time ago. The Campaign Against Nuclear Energy is politically impotent in this State: it has very little credibility. Notwithstanding that, it has no reputation for violence of which I am aware. I assume that the honourable member has already made available to the South Australian police the information that has been passed on to him. If he has not done so, I advise him to do so as quickly as possible, otherwise reasonable people can only conclude that this is something that has come from his feverish imagination.

The SPEAKER: Order! Before calling on the business of the day, I point out that it is the attitude of the Chair that explanation should be simply objective explanation. In recent years there has been a tendency for members to introduce into their explanation comment that should not be there and probably too much tolerance has been shown towards

that practice. Members should be aware that comment does not merely consist of clearly adding sentences that obviously express personal opinion as distinct from fact: comment also includes the introduction of excessively colourful adverbs, adjectives, adverbial or adjectival phrases or clauses to what should otherwise be objective statements of fact.

TOBACCO PRODUCTS CONTROL BILL

Received from the Legislative Council and read a first time.

EGG CONTROL AUTHORITY BILL

The Hon. M.K. MAYES (Minister of Agriculture) obtained leave and introduced a Bill for an Act to provide for the licensing of poultry farmers; to establish an Egg Control Authority; to repeal the Marketing of Eggs Act 1941 and the Egg Industry Stabilisation Act 1973; and for other purposes. Read a first time.

The Hon. M.K. MAYES: I move:

That this Bill be now read a second time.

This Bill provides for the repeal of both the Marketing of Eggs Act 1941 and the Egg Industry Stabilisation Act 1973 and their replacement with a new Egg Control Authority Act to provide for the continuation of production control. The egg industry in South Australia is currently controlled under the two Acts to be repealed, the Marketing of Eggs Act 1941 and the Egg Stabilisation Act 1973.

The Marketing of Eggs Act 1941, which was proclaimed as a war time measure provides for the establishment of the South Australian Egg Board and all eggs from commercial farms are vested in the board. The board has powers to control egg marketing, set egg prices, administer egg weight and quality regulations and carry out promotional activities. The board does not generally handle eggs other than to manufacture egg pulp, the majority of shell eggs are graded, packed and distributed by packers and producers registered with the board. The board operates the only egg pulping facility in South Australia and all eggs surplus to local shell requirements are pulped and either sold on the local market or exported at a financial loss. Losses associated with the pulping operation are currently equalised over all producers by means of hen levies.

The Egg Industry Stabilisation Act 1973 was proclaimed in 1973 to control egg production by means of hen quotas at a time when egg production was increasing and exports had become unprofitable. This will mean that egg marketing will be deregulated and egg producers and packers will be free to market their eggs where they wish and set down their own prices. However, producers will be protected from over production of eggs by continuing hen quota legislation for the present. Over a period of five years, it is expected that hen quotas would be lifted to allow a fully free market situation to apply.

The South Australian Egg Board will be abolished and replaced by a smaller Egg Control Authority which will administer hen quotas. Arrangements have been made for the relocation of Egg Board employees into the Public Service.

The assets of the South Australian Egg Board will be sold and the funds remaining after meeting the costs associated with the redeployment of board staff and the setting up of the Egg Control Authority will be lodged in an Egg Industry

Fund. This fund will be administered by an Egg Industry Fund Committee of five members, including three representatives from the egg industry. The fund will be used to support industry projects including promotion, research and extension approved by the Minister on the advice of the committee. The egg pulping plant operated by the board will be sold by public tender and will operate on a commercial basis to meet the needs of the South Australian food manufacturing industry for regular supplies of egg pulp.

Egg quality control and weight grading will continue to be carried out by industry but consumer interests in these matters will be protected by new regulations which are being developed to supplement existing regulations under the Food Act 1985 and the Packages Act 1976.

The estimated costs of the proposed Egg Control Authority are less than \$200 000 compared to \$1.5 million for the South Australian Egg Board. Funds to meet the costs of the authority will be provided by egg producers by means of a voluntary levy on egg quotas. If at any time producers indicate by non-payment of levies that they no longer require the protection of hen quotas, the Minister has the power to terminate the Act.

This Bill will mean that producers will be required to negotiate the sale of eggs directly with wholesalers and retailers. There will be no legislative provisions for equalisation and producers will negotiate the sale of surplus eggs for pulp. The industry will receive clear price signals from the market place and will be able to adjust production accordingly.

It is the intention of the legislation that the industry will take the major role for regulating egg supplies. Of the five members of the Egg Control Authority, three will be industry representatives from both producers and sellers.

The authority will report to the Minister and have the power to monitor egg production set and police hen quotas, collect levies, monitor quota prices and collect research levies on behalf of the Commonwealth. The intention is that hen quotas will be managed with the flexibility to allow particular packers or producers to be able to temporarily increase their egg production to take advantage of any future profitable export markets for either shell eggs or egg pulp.

The Bill will also reduce current Egg Board administration and promotional costs by an estimated 10 cents a dozen and it is expected that producers will benefit from reduced hen levies and consumers will pay less for their eggs. This legislation is aimed at lifting artificial price fixing, regulated marketing and unnecessary imposts being placed on the consumer.

These unsavoury activities have become accepted within the industry over the years and have encouraged inefficiencies that have led to South Australians paying 30 to 40 cents more per dozen eggs than in most other States. This is despite the fact that similar situations exist in other States. In Victoria, for example, estimates of the cost of regulation to consumers range as high as 50 cents per dozen.

Egg marketing in South Australia needs a 'shake up' in a dramatic way. Let there be no doubt about it, the majority of efficient producers are in favour of deregulation but many are afraid to speak out because they fear a reaction, whether perceived or real from the Egg Board. I make this statement on the basis of discussions I have held with individual producers. Some of these allegations include warnings that outspoken producers would have their hen quotas either reduced or taken away. This is an intolerable situation.

The Hon. B.C. Eastick: Who wrote that for you?

The Hon. M.K. MAYES: I did—all of it. In view of these alleged activities, I call on the Opposition and members of the Australian Democrats to carefully consider the Government Bill and give it their support. To do otherwise would be to endorse an unacceptable situation and uphold the strong-arm tactics being used to placate the feelings of a few influential egg producers.

The Liberal Party and the Democrats have always shouted their support for free markets, uncluttered by bureaucracy. If they are honest and genuine in their intentions, then they have an ideal opportunity to put their preaching into practice by supporting this Bill in the financial interests of all South Australian consumers. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 repeals the Marketing of Eggs Act 1941, and the Egg Industry Stabilisation Act 1973. Clause 4 provides for interpretation of expressions used in the Bill. Of significance are the following:

'hen'—female domesticated fowl of *genus gallus domesticus*;

'poultry farmer'—a person who, in the course of a business, keeps more than 20 hens for the production of eggs.

Clause 5 establishes the Egg Control Authority, a body corporate capable of suing and being sued. Clause 6 sets out the membership of the authority—five members appointed by the Minister (two nominated by the United Farmers and Stockowners of South Australia Incorporated and one representing the interests of egg packagers). Provision is made in relation to the terms and conditions of appointment of members, the appointment of a presiding officer, deputies, removal from office, vacancies and the filling of vacancies.

Clause 7 deals with procedure at meetings of the authority. Clause 8 provides—

- (1) acts of the authority are not invalid by reason of defective appointment of members;
- (2) immunity from liability for acts of members in good faith and in the exercise of powers, functions or duties.

Clause 9 requires members to disclose the nature of any interest in contracts of the authority and not to take part in decisions relating to such contracts. Where disclosure is made, the contract is not avoidable, and the member is not liable to account for profits arising from the contract.

Clause 10 deals with expenses and allowances of members. Clause 11 deals with the staff of the authority. Clause 12 deals with the functions and powers of the authority. These include:

- advising the Ministers in relation to administration and enforcement of the measure and legislative proposals affecting the egg industry;
- any other prescribed functions;
- power to deal with property, enter contracts, or acquire rights and liabilities.

Clause 13 provides for the establishment of the Egg Industry Fund. The fund will consist of any surplus remaining from the assets of the South Australian Egg Board. The income of the fund is to be applied in promoting and developing the egg industry, research for the egg industry, and meeting the costs of administering and enforcing the Act.

Clause 14 provides for the establishment of the Egg Industry Fund Advisory Committee. The committee consists of five persons (three representatives of the egg industry, one employee of the Department of Agriculture) and is required to advise the Minister on the management of the fund.

Clause 15 sets out the functions of the committee. Clause 16 deals with appointment of inspectors. Clause 17 deals with powers of inspectors. An inspector may at any reasonable time, enter and search any premises or vehicle used for the keeping of hens or production of eggs or for packing or hatching eggs or for producing egg pulp. An inspector may ask questions of persons, copy documents, examine hens, inspect objects, seize and remove objects that constitute evidence of an offence or take photographs. A person to whom a question is put must answer it truthfully unless it would tend towards self-incrimination. A person of whom a requirement is made must comply.

Clause 18 prohibits persons for pretending to be inspectors. Penalty: \$1 000. Clause 19 provides that inspectors are immune from liability for acts in good faith in the exercise or purported exercise of powers, duties or functions. Clause 20 provides that a daily hen quota operates as a licence to carry on business as a poultry farmer.

Clause 21 prohibits carrying on business as a poultry farmer without a licence. Penalty: \$10 000. Clause 22 provides for the authority to fix quota periods. Not less than three months before the expiration of a quota period, the authority must publish the next quota period.

Clause 23 provides for State and individual hen quotas. The authority fixes the State hen quota for each quota period. A formula is provided to establish a licensee's daily hen quota during a quota period. Under the formula, a licensee's proportion of the State hen quota remains constant. The authority must, not less than two months before the commencement of each quota period, advise a licensee of the duration of the quota period and the licensee's daily hen quota for the quota period.

Clause 24 provides a system whereby a licensee can keep more hens than his quota during part of a quota period if he keeps less than the quota during another part of the period. He must inform the authority of his program and the authority may refuse its consent. The daily average of the hens kept must equal or be less than the licensee's daily hen quota.

Clause 25 enables the authority to impose conditions to be observed by licensees in relation to the business of poultry farming and to vary or revoke such conditions. It is an offence to breach a condition. Penalty: \$10 000. The conditions are transferable with the daily hen quota.

Clause 26 provides for disposal of daily hen quotas. No daily hen quota a part of a daily hen quota may be sold or leased except—

- as part of and together with, the licensee's poultry farming business;
- by the authority on behalf of the licensee;
- or as authorised by the Act.

Where the authority sells or leases a daily hen quota the transaction must be by public tender, and the proceeds, after certain deductions, are payable to the owner. Where a person acquires a daily hen quota by gift or succession, the person must inform the authority within 28 days.

Clause 27 provides that if a licensee is convicted of an offence against the Act the authority may forfeit the licensee's daily hen quota. The authority must then sell the quota by public tender and pay the proceeds to the former licensee. Clause 28 provides a right of appeal to the Supreme Court against a decision of the authority to impose a condition or forfeit a daily hen quota.

Clause 29 provides for voluntary contributions, assessed by the authority, to be paid by licensees toward the cost of administering and enforcing the Act. Clause 30 provides that where the Minister considers that, by reason of the non-payment of contributions, the Act cannot be administered and enforced effectively, the Minister may fix a day as the day on which the Act will expire. The clause goes on to provide for the winding up of the authority, the satisfaction of its debts, and the payment of any remaining surplus into the fund which must be applied as the Minister determines in developing the egg industry.

Clause 31 provides for the auditing of accounts. Clause 32 deals with offences by bodies corporate. Clause 33 deals with service of notices. Clause 34 will allow the authority to permit licensees to exceed their quotas for limited periods to take advantage of temporary markets.

Clause 35 provides that offences constituted by the measure are summary offences. Clause 36 is an evidentiary provision. Clause 37 empowers the Governor to make regulations. The schedule sets out the transitional provisions consequent upon the repeals effected by the Bill.

Mr GUNN secured the adjournment of the debate.

SITTINGS AND BUSINESS

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

That the time allotted for all stages of the following—

- Land Tax Act Amendment Bill,
- Controlled Substances Act Amendment Bill, and
- Occupational Health, Safety and Welfare Bill—

be until 6 p.m. on Thursday.

The House divided on the motion:

Ayes—(25)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Blevins, Crafter, De Laine, Duigan, M.J. Evans, and Ferguson, Ms Gayler, Messrs Gregory, Groom, Hemmings, Hopgood (teller), Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Plunkett, Rann, Robertson, and Tyler.

Noes—(14)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Chapman, Eastick, S.G. Evans, Goldsworthy (teller), Gunn, Ingerson, Lewis, Meier, Olsen, and Oswald.

Pairs—Ayes—Messrs Peterson and Slater. Noes—Messrs Becker and Blacker.

Majority of 11 for the Ayes.

Motion thus carried.

LAND TAX ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 22 October. Page 1380.)

Mr OLSEN (Leader of the Opposition): For some years the Liberal Party has been concerned about the large annual increases in land tax accounts—

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

Mr OLSEN:—which have led to enormous cost pressures on commercial landholders, particularly those small business operators who operate from leased premises and owners of rental accommodation, both of whom must absorb the burden passed on by landlords in the form of increased rents. For this reason, in mid-1984 during a period of increasing property values, the Liberals commissioned a survey to ascertain the impact the increased property values were having on land tax bills. Mr Speaker, I seek leave to

insert in *Hansard* a table which details the outcome of this survey. It is purely of a statistical nature. Leave granted.

EXAMPLES OF LAND TAX BILLS—1980-81 TO 1984-85

Location	Tax Paid 1980-81 \$	Tax Paid 1983-84 \$	Tax Paid 1984-85 \$	Percentage Increase over Year 1983-84-1984-85	Percentage Increase since 1980-81
Warehouse College Road, Kent Town	80.68 *(33 920)	112.90 (41 580)	186.26 (54 810)	+65.0 (+31.8)	+130.9 (+61.6)
Factory Bacon Street, Hindmarsh	804.10 *(112 200)	1 285.00 (140 250)	2 158.24 (179 200)	+68.0 (+27.7)	+168.4 (+59.7)
Factory Manton Street, Hindmarsh	108.00 *(40 600)	159.88 (50 750)	259.68 (64 960)	+62.4 (+28.0)	+140.4 (+60.0)
Retail Premises Goodwood Road, Kings Park	399.40 *(80 400)	693.28 (104 520)	1 294.00 (140 700)	+86.6 (+34.6)	+223.0 (+75.0)
Retail Premises Main North Road, Prospect	1 745.60 *(162 200)	2 528.68 (194 640)	4 913.02 (291 960)	+94.3 (+50.0)	+181.5 (+80.0)
Retail Premises Main North Road, Nailsworth	187.50 *(55 000)	268.00 (66 000)	617.50 (99 000)	+130.4 (+50.0)	+229.3 (+80.0)
Factory King William Street, Kent Town	816.50 *(113 000)	1 463.20 (149 160)	2 577.19 (196 620)	+76.0 (+31.8)	+215.6 (+74.0)
Office Block Greenhill Road, Eastwood	8 435.87 *(434 750)	15 081.50 (707 000)	18 545.80 (848 400)	+23.0 (+20.0)	+119.8 (+94.7)
Factory Glenside	2 905.00 *(210 000)	4 865.00 (290 000)	6 286.00 (348 000)	+29.2 (+20.0)	+116.0 (+65.7)
Shops Mount Barker Road, Stirling	27.84 *(16 420)	35.96 (20 320)	52.40 (25 800)	+45.7 (+30.0)	+88.2 (+57.0)
Shops Mount Barker Road, Aldgate	24.40 *(14 700)	38.32 (18 200)	65.00 (30 000)	+69.6 (+64.8)	+166.4 (+104.0)
Shop Unley Road, Unley	347.50 *(75 000)	598.75 (97 500)	1 118.12 (131 250)	+86.7 (+34.6)	+221.8 (+75.0)
Factory Somerton Park	267.99 *(66 000)	296.80 (69 600)	408.20 (81 200)	+37.5 (+16.7)	+52.0 (+23.0)
Warehouse Parkside	38.80 *(24 600)	72.92 (31 980)	120.25 (43 050)	+64.9 (+34.6)	+209.9 (+75.0)
Showroom Brighton Road, Brighton	152.16 *(49 430)	387.40 (79 200)	535.00 (92 400)	+38.1 (+16.7)	+251.6 (+86.9)
Shop The Parade, Norwood	58.01 *(27 660)	241.60 (62 700)	424.16 (82 650)	+75.6 (+31.8)	+631.2 (+198.8)
Offices Tolleys Road, St Agnes	69.80 *(31 200)	465.40 (86 400)	691.60 (104 400)	+48.6 (+20.8)	+890.8 (+234.6)
Shops North East Road, Walkerville	238.30 *(66 000)	535.00 (92 400)	630.00 (100 000)	+17.8 (+8.2)	+164.4 (+51.5)

*Indicates site value.

Mr OLSEN: At the time the survey revealed that, unless a downward adjustment was made to the marginal tax rates, the taxpayers in the sample would be looking down the barrel of between an 18 per cent and 130 per cent increase in their land tax bills for the 1984-85 financial year. It was obvious that land tax bills were set to escalate out of all proportions to the consumer price index expectations.

Accordingly, we called on the Government to provide immediate land tax relief in the 1984-85 State budget.

At the same time the Liberal Party gave a firm commitment to abolish the metropolitan surcharge levy and review annually the effects of rising property values on growth of land tax revenues and to take the necessary steps to adjust the marginal tax rates from time to time. However, the

Premier rejected our calls for land tax relief and elected to capitalise for one more year on escalating property values.

Amid much fanfare, the long overdue cuts in land tax were finally announced in the Premier's election budget. Then, in an exercise which one can only describe as blatant political propaganda, the Premier during the election campaign mailed, at taxpayers' expense, more than 100 000 letters to taxpayers. At a conservative estimate the Premier wasted \$20 000 of taxpayers' money. One person for example received 21 copies of the letter mailed to the one address,

another received eight—some people who did not even pay land tax received a letter.

Despite the much welcome relief, the Premier at the time did not do his homework. An assessment of a further survey conducted by my office revealed that, from a sample of some 22 taxpayers, the annual increase (based on the revised tax rates) in land tax bills for 1985-86 would be in the range of 24 per cent to 245 per cent. Mr Speaker, I seek leave to insert in *Hansard* a table which outlines the results of that survey. It is purely of a statistical nature.

Leave granted.

LAND TAX ACCOUNTS

Description and Location of Property	Tax Paid 1984-85	Tax Payable 1985-86	Increase
Commercial Premises, Unley	11 694	16 985	+ 45%
Warehouse, Unley	7 193	18 386	+156%
Hardware Store, Unley	2 938	6 499	+121%
Furniture Store, Hyde Park	4 140	10 615	+156%
Shop, Unley	793	1 509	+ 90%
Shopping Centre, Unley	4 080	6 465	+ 58%
Shopping Centre, Windsor Gardens	3 081	10 615	+245%
Shops, Nuriootpa	5 322	9 654	+ 81%
Business Premises, Burnside	8 050	10 002	+ 24%
Home Units, Black Forest	458	864	+ 89%
Rental Accommodation, Glenelg	263	358	+ 36%
Rental Accommodation, Darlington	157	249	+ 59%
Retail Premises, Kings Park	1 294	2 775	+114%
Property, Woodside	343	485	+ 41%
Shops, Adelaide	85 715	113 025	+ 32%
Hardware Shop, Brighton	465	776	+ 67%
Grazing Property, Willunga	2 834	7 430	+162%
Business Premises, Somerton Park	10 848	18 516	+ 71%
Shops, Stirling	2 978	5 490	+ 84%
Industrial Premises, Thebarton	4 851	6 372	+ 31%
Shops, North Adelaide	8 172	11 840	+ 45%
Factory, Glenside	6 286	7 798	+ 24%

Mr OLSEN: This year the State Government expects to receive \$45 million in land tax collections, an increase of 16.9 per cent on last year's revenue from this source, or 8.2 per cent increase in real terms. Over the seven years to 1986-87 it is estimated that land tax collections in South Australia will have grown 160.1 per cent or 60.1 per cent

in real terms, a growth rate well in excess of that experienced by our Eastern States competitors. To illustrate this point, Mr Speaker, I seek leave to have inserted in *Hansard* a third table which is also purely of a statistical nature.

Leave granted.

ALL STATES—LAND TAX REVENUE 1980-81 TO 1986-87

	S.A.		N.S.W.		Vic.	
	Money (\$M)	Real (a)	Money (\$M)	Real (a)	Money (\$M)	Real (a)
1980-81	17.3	17.3	138.8	135.8	120.9	120.9
1981-82	19.3	17.5	143.8	130.5	115.9	104.9
1982-83	23.7	19.2	186.2	150.9	139.3	113.4
1983-84	28.0	21.2	189.0	144.4	143.2	108.4
1984-85	33.2	23.9	226.0	166.2	153.3	111.1
1985-86	38.5	25.6	295.9	200.6	183.0	122.2
1986-87 (b)	45.0	27.7	324.0	203.4	192.5	119.0
Annual Movement	+16.9%	+ 8.2%	+ 9.5%	+ 1.4%	+ 5.2%	- 2.6%
7 Year Movement	+160.1%	+60.1%	+133.4%	+ 49.9%	+ 59.2%	- 1.6%

(a) Deflated by CPI for respective States 1980-81 = 100

(b) Estimates 1986-87 and historical revenue from budget papers of respective States.

Mr OLSEN: Reference to this third table reveals that in New South Wales land tax collections are estimated to increase 9.5 per cent over the year 1986-87, or 1.4 per cent in real terms. Compare that to our 60.1 per cent increase in South Australia. The seven year growth in New South Wales is estimated at 133.4 per cent, or 49.9 per cent in real terms.

We now turn to Victoria, where growth in collections over the year is expected to be somewhat less, at 5.2 per cent in money terms and a decrease of 2.6 per cent in real terms. Over the seven years period growth is estimated at 59.2 per cent or a real terms decrease of 1.6 per cent. Mr

Speaker, the figures speak for themselves in relation to the Premier's claims of land tax relief under his Government. Clearly, the Eastern States Governments of New South Wales and Victoria have been far more moderate. In fact, Victoria had a real terms decrease in revenue obtained from land tax sources. In his budget speech the Premier said:

The Government will introduce significant concessions for land tax effective from 1 July 1986.

But what the Premier did not say was that relief from rising property values would be of a temporary nature only. When one looks at the Bill it is revealed that, apart from an increase in the threshold level from \$40 000 to \$60 000 and

partial abolition of the metropolitan levy surcharge, all taxpayers with taxable values up to \$200 000 will receive a remission of 25 per cent on accounts due to go out this financial year: but only for this financial year—not long term relief, but a one-off discount, something akin to electricity charges just prior to the last election, I would suggest.

For those taxpayers with aggregate taxable values greater than \$200 000 this temporary relief or discount is somewhat less. Mr Speaker, I seek leave to have inserted in *Hansard* a table of a statistical nature which illustrates the nature of this temporary relief.

Leave granted.

EXAMPLE OF LAND TAX ACCOUNTS PAYABLE

Site Value \$	1	2	3	Increase in	
	Tax Paid 1985-86 \$	Tax Payable 1986-87 \$	Tax Payable 1987-88 \$	Tax Payable 1987-88 \$	Per cent
80 000	200	60	80	20	+33.3
100 000	410	210	280	70	+33.3
150 000	1 085	697.50	930	232.50	+33.3
175 000	1 547.50	1 035	1 380	345	+33.3
200 000	2 060	1 410	1 880	470	+33.3
250 000	3 285	2 512.50	3 105	592.50	+23.6
300 000	4 510	3 615	4 330	715	+19.9
500 000	9 410	8 025	9 230	1 205	+15.0
750 000	15 535	13 537.50	15 355	1 817.50	+13.4
1 000 000	21 660	19 050	21 480	2 430	+12.8

Mr OLSEN: Column 1 of that table details land tax paid during 1985-86 on a range of site values between \$80 000 and \$1 000 000. Column 2 is the tax payable this year, adjusted for the proposed temporary remissions. Column 3 shows tax payable next year (for illustrative purposes it is assumed that site values remain constant over the three year period).

Whilst taxpayers will benefit by up to a maximum of 25 per cent from this one-off discount during the current financial year, 1987-88 tells quite a different story. A taxpayer with taxable values of \$100 000 will pay \$210 this year, but \$280 in 1987-88—an increase of 33.3 per cent. Similarly, all taxpayers with taxable values between \$60 000 and \$200 000 will have an increase in their land tax bills next year of 33.3 per cent—and that is on unchanged site values. Clearly then, this so-called land tax relief is put in its proper perspective—it is a one-off con job. For taxable values above \$200 000 the increase will be 23.6 per cent at \$250 000 and 12.8 per cent at \$1 million. Clearly, it is a position where we are providing temporary relief—and temporary relief only—with the escalating increases of the order of 33.3 per cent that I have referred to. In relation to all other minor amendments, the Bill is supported.

I now turn briefly to the metropolitan levy surcharge. At the last State election, the Liberal Party reiterated its commitment to abolish the metropolitan levy. I am pleased to see that the Government has at least partially grasped that initiative and has given some minimal relief under the metropolitan levy applied under land tax revenue collections. The Liberal Party supports the thrust of the Bill. Relief for one year is at least some relief to the taxpayers of South Australia. During the Committee stage we will seek clarification of a number of clauses.

Mr INGERSON (Bragg): I will speak in this debate about three instances brought to my attention in the past couple of weeks. They relate to some rather incredible increases in capital value and how those increases significantly affect the land tax that is being paid. I will refer briefly also to a letter, which I think is quite amazing, which has been sent out by the Land Tax Department. The letter talks about 'Helping your budgeting', because obviously there will be a very significant whack in terms of increasing land tax in this year and the year after.

First, I will comment on a business that has been in my electorate since 1973. In 1973, as all members would be

aware, no site value was given and \$257 a year was paid for land tax. In 1982-83 (some 10 years later) the property was valued at \$200 000 with an estimated commercial value of just over \$150 000 and the amount payable was \$3 885. In 1985-86 the value had risen to \$290 000, with a payment of \$7 797. So, in a period of just four years the land tax payable has doubled. Of course, that is due almost entirely to the very significant increase in site value. The increase since 1973-74 until the present time is some 2 900 (or nearly 3 000) per cent—quite a staggering increase for any commercial property or for any business.

One of the incredible things that has shown up is that the new 1986 E&WS site valuation (which is the same valuation as applied by the Valuer-General) will be \$1.06 million. So there will be a jump from \$290 000 to \$1.06 million in just over two years—a quite incredible and staggering increase in site value when only recently everyone would have seen in the press that in the Burnside district—in common with most of the metropolitan area—there has been a significant drop in the commercial value of properties along with a similar drop in the value of houses. Here we have a business that next year will probably be paying, even with the benefit being put forward by the Government this year, a land tax bill in the order of \$20 000. That is quite an incredible increase in the tax that it will have to pay.

The second example was also given to me by a business in the area. In 1981 it paid some \$3 933 for land tax, and in 1986-87 it paid \$13 978. Again, that is totally attributable to this very significant increase in capital value that has occurred during the same time. It is a capital value that is not realisable in terms of economic sale. If it was a realisable value, I think the argument of it being a property tax (which it is) can then be significantly reduced.

On 7 October this year this person received an incredible letter from a Government department. It is probably the first Government department that has ever come forward and suggested to a private business how it should budget. The letter states:

To assist you in budgeting for the payment of land tax this office intended to contact you in July to advise the amount of tax that would be payable for the 1986-87 tax year. The department apologises for the delay in advising the tax, however land tax was subject to review [currently being debated at the moment]. The estimate of tax payable on information currently available in respect of your ownership for 1986-87 is \$13 978.50

That is an increase of 39 per cent from the \$10 000 for the previous year. Again, even with the significant reduction that the department has estimated, this business will have to find a further \$3 900 and the Government, through the department, is kind enough to advise the business that it should budget for this very significant increase. Of course, a note at the top of the letter states, 'This is not a notice for payment'. In other words, the department is saying, 'We are going to hit you for another \$4 000 next year.' (In fact, that is this year because, as all members would know, it is due in November or early December this year). Basically, what I am trying to put across to the Premier is that in this very difficult time—

The Hon. J.C. Bannon: The department was trying to do the right thing, but you're making a joke of it.

Mr INGERSON: I make it very clear that I am not trying to make a joke of it. I am trying to point out to the Premier that it is quite staggering that we should have this announcement that there will be significant increases. At a time when businesses are having difficulty in budgeting, we have this very significant rip-off. I say that it is a rip-off purely and simply on the grounds that the basis for this tax is not a property value that is realisable. If it was a reasonable valuation, few people could argue with it on the way that the tax is currently structured. Because this sort of value is not realisable, I believe that this notice is really part of the whole con job as mentioned by the Leader.

The third example relates to a tenant very close to my office whose property valuation has risen from \$240 000 two years ago to \$480 000 today. That sort of valuation is totally unreal. This gentleman, who happens to deal in real estate, clearly understands the opportunity to sell his property and make a realisable capital gain.

Ms Gayler interjecting:

Mr INGERSON: All these valuations have been appealed against and corrected.

Ms Gayler interjecting:

Mr INGERSON: They have all been done and corrected. However, they still have values that are totally unrealistic. The basis on which this tax has been levied and the whole capital value area is not at all realistic. The Premier should take another look at the way in which property is valued. It has been pointed out to me that there is the opportunity for many properties to be placed on a notional value. Why is not business told that it has the option to look at a notional value in terms of its property? Why is it sent letters advising how it needs to budget for an extra \$4 000 next year, when it believes from what it reads in the press that land tax will decrease?

In fact, my constituent was advised in October that he would have to find another \$4 000 for land tax because some capital value placed on his property was unrealisable. I believe that that is unacceptable, and I ask the Premier to take another look at this problem.

Mr S.J. BAKER (Mitcham): I will address the problem briefly, as this area has been well canvassed by the Leader and the member for Bragg. Last year I received a number of submissions from people in my electorate who were running businesses, saying that the increase in land tax was placing them in a financially embarrassing situation. This situation was exacerbated by the fact that as business conditions began to run down so did the profit margins. However, their overall costs were increasing at the same time. Under the new capital gains legislation anyone who has purchased a property will be subject to another form of tax. I am particularly concerned about this matter, and I will

refer to a two page letter from one of my constituents to illustrate that concern. It states:

I wish to have remedied my overall land tax account which has risen from \$6 741.12 to \$12 115.27 in the forthcoming year.

This bill has increased by almost 100 per cent in the space of a year. The properties in question are rental. My constituent goes on to explain that he had to apply for an extension of time to pay the account last year because of restrictions placed on him by the Residential Tenancies Tribunal, on which I will not comment. He explained that his cash flow situation became quite critical and that he is in a precarious situation this year in relation to paying this bill. He states:

It is impossible to pay the account of \$12 115.27 land tax without putting up all the rents by \$7 per week per person.

This illustrates the outcome of Government taxation charges. What the Premier uses as a revenue raising measure ultimately costs the people that can least afford it. In this case with rental properties, to cover the increase in land tax only let alone water, sewer and council rates (all of which have risen considerably during the past few years), each person will have to pay an extra \$7 a week rent.

My constituent mentions problems such as vacancy rates, which have risen because of economic circumstances, and problems with the Residential Tenancies Tribunal, none of which are relevant to the question presently before us. While the Premier must receive some credit for addressing the question of land tax, that credit must be tempered by the fact that land tax relief is too little, perhaps a little too late, and is only temporary.

My Leader pointed out that under clause 5 (5) land tax remissions are of the order of 25 per cent for values less than \$200 000 and 10 per cent on the margin above that. The Premier realises that property values have increased far more than these allowances and remissions. Indeed, the budget papers show that there will be a considerable increase in land tax revenue this year. This example of rental properties highlights the problem that will be faced by people wishing to rent accommodation: they will have to pay for that privilege because of land tax and the cumulative way in which it is levied.

I do not wish to canvass the other matters for very long, as they have already been mentioned. They involve businesses that continue to pay extremely high amounts of land tax when compared to the amounts paid in previous years. While it is in the province of the Government to levy taxes, it must be remembered that those taxation measures should never rise to such an extent that they seriously affect businesses or in any way reduce job opportunities. I cite those two examples of where land tax is out of control—where the imposts are now so high that they seriously affect, first, people in the rental market and, secondly, the ability of businesses to keep paying the bills at a time when Government charges have risen astronomically over the past four years.

The Premier receives some small credit for what he is putting in place in this Bill. However, it does not really address the underlying problem that a number of businesses and property owners around Adelaide are now experiencing. I would have hoped that the measures in the Bill would be far more realistic in terms of the conditions that are operating in today's market and that they would have made an honest attempt to give relief in areas in which it is needed.

Mr LEWIS (Murray-Mallee): I rise not to repeat the arguments and concerns expressed by my Leader and the two other speakers who have particular concerns to report to this Chamber but to draw to the attention of the House

two matters that are different, in the first instance entirely so. I refer to the peculiar set of circumstances that arose out of the necessity in years gone by for people wishing to procure land in areas of the State that are normally used, and have for generations been used, for farming, for recreation or other than farming activities. A case in point, probably the oldest in the State's history, which illustrates the point I wish to make is that of Placid Estates between Tailem Bend and Wellington.

In those circumstances the former owners of the land subdivided it on a company title (that is, it was owned by a company) and sold it on a 999 year lease—not a 99 year lease but almost a 1 000 year lease. They were not titles by the strictest sense of the word as the Department of Lands and the Lands Titles Office would recognise them. However, they are clearly valid titles to occupancy of the land. In the meantime, land tax measures have become a particular nuisance. It is now an embarrassment to the department because the company is a straw company with no assets at this point in time, and has been so for many years. The land owners thereby avoid paying land tax.

They cannot obtain any secure title in law whilst the current company remains in existence. The only way in which the Department of Lands could obtain any joy would be to attempt to resume the company's asset. Its only asset is the piece of land, and to resume that land is to commit the Department of Lands to honour the 99 year lease which the occupants enjoy. This means that the Treasury can still not obtain any joy for its land tax; the back tax continues to mount; the company has no asset; and the rental being paid by the lessors to the lessees is one peppercorn, which has already been paid.

So, a ridiculous situation obtains. It ought not to be allowed to continue, because it is a nonsense. There is no way, for instance, during the process by which land is transferred from one holder to another that stamp duty is payable on the transfer, as would normally be the case for land transfers; nor would it be possible at that time for the Treasury to intervene and attempt to collect the back tax, as it were, owing on that land. In my judgment, this foolish situation needs to be resolved and the subdivision of the land, in such circumstances as I have just described, should be permitted forthwith. Thereby, both the State and the rest of the State's taxpayers would be able to ensure that everyone, including the people in those circumstances, carried their fair share of the burden of tax.

What is more, those who have not been carrying their fair share of the burden would be able to obtain some more sensible and secure title. You, Mr Speaker, and I know that in this place it would be possible for us to pass a law which simply took away the land of those few people in these precarious circumstances. I am not suggesting that that course of action should be pursued to solve this problem, because that would be untenable—the Government dispossessing someone of an asset that he has created and responsibly maintained in every respect within the existing law. So much for that matter.

A like matter, but not exactly the same, arises in the case where, on Sunnyside of the river—that is the eastern side of the river—at Murray Bridge, someone like, say, Mr David Mount subdivides a piece of land and sells it similarly. I refer to Sunnyside Estates. In this instance, the land has been subdivided. It belongs to a company belonging to the Mount family. At present the assets of that family and the companies which it owns are so great as to enable the State land tax levy to be calculated at an enormous cost to the occupiers of a 99 year lease. I think it is a 99 year lease: it might again be something approaching 1 000 years. They

are paying land tax on their riverside leisure-time activity sites at the rate of several thousand dollars a year if they comply with the terms of their lease agreement with the Mount family companies, for which Mr Mount and/or other members of the company—which is a proprietary company—are the spokespeople.

It is unfair to them that they must pay land tax at the rate calculated on the land holdings of their landlord. They are no different from anyone else who has, as it were, a shack on the Murray. Again, the stupid situation has arisen because of loopholes in the planning laws or, more particularly, because there were no planning laws zoning the way in which the land could be used previously. Now that there are such planning laws (and I do not laud them; I think they are deficient in many respects), officers of the Department of Environment and Planning refuse to allow separate titles to be created because they wish, as it were, simply to demand a return to the Crown of several hectares of land involving a strip—I am not sure of the figure—of perhaps 30 or 100 metres wide along the waterline. It used to be in imperial measurement and has now been changed into the approximate metric distance.

Most of the land belonging to these leaseholders in their agreement to purchase their lease from Mr Mount is within the area that this Government in its policy wants to recover from the landholder and make over to public reserve, as though it were coastline. I think that is inappropriate and greedy of the Government, since no-one will be able to obtain access to such land along the bank—the shoreline, as it were—of the river unless they come there by water. It is quite unreasonable, in my judgment, to require the adjacent holder of the landlocked land to control not only the rabbits, rats and rubbish left by those people who call on such land, wherever it has been created, but also the weeds.

To my mind there needs to be, in response to public demand, the capacity along the river for privately owned land to be developed for privately determined leisure-time activities of one kind or another. I do not see why, even if that cannot be accepted, if the loophole that has created the situation to which I have referred it is to be closed, those people, who apparently went through that loophole, either innocently or otherwise, cannot be given the opportunity to secure their title. They would not be alone: there are other people who have ownership (as I do on my block where I live at Tailem Bend), of the land right to the edge of the main channel.

My block comprises about 16 acres, and the water of the wetlands swamp belongs to me. I do not see any difference between 0.16 of an acre, 1.6 acres, 16 acres or, for that matter, 16 000 acres. Clearly, if I wanted to, there is no reason why I could not enable people to come and stay on my land—not as long-term leaseholders but as short-term site hirers—in the same way as other caravan parks do now elsewhere up and down the river. It is a pretty illogical argument that a house with wheels on it or even a transportable house which has no wheels on it but which fits the definition of a caravan can be said to be any different from a shack which is permanently located there, given that both of them stay where they are placed for longer than one adult's normal lifespan, anyway. I ask the Premier to address both those problems which are directly related to this tax measure and its impact on the people concerned. It is a pity that the opportunity of addressing that question was not taken when the Bill was introduced.

Mr S.G. EVANS (Davenport): Land tax as we have it is an unjust tax, because it is a tax on people for something which in many cases they do not own. They hope to own

it, but the vast majority are still paying off a substantial part of the value of the property to a financial institution, whether a bank or some other lending agency. They could be paying 18 or 20 per cent interest in order to buy a property and have it eventually transferred into their name by the Lands Titles Office, and then be asked to pay to the Government as a stamp tax a sum normally above what they pay on the money borrowed. They must pay a land tax on something that they do not really own, even if the title may be in their name.

They have bought money at a high rate of interest, hoping to own a piece of land, and, if they fail to pay the interest and principal on the money borrowed, the piece of land is automatically taken away from them, so they have never owned it. The principle of making people pay a tax on money borrowed is unjust, and I do not believe that any political Party or member of Parliament can say that it is a fair tax. I do not believe that, as Parliamentarians, we ever stop and think of the injustice that occurs in this regard. For those people who have the money and can afford to buy a property, without having to pay 18 or 20 per cent interest, the tax is not such a big burden. It does not affect them unfairly because they have more money with which to play around.

One must give credit to small business, especially the small shop operators who rent their premises from larger operators. These people have bought or are buying the shops, and in the lease agreement the total cost of the land tax is passed on to the person who is renting the premises. No doubt, over recent years they have caused the Government embarrassment, and justly so, in pointing out how they have been unfairly treated by the land tax system. So, I congratulate small business on its success and I am thrilled that, even if only for the one year that this legislation will operate, they and others will get a benefit. I ask the Premier to consider how much justice there is in land tax: there is none, in my view, unless the taxpayer owns the land. However, in the vast majority of cases the taxpayer does not own the land.

For these reasons, I support the Bill, knowing that it will confer a small benefit on a significant number of South Australians for 12 months. After that, we must remember that this Government, which likes to spend money freely, will be looking for an ongoing share that it thinks it can take from a person's income. The Government has not responded to the question I asked about two months ago concerning the unfair practice that applies regarding the way in which people are notified of the changing value of their property. In particular, it is unfair to those who must pay land tax and to others who must pay normal rates and taxes. I ask the Premier to take the opportunity in this debate to say whether the Government will negotiate with local government or with the Engineering and Water Supply Department to have included in their notices each year the previous valuation and the new valuation. This could be done by means of a simple computer entry showing the old valuation and the new valuation or the 1985-86 valuation and the 1986-87 valuation.

This would mean that the person receiving the notice would clearly know the difference between last year's and this year's valuation and would learn to live with the idea that the valuation changes each year. People do not understand that. If private enterprise tried to get away with the sort of notice sent out now, the Government would take them to task and say that it was an unfair practice. The process that I have suggested is simple. The Deputy Premier said that he would consider it, and I hope that in this debate, although the question is not related directly to land

tax, the Premier will indicate how people can be notified of a change in valuation each year. I support the Bill because it offer relief to some people.

The Hon. J.C. BANNON (Premier and Treasurer): I shall respond briefly and in general terms. Some of the remarks made by members have obviously been directed against the concept of land tax and, although this is as good an occasion as any on which to debate that subject, I do not wish to take it up. Land tax is a well established and important part of our tax base, and it is a very equitable tax. Indeed, I have had occasion to say here and in other forums that there is much to commend the concept of land tax and that the ideas expressed in that regard by economic analysts such as Henry George commend themselves to me.

What must be emphasised constantly when considering land tax is that it is a system based on valuations. Over the past few years, South Australian land values have increased considerably. People marketing properties and dealing in properties are only too happy to quote valuations. Indeed, when they quote official valuations of the Valuer-General, they are only too happy to tell prospective purchasers that these valuations are naturally and usually below the true market value. It is always interesting to hear, when we introduce a measure such as this, members discovering suddenly that the valuations are excessive, inaccurate, or inadequate in some way. The normal approach is to greet increases in valuation with pleasure and to suggest that they have not taken into full account the value of the property.

Secondly, there is the question of five year cycle valuations, which we have had. The Leader of the Opposition again shows his ignorance by parroting about 300 per cent, and so on. The fact is that valuations taking place over a five year cycle, even with the equalisation factor, have meant that periodically, as areas have been revalued, there has been a sudden jump in values. However, from the pattern of complaints, in the off years we do not get cards or letters saying what a terrible thing it is when values fall (and in some cases there has been a considerable reduction in land tax even over the past two or three years). Members opposite do not bring up those examples and say that the taxpayers should be required to pay at least what they paid last year. No, it is always one way. The pattern of complaint is always where the new valuations apply.

That is understandable, because people are confronted with what they consider to be a sudden leap in their land values, even though, if they have been following the market, they would know that the value has been far below the market value. We are trying to overcome that problem. The use of the computer has enabled the Valuer-General to move to an annual valuation that is more directly related to actual transactions.

Thus, one hopes that this gives a better idea of values, and a much more contemporary valuation. That will be a much more important aspect and will make changes in valuation much more acceptable to people. They will be able to relate them not to a historical value but to a very contemporary value which may go up and down depending on the circumstances. We are in a period of transition, and that is one of the reasons why the legislation is drafted in the way it is because, until we get through that transitional period, it will be difficult to assess just what the overall impact on land tax collections will be.

I repeat: under this system a number of people will be paying considerably less land tax than they were the year before without any changes being made to the legislation. In relation to individual cases—a number have been put before us—I can only make the point that there is, in fact,

recourse to an appeal: a procedure exists whereby these matters can be taken up. Those members who have cases or who feel aggrieved ought to advise their constituents to exercise those appeal procedures. There will be anomalies: there must be, because there are so many evaluations and special cases, and the Valuer-General stands ready, given the procedures that apply, to have that tested.

Also, it is worth noting in regard to land tax that this is the second successive year that the Government has moved to make considerable changes to the scales and impact of land tax, and it is at a cost to revenue. We could have sat back, done nothing and simply collected that extra revenue which would have been very valuable indeed. It may well have allowed us to make greater reductions in some other areas than we have, but we took the view, and I think a reasonable view, that the impact should be minimised, and that indeed is what this legislation is doing. I appreciate the one or two members opposite who acknowledged that and who expressed their pleasure at the Government's moving in that direction, despite whatever reservations they might have about other aspects of the legislation.

Finally, in relation to the member for Murray-Mallee, the situation that he outlines is a difficult one because any solution to it involves problems with the whole concept of the way in which the land tax applies. It has been the subject of considerable examination going back, I understand, to

the previous Government and well before that. It has certainly been looked at systematically every few years. The problem is certainly not as acute as it was. It does involve planning and environmental considerations, and changes could have an effect in those areas. I have to confess that to this stage a solution has not been found in those cases. The Commissioner advises that further work is being done, and we may well be able to find an appropriate mechanism, without affecting the land tax base or the principle on which it applies to address some of those problems raised. I commend the Bill to the House.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—'Scale of land tax.'

Mr OLSEN: During the budget Estimates Committees the Premier indicated that he would make available full details in relation to the number of taxpayers, taxable values and revenue estimates for each of the value ranges. As the Premier indicated that he would make this information available when the Bill was being debated, will he now include it in *Hansard*?

The Hon. J.C. BANNON: I seek leave to have a table of a purely statistical nature inserted in *Hansard* without my reading it.

Leave granted.

NUMBER OF TAXPAYERS, TOTAL TAXABLE VALUE OF LAND AND TOTAL TAX PAYABLE IN VALUE RANGES FOR 1986-87 (PROPOSED SCALE)

	Taxpayers	Total Taxable Value \$	Metro Levy \$	Tax \$	Tax + Levy \$
Fully Taxable Assistants					
0-60 000	100 282	2 406 823 620	0.00	0.00	0.00
60 001-80 000	6 845	478 602 530	0.00	203 707.59	203 707.59
80 001-120 000	6 155	600 371 740	0.00	1 179 088.05	1 179 088.05
120 001-160 000	2 878	400 095 890	0.00	1 651 856.83	1 651 856.83
160 001-200 000	1 549	277 584 850	0.00	1 700 862.75	1 700 862.75
200 001-	3 956	2 402 882 510	667 844.17	40 035 870.07	40 703 714.24
Total	121 665	6 566 361 140	667 844.17	44 771 385.29	45 439 229.46

The Hon. J.C. BANNON: This table was called for in the Estimates Committees and shows the number of taxpayers and total taxable value which the Leader sought.

Mr OLSEN: I refer to page 3 of the Bill: what is the estimate of revenue forgone in the abolition of the metro-portal levy for taxable values of \$200 000 and under?

The Hon. J.C. BANNON: It is of the order of \$400 000. Clause passed.

Remaining clauses (6 and 7), schedule and title passed.

Bill read a third time and passed.

CONTROLLED SUBSTANCES ACT
AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 23 October. Page 1448.)

The Hon. B.C. EASTICK (Light): The Opposition opposes this measure and may well seek to move amendments so that the decision as to whether the Bill will be supported at the third reading will depend entirely upon the Government's attitude to those amendments. It might seem cheeky for an Opposition of rather smaller numbers than currently occupying the Government benches to be talking about amendments and the acceptance of amendments, but I believe that there is a very real and just reason why the

Government ought to be accepting the arguments which will be put forward on some aspects of this measure.

The introductory words of the Minister of Transport, representing his colleague in another place, indicated that the Bill:

... introduces controls over drug analogues (or so-called 'designer drugs'); it substantially increases penalties for trading in drugs of dependence or prohibited substances and cannabis; it revises penalties for simple possession of cannabis by proposing a method of expiation of simple cannabis offences; it extends the prohibition on prescribing for the purposes of addiction; and it provides a more flexible method of appointment of drug assessment and aid panels.

Wherever the word 'cannabis' appears in that broad brush demonstration of the content of this Bill, the Opposition believes that it is not a simple matter. In fact, I again draw the attention of members to the fact that on two separate occasions when dealing with the word 'cannabis' the Government sought to introduce the word 'simple'. What is 'simple' in relation to cannabis? What is 'simple' in relation to a drug which is not infrequently the first step in a road downhill by persons—

The Hon. P.B. Arnold: On the way to addiction.

The Hon. B.C. EASTICK: On the way to addiction, exactly. There is no such thing, I suggest, as 'simple' when it comes to the word 'cannabis' or to the use of cannabis. I will have more to say about that later. The Minister went on to say:

To turn to the specific provisions of the Bill, I emphasise at the outset that cannabis remains a prohibited drug.

If it remains a prohibited drug, how then can you apply the word 'simple' to it? How can you apply the word 'simple' to a prohibited drug, suggesting that there are two levels of understanding about the same substance? The Opposition suggests, and suggests very critically, that there is no opportunity to talk about cannabis (the good cannabis) and cannabis (the bad cannabis). My colleague in another place, the Hon. Mr Griffin, referred to it precisely as members of the Government would have us believe you can look at uranium: there is good uranium and bad uranium. You do not get that situation. Likewise, you do not get good cannabis and bad cannabis in the sense of legislation.

What do we have in relation to the measures of this Bill? The Opposition believes that it is misguided legislation in what it seeks to do regarding cannabis. Certainly, the Bill currently before us is different to that which was introduced in another place some weeks ago. Our colleagues there, in some cases with Government support and in other cases with support from the Democrats, have pulled the teeth of some unfavourable aspects of the original Bill as introduced. But not enough teeth have been pulled out of this measure for it to be a sensible piece of legislation for inclusion in the Statute Book of this State.

It is the fact that it is intended by the Government to put this legislation in the Statute Book of the State which really leads members of the Opposition, in concert with the beliefs of the people who have spoken in so many different ways—and I will refer to that a little down the track—to the clear understanding that it is not a measure which has strong public support. It is a measure which was originally introduced, I suggest, to allow a little bit of 'currying of favour' within the Labor Party, having regard to its younger members who have been seeking an erosion of what can be called, I suggest, a common or basic ground beyond which you do not go.

It is also interesting that the measure was introduced in another place by the Minister of Health. I suggest that the first dictum of health or medicine is that it should direct its attentions to preventive medicine. Likewise, in this measure, it ought to be looking at preventive aspects of drug use. What we have here is an acceptance, by going an inch now and possibly two inches or a foot later on, that we can gradually move away from what is the bottom line. There is no suggestion that the Minister of Health in another place has recognised that first dictum of health—to seek to prevent—and condoning the use of cannabis in a manner outlined in this legislation certainly does not add up to any recognition of that first dictum.

What does the measure do? It tends to downgrade the seriousness of the whole drug scene, of which marijuana for the young person is the major component. It is not the only component—a number of other drugs are involved, including nicotine and alcohol, but I do not intend to debate those issues further, because we are looking more at the psychotropic drugs and those drugs of addiction (not that the others are not) which have had special consideration over a long period of time. Marijuana is the major component in the early stages of drug addiction.

I believe that the course of action that the Government has taken is tantamount to condoning experimentation by young people. It is immediately going out there and saying to young people in the field that the Government or the Parliament—and it is not the Parliament in total that will be condoning the action—is condoning the opportunity to have 100 grams or a little less and not suffer the consequences of a court appearance or the stigma on the record of having been caught with and having been smoking a

forbidden substance: that is, there are degrees of acceptability. What better way of flying in the face of youth an opportunity to experiment in the belief that they can get away with it or they can experiment with it because the Government does not believe that it is all that serious at that level, without giving any thought at all to where it will lead? The fact, as any member who has his finger on the pulse of his electorate will know, is that large numbers of young people in schools are being given access to marijuana at no cost in the initial stages—

Mr Peterson: Pay next week.

The Hon. B.C. EASTICK: Yes, pay next week, but next week they do not have to pay because there is some more, or later the same day or the same week.

Mr Groom: There is not. There is no evidence—

The Hon. B.C. EASTICK: There is evidence, and I will take the member for Hartley, who seems to go around in blinkers, to a series of schools in my own electorate where I can demonstrate what I am now talking about, where there is no charge for the first few doses. There is an indication that 'We will collect the money later.'

Mr Groom: You'd better go and tell the police of it.

The Hon. B.C. EASTICK: The police are fully aware of it. It is quite apparent to me that the member for Hartley is in blinkers if he does not recognise that this is happening in the world about us. What happens then? After the child or young person has had two or three or four doses, a heavy comes: 'You owe me so much.' 'But I haven't got it.' 'Well, go and find it. Go and get it.' If one analyses or discusses with the police in their own district the reason for the present very large number of break-ins, one recognises the number of smaller children, on pushbikes or on fast legs, pulling bags from under the arms of aged or even from younger persons, and the bullying that takes place inside or outside the schoolyard to ruffle money out of pockets—

Mr Groom interjecting:

The Hon. B.C. EASTICK: The member for Hartley will have his opportunity in due course. I hope that he tells us how Hartley is so different from the rest of the community of South Australia. I talk to members of the community and I have found that it is happening in the country as well as in the city. It is happening in the close city and in the fringe areas. Any schoolteacher and any police officer, after a short period of time in a district, can identify where the problems are and the fact that there are a number of bullyings and a number of young persons involved in this: they move into the drug scene on a free dose or a series of free doses and then find that, to continue their habit or more particularly to repay the debt created by their earlier experimentation, they must steal from their own parents or from members of their family or go out and commit criminal actions in the community generally. That situation does exist.

We have evidence of public reaction to this measure. There have been fits of derision in the Police Force and in a number of other areas regarding the statements by the Minister of Health in the first instance that the police could issue an on-the-spot fine; the Minister then walked away from the very proper question posed to him as to how the police would issue an on-the-spot fine if they were not carrying a set of scales somewhere about their person. In reply, the Minister said, 'That is a silly question. They take them to a police station, where there is a set of scales.'

The Hon. H. Allison: It gives new meaning to the scales of justice.

The Hon. B.C. EASTICK: That is right. The position is not as simple as the Minister of Health would have one believe. It is not as simple as was stated in this very Cham-

ber in recent weeks during the Estimates Committees when the Deputy Premier indicated that it was not the police who were concerned about aspects of the drug problem and about the difficulty in providing an effective on-the-spot fine, but the Police Association.

The Hon. G.F. Keneally: That's the only union that you support. It's the only union I know of that you quote as an authority.

The Hon. B.C. EASTICK: I am being silent in the hope that the Minister will enlighten us, although he is not doing very much at the moment. I will come to the Police Association on a national basis in a moment. During meetings of Police Associations in this very State some two weeks ago some very effective and telling statements were made about how they—the practitioners of the policing law—see the circumstances. The Police Association recognises that what is contemplated for its members is a farce. It is quite impossible for the Deputy Premier (as Minister of Emergency Services) to hide behind the fact that that was said not by the police generally but by the Police Association—the police union.

Obviously the Commissioner of Police was not in a position to speak out while he was sharing the platform with the Minister of Emergency Services, and I do not suggest that he would have said anything different from what the Minister said. However, members should go to functions where there are large numbers of police officers and senior police officers (commissioned police officers) and listen to what they are saying. What they are saying is entirely different from what the Minister is saying: what they are saying is four square with what the Police Association is saying. Police in the field recognise how impossible is the task that will be set for them if this measure goes through the House and on to the Statute Book.

The Hon. P.B. Arnold: Cornwall is the heavy in the Government; he calls the tune.

The Hon. B.C. EASTICK: We have heard that he has been rolled 12 to one against on a number of occasions, although not on this issue, but he certainly makes high profile. However, let us not deal with personalities at the moment. Let us deal with the facts of the matter, facts which unsettled the member for Hartley a moment ago when they were put out for airing. There is also a great deal of medical evidence which is still not conclusive. I will come to that in a moment, as will some of my colleagues. Medical evidence shows that new ground is being broken, almost on a daily basis, with new understandings of the long-term effects of marijuana. Ongoing research has dispelled some of the attitudes held by medical researchers in the past in relation to the effects of marijuana. New aspects of the long-term effects of marijuana are still being put out by researchers. As there is further analysis of the content of components which make up marijuana, other long-term evidence is becoming available.

I make this statement quite unequivocally: it is not conclusive that marijuana does not have a serious effect on a number of the people who have contact with it. I stress that I said 'a number of the people' because, as with alcohol, some people are more tolerant and cast off the effects of alcohol much earlier than others, so is the situation in relation to marijuana. However, one must legislate for the bottom line, not the few at the top. We also have an attitude which I will put before the House shortly relative to the council meeting of all Australian Ministers of Health and recommendations made by the meeting which have been consistent not only with the World Health Organisation but also with the conventions to which Australia subscribes and

which have been on the record for (in some cases) about 20 years relative to certain aspects of drugs of dependence.

I refer now to the attitude of the police. In a moment I will refer to the deliberations of the national police body. I think members will recall a recent article in a newspaper in relation to the physical bulk of 100 grams of cannabis or 100 grams of marijuana. It is not a small amount comprising a sniff or one dose.

Mr Peterson: It's two tobacco packets.

The Hon. B.C. EASTICK: That is right—two tobacco packets.

Mr Lewis: It's much less dense than tobacco.

The Hon. B.C. EASTICK: Yes, it is much less dense. It is like the old story: would you rather have a pound of lead or a pound of feathers? If your perception is in what you see in the size of the package, you would say a pound of feathers. Likewise, it is in relation to marijuana. Because of its lesser bulk (as my colleague said), you get quite a sizeable pack for 100 grams.

Mr Ingerson: As big as a packet of Weeties.

The Hon. B.C. EASTICK: There it is, from the mouth of a person trained in this area. I turn now to several of the documents to which I have referred. I will also discuss the attitude of a very well known silk in this city—a barrister who has made his thoughts known relative to this matter. I intend to quote the total submission that he has made.

Mr Groom: And his name?

The Hon. B.C. EASTICK: No.

Mr Groom: If you've got his name, you should give it.

The Hon. B.C. EASTICK: The honourable member would love to besmirch the name of a person of high repute who is prepared to give his views on this matter. He states:

There can be no doubt that the drug problem cannot be solved purely by the application of the criminal law.

The Hon. G.F. Keneally interjecting:

The Hon. B.C. EASTICK: Right. He has not started out with a blank mind. The Minister's interjection is not a denial of the fact that this person has thought the matter through. He continues:

A total package is obviously required—

Mr Groom interjecting:

The Hon. B.C. EASTICK: If it hurts the member for Hartley that someone is criticising this misguided piece of legislation, let him excuse himself so that I can get on with the job. The barrister states:

A total package is obviously required, of which the criminal law and the sanctions provided by that law are an integral and important part. The community is anxious that every possible step be taken to prevent the use of drugs—

I will repeat that because, as with the first statement with which the Minister of Transport agreed, I believe that we would agree with this one:

... that every possible step be taken to prevent the use of drugs—

He continues:

... and, to this end the introduction of heavier penalties for trafficking in drugs is a move in the right direction. However, in considering whether the penalties for possession of small quantities of marijuana should be reduced to the levels proposed and should be dealt with by way of on-the-spot fines only, the following questions are relevant:

1. Where does the Government get its mandate to include such a step in the total package? A previous attempt to decriminalise the use of marijuana met with exceptionally strong and adverse community reaction. Can it really be argued, notwithstanding the reaction, that the majority of the community are in favour of the current proposal? Surely the current proposal is so close to the decriminalisation of personal use that, put to the test, it would suffer the same voluminous and adverse reaction that greeted the original proposal.

2. What makes the Government believe that the proposed on-the-spot system and minor penalties will assist in reducing the use of drugs? Surely it will tend to have the opposite effect. It is

somewhat illogical to suggest that the removal of a criminal law sanction or the lessening of that sanction will cause a reduction in the use of a drug. This move will tend to counteract the other parts of the package which are aimed at education and traffickers.

Members on this side of the Chamber will not argue about increasing the educational program. However, we have grave doubts about an attitude that allows an extension for experimenting by young people who would be led to believe by Government action that it was not all that bad and that they could give it a go. The statement continues:

There will be encouragement by education to abstain from the use of any drug but, by the current proposal the Government will be seen as condoning the use of marijuana.

I made that point earlier. It continues:

Traffickers are to be discouraged by the introduction of greater penalties, yet they are to be encouraged by the existence of a market where users are no longer discouraged by the possibility of sanctions.

I ask the simple question of members, 'On how many occasions have they seen the names of traffickers, the big traffickers, or a significant number of traffickers in the law court reports?'

The Hon. G.F. Keneally interjecting:

The Hon. B.C. EASTICK: The Minister surely does not believe that that is the totality of it. I accept that if people who smoke it are caught they are using up resources, but the expenditure of those resources is a necessary part of the whole to find out what the pattern is and where it has spread in an endeavour to try to obtain further information relative to the traffickers and suppliers. Regrettably, there is a fear in the mind of the user in many circumstances that denies police, with all their resources, the opportunity to ascertain where a particular parcel came from.

Let us not fool ourselves. A very real fear exists, and this has led to suicides by young people who have been detected with the material and who recognised that the next step was for them to be chased up in an attempt to find those involved to ascertain where it came from. A number of young people, detected before they have been interrogated, have run away from home or disappeared in an effort to escape being called on to identify the people from whom they got the material.

The Hon. G.F. Keneally interjecting:

The Hon. B.C. EASTICK: The Minister has not been listening. I am pointing out that the matter offers young people, by the manner in which the Government is going about it, a greater chance of becoming involved at the first stage and, therefore, subsequent stages in the drug scene. The statement continues:

3. Why is the Government so set on the introduction of this new system? It cannot seriously suggest that reducing the fines and making them payable on the spot will tend to reduce the use of marijuana. It has been suggested that it is inappropriate for persons to have criminal convictions recorded against them for this type of offence. If that be the justification, then that aim can be achieved, particularly in the case of first offenders, by a system of diversion such as that which operates in the case of children. However, if an offender is persistent, surely some teeth in the form of heavier penalties and the prospect of a conviction should remain. If a person repeatedly flouts the criminal law, there are stronger arguments that convictions should be recorded.

Here we have a situation where, no matter how often a young person is caught, there will be no evidence of conviction on their record and no record that they have been consistent offenders. We have a position of one's walking away from the real problems that exist in our community today. The statement continues:

4. One of the common arguments put forward in favour of decriminalising the use of marijuana is that, as the law presently stands, users are required to mix with the pushers in order to obtain their supply. If decriminalisation occurred users, so it is argued, would not have to resort to 'the black market' and, hence, would be able to avoid contact with 'pushers' of harder drugs.

This argument has no application to the current proposal. The sale of marijuana will still attract heavy penalties and hence the 'pushers' will remain in the realm of 'the black market' and users will be required to resort to these persons for their supplies. Contact with 'pushers' of harder drugs will be maintained under the current proposals.

5. It is commonly put forward that alcohol is a greater evil than marijuana and yet consumption of alcohol is not illegal. The debate as to which causes more harm remains to be resolved, but one matter is perfectly clear: the fact that one evil is legal is no excuse for the introduction of another. Anyone with a modicum of commonsense is aware of the enormous problems created by alcohol, for example, the commission of crimes, the breakdown of marriages and carnage on our roads. If we add marijuana, we create a particularly lethal cocktail and we create a community attitude of acceptance of yet another unhealthy substance.

Many other members of the legal profession have made similar statements and, indeed, longer statements than those which I have just read out. I have no doubt that before this debate is concluded later this evening those matters will be brought forward by my colleagues.

I want now to refer to the situation in respect of the Police Association. A newsletter dated 16 October, which is an overview of a meeting held here in Adelaide, states:

As may be expected, Dr Cornwall's proposal to legalise the use of marijuana in certain circumstances came under considerable fire. The federation is totally opposed to this naive approach to the problem. Not only is it contrary to the Prime Minister's declared position on behalf of all Premiers on 2 April 1985 but it is also in conflict with the UN Single Convention on Narcotic Drugs 1961 and the UN Convention on Psychotropic Substances 1971.

Members will also note that the association's and the federation's stand has received support from the recent Apex State convention. No doubt, other service bodies and community groups will follow suit.

These two conventions, which were mentioned in that newsletter, are available in the Parliamentary Library. One is the Convention on Psychotropic Substances, which relates to action in Vienna in February 1971, and which came into force on the Australian legislative scene from 18 August 1982. It is a quite recent statement by the Government of Australia and has not been altered by the present Government, and the provisions of that measure shall apply to Australia.

The other aspect to which I referred is the treaty series of 1967. It involves a single convention on narcotic drugs which was held in New York on 30 March 1961, and it has been in force in Australia pursuant to article 41 since 1 January 1967. At page 11, article 22, under the heading 'Special Provision Applicable to Cultivation', the following appears:

Whenever the prevailing conditions in a country or a territory of a party—

'party' in this sense being the country—

render the prohibition of the cultivation of the opium poppy, the coca bush or the cannabis plant the most suitable measure, in its opinion, for protecting the public health and welfare and preventing the diversion of drugs into the illicit traffic, the party concerned shall prohibit cultivation.

That stands and is accorded high status by the Government of Australia, and it remains the recognised method of treatment in relation to marijuana. Yet, here we have a Government which is hell bent on changing the rules and, if it is held that a person is cultivating for his own use, that is all right, notwithstanding that the covenant which is in place exists.

Referring again to the Police Federation of Australia, which met here, we find that it has indicated by way of its minutes a series of motions that were carried. Because they are so important to the subject with which we are dealing, I draw attention to them. Under the heading 'Discussion re Federal Government's Drug Offensive' it states:

At the request of Ms Kern, the press were excluded from this part of the discussion. She then proceeded to outline the history of the campaign, and both she and Ms Bee answered a number of questions from individual delegates, and the discussion concluded at 10.30 a.m.

That is the background or overview of the present Federal Government's drug offensive. But, arising from discussion which followed in open session, we find, for example, that the following motion was carried unanimously:

That this federation deplores the lack of will and attention of Australia's Minister of Police in failing to forcefully argue the case for law enforcement in formulating the drug offensive, and calls upon all Commissioners of Police to support the federation in its call for increased resources and more reform in combating the upsurge in the use of drugs of addiction.

That was a call for support from the Police Commissioners and, therefore, a call for support from the Government. We found—again referring to the Estimates Committees—the Minister of Emergency Services telling us that the police here have not yet been given the necessary go-ahead for phone tapping, which has been deemed necessary for a proper attack in the drug offensive. Granted, they must refer to the Commonwealth Police to arrange for the tapping, but they are not even being given that power at the present time; they are still talking about it. That is not in the best interests of the drug offensive so far as the police in South Australia are concerned. They are fighting crime with their hands tied behind their backs by a Government which says one thing and does another. In relation to the subject of increased power to fight drugs, the following motion was carried unanimously:

That this council applauds the national drug initiative's educational application but expresses grave concern that it does not go far enough by way of additional moneys for Territory/State investigative measures such as increased powers in areas of taxation and monetary monitoring and telephone interception powers for police, and calls for the removal of unreasonable restrictions on the gathering of evidence by electronic means.

This meeting comprised representatives of every State of Australia and of New Zealand. The following motion was also carried unanimously:

That this federation write to the Prime Minister of Australia, the Chief Minister of the Northern Territory and the Premiers of all the States conveying to them the federation's condemnation and disgust at the half-hearted and hypocritical approach by the various governing bodies to implementing the necessary legislation and steps to enable law enforcement agencies to effectively combat the present proliferation of organised crime.

The next motion, which also was carried unanimously, states:

That the federation write to the Prime Minister seeking from him a commitment to allocate at least a similar amount to law enforcement and detection as has been allocated to the drug offensive program. Copies of the letter to be sent to the Special Minister of State and all State Police Ministers.

Here are people who are charged with the responsibility of in-the-field-detection and activities calling out for help from a Government which publicly states that it is assisting but which, in fact, is marking time and not giving the sort of support that is absolutely necessary.

An honourable member: Just \$100 million.

The Hon. B.C. EASTICK: Yes, the \$100 million, and some of that has been quite well spent. But, how can one withdraw the necessary resources from those people who are supposed to be assisting in that program and still hold one's head up and say, 'We are doing the best we possibly can to combat the drug scene.'

In relation to the Ministerial Council on Drug Strategy, the following motion was also carried unanimously:

That the Federation Secretary write to the Minister for Health seeking representations to the standing committee and, further, that the Secretary write to the Chairman of the Ministerial Council on Drug Strategy prior to its meeting on 7 November 1986

expressing our concern at the insufficient amounts of resources being provided for law enforcement and urging that a significant increase be provided immediately towards this end.

The important point there is that the Ministerial Council on Drug Strategy is to meet on 7 November and it will be interesting to see whether the request made by the combined police associations of Australia and New Zealand will be acceded to and the opportunity given for the police to present their case as they see the need in the field. After all, unless there is proper coordination and cooperation between the detectors as well as those who are making the bullets and laying down the strategy, the end result will not be as satisfactory as it otherwise would have been. It is easy for us to sit in an ivory tower and determine strategy but, if we do not heed the advice of those in the field who must put the legislation into effect, there will be a defective end result. That is the clear message outlined by the combined police associations to the Governments. That meeting also passed the following unanimous resolution:

That our affiliates seek urgent meetings with their respective Ministers on the Ministerial Drug Council to put forward the views of police prior to the Ministerial Drug Council on 7 November 1986.

It will be interesting to find out which Ministers, either Commonwealth or State, made themselves available, and which refused, to at least hear the point of view of the police associations. Perhaps the Minister of Transport, who is in charge of the Bill in this place, will tell us, when he replies on second reading, whether the Minister who is responsible for attendance at the Ministerial Council on Drug Strategy has accepted the invitation from the Police Association to discuss with him or her the matters to be discussed at that Ministerial Council on 7 November. I believe (and I speak on behalf of my colleagues on this side) that it is essential that the police associations' message be taken on board by the appropriate Minister, so I should like to hear the Minister of Transport say that such a meeting has been held or will be held before the Ministerial Council meets. The following resolution was also passed at the meeting of the combined police associations:

That the federation write to the Ministerial Council on Drug Strategy and to the Ministers individually expressing our surprise and alarm at the stupidity of any suggestion to decriminalise or legalise the use of cannabis in any State of the Commonwealth.

In this State, although we are not moving to decriminalise, the action being taken in this Bill is close to legalisation or decriminalisation as regards people in possession of less than 100 grams.

My colleague in another place (Hon. Trevor Griffin) today issued a press release under the heading 'Delay the marijuana debate', and it is worth reading his comments into the record of this debate because they pick up some serious concerns of the community at large. They are certainly the concerns of the Opposition and, although the release was issued by the Liberal Opposition, I believe that I could get the concurrence of the National Party member, the Independent Liberal member and maybe other Independent members, to have this debate delayed. The press release states:

The Liberal Opposition has called on the State Government to delay debate in the House of Assembly on its controversial legislation to decriminalise some marijuana offences. Shadow Attorney-General Trevor Griffin says he understands there is to be a meeting of the Ministerial Council on Drug Strategy on 7 November, and that the South Australian Government's representative should raise the on-the-spot fines proposal at that forum.

In other words, this matter should be discussed by that forum before we are called upon to vote on this Bill which currently we oppose. The passing, this evening, of this measure without amendment would mean that it would go automatically to the Governor for assent and would become the

law of the land before the vital meeting is held on 7 November. Mr Griffin's press release continues:

'The Ministerial Council on Drug Strategy is the coordinating body for the National Drug Offensive, and every State and the Commonwealth is represented,' Mr Griffin said. At the drug summit last year, Premier Bannon agreed that there should be no relaxation in the laws relating to marijuana use.

As recently as last year the Premier of this State, at the drug summit, agreed that there should be no relaxation in the laws relating to the use of marijuana, yet here in the House of Assembly, on 28 October 1986, we are being asked to give the final stamp of approval to unilateral action, which has not been contemplated by any other Government (either State or Commonwealth) up to the present, to change the law and the effect of vital drug legislation. The press release continues:

So, if the South Australian Government is so determined to push its on-the-spot fines proposal, it should first present it to the other State and Federal Ministers on the council. Another major concern which the State Government is ignoring, is that its soft attitude to marijuana contradicts two international conventions on drugs to which Australia is a party—

and by Australia being a party, South Australia is a party—if Australia is to be taken seriously in fighting the abuse of drugs it must demonstrate that it is honouring international commitments in all respects, and this responsibility lies as heavily with the individual States as it does with the Commonwealth. The treaty consequences and the contradiction of the drug summit decision on marijuana must be considered first by all States and the Commonwealth before the South Australian Government goes its own irresponsible way.

I heartily endorse the view that it is an irresponsible way. Great play has been made by the Minister in presenting this measure to the House, although it is slightly different from the Bill that was introduced in another place, because of changes that were made there. However, page after page of comment on what the Government is doing to combat drugs almost made it look as though the Government was protesting too much, that it had something to hide, and that it was seeking to hide behind all this virtuous content of the second reading. In saying that, I do not believe that I am being over-cynical.

I repeat that I acknowledge that the Bill has a number of favourable aspects, but they hide a despicable and unacceptable part of the Bill which seeks to put South Australia out in front of the rest of the States and the Commonwealth and to put at greater risk the youth of South Australia than are the youth of other States. The Opposition could accept legitimate argument coming from all the other States that a course of action taken consistently across the nation should be supported when that evidence was there, but we do not accept the position of being out in front in an area which is against the best interests of our youth and the drug program that we should be seriously following.

When I talked about the Government's protesting too much, one of the gems in the Minister's statement was:

By introducing such a system the Government is not in any way condoning the use of this psychoactive drug. It is seeking to put the matter into contemporary perspective.

Clearly, there is a recognition, acknowledgment or admission that the Government sees that what it is doing is not in the best interests of the community and is hiding it by suggesting that it 'is not in any way condoning the use of this psycho-active drug'. It is indeed condoning it: that has been demonstrated, and will be demonstrated, time and time again before this debate is finished.

I suggest that it is a very one-sided view of what 'contemporary' means. What do others say? I have indicated what the Police Association has had to say and what a silk in this town has had to say. My colleague in another place referred very fully to a statement by Mr Bill Morris (a

member of the Executive of the Knights of the Southern Cross and the Project Coordinator for a drug education program sponsored by that association), which expressed his grave concern that year 7 children in some middle-class areas are being offered marijuana by older students at \$20 a time.

The member for Hartley belittled the comments I made earlier about the community at large, but Mr Morris defines the position more specifically and refers to a middle-class area at \$20 a time. His views in this matter are by no means only his own: they are views that I expressed and others of my colleagues have expressed (by way of interjection) and support comments I made earlier. Mr Morris states:

Also in June this year—

that is 1986—

a random survey of 1000 Sydney teenagers by the University of Sydney is reported to show that an alarming number are willing to try cocaine—the proportion of teenagers who say they might try cocaine if it were offered increased with age to 21 per cent. Those who conducted the survey say that any increase in cocaine smuggled into Australia could spark 'one of the most rapid escalations in the use of a single drug that we have ever experienced'. Few of the teenagers surveyed had tried cocaine. Those already smoking marijuana—

and here is the crunch—

which comprised 10 per cent of those surveyed, seemed more willing to try cocaine.

That is where the real dangers lie. Whether it be cocaine, morphine, amphetamines, speed, crack or any one of the other drugs that come into this category, it seems that inevitably they have tried marijuana before they take that next step, and not infrequently, the evidence would show, they take that next step because it is offered to them by the same person who is their regular supplier of marijuana. It might not be the first person who introduced them to marijuana, but it is certainly the person upon whom they become dependent to continue that supply. Mr Morris continues:

I don't suppose you really need these two examples to indicate the background against which this discussion of on-the-spot fines is occurring. If you hadn't had any direct contact with the problem before April/May this year, you would at least have received the Commonwealth and State Governments' Drug Offensive booklet in your letterbox and seen or heard some of the advertising which is part of the \$100 million drug offensive. The opening paragraphs of the Drug Offensive booklet say:

Why do people fool around with drugs? It makes you wonder, particularly when you consider all the trouble drugs cause. But it's a fact of life that right now there are a lot of people abusing drugs, and doing themselves and society untold harm in the process.

A little further on it states:

... there is a serious and growing problem with all of the other drugs—the hard or illegal drugs like heroin, cocaine, hashish, marijuana and hallucinogens.

There is plenty more that can be quoted from both the Commonwealth's own booklet and from other material that has been circulated. Plenty of advice can be taken from the original drug documents prepared and circulated by the State with reference to Dr Sackville. The Minister states:

We need, and indeed have developed, a comprehensive strategy, for tackling the drug problem.

If that were true, I would not be perturbed—I would be standing here and supporting the measure, because I genuinely suggest to members that, whilst they may have a strategy, they are aborting that strategy by the introduction of this unfavourable measure which makes it much easier to have access to, and virtually condones the use of, small doses of marijuana. The Minister then goes on to state:

Turning to the provisions of the Bill, clause 10 inserts new section 45a, which introduces the system of expiation of simple cannabis offences.

There is the elusive word 'simple'. It is almost as impossible to define as the word 'substantial' which appears in legislation and the definition of which has been the subject of hours and years of debate in the courts.

I suggest that a tremendous amount of time will be lost in the courts trying to effectively define 'simple' under this legislation. We also have another rather unfortunate aspect of this legislation which seeks to grade the offence. We have small amounts, slightly greater amounts, and then we have the heavy amounts, and these are the three options provided by the measure. For example, the Minister states:

Expiation fees are to be fixed by regulation. In drawing up the regulations, the Government will have regard to the penalties being handed down by the courts. Current thinking is that they will range between \$50 and \$150. The payment of an expiation fee will not constitute an admission of guilt and will not amount to a criminal conviction or record. Thus, although offenders will encounter a monetary penalty they will not have the long-time stigma of a criminal record.

I draw attention particularly to the exclusion of children from the expiation scheme. If one happens to be under 18 years of age, that is one grade or option available by way of sentencing and determination. If one is older than 18 and has an amount greater than 20 grams, one comes into another category, and so it goes on. All that material is evident. More particularly the courts will be the determinant concerning the expiation fee. The opportunity will exist for the Government to increase or decrease it, depending upon what the courts are doing at any given time.

It is indeed fortunate that His Honour the Chief Justice of South Australia has recently found it necessary to make statements about the difficulties as he sees them concerning parole periods and, more particularly, the penalties imposed by the courts. I do not want to go into discussion now about whether we should be looking at writing into the legislation minimum as well as maximum penalties: it is a view that I personally hold but, until such time as Parliament takes the opportunity to direct the courts' attention to the seriousness with which it views a number of criminal actions, the courts will tend to increasingly reduce the size of the fines they impose.

Some very interesting material that is available to members clearly shows there has been a reduction—almost an annual reduction—in the average cost of a fine in a number of areas of the law, with one person within the court seeking to be just a little under the previous one, and so there is a progressive downward trend. This does not help in the deterrent effect which should exist in relation to penalty situations.

I have mentioned the position provided to all States in the Commonwealth by the decision of the special Premiers' Conference on drugs held in Canberra on 2 April 1985. Very fortunately, that group put out a communique, and I want to read some aspects of it, because I think they set the scene against which the Opposition finds great concern about this legislation. It was agreed between the States and the Commonwealth that they would mount a national campaign against drug abuse in which all Governments would cooperate and which would also seek the full involvement and support of the community as a whole.

I suggest that the majority of the community was ready to assist, as they were crying out for leadership, and they saw in the original intent of this summit perhaps an opportunity for the community in total to get behind the Government to bring about necessary improvements. Whether or not the action of the national campaign has been as high profile as it ought to be is one thing. It certainly has been moving in the right direction, and that is a much more positive and much better direction than that of the South

Australian Government in supporting this untenable piece of legislation. The communique states:

The conference noted that the cost to the Australian community of drug abuse is high, whether measured in terms of death and illness, wasted human potential, violent and property crime, loss of production or social misery. It was recognised that drug abuse is a complex problem and that there are no simple or quick solutions. The conference agreed that a sustained effort would be required over a period of years. The conference emphasised that Governments have a special responsibility to address problems associated with those drugs the use of which is illegal in our society. It was agreed that the campaign will focus particularly on illegal drugs.

I draw to the attention of members that under our legislation, marijuana is still an illegal drug, and it would be on that basis that the campaign would focus. The document further states:

At the same time it was recognised that there are also widespread health and social problems arising from the abuse of licit drugs and that the campaign will need to encompass these as well.

With that, the community was totally in agreement. It goes on to state:

The conference recognised, however, that the drug problem would not be effectively tackled unless there is success in reducing the demand for drugs.

I submit to the House that the proposition currently before it to change the law in relation to marijuana in South Australia does nothing to reduce the demand. On the contrary: it affords a direct fillip to demand.

Mr S.J. Baker: It is an encouragement.

The Hon. B.C. EASTICK: It is an encouragement. As I indicated earlier, it is an opportunity for people to experiment, because it is viewed, they believe, by the Parliament (if this measure passes) as a not so serious drug. Further on, the document states:

The Commonwealth Government has committed itself to a long-term program of assistance. For the next three years it has agreed to provide up to an additional \$20 million a year for the education, treatment, rehabilitation and research aspects of the campaign.

My colleagues the Leader of the Opposition and other members of this Party have constantly accepted that as the proper promotion and have constantly agreed that that ought to be the course that we take. The communique continues:

It will also be spending substantially increased amounts on strengthening law enforcement.

As we saw earlier, the police associations collectively across Australia and New Zealand question very seriously whether the Commonwealth and the States have taken that part of the 1985 communique as seriously as they should. Maybe they will sort that one out when they have audience, I hope, at the Ministerial Council on Drug Strategy on 7 November. Perhaps the Deputy Premier, who is currently with us, could indicate whether he has yet given audience to the South Australian Police Association to discuss this item which will be on the agenda on 7 November.

The Hon. D.J. Hopgood: I respond to every request that the Police Association makes. I have an open door.

The Hon. B.C. EASTICK: I trust also that the Minister will be able to take to that ministerial council the very serious concern of the practitioners in the field at the lack of resources available to them or the lack of vigour with which the national drug campaign is currently being fought, as they perceive it, and as they collectively perceive it to the point of passing unanimous motions at their recent meeting. The document further states:

The remaining \$12 million will be available to the States and Territories to match increased expenditure undertaken by them.

I am not positive at this moment whether or not South Australia has expended to the maximum the amount allo-

cated to it. I would certainly hope that it has, because of the joint commitment to this drug action by members throughout the Parliament.

Turning to page 4 of the communique under the heading 'Legislation' is this following very telling piece of information:

It was agreed in principle that there should be uniformity of approach among jurisdictions on legislation governing drugs of dependence, and broad consistency on key issues such as classification of drugs and thrust of offences and penalties. The conference noted that the Commonwealth is developing a model legislation package covering the regulation of the manufacture, distribution and medical use of drugs of dependence; diversion for treatment; and penal provisions. The package will be developed in consultation with the States.

The conference agreed in principle that legislation be introduced to enable the forfeiture and confiscation of assets of convicted drug dealers. This matter is to be discussed further by the Standing Committee of Attorneys-General.

There has been, Mr Deputy Speaker, quite a degree of public comment about movements towards achieving that result. Finally, it states:

The conference agreed that there should be a review of the controls on the use of barbiturates and it was agreed that this matter be examined urgently. Existing controls on cannabis are to be maintained.

That was a decision of the drug summit on 2 April 1985 which bears the approval of this Government, but on which it has reneged. I pointed out earlier that it had reneged on it against the interests of all other respondent States and the Commonwealth by moving away from what was to have been a uniformity of approach among all jurisdictions on legislation governing drugs of dependence—and marijuana fits into that category.

Mr Groom: You have missed the point: it is not a matter of control, it is a matter of penalty.

The Hon. B.C. EASTICK: Again, we have the return to the fold of the member for Hartley, who seeks to water down the bind that the Government has got itself into, having gone against the thrust of the argument of the Commonwealth and other States and I suggest very positively against the wishes of the people of this State.

So that others may enter into the debate I seek simply to point out that the Opposition intends to put forward a series of amendments which were unsuccessful in another place but which we believe to be vital if this measure is to be supported. So that the better elements of the legislation can be put in place, I suggest seriously to all members of the Government that they adopt a more positive attitude to the slowly, slowly, 'catchee monkey' approach rather than diving in boots and all and seeking to throw the baby out with the bathwater.

The Bill before the House comprises provisions to which the Government should not be committed, given the conventions to which Australia subscribes and given its undertakings made to the Commonwealth drug summit; and which, as was pointed out earlier, it has no mandate for this measure because it was not prepared, less than 12 months ago, to take this measure to the people and discuss it before the election.

Mr PETERSON (Semaphore): In the main, I support the strengthening of penalties for drug use. Drugs are a terrible blight on the world and on our country and I support the stronger penalties all the way. However, I cannot accept clause 8. I believe that it is a relaxing altogether of the attitude to cannabis or marijuana in our community. I am amazed that the clause was not dealt with a little more strongly in another place. In effect, it is a lessening of the penalty for the possession of small quantities of marijuana. As an aside, I do not know how much lower the penalty

can go because, according to a question asked in the House last week, the penalty is only \$5. If it is \$5 under the current system, I am apprehensive about what it will be under the new system. So there is a grey area there. The lessening—

Mr Tyler: It's set down.

Mr PETERSON: It is not set down. As a matter of fact, the second reading explanation is extremely vague about just what will happen, how it will be done, what will be done and when it will be done. The honourable member should read the second reading explanation if he thinks it is all clear. It is not. Whatever happens, and let us suggest that it is a \$50 fine, that is an effective lessening of the penalty in the sense that currently, if you are apprehended with marijuana, you have to take a day off work to attend court, hire a lawyer and then pay a penalty. That is a substantial penalty with the mechanics of the system. There will be a lessening of that penalty through the introduction of on-the-spot fines, which is what it really is.

Mr Groom: Is it going to be a lessening of the penalty?

Mr PETERSON: The honourable member should listen to what I say—he should watch my lips. There is an effective lessening now. It is not defined what that will be. It is in the vague area of between \$50 and something else. How the penalty will be defined is not described. It is a bit of a shock to have a piece of legislation introduced without defining the penalty.

Mr Tyler: What about on-the-spot fines for traffic offences?

Mr PETERSON: For a start, that is a cumulative process because a driver will lose his or her licence after a certain number of traffic offences. However, under this Bill you can line up every day of your life and get an on-the-spot fine for marijuana without any cumulative penalty.

Mr Groom interjecting:

Mr PETERSON: I did not raise the matter of on-the-spot fines—the Government backbenchers did, so I covered the matter. I refer to the \$1 million drug offensive in this country. The problem is huge. It has been accepted by Federal and State Governments that there is a problem. We all received a booklet sent out by the Federal Government, and we are aware of the State Government's attack on the drug problem. We already have two acceptable drugs in our community that cost us millions of dollars and thousands of lives, and I refer to nicotine and alcohol. As a matter of fact, there are rehabilitation programs for people who suffer the effects of both of those drugs. We have Alcoholics Anonymous, rehabilitation programs for alcoholics, and 'stop smoking' programs, but nowhere in this legislation is there provision for counselling or any sort of rehabilitation service for marijuana smokers—none at all.

The previous speaker referred to the world drug problem. Let us be brutal about it. It will be very difficult to cut out drugs. There are countries where the entire economy is geared towards producing and selling drugs: Columbia is one and Thailand is another. Huge sections of the population are directly geared towards producing and selling drugs. Middlemen make millions of dollars selling drugs, and even in this country some people are making millions of dollars (but their names are not known and they are not made public). That is the problem—it is a huge dollars and cents problem. The point was made about lessening the demand for a drug to prevent the growth of the drug industry and therefore the drug problem.

This Bill will not achieve that. As I have said, I cannot accept clause 8. The second reading explanation refers to 100 grams of cannabis being involved in the commission of an offence. Why 100 grams—why not 10 grams? I have seen cannabis once in my life and I did not know what it

was at the time. The second reading explanation also mentions 100 kilograms.

Ms Lenehan: A hundred kilograms?

Mr PETERSON: That is what it says on the first page of the second reading explanation—100 kilograms for a trafficking offence. It was mentioned earlier that 100 grams of marijuana would fill a Kelloggs cornflakes box, so how much would be involved in 100 kilograms?

Mr Lewis interjecting:

Mr PETERSON: That is a lot of cannabis. How is that assessed? We talk about 100 grams for personal use. Does that mean that, if I have 99 grams and I am caught, I am okay; and that, if I have 101 grams, I go to gaol?

Mr Groom: No, you've got a \$500 fine.

Mr PETERSON: Well, I am sorry. It says 100 grams in the second reading explanation. Is that before or after it is dehydrated?

Mr Groom: That's trafficking.

Mr PETERSON: I am talking about the penalties laid down. A person possessing more than 100 grams of cannabis may be deemed to possess it for the purpose of sale. Therefore, if I have 99 grams in my pocket—

Mr Groom: That's a \$500 fine still.

Mr PETERSON: How many cigarettes or whatever could you make out of 99 grams? I assume that 50 grams of marijuana in a tobacco packet (the size of which I checked in the bar earlier) is quite a bit of marijuana. The Bill introduces an expiation system, and that is the point that I cannot accept. The second reading explanation states that the court's time has been taken up with a parade of cannabis users appearing before it. Drug use is against the law and courts are where you take people who break the law. I understand that something like 900 people each quarter of the year are apprehended for this offence. We have not had enough time to look at this Bill. It reached us only last Thursday and it is Tuesday today. Perhaps I should have worked on the Bill during the weekend. In any case, we have not had time to look at the Bill properly.

The second reading explanation also indicates that it is unnecessarily draconian for a person, particularly a young adult, to be plagued by the stigma, and often the restriction of employment opportunities, of a conviction that will stay with them for the rest of their lives. I can understand that to be caught once with a marijuana cigarette and have a conviction recorded for the rest of one's life is not desirable. However, this Bill contains no system to indicate whether an offence is the first, second, third or hundredth offence. If an offence is repeated, that indicates something. If I did that with my driver's licence I would lose it. One is breaking the law when using a prohibited substance, and that can go on and on. Surely somewhere in the legislation there should be a break-off point.

The second reading explanation also indicates that there should be a channelling of time, energy and resources into the pursuit of traders and traffickers. I support that, but it will not occur with current resources. More people need to be involved. We have had royal commissions and commissions of inquiry where names are supposed to have been found out, but nothing has happened. How does one expect people to have faith in the system when this occurs?

The second reading explanation also mentions treatment and rehabilitation, but there is no provision for that in the Bill. If one is an alcoholic or smokes too much, help is available but, if one smokes cannabis, there is no rehabilitation at all. The second reading explanation also talks about the quantity, but how that is to be measured I do not know. That is one of the major problems for the Police Force. The danger with this legislation is that if one is not served

with an expiation notice one can still face the court. One could be apprehended, have the substance taken and put in a bag, and not get an expiation notice. However, if the amount taken was 101 grams, you could then find yourself in court as a dealer.

An honourable member interjecting:

Mr PETERSON: The honourable member should read the legislation and tell me if I am wrong. That is what it says.

The Hon. B.C. Eastick interjecting:

Mr PETERSON: One gram, and it is arbitrary. I do not support the clause. I am just taking the points as I see them. The second reading explanation then indicates that there is a very genuine fear of a nuclear war, and that is true among our young people.

Mr D.S. Baker: What does that have to do with it?

Mr PETERSON: Listen to what I say and you will find out. In my opinion the Third World War will not be fought with nuclear or conventional weapons, but will be a battle against drugs. I believe that *60 Minutes* or *Four Corners* aired a program about crack, which I did not see, but a figure was given. I may not be correct, but something like 2 000 people a day are being taken over by a new drug. Previous speakers have talked about people going from one drug to another. If we make marijuana more acceptable and lessen the penalty and stigma in relation to it, it is easy to move to the next one. If crack comes here (I hope I never see it, and that it never comes here, although I think it probably will), the plague that will come on us will be terrible. It will kill people more quickly than anything we presently know.

In this Bill we are saying that one drug is less an offence. We should keep them bracketed together. In the next one or two weeks we will be debating legislation dealing with smoking. One cannot smoke in a lift because someone will be affected by second-hand smoke. We are here lessening the penalty for drugs of addiction, and I cannot understand it. There is something wrong with our perspective. On the one hand one is saying that one cannot smoke in a taxi because the smell will hang around and someone else will not like it and, on the other hand, one is lessening the penalty for this drug.

Mr Groom: How about an expiation fee for smoking cigarettes in public?

Mr PETERSON: The member for Hartley talks about an expiation fee for smoking. He always has a point of view. If he is serious about drugs and looking after people, why does he not make alcohol and cigarettes illegal? He is not game.

Mr Groom: Neither are you.

Mr PETERSON: I am not game either. However, it is no good sitting back and saying that we have the problem and that we must do this. Every member in this place belongs to a family with children and grandchildren. How would they like their children or grandchildren to be smoking marijuana? Those children will say that the Government has said it is not such a bad offence now and that they can smoke it. What do you do if they then moved to something else? It would be everyone else's problem, and one would then say that we should not have drugs.

The Hon. G.F. Keneally interjecting:

Mr PETERSON: I have one teenager and one 20-odd, and I would not like to see them smoking marijuana or getting hooked on anything, be it tobacco, alcohol, marijuana or any other drug. However, there is that potential in everyone's family, and members should think of it in that light. I see in today's paper that Victoria has moved to legalise marijuana, and that is what we are starting to move

towards. Earlier today someone said that this Bill is the first step, and I think that is right. If one moderates one's attitude it is the first step towards whatever comes in the future.

Mr Ingerson interjecting:

Mr PETERSON: Tonight we will probably see a division right down the middle. It amazes me, when looking at an issue that affects people's lives, to think what will happen to the rest of a person's life after he or she has taken drugs that have the potential addiction or to kill. We are not looking at it from a sensible point of view.

When I was elected to this place I undertook to my electorate to use my conscience in matters that I believed were against my constituents' interests, and I believe this is such an issue. I also believe that the vast majority of South Australians do not want to see a reduction in the penalty for marijuana use. I find it hard to support that clause. I support the bulk of the legislation, but I cannot see where a Parliament, set up to look after the good of the State, can take a step that lessens the attitude to and penalties for the use of marijuana. I will vote against clause 8.

Mr S.G. EVANS (Davenport): I support those parts of the Bill that increase penalties for trafficking, dealing in or producing drugs that we know are dangerous to the health of the people who use them. We know that people exploit their fellow man to make money by the trafficking in these drugs. My main argument will centre around marijuana. I am disappointed that Labor Party members—a group of 29 people—can stick together on an issue when some of their consciences would not agree with clause 8. I would be amazed if there were no people in the ALP who were strong in their conviction against clause 8.

I do not think anyone on this side of the House, or indeed the vast majority of the community, would agree with that proposition of encouraging people to smoke the damn stuff by allowing for expiation fees, because we treat it as a trivial matter. In particular, we do not state what the expiation fee will be. Parliament has one more chance after this Bill goes through. We know it will go through and some Labor Party members will be let off the hook because of their strong convictions on this issue; I will be amazed if there are not. If there are not, and they all stick, let it be on their consciences. But traditionally, when they have the numbers they do allow one or two to go against the proposition, if they argue that it is a conscience issue. That has not been argued yet by the official ALP as we know it.

Members interjecting:

Mr S.G. EVANS: It is their right, to do what they like, and they will do what they think best for themselves. I will not try to prejudge what they might do; that is their judgment. This is a most important debate—as are the other issues for the rest of this week), and I can show with a brief reference that the Labor Party has abused its power to force this issue on so early after it came down from the other place—to the point where in the past seven months we will have been debating matters in Parliament for only 125 hours, including Question Time—I give that as an example of how the motion was carried today, when the Opposition voted against it, to force us to finish these debates this week. It is an absolute abuse of power.

I believe that the ALP is not concerned about the abuse of drugs. I believe it is hooked, not by the drug itself but by the votes it is likely to lose from a section within the Party, which believes that marijuana should be decriminalised in total. There are within the Australian Labor Party people who have worked through their sub-branches for years to try to get them to change their views on marijuana, and I have no doubt that within their branch structure these

people have enough power to put enough pressure on them to put the fear of God into their hearts that they would not win preselection if they did not support the issue. That is the crux of the matter.

No human being in his right mind would support what is contained in clause 8. That, I believe, is the crux of the whole matter. The Labor Party normally claims that it is concerned about individuals, and about those who are least able to look after themselves. Who are the people who are exploited by this sort of legislation that allows expiation fees? It is saying to a group of people at a social party (and there might be 20 of them), 'If you bring along 99 grams each, no-one can touch you. We can have a hell of a party, because that is how much we can carry with us to the party. As long as none of us at any time takes the other person's quota, we are safe from the law.'

One hundred of us could sit in Victoria Square with 99 grams each and start smoking the stuff, and the law could just come along and say, 'I want expiation fees from each of you.' We do not know what the expiation fee will be, as we are not told. The Bill does not tell us and the second reading does not tell us. It gives us a couple of figures—I think \$50 and \$150—but the same ALP argued (and you, Mr Acting Speaker, happen to belong to that Party) that a person at 15 years of age can decide whether they need medical treatment, an abortion or their teeth pulled out, etc. They argued that they were old enough to make that decision, but in this case, if a person is under 18, you cannot apply the expiation fee. They are not old enough to make the decision as to whether or not they should smoke an illegal drug, but they are old enough to decide whether they can have some medical treatment which could have a serious effect on the rest of their lives. 'Yes,' the ALP says, 'That's all right.'

When it comes to a drug which they say is illegal, they say that young persons are not able to make up their minds until they are 18. That is a double standard, as each and every one of us knows. I want to go through some of the words used by the Minister who was forced to introduce this Bill into this House. I use the word 'forced' deliberately because he belongs to the Party that is in Government. He is the Minister representing a Minister who is in another place, and who has some pretty way out ideas, and the poor unfortunate Minister in this place, who is on average a bit more down to earth and family conscious, is lumbered with it and forced to introduce it. These are the words that he had to use:

It substantially increases penalties for trading in drugs of dependence or prohibited substances and cannabis. It revises penalties for simple possession of cannabis by proposing a method of expiation of simple cannabis offences.

I agree with increasing the penalties, as referred to in the first part of the Minister's statement, for trading in drugs—but where does the 'simple' bit come in? Where is it a simple offence to take possession of an illegal drug? Are they saying that people can break and enter (there is a lot of that going on now) and that we should just charge an expiation fee—that we should wait at the front gate and say, 'Hold it: we have just caught you breaking and entering. However, we will not charge you.'

Mr Lewis: 'Here's your on-the-spot fine'

Mr S.G. EVANS: 'Here is your on-the-spot fine,' as the member for Murray-Mallee says. Do we say, 'Here it is: you do not have to give your name and address. You do not have to prove who you are'? For a driving offence—

Mr Groom interjecting:

Mr S.G. EVANS: The member for Hartley most probably likes this legislation—I do not know. It surprises me, because he will not get as many cases to handle if it goes through

as he would have if it did not go through. I cannot therefore accuse him of having a financial interest, because he does not have that, as this Bill will most probably deny him some income. So, it is stupid to say that they do not have to prove who they are. With a driving offence, you are asked to produce your driving licence—if not then, at a later date if you do not have it with you. With this drug matter, you can give them any name you like. You do not have to prove who you are, and there is no build-up of offences. You can have 20 offences in a fortnight and pay the expiation fees.

If you are in the field of dealing and want to deal in small quantities regularly—in other words, if you go to wherever you have the hoard hidden, take out 99 grams, take it down the street, hand it to someone and collect some dough from it—you are reasonably safe. They have to catch you, and, for the few times they catch you, you can afford to pay the expiation fee. Also, a person does not have to tell that constable who he is. He can use whatever name he likes. He can go on dealing with it and never use it himself. The honourable member will tell me that the Act refers to when one is caught using it. I am just saying that if one has it in one's pocket for one's personal use—and that is what one is claiming, although it may not be—

Mr Groom interjecting:

Mr S.G. EVANS: Yes, I am saying that if I have 99 grams in my pocket and go to trade with somebody with that 99 grams, unless the officer actually catches me handing it over to the individual, there is no way that the officer can prove I have dealt in it. Because I am in the game of cheating the law by dealing in the drug, I have merely to say to this officer (and the member for Hartley, who is a lawyer, knows this), 'I am not dealing in it, officer. I have this bit in my pocket for my personal use.' The officer can do nothing but say, 'You are up for an expiation fee, mate.' If you are under 18, you are not even up for an expiation fee. That is the law that we are talking about, if we make it the case here, on clause 8, and the member for Hartley knows that as well as I do.

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

Mr S.G. EVANS: Just before the evening break, I had made the point about some of the language used by the Australian Labor Party through the Minister in his second reading explanation of the Bill. The Minister said:

The Bill introduces a new system of expiation of simple cannabis offences. By introducing such a system, the Government is not in any way condoning the use of this psycho-active drug.

I dispute the latter part of that quotation. I do not doubt that, once an expiation fee is imposed, the Government may be said to be condoning to some degree the use of marijuana. In one case, an offender caught with 100 grams will be charged, whereas another with only 99 grams will be subject to an expiation fee. A little later in his explanation, the Minister said:

It is wasteful of resources and out of proportion to the seriousness of the offence to continue to tie up the court system in this manner. It is unnecessarily draconian for a person, particularly a young adult, to be plagued by the stigma, and often the restriction of employment opportunities, of a conviction that will stay with them for the rest of their lives.

Anyone else who commits an offence (in other words, do something that is illegal) has a black mark against his or her name even though an expiation fee is paid. If it is a driving offence, demerit points are recorded and, if sufficient points are accumulated, the driver loses his or her licence. It is as hard and as cold as that. It is the same in the Juvenile Court: the stigma is there for committing an

offence. It is up to the prospective employer to make an assessment of the individual when the offender seeks employment. The Government refers to any person above the age of 18 years as a young adult, while in relation to this Bill a person under the age of 18 is a child.

Earlier, I made the point that, in the Government's view a person only 15 years of age can seek medical treatment without parental consent and is adult enough to make a major decision about an abortion, vasectomy or any other medical problem: it has nothing to do with the parents. At that stage, at the age of 15 or 16 years, the person is an adult for the purposes of that legislation, yet here we find that a person does not become an adult until the age of 18 years. I believe that that is an example of the Government's double standards.

As I said earlier, there is no doubt in my mind that the Labor Party is locked into a position where it will force its members to follow the line except for those who cross the floor because they hold a conscience view. However, some members opposite, even though they have studied theology and in their own minds have a strict view about clause 8, will stick with the Government because of the fear of pre-selection. Some mention was made earlier about the \$100 million that was made available by the Federal Government on drug education and trying to stop the abuse of drugs in society. However, I believe that the documents produced in that campaign were read by only a few people and that, of those who read the documents, not many took much notice of them or of the advertisements in the press and on radio and television. So, we did not achieve much by the expenditure of that \$100 million.

I give the State Government credit for raising the penalties in this legislation so that certain offences attract a fine of \$25 000 or a long prison term for trafficking or dealing in marijuana or other drugs. Like the member for Semaphore, I support all those aspects of the Bill, as I believe every other member would, but the Government is guilty of a double standard in introducing legislation to bring in stiffer penalties for people selling tobacco to minors or to make it more difficult for people to advertise tobacco products (they are still legal products) and our concern in that area is nicotine. Here is an opportunity for the Government to try to nip the drug problem in the bud. The Government should have done that and not introduced the expiation fee.

As I said earlier, the only saving factor is that Parliament will in future be able to disallow any regulation that is introduced (if, say, the Government introduces an expiation fee of \$50, \$20 or \$5): either House of Parliament can beat such a regulation. That is the only chance but, if Parliament is not sitting, it is another matter. I remind members that this Parliament does not sit very often. For example, it did not sit from the end of March until 31 July this year. If in a year such as this a future Government introduced, on 1 April, a regulation providing for an expiation fee of \$2, Parliament would have no opportunity until 31 July to challenge and disallow that regulation. In fact, it would be later than that because 31 July this year was the opening day and we finished that day's sitting at 4.18 p.m., so we possibly would not have the opportunity to disallow the regulation immediately. Therefore, we would have the situation where for many months of the year the law would be operative and Parliament could do nothing about disallowing the Government's action.

That is the weakness of legislating by regulation. The Government should have said in this Bill what it wanted the penalty to be for expiation if it believed in expiation. I do not believe in it, and I hope that those Labor members who have grave doubts about this issue will have the cour-

age to say to their Party, 'This is a conscience issue; it's not a Government policy issue.' This is the sort of issue which, in my experience as a member of Parliament, has been a conscience issue, like alcohol and abortion. Therefore, those members opposite should argue with their colleagues that they have the right to cross the floor.

I believe that the Party would give them that opportunity but, if they do not cross the floor, we can take it for granted that each and every one of them supports clause 8 of the Bill, a clause which the major section of society finds repugnant. Indeed, people have said so through the media, through their church organisations, through their community organisations and through their schools. Even the students are concerned about what can happen to their fellow students. I support most of the Bill, but oppose strongly clause 8, which gives the Government the opportunity to let people off the hook with regard to the penalties that might be incurred in future, by providing an expiation fee where no offence is recorded.

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

Mr S.J. BAKER (Mitcham): We have here a piece of legislation that is unpalatable to most South Australians, especially those who have a deep concern for the future of our children. Obviously, from the response of members opposite in their determination to push the Bill through, we know that they have no such concern. One interesting thing is that this is the sort of Bill that appears immediately after an election when the profile is low. It is a time when controversial matters can be passed in the hope that the electorate will forget about them in the three or four years leading up to the next election. I find the Bill just as repugnant as my colleagues find it—and as the member for Davenport finds it—for a number of reasons.

I would like to mention briefly one or two changes that have taken place in the Bill which may have been overshadowed by the interest in the expiation fee. There is no doubt that the law needs to be updated in catering for synthetic substances that can hit the market. For example, crack has been mentioned as one synthetic drug which has quite horrific consequences, and this matter raises a question in my mind when I read the clause dealing with synthetic drugs, as follows:

A substance is an analogue of another for the purposes of this Act if—

- (a) they both have substantially similar chemical structures;
- or
- (b) they both have substantially similar pharmacological effects.

New subsection (3) in clause 3 provides:

An analogue of a drug of dependence or a prohibited substance (not being an analogue that is itself declared by regulation to be a drug of dependence or a prohibited substance) is by virtue of this subsection a prohibited substance.

I am not sure whether under this prescription crack is a legal substance, and I will be asking the Minister questions about that. The provision seems to indicate that, if a drug has a similar effect to another drug that has already been recognised, that drug, because of either its makeup or its effects, will be treated in the same way as the principal drug. We know that synthetic drugs do not necessarily have direct relationships to those existing drugs on the market. That is probably one of the most frightening features of what is happening in the drug trade today. Questions will be asked of the Minister, when the time arises, about whether we are going to have to continually look through the available drugs and whether such things as magic mushrooms and other substances that have the ability to change the mind are included on the list. I am not sure whether this

aspect is adequately covered under the Bill, although there is no doubt that an attempt has been made to do so.

Clause 5 deals with increases in penalties, and those increases were certainly supported in the Upper House. My concern about the penalties is that they are never enforced. How can the Judiciary deal with an offender with 99 grams and acquit that person of criminal implication when an offender with 101 grams commits an offence? The debate from the other side has tended to suggest—certainly from their younger supporters—that marijuana is a harmless drug that should not be decriminalised but should be legalised.

Some have suggested that we should set up pot shops to be able to sell the substance so that the Government can at least get revenue from it rather than miss out altogether. I did some checking and asked a member of the Police Force about what was happening with penalties in the courts. He said, 'Would you like to know about a recent case involving a person who was caught producing marijuana plants? Some 10 000 plants with a street value of over \$1 million were involved. This person was apprehended, and it was proved that he was producing this substance for his own benefit. Do you know what the court gave this person? The penalty was 18 months in prison.'

That makes an absolute farce of this legislation. I can only assume that, when members of the Judiciary pass sentence on these people, they recognise the statements being made by the Government of the day and heed the protracted campaign to have marijuana decriminalised. How can a person who stands to make \$1 million profit get only 18 months in gaol? The logic of that escapes me. There are other examples of where exactly the same thing is happening. It is happening in the heroin area, where drug addicts and their pushers are being caught. People are being paraded before the courts and the long sad history of these drug addicts is outlined.

For some reason the judicial view says that we must be lenient. Everyone here should understand that once a person is a drug addict that person is a menace to society and the only way to remove that menace is to remove that addict from society. Drug addiction is not necessarily removed by methodone programs: it is certainly not removed by putting addicts on a bond, as has been proved time and time again.

Mr Ingerson: What about cold turkey?

Mr S.J. BAKER: The member for Bragg suggests a bit of cold turkey. Indeed, he is right. That is the only successful program, apart from the one conducted by the religious organisation, the Church of Scientology. I do not have to like that organisation to recognise that it runs a successful program in terms of taking away drug addiction. True, it might substitute a few other problems in the process but it does get rid of drug addiction and is a successful organisation.

If one talks about Government programs, one can look at all the European countries that have decided that they must be more lenient or that they must supply the drug free of charge so that they can stop pushers. However, in every case those countries have come back and said that the program has been unsuccessful. The only program that I know that has had any success—and this will horrify members opposite—is the Singapore program. Singapore had 15 000 registered heroin addicts who all went through the program, and it now has its addict population down to 6 000 addicts.

Singapore started off with a dubious history involving the Chinese connection. In the early part of this century opium was a very popular drug, and the Chinese community found opium smoking and consumption a regular way of life. In the 1950s riots occurred involving not just racial

tension but also serious drug problems. The Government determined that it was going to stamp out the problem, and it did so, keeping the problem well under control.

If we are talking about getting rid of the ultimate menace of heroin addiction, which it is—it spreads like a cancer through many developed countries, including Australia—there is only the one program that I have found that has been ultimately successful. True, there is some hope in education programs that I have seen, especially the health education program being carried out in our schools today. For example, my daughters are very critical of some of my habits—

Mr Duigan interjecting:

Mr S.J. BAKER: Yes. They do not appreciate that their father smokes. I hope that they will not be going down the track that some of our teenagers go, but one never knows. The important point I am making up is that many members have mentioned the pressures on young people today and the fact that there are not enough jobs available. There are all these diversions. We have many families with broken marriages, and single parents who are struggling. We have a new set of poor in the community.

With all of these pressures upon the children, their desires to break away are far greater than perhaps they were during the 50s and the 60s. I do not know what would have happened if many of the members here had had the same pressures applied to them as are being applied to the children of today.

If there is a condoning of drug abuse by members of Parliament, then I seriously believe that we have no hope for our children when they are going through those very difficult times. It is my fond belief that this piece of legislation says to the children out there that we do not have any regard for them or their future.

I have visited a number of high schools and talked to the young people. The first time I visited a high school somebody accused me of not listening. So, for the next few visits, I listened to what the youngsters had to say. There is no doubt that some people experiment with the drug that we are talking about and that a certain percentage of them finish up on harder drugs. I asked the youngsters (who were quite open about these things): what is it that pushes your colleagues, your friends, those whom you know have gone on to hard drugs, in that direction? They all agreed that there had to be one precondition: they had to be fairly well dissatisfied with their lot in life—and that seems to be a problem that we will continually face for many years to come. The second precondition, which seems to be almost universal, is that they had been along the marijuana path which says that they need some kick or some way of relieving their tensions through the use of a drug.

The Hon. B.C. Eastick: A disastrous first step.

Mr S.J. BAKER: That is exactly right. The third element, and it seemed to be universal, was peer group pressure: try it out to see what it is like. That seemed to be the general consensus of people who had friends or knew of people in this area. The suggestion may be made from members opposite that if all these youngsters are experimenting with the drugs, why should they suffer criminal penalty? That is the question that the honourable or dishonourable Dr Cornwall—

Members interjecting:

The Hon. G.F. KENEALLY: A point of order, Mr Speaker.

The SPEAKER: Order! That remark is completely unparliamentary and I ask the honourable member to withdraw it in relation to a member of another House.

Mr S.J. BAKER: Sir, I withdraw it.

Mr Ingerson interjecting:

Mr S.J. BAKER: A very accurate description.

The SPEAKER: Order! The Minister need not take a point of order. The Chair was about to point out to the member for Mitcham that he is also required to withdraw the follow-up remark that he made.

Mr S.J. BAKER: I will withdraw all remarks relating to Dr Cornwall, and that includes 'the honourable'.

The SPEAKER: Order! Just a moment while the Chair contemplates that last remark, which comes close to being a form of defiance of the Chair. It was certainly by way of negative inference a reflection on a member of another House. I ask the honourable member to withdraw the inference that was made in his second follow-up remark, and simply to get on with his speech.

Mr S.J. BAKER: I will be happy to withdraw any inference that I had in my last remark. The point I was about to make was that when we discussed the matter of addiction, as I said, everybody agreed that there had to be some form of deviation, if you like, from the accepted norm in the first place, which was the taking of marijuana. Some have tried glue sniffing, and we have heard the ultimate cost of glue sniffing and petrol sniffing in other communities.

When we discussed the matter further and several said that marijuana should be decriminalised, I asked this question: you have now told me that there is a certain percentage of people who use this drug as a form of escape and who go on to harder drugs with no hope in life as a result, so what do you then think about the law? They thought about it a little longer and said that, obviously, we have to start from the very beginning, the marijuana abuse. To me that was really quite informative. Whilst they thought they could handle it, it was all right, but the moment they could not handle it (and they recognised that many of their colleagues could not), that was a different situation. Some said they felt sick, others said they did not get any great feeling out of it, while some relied on it as a form of escape.

At the end of the conversation, and without my prodding or probing further, they said: we have to set the community standards, and the standards you are setting are really quite right. There is criminality involved. There is a linkage between the softer and harder drugs because young people, whether through alcoholic abuse or drug abuse, will try various methods of escape. If there is an ultimate sanction that says that we as a community—and we as a Parliament—are setting standards to say that that is not the behaviour that we will condone, then they are aware that, whether it be marijuana smoking or whatever, we as a Parliament and a community are opposed to it.

It is important that, as community leaders, we understand that point very clearly. We know that when people get into a car after they have got their licence, they will speed, but they will not necessarily speed after the age of 30. We know that people go through these things. The ultimate sanctions have to be there. It is important to me that we, as a Parliament, express that very clearly so that everybody understands the standards that we are setting. In this Bill, we have diluted the law.

We saw in the paper about three weeks ago that the \$150 fine (and we have nothing in this Bill to say what the fine will be) will come in for an amount of substance up to 100 grams, and I think the \$50 was at the 25 gram mark. In a newspaper the other day, I saw a picture provided by the police of some 100 buddha sticks which will add up to 100 grams of marijuana, and those 100 buddha sticks could be regarded as for personal use. I cannot understand how anybody would be carrying around 99 buddha sticks, which obviously they would have under these circumstances to sell for a profit of some \$3 000, and this Government would

condone it. How could anyone smoke 99 buddha sticks in a night, in a week, in a month? It is trafficking, and the Government is condoning trafficking with this Bill. It is absolutely condoning trafficking, because the Bill states that if a person possess 99 buddha sticks, he has them for personal use and he will have an expiation fee. That is exactly what this Bill provides.

The Hon. G.F. Keneally interjecting:

Mr S.J. BAKER: Well, we will certainly hear from the Minister, who has a very good grasp of the law and communicates regularly with the Minister of Health, who will be able to keep him informed on the latest matters. I had a vast number of other topics to cover in these 20 minutes, but the time has drifted away very quickly. I ask the House to reject this legislation in unequivocal terms. I think that this Parliament has a responsibility to the young people of South Australia.

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

The Hon. LYNN ARNOLD (Minister of State Development and Technology): The Bill before the House essentially proposes three separate things. First, it proposes to greatly increase penalties for the manufacture, sale or supply of drugs of dependence or prohibited substances. Secondly, it proposes to control analogue drugs (also known as designer drugs). Thirdly, it proposes the provision of expiation fees for simple cannabis offences for the possession of small amounts of cannabis. I advise the House, with respect to the first two purposes of the Bill, that I strongly support them. I believe that it is eminently reasonable that the penalties for traffickers involved in the manufacture, sale or supply of drugs of dependence or prohibited substances should be increased, and I believe that the provisions of the Bill in that respect are adequate.

With respect to the control of analogue, designer or synthetic drugs, there again I believe that the Bill is a very timely proposal. However, I am not able to support its last aim. I believe that the provision of expiation fees in the legislation amounts to *de facto* decriminalisation, and I oppose the decriminalisation of marijuana. I oppose it in any event, but I also believe that, if it is to be the subject of legislation, it should be also the subject of much wider community discussion and debate.

There are two schools of thought concerning the decriminalisation of marijuana, and I suggest that both of these schools of thought are valid and credible. One must determine which one one chooses to support. The first school of thought suggests that the illegal status of marijuana is confusing efforts to educate young people about the serious effects of more serious drugs; that it is leading some of our young people to be cynical about what drug educators are saying, because young people are having difficulty equating in their own minds the effects of marijuana with the effects of cocaine and heroin.

Young people cannot accept that the effects of marijuana are as serious as are the effects of cocaine and heroin. Those who support this school of thought also suggest that, if marijuana were to be separated from the illegal status of other drugs, the aspect of involvement of the criminal element would be less and, therefore, there would be less danger in the promotion of these drugs to young people. As a consequence, they suggest that drug campaign efforts against heroin and cocaine would be more likely to be successful.

The other valid and credible school of thought says that, if you were to remove marijuana from the illegal area of drugs, you will shift the frontier of debate—the area of

debate—one step along with respect to drugs. At the moment, drugs such as alcohol, tobacco, analgesics and other prescribed drugs are legal while cocaine, marijuana and the like are illegal. If you take marijuana out of the illegal area and place it in the limbo status referred to as decriminalisation on the way to the legal, this school of thought suggests that you move the frontier of debate to determining whether or not cocaine and heroin should be readily accessible to the community.

This may seem to be an unreasonable proposition. However, I suggest that precisely this has happened in the United States, and the widespread use of cocaine by many people in the United States is evidence of that. Also evidence of this is the fact that at least in one city that I know of—the city of New York—there is now a group actively proposing the decriminalisation of heroin. The arguments posed for this by that group sound very reasonable. The group says that pure heroin is less harmful than nicotine and, in terms of the speed with which heroin acts on the body systems including the heart, I believe that it is slower than nicotine. The group says that pure heroin is safer than adulterated heroin, that heroin can be used for a longer period without bad health effects, and that it will keep out the criminal element. In other words, the group puts forward plausible arguments for the decriminalisation of heroin.

I support the second school of thought, namely, that, if you take marijuana out of the illegal status and place it in the limbo area of decriminalisation, you will move the frontier of debate and in five or 10 years from now you will have to debate whether or not you legalise or decriminalise cocaine or heroin. In addition to that there are a number of other reasons why I oppose clause 8. One reason is essential to my personal beliefs as a social democrat. At the moment we face a number of serious challenges in our community. Australia—and South Australia as part of Australia—has very high rates of youth unemployment. There is a spirit of disillusion amongst many young people who feel that society has not offered them what they feel they should be achieving. We find that there is a spirit of social distress in many sections of the community. There is real poverty in our community.

As a social democrat, I believe that we should be offering substantive social change to redress the ills that we think exist. We should not be offering the widespread access or increased access to euphoric to deaden the pain of alienation, disillusion or social distress. This may seem an odd proposition for me to put. Members may say that it is unrealistic for me to suggest that the widespread use of marijuana would have that effect of deadening the pain of alienation or disillusionment or social distress.

There are examples in history and there are examples existing in the world at the moment where some drugs have been used to do precisely that in some communities. The Indians of the high Andes, for example, are a prime case in point. Historically, and even now, they have been kept in a state of social oppression because a euphoric has been made readily available to them to deaden the pain of their existence, to quell the hunger pangs, to enable them to survive their distressing and oppressive conditions.

At this stage of Australia's history, when, quite frankly, we are at the crossroads, we are at the stage of determining our future, and the future of Australia and its success or failure will be determined by the actions of Governments and people in this country as we determine how we enter the twenty-first century. Therefore, I pose the question: do we really want to dull the edge of pressure for social change; do we really want to say to those who are in social deprivation, 'Yes, there is an easy way out. We can deaden your

pain, but we will not choose to change the circumstances that created it”?

Other aspects concern me about that expiation part of the legislation. I note that the Bill does not provide that children (or those under 18 years) will be able to have access to the expiation process if they use cannabis. Therefore, in a sense, the children are protected—*de jure* they are protected. However, will they be protected *de facto*? I have strong concerns about that. Smoking by adults is not illegal; however, it is illegal for minors. Does that mean that minors do not smoke? I do not believe that anyone in our community would accept the proposition that minors are not smoking because it is illegal for them to smoke while it is legal for adults. If the use of marijuana by adults is decriminalised, why would a different situation apply to minors? Why would the *de jure* protection of this Bill extend to *de facto* protection?

We already have significant use of marijuana by young people in our community. That should be of concern to us. Just yesterday I spoke to a local community person active in a local youth group who, since becoming involved in that group, has significantly changed the views held with respect to the decriminalisation of marijuana. I will not name or identify the sex of that person, but that person now believes that their previously held view that marijuana should be decriminalised is no longer appropriate. That person is alarmed at the extent of usage of drugs of abuse amongst young people in our community, including marijuana.

I refer to a paper or study that was done for the Institute for the Study of Drug Dependence in 1979, which states, in part:

It is certainly difficult to see how effective safeguards for young people could be provided safely solely by legislation in a situation where cultivation and possession of cannabis by adults for personal consumption had become lawful, and it is probable that reliance would have to be placed mainly on various forms of social control, including education and parental and school discipline.

That is from ‘Cannabis: Options for Control—a study group report on this controversial drug.’ The community needs to be entirely satisfied that those various forms of social control, including education, parental and school discipline, are in place and are likely to work.

There is a further point of concern in relation to that aspect of the Bill to do with the question of what is a simple cannabis offence. I am not an expert, pharmacologically, in cannabis, but there are to my knowledge five modes of using cannabis. First, the plant can be smoked. Secondly, cannabis resin can be obtained by separating the resin rich superficial hairs from the rest of the plant and obtaining a more powerful effect from that. Thirdly, delta-9-tetrahydrocannabinol can be obtained through the boiling water treatment of marijuana. Fourthly, hashish (an oil obtained by chemical abstraction from high quality marijuana pollen) can be obtained. I understand that there is also a product or mode of use called marijuana tea.

Different strengths pertain to the psychoactive component of each one of those modes of use. Straight marijuana contains, on average, an 8 per cent psychoactive component; cannabis resin contains 14 per cent; hashish contains 60 per cent; and, I understand, distilled THC contains up to 80 per cent. I assume (and I presume that the Minister will be able to advise us later on this matter) that the Bill excludes hashish when it talks about simple cannabis and cannabis resin. In any event, I expect that it would be hard for the individual user obtaining a small amount of cannabis to be able to extract hashish from cannabis or cannabis resin.

However, I have a major question about tetrahydrocannabinol. Is that covered in the Bill? For example, what

would be the situation if a person possessing a small amount of marijuana within the confines of the legislation were then to treat that through the boiling water treatment to obtain THC and obtain a much more powerful psychoactive effect than from the raw state of the marijuana drug? I also have a concern that whereas with respect to other drugs in our community we are certain of their degree of strength (one can read on an alcohol bottle the percentage of alcohol and get information about the percentage of nicotine in cigarettes), the situation seems murky with respect to cannabis.

I understand that originally it was believed that there were two varieties of cannabis (cannabis sativa, variety sativa, and cannabis sativa variety indica). Now I understand that there are a number of geographical races of cannabis that produce different strengths of the psychoactive component, depending on where or how they are grown. A study during 1974 of 36 reefers tested in Leeds and London by chemical analysis revealed a marked variety in THC strength. The minimum level of 0.14mg THC went up to 41mg THC—a 300 fold variation.

In this legislation we are including a drug that can have a 300 fold variation between items. The same study found that individual ingestion rates of those in the study group varied in one day of use from 0.14mg of THC to 199mg of THC. Last week I read a report that a new kind of marijuana variety is available with much greater potency—a variety called Sinsemilla—which is now favoured by many users in the United States because of its high potency. David Hawks, in a paper entitled ‘The Law Relating to Cannabis 1964-1973: How subtle an Ass?’ states:

Where the law lacks subtlety is in dealing with offences involving preparations of different potency.

I believe that this section of the Bill takes no account of different potencies that may apply.

There is then the medical aspects of marijuana. I mentioned before that I am not a pharmacological expert nor am I a medical expert. But, I make a point as a concerned citizen in the community of reading what I can and of trying to understand what information is made available to me, and some information has become available. A document of particular use to me is a book that, in its translation, is entitled ‘The Proceedings of an International Symposium on Marijuana Usage’, that symposium being held in Mexico in August 1978. I will detail some of the findings of that symposium. Professor Sukru Kaymakcalan, of the Department of Pharmacology, School of Medicine, University of Ankara in Turkey, in his summary at the end of his paper, stated:

After isolation and synthesis of the delta-9-THC . . . it was shown that tolerance develops to many effects of cannabis both in laboratory animals and in man . . . Furthermore, if the high doses of delta-9-THC are administered at short intervals to monkeys and rats, it is possible to demonstrate the presence of the physical dependence, since some narcotic-like abstinence symptoms can be observed when the drug is discontinued.

The author of that paper went on to say something very significant. He commented on the standard set by the World Health Organisation Expert Committee on Drug Dependence. At the time the paper was written, that expert committee deemed that the characteristics of marijuana indicated a lack of development tolerance and an absence of physical dependence. The conclusion of the research was:

In the light of these new findings—

namely, his—
the characteristics of the cannabis type dependence should be reconsidered and amended by the World Health Organisation Expert Committee on Drug Dependence.

Another paper at that symposium was produced by a number of writers and focused on a study conducted in Costa

Rica amongst chronic cannabis users. This statement is contained in the conclusion:

The users abandoned earlier and with greater frequency their family of origin than did the control group. A greater incidence of school drop-out and minor infringements such as petty theft was reported.

A third paper at the symposium by R.C. Petersen, of the National Institute of Drug Abuse in the United States, stated:

Since use in the United States is a relatively recent phenomenon and has been largely confined to young people, the amount of information on the effects of chronic heavy use and of use in other groups is still limited.

That in itself should be a point of concern to the community: that we have so limited information in this area. The conclusion continued:

One concern is the possibly especially deleterious effects of marijuana use on the 11 to 15 year old age group.

That is detailed in the paper. I come back to the point about whether or not we will be able to provide *de facto* protection under this legislation even if ostensibly we are providing *de jure* protection. With respect to the medical characteristics of marijuana, there are many other pieces of evidence that can be cited, but time will not allow that this evening.

One point of great interest that I ask members to note is that countries where the greatest push for the decriminalisation of marijuana has occurred are not those countries where marijuana has had an extensive history. The countries where this move is greatest are those like the United States and Australia. It is interesting to note that those countries with a long history of marijuana availability and use in any of its various forms are the strongest in pushing for its remaining as an illegal drug. I cite, as only one but not the only example, Egypt.

The matter with respect to decriminalisation is what other effect it will have with respect to increased usage. In the brief time that I have left it is worth noting that in California, when the drug was decriminalised there, the drug usage amongst adults went up from 9 per cent to 14 per cent of the adult population after passage of the legislation. I believe that the points I have outlined tonight contain enough serious points of concern that should be considered by all members. For the reasons I have outlined, while strongly supporting the first two provisions of the legislation with respect to increased penalties for traffickers and analogue drugs, I remain unable to support the expiation process proposed in the Bill. I believe it is *de facto* decriminalisation, and I hope that this House does not see fit to pass that aspect of the legislation.

Mr OLSEN (Leader of the Opposition): I enter this debate tonight to consider the provisions of the Bill dealing with penalties for possession of marijuana. Might I say at the outset that I was pleased to hear the remarks of the Minister of State Development and Technology and trust that he will join with the Opposition Liberal Party in opposing those measures on the floor of the House when the division takes place later. The very cogent reasons that he put forward are the reasons why the Liberal Party is opposing these provisions in this Bill.

I would like to challenge the Premier to do exactly the same: to come into this Chamber tonight and justify why he has broken his word not to relax marijuana laws; to justify why his Government ignores the wishes of the overwhelming majority of parents and teachers in pursuing this measure; and to justify why he has abdicated his responsibilities by allowing the Minister of Health to charge ahead with this measure without thinking through all the consequences of its action.

The proposal to treat personal use of marijuana in this way is breathtaking in its hypocrisy and stunning in its indifference to the impact of this measure on young South Australians. This is a Government which proposes to ban lolly cigarettes yet trivialises possession of marijuana to the point of absurdity. This is a Government which paints the picture of the tobacco smoker as a threat to the health of the general community while conferring respectability on the marijuana user. Indeed, there is no mandate for the Government to proceed with this approach. Nothing of this sort was put before the people at the last election, and there is overwhelming community opposition to the proposal.

From schools, from parents, from service clubs, from police and from medical authorities, the message is consistent—and it is loud and clear. Only the most addled tripper could ignore it, yet this is what the Government is doing. And why? The House will recall that decriminalisation of the personal use of marijuana was one of the dying embers of the Dunstan decade, and it was snuffed out in an overwhelming community reaction to those freewheeling times. However, it has remained an obsession of the Left of the Labor Party.

In recent years it has been all but a ritual for debate at ALP State conventions. The more sensible in the Labor Party dared not proceed with outright decriminalisation, so just before this year's ALP convention the Minister of Health brought forward this proposal—a thinly disguised way of achieving the Left's objective: decriminalisation of the personal use of marijuana. But the Premier knows that even on-the-spot fines for personal use are publicly unacceptable. That is why he has let the Minister of Health lead the debate.

We know already how little thought was given to this measure prior to its being rushed before the public just before the last ALP convention. Already there have been some major changes. Under the Government's original proposals no conviction would have been recorded. There has been a rethink after the Opposition exposed this. The Government wanted to lift the prohibition on the use of marijuana in public. Again, this has now been reviewed. People under 18 are excluded from the legislation, when the Government originally intended that the relaxation would apply to all ages.

However, these changes still do nothing to justify this measure. I remind the Premier that in April last year he agreed with all State Premiers and the Prime Minister at the national drug summit that there would be no further relaxation in marijuana laws. That was a national agreement aimed at combating the drug menace in this country. The Premier has been invited before to explain his turnaround. He has refused to do so, simply because he cannot do so; nor has the Premier answered the other major problems that this measure raises, for example, how it will be administered.

The Police Association has expressed serious concern. The Government has claimed that this measure will free police resources to use in the pursuit of more serious drug offenders, while the police have said that the administration of this new law is likely to require more resources and more enforcement problems. The House should also recognise the farcical aspect of police officers running round with scales in their hip pockets to measure the quantity of marijuana that people are using and have in their personal possession. The whole administration of this thing is absolutely absurd, and the Police Association has simply highlighted the absurdity of this new law proposed by the Government and forced through this House in one evening. It is not being

debated in due course, but being forced through this House in one evening, despite the protests of the Opposition.

The House should also recognise that more than half of all serious crime is drug related. There has been a three-fold increase in drug offences in recent years. This legislation does absolutely nothing to address this problem, nor does it take into account the known or suspected health effect, or that marijuana use is physically damaging, that it leads to short-term memory impairment, slowness of learning, and interference with pre-natal development, and that smoking marijuana is up to 18 times more damaging to airway passages than cigarette smoking.

Marijuana's potential to impair driving ability also has been overlooked by the government, despite the mounting road toll. Research indicates that up to 20 per cent of drivers killed in road smashes had marijuana in their bloodstream. It is a particular menace on the road when mixed with alcohol. Increasingly, the evidence suggests that we should be proceeding with the utmost care on this matter, yet the Premier refuses to do so.

The Government chooses to ignore evidence which now shows that marijuana may be far more potent and, therefore, more dangerous than previously contemplated. Even the Minister of State Development and Technology acknowledged that during the debate this evening. Studies in the United States have revealed that marijuana is, on average, seven times stronger than it was 10 years ago. Tests at the University of Mississippi have shown a rise in the psycho-active agent in marijuana, THC, from an average of 0.5 per cent in 1974 to 3.5 per cent in 1985. Some samples of particular types of marijuana have been shown to have a THC content as high as 12 per cent. The short-term effects of this more powerful form of marijuana include anxiety attacks, confusion and delirium, and impaired learning ability and motor coordination. With this in mind, we should not be taking this giant step in the direction of decriminalisation of the use of marijuana. The Government wants to equate it with a normal parking or traffic offence.

The net effect of that in the schools, with peer group pressure, where pressure is applied to our children in our schools to become involved in the drug trade, if we as adults in this Parliament equate the personal use of marijuana with a traffic offence, is that those children will say, 'Well, it can't be too bad. What the hell—I'll give it a go.' That is what we ought to be discouraging, not encouraging, in our community. We ought to be maintaining standards within the community, not relaxing them—not downgrading those attitudes to drugs within the community.

Indeed, it appears that some of our courts are already anticipating this measure by imposing fines of as little as \$5. This does nothing to encourage policing of the drug menace. But, worse, it openly encourages more young people to try marijuana, knowing that they will not have to face the courts with all the stigma attached to that. What this will do is undermine the importance of the family in the prevention of drug dependence.

It is vital that communication be maintained at all times between parents and children, yet as a society it appears that we are doing our very best to discourage this, with talk about children being able to divorce their parents, through making it easier and even appearing attractive to leave home. In drug education, the role of the parent will be further eroded when lenient, relaxed attitudes are encouraged, as in this Bill.

In the absence of any justification for this move, and in the acknowledgement of the overwhelming community opposition to it, the Liberal Party will maintain its opposition to the introduction of on-the-spot fines for personal

use of marijuana, and we will ensure this measure is repealed at the first available opportunity.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): It was quite refreshing to hear the Minister of State Development and Technology opposing this Bill. It is quite clear that in his judgment there will be an increased use of marijuana as a result of the passage of this Bill, whereby the use of marijuana will be virtually decriminalised. The Minister of Health might try to surround his argument with all types of gloss to try to hide that fact, but that is a fact of life. The Bill, in effect, decriminalises the use of marijuana or imposes, so we are told, an on-the-spot fine. How it will work out, lord only knows. However, they will have some system of on-the-spot fines for people who are found to be using marijuana in a public place. There will be all sorts of technical problems with that which, if I have time, I might mention later. It is refreshing to find at least one Minister in this Government who has the courage of his convictions and says that it will lead to an increased use of marijuana. In fact, where this path has been followed overseas, people have rued the decision.

The Hon. P.B. Arnold: Increased use of marijuana will mean increased revenue to the Government.

The Hon. E.R. GOLDSWORTHY: Obviously, that will be one of the so-called benefits. This Bill is a piece of pace-setting legislation for which the Labor Government sought notoriety in South Australia, especially during the 1970s when the Labor Party was intent on bringing about social change and when it sought to lead the field. I read with some interest the so-called eulogy given by Don Dunstan at Sir Robert Helpmann's funeral service. Dunstan bemoaned the fact that, until he came on the scene, South Australia was the most conformist community around the nation. As I read that report of the eulogy, it seemed that Dunstan was fairly intent on telling the world at large what a great Premier he had been in dragging South Australia into the twentieth century. He regretted the fact that we were the most conformist society in Australia.

However, I reject that proposition totally. It is the suckers, as he would call them, the conformists who do not kick over the traces, do not break new ground and throw aside all the mores that have helped keep the community together, who pick up the tab for the social misfits and the debris that result from this *laissez-faire* attitude—they are the ones in the community who have to pay the social costs, via their taxes, for the behaviour of many of those who choose to be non-conformist.

The attitude adopted by Dunstan gives me an acute pain in the neck because the proposition by which he still seeks to gain some notoriety for himself is that we should not be conformist but that we should kick over the traces and be non-conformist. In a brilliant speech delivered when leaving the Supreme Court bench recently, Mr Justice Zelling referred to this breakdown in social mores. Unfortunately, that speech was not reported widely. Justice Zelling pointed to changes in our society which gave credence to the sort of thing that I am putting. Thank goodness, we have some conformists in the community who play the game and do not become social misfits and a drain on the community and whose upkeep must be paid for by the conformists. There is ample evidence of that.

Dunstan was off on his self-adulation kick, churning out the sort of nonsense which struck some kind of responsive chord in the 1970s but which is far out of date today because of the economic pressures in our society in the 1980s. In this respect, the Labor Party again leads the charge to decriminalise effectively the use of marijuana. As to why the

Labor Party is doing it one can only speculate. Some fairly strident voices in the Party have sought to do so for many years. In 1983, the now Minister of Health made perfectly clear that he wanted to decriminalise the use of marijuana. However, a survey, conducted possibly by ANOP or the Party's own Mr Cameron, found that three out of four people would not wear it, so the Party had to back off. So what is the answer today? The Party is decriminalising marijuana by the back door and by setting up a system that the police cannot handle effectively because there will be an on-the-spot fine for marijuana in circumstances in which it will be extremely hard to police.

Mr Lewis: It's a fine that is not a fine.

The Hon. E.R. GOLDSWORTHY: Of course. A certain quantity of marijuana will be prescribed for an on-the-spot fine in a public place. The police will have to trot them off and weigh it. Is it diluted, and what is it? There is no means of identifying the person if he or she is an itinerant, one of the misfits to whom I referred, here today and gone tomorrow. It is not like an on-the-spot fine for a driving offence where a car can be traced. There are all sorts of difficulties in policing this legislation. That is part of the scheme. The Government knows that few fines will be imposed, because of the difficulty of identification not only of the drug but of the offender.

So, it is hard to get at the motives behind this Bill, except that the Minister of Health has been successful in convincing the vast majority of his colleagues, with one notable exception we have detected, to go along with this backdoor method of decriminalising the use of marijuana. There is ample evidence that this so-called social drug is damaging, as well as evidence that it is more damaging than alcohol. The argument advanced by the Australian Democrats, as voiced by the Hon. Mr Elliott, that the use of marijuana is a victimless crime is plain stupid. So is the use of heroin! The users supposedly only hurt themselves, or others by association. Of course, heroin users are hurting others, and the same argument can be applied to marijuana. If a person gets into a motor vehicle, having had a mixture of alcohol and marijuana, and kills someone, there is a victim: the person who is killed. To say that it is a victimless crime is plainly absurd. So is the use of heroin or anything else where one chooses to abuse one's body. That is an absurd proposition, but that is what the Hon. Mr Elliott is giving as the reason for his Party's support of the Bill. I gave him credit for having more sense.

The effects of marijuana remain longer than do the effects of alcohol. There is abundant evidence from worldwide authorities that the use of marijuana is equally as damaging as the use of alcohol or perhaps even more so. There is also abundant scientific evidence that the mixture of both is much more lethal than either one when used singly. Plenty of evidence exists to show that in many motor vehicle accidents around Australia there is a mixture of both, so it seems absurd and the height of irresponsibility for us to be seeking to legislate to increase the hazards not only to the users of marijuana but also to the life and limb of our citizens on the road.

Those who argue that the drug is relatively harmless (and I do not believe there is a shred of scientific evidence to support that view) say, 'But no one will consider outlawing alcohol. Look at what happened in America in the days of prohibition.' However, alcohol has been with the human race since the dawn of civilisation and cannot be eliminated, although many parents who have lost youngsters on the road wish that it could be. To try to stop the consumption of alcohol is like trying to stop murder: you cannot turn back the clock in relation to alcohol. To open the flood gates and let in another social drug that will have the same

effect when we should be urging caution is the height of irresponsibility. However, that is the path along which this Government has set itself to travel.

I could recite plenty of scientific evidence, but I will content myself with referring to just a couple of examples to indicate what Government members, except one, want to let this State in for. I refer to a publication from the Council on Scientific Affairs in the United States, entitled 'Health hazards and therapeutic effects of marijuana explored'.

It adds further weight to the statement of the Minister of State Development and Technology about what all legitimate evidence around the world indicates. The publication states:

Any form of drug abuse can have more serious consequences for those individuals who are especially at risk. Children and adolescents are one such group. The effects of drugs on the young, who are in early stages of both physiological and psychological development, can be more pronounced and persistent than effects on older persons.

Marijuana is potentially damaging to health in a variety of ways, but it can be especially harmful when used by children and adolescents, by persons who are psychologically vulnerable, or by those already physically or mentally ill.

Measurements of bronchoconstriction revealed that smoking less than one marijuana cigarette per day diminished vital capacity of the lungs as much as smoking 16 tobacco cigarettes. Because smoking several marijuana joints daily is not unusual among young people, their risk of incurring pulmonary problems may be far greater than that of heavy users of tobacco.

This is pertinent to the very vital question of the road toll, and I quote from the same report:

Because marijuana intoxication impairs reaction time, motor co-ordination and visual perception, it can be dangerous to drive automobiles, operate machinery, and fly aeroplanes under this condition.

In a recent study in California, involving blood samples of 1 800 motorists arrested for driving while intoxicated, marijuana use was detected in 16 per cent of the cases, nearly always in conjunction with the presence of alcohol.

The concomitant use of marijuana and alcohol, which is quite common, has its greatest implications in the area of highway safety. Reduction in reaction time, poor cognition, and impaired co-ordination, observed with the use of either substance alone, are markedly amplified when the two drugs are taken in combination.

It has been known for some time that marijuana use can produce panic reactions, 'flash backs' and other emotional disturbances and that children and adolescents are at high risk psychiatrically when they abuse psychoactive substances.

If any member who supports this Bill took the time out to examine reputable scientific evidence, he or she would have to come to the inescapable conclusion that, if we make the possession and use of marijuana easier, we are going to increase road trauma. That is as plain as a pikestaff. If Government members are going to vote in this place to increase road carnage, they will blindly follow the Minister of Health in another place, who has been trying to do this for the past three or four years. As I said earlier, it is the height of irresponsibility.

Coming closer to home, let me quote a further report of Sergeant Des Blackwell, who heads the Western Australian police breath analysis section. He states:

Dangerous drivers were often found to have a combination of drugs and alcohol. Booze and drugs put people in a worse condition than when they use one or the other.

He went on:

Marijuana makes reactions slower. In this, it is much the same as alcohol. Drivers who had used drugs had fallen asleep when he was interviewing them. One had been sitting with his legs crossed, stood up and tried to walk with his legs still crossed. Another driver, booked at 10.30 in the morning, was worried that he had failed to take his wife to the films . . . he thought it was 10.30 p.m.

A study over two years found that one person in five killed on Victoria's roads had the THC component of marijuana in their

blood or urine. All of these people were under 40 and most of them were under 30.

The final quote I will give is from the Victorian examination of this question. This report states:

Increasingly, marijuana is now found to be physically damaging and a menace on the road, particularly when mixed with alcohol. Dr Sherman's [a Melbourne, St Kilda doctor] description of his cannabis-addicted patients is not much different from descriptions of addictions to the harder drugs, including heroin. 'They all have the features of cannabis psychosis,' he said. 'They have a mixture of problems: aggression, hostility, poor motivation, apathy, drug craving, loss of weight and short-term memory, paranoid feelings and diminished sociability, work performance and intellectual pursuits.'

I do not know whether members opposite have made a study of the situation, but do they believe that by passing this Bill they will make the use of marijuana more difficult? If so, I entirely fail to understand their reason. This Bill will surely lead to increased use of drugs. It will surely lead to the condition which has occurred everywhere else in the world where this substance will be mixed with alcohol. It will surely be tried by more and more adolescents who are most at risk—teenagers—and this will surely lead to increased trauma and death on the road. Anyone who is stupid enough to subscribe to that scene has to be bordering on lunacy.

I have said it before and I will say it again: the ultimate lunacy of this century which will be judged by future generations who work out some safer method of locomotion will relate to the number of people who are killed on the roads around the world. We kill more people on roads—particularly young people—than have ever been killed in war, and it has all happened this century. That is the ultimate lunacy of the day and age in which we live. This Bill will increase that toll.

Neither the Liberal Party nor I will have a bar of it, and I do not believe that any enlightened citizen here who takes the trouble of studying the evidence available will have a bar of it either. I am totally opposed to clause 8, which is diluted by some other provisions of course that are attractive. This is a typical ploy of people like the Minister of Health: include some tougher measures and hide that part of the Bill that is so damaging. It is all here in clause 8. I will fight tooth and nail that sort of social change in the name of pace-setting, so dear to the heart of people like former Premier Dunstan and obviously copied by some of the lunatic fringe in this Government.

Mr INGERSON (Bragg): I oppose the legislation totally. I want to spend some time talking about the pharmacy and medical reactions of this product so that we can be put in a much clearer perspective the latest scientific studies on it. Before I do that, however, I would like to point out the nonsense that this Government is putting forward to us with different sorts of legislation and attitudes to similar products. On the one hand, we have the Government talking about the need to increase random breath testing and to do something about drink driving; and, on the other hand, we have a push towards decriminalisation of marijuana, which is shown in all of the surveys to be increasingly involved in accidents. Then we have the Government putting forward legislation as it relates to tobacco and the need to control tobacco, showing the community the problems and the carcinogenic effect of tobacco; then, yet again, we have the Government talking about marijuana, which has carcinogenic properties far in excess of those of tobacco.

These comments are from the July 1986 issue of the *Medical Journal of Australia*. In that journal, Dr Gabriel Nahas said:

Cannabis preparations (marijuana, hashish) have become the most frequently used illicit drug in the United States, the Western world and Australia. Besides the chemical euphoriant delta-9-tetrahydrocannabinol that is found in cannabis, 60 other cannabinoids have been identified as well as 360 other compounds . . . The smoke of a marijuana cigarette contains, in its gas phase, carbon monoxide, acetaldehyde, acrolein, toluene, nitrosamine, and vinyl chloride and, in its particulate phase, phenol, cresol, methyl and naphthalene. It also contains twice as many carcinogens as a tobacco cigarette of the same weight.

I think it is very important that everybody in the House understands that the latest medical reports show very clearly that there are twice as many carcinogens in one marijuana cigarette as in a traditional tobacco cigarette. Yet, here we have a Government (through its Minister) clearly saying recently that experimenting in marijuana was not of a major concern to the Government. The article continues:

Only longitudinal epidemiological studies of marijuana-smoking populations may document the pathological effects of long-term cannabis use. To my knowledge the literature does not contain a single autopsy report of a long-term marijuana smoker, so that the human pathology of marijuana will not be established for another two or three decades. (It took 60 years for investigators to establish the pathology of tobacco smoking.)

This is saying very clearly that it has taken at least 60 years for us to understand the carcinogenic effects of tobacco, yet here we have a carcinogen twice as strong as tobacco being given a decriminalised standard, and people are saying that it will be at least another 60 years before we really know what the long-term effects of marijuana will be. It seems that we are not prepared to learn from the mistake we have made with tobacco. The report continues:

Meanwhile, on the basis of their present short-term clinical observations and experimental studies, biologists and physicians can only make certain predictions about what this pathology might be; it is thought that it is primarily frequent (daily) consumption of cannabis that is associated with long-term pathology, as is the case for other dependence-producing drugs.

That says that they believe that marijuana will prove over a period of the next 20 to 30 years to have exactly the same carcinogenic effects on the community as has tobacco. I will elaborate on other areas in the next few minutes. The report also talks about the many other problems found with marijuana. For example, relating to acute adverse effects it states:

While euphoria and relaxation are the most frequently described effects of cannabis and constitute positive reinforcement for the use of the drug, dysphoria also occurs.

That means that whilst you get an 'up', you also get a very significant 'down' with the drug. The report continues:

In some instances, the subjective state fluctuates between euphoria and dysphoria—

in other words, smokers have very rapid rises and falls with the use of this drug. Another area commented on is that of driving impairment, and I am glad to see that the Minister of Transport is now back in the House, representing the Minister of Health. The document clearly states:

Driving skills and performance are impaired by cannabis.

The latest surveys indicate that 16 to 18 per cent of people who undergo random breath tests and blood tests, particularly in Tasmania where the studies have been done, have significantly higher levels of marijuana. It has also been found that there is a significant effect in the respiratory and cardiac functions. The report further states:

Experimentally, marijuana smoke induces malignant transformation in lung explants.

We now have what is called a multipurpose, multicausal drug. Here we have a Government concerned to only a minor extent about the opening up of the use of this drug.

One of the most important areas that it has been found to affect is the immune system. As all members of the House would know, we have a problem in the community

currently called AIDS, and we now find that marijuana has a very significant effect on the immune system. The article states that decreased immune response has been found in many patients tested. Problems have been found in the reproductive function, and the report states:

The most common findings of Hingson *et al's* epidemiological studies on the adverse foetal effects of the maternal use of marijuana were intrauterine growth retardation, poor weight gain, prolonged labour and behavioural abnormalities in the newborn.

I remember that not much more than 10 to 15 years ago a drug known as thalidomide was taken off the market because of its producing abnormalities, yet here we have marijuana suggested as practically causing problems very similar to that of thalidomide and this Government is decriminalising it. Referring to the long-term effects on brain and behaviour, the report states:

In humans, the neurobehavioural toxicity of the long-term use of cannabis is manifested in some heavy smokers by a state of withdrawal, apathetic indifference, general mental and physical deterioration and social stagnation. This apathetic condition, described as the 'amotivational syndrome', has also been designated by US high-school students as the 'burn out' syndrome. It has been reported over the centuries in India and Africa. The increased incidence of mental illness that is caused by the use of cannabis has been reported consistently over the past 2 000 years throughout the historical and medical literature. By contrast—

and this is rather an interesting point—

the use of opiate agents, including heroin, has not been associated with psychiatric syndromes.

Here we have a substance causing not just a little bit of hallucination and giving everybody a little kick along, but all these other designated and shown side effects, and yet we continue to talk about decriminalisation. I remember the Minister saying on radio 5DN the other day that with this legislation we will trample on the traffickers, but it is okay if youth experiments. That is an incredible statement when one sees medical evidence of the problems arising from the long-term use of cannabis. A further and important statement is this:

Cannabis intoxication has the most serious adverse effects in adolescents (12-18 years old) who are attempting to structure their personalities. The amount of evidence that is available on the negative impact of cannabis on mental health is growing and should be a matter of serious concern.

That is saying that the young people of this State, those aged between 12 and 18, are suffering from the most deleterious mental health problems. Again, I say that this Government is putting potentially before this House a method of decriminalisation of this product. The article also mentions drug interactions and the potentiation between alcohol and marijuana. Many studies, particularly in the road traffic area, have shown that the ability of the driver deteriorates very rapidly when the two drugs of marijuana and alcohol are added together. The article further comments on areas of addiction and dependence. The *Medical Journal of Australia* states:

Current scientific observations indicate that two features that are associated with drug dependence have been observed in cannabis users—of tolerance and withdrawal symptoms.

It has been said often that cannabis is a soft drug and that there are no problems with it. However, this latest paper clearly shows that there is a dependence factor that we should note. The paper continues:

That this tolerance might be selective for the aversive effects of the drugs could unmask the rewarding effects and therefore, the probability of use. Tolerance by leading to more frequent use and large doses might strengthen the cycle of reward and repetition. The cessation of cannabis use can also give rise to withdrawal symptoms which are relieved by the resumption of cannabis or THC intake.

It clearly states that cannabis does have an addictive effect and is also a drug of dependence. They are the quotes that

I cite from the latest report on this issue in the *Medical Journal of Australia*.

I assume that the Minister of Health would have had that report placed under his nose when he looked at this legislation. If he did not, it is a disgrace to him as Minister to be unaware that this modern reporting has taken place. The report clearly shows that cannabis is not just a soft drug and that it does have more than an hallucinatory effect, that it has very wide and damaging long-term medical effects, and it should not be allowed to be decriminalised in any form whatsoever.

I refer to an article about a paper released by the United States National Institute of Drug Abuse setting out what it believes are the chronic effects of marijuana, as follows:

- Short-term memory impairment and slowness of learning
- impaired lung function
- decreased sperm count and sperm mobility
- interference with ovulation and pre-natal development
- impaired immune response
- possible adverse effects on heart function
- by-products of marijuana remaining in body fat for several weeks, with unknown consequences.

The institute went on to say: 'Acute intoxication with marijuana interferes with many aspects of mental functioning and has serious acute effects on perception and skilled performance, such as driving and other complex tasks involving judgment or fine motor skills.'

When we debate the occupational health legislation I wonder whether it will include a method to test whether anyone is free of cannabis. In fact, it will be interesting to ask that question tomorrow. The article continues:

If that all sounds a bit too clinical, Dr Gabriel Nahas has a knack of putting it in perspective.

The world drug expert was in Australia recently and pointed out that the chance of someone smoking marijuana, daily, turning to heroin is 10 times greater than someone smoking two packets of cigarettes a day has of developing lung cancer.

That puts it in fairly real perspective—a perspective whereby this legislation will enable our 10 to 18 year olds to freely experiment (and I quote the Minister when I say that). However, according to this article a world expert on drugs advises that someone smoking marijuana has 10 times more chance of progressing to heroin than a person smoking two packets of cigarettes a day has of developing lung cancer. The article continues:

He says research has established that the three main physiological effects of marijuana are impairment to the brain, the reproductive system and immunity.

As I said earlier, while the immunity problem is only a minor problem today, with the major public health problem of AIDS it is interesting that the latest reports clearly state that there is an immunity problem with excessive use of marijuana. The article continues:

- smoking pot is up to 18 times more damaging to airway passages than cigarettes
- one gram of marijuana has 50 per cent more cancer causing substances than one gram of cigarette tobacco.
- women who smoke marijuana during pregnancy are five times more likely to have babies with facial disfiguration than women who don't
- marijuana is about five times more addictive than alcohol
- 28 per cent of people who smoke pot daily turn to harder drugs such as heroin and cocaine.

Dr Nahas was the first to prove, in 1974, that marijuana smoking depressed the immune systems in humans.

I have spoken about that before and the possible link with AIDS. The article continues:

Two of the most serious long-term effects are to the brain and the reproductive functions . . .

In relation to babies from women who have been smoking marijuana, the article states:

- were born 200-300 grams lighter than average
- had a smaller than normal head circumference

- were five times more likely to have features similar to babies born to alcoholics (known as Foetal Alcohol Syndrome) including abnormal ears and eyes similar to Mongol children.

It is interesting that, even with all of these things, we are still talking about the need to decriminalise marijuana. I am not saying these things and being emotional about them. All of the comments that I have put on the record tonight are scientific observations put down by world experts—not Australian experts—in relation to problems with marijuana. The article continues:

The greatest concern of the National Institute on Drug Abuse is the long-term effects on children and adolescents, who, it says, are particularly vulnerable to the drug's behavioural and psychological effects. Prolonged dope smoking by young people causes what it calls the 'amotivational syndrome' which is characterised by a loss of energy, diminished school performance, harmed parental relationships and other behavioural disruptions.

In reading that, one might start to think that we are talking about social engineering. Perhaps that is what this whole thing is all about. Perhaps we have got a bit confused. Perhaps it is about social engineering. Perhaps it is about the Labor Party changing our society and using marijuana as one of the first ways to achieve that. The article continues:

'Although more research is required, recent national surveys report that 40 per cent of heavy users experience some or all of these symptoms,' the institute reported.

It's one thing to be concerned about adolescents, but how serious is pot smoking among students? Professor Nahas says marijuana use among teenagers can be considered far worse than alcohol. He campaigns harder against the use of marijuana than more destructive drugs such as heroin and cocaine, because, he says, if you stop the first, you drastically reduce the second. 'Some 28 per cent of daily marijuana users go on to experiment with harder drugs . . . How many pot smoking students are there?'

Mr GROOM (Hartley): I support this measure. The disputed amendment to the Controlled Substances Act is not about decriminalisation of marijuana, and it is not about *de facto* decriminalisation of marijuana or cannabis. With the greatest respect to Opposition speakers on this measure, they have missed the whole point of the debate. The debate is not about the harmful effects or otherwise of marijuana, cannabis, cannabis resin or hard drugs; it is not about the harmful effects or otherwise of these drugs. That is acknowledged by the very nature of the Act. It is implicit in the Act: marijuana smoking is still illegal, using cannabis is still illegal and trafficking in drugs is still illegal. The Bill is not about whether marijuana smoking is prevalent in schools, as the member for Light said. It is not about the control of drugs. The Bill is not about any of those things.

The Bill is about whether we deal with offenders in another way. With the greatest respect to Opposition speakers, they have missed the whole point of the debate. I do not think that there would be very much dispute at all about what some Opposition speakers have said in relation to the harmful effects or otherwise of drugs of dependence. The same comments could be made about alcohol or tobacco smoking. Out of 20 000 drug related deaths in Australia last year, 16 000 were due to alcohol and tobacco.

On the criteria that I have heard from some Opposition speakers in this debate, they should forthwith introduce legislation to ban alcohol and tobacco. However, they will not do that because those drugs of dependence can be controlled in other ways. Even in this debate we are not talking about the control of these offences: we are talking about whether, as a matter of penalty, we deal with offenders in another way, and that is all it is. I speak from a different perspective.

An honourable member interjecting:

Mr GROOM: I am well aware that charges relating to the possession of cannabis have dramatically increased since

1977. I made a speech about this last August. To reiterate, in relation to the possession of cannabis—and this comes from the Police Commissioner's annual report—during 1984-85 there were 4 234 charges; during 1983-84 there were 3 701 charges, compared to 1 281 charges in 1976-77. Over that nine or 10 year period there has been a significant increase in charges relating to the possession of cannabis. I do not dispute that.

For whatever cause, young people, in particular the 20 to 30 year age bracket, find themselves in the position of experimenting with drugs, whether it involves alcohol or tobacco—the legal drugs of dependence—or marijuana. That is a fact of life. There are a significant number—

Mr Ingerson interjecting:

Mr GROOM: I will come to that—of young people each year, as indicated by these statistics, experimenting with cannabis or its derivatives. The Opposition wants to continue to treat these young people as criminals for all time, because a conviction goes on their record. Once it is on their record it jeopardises their entire future, and they have great difficulty in gaining employment and in moving to higher office of employment.

Mr D.S. Baker: Rubbish!

Mr GROOM: The member for Victoria says 'Rubbish'. I speak from a completely different perspective than many members in this House. For the best part of 16 years, I have represented a great number of young people involved in simple possession offences of cannabis, or marijuana or their derivatives. The bulk of the people mentioned in the Police Commissioner's annual report are first offenders and will never offend again. Even if they are given an expiation fee they will not re-offend. I have seen the plight of these young people who have experimented and have been caught. I have seen the trauma of these people from good families and from all walks of life. Even if given an expiation fee, those people would learn from that and not re-offend. I have seen the damage that this has done to their lives.

Members interjecting:

The SPEAKER: Order!

Mr GROOM: The member for Bragg says that that is a lot of nonsense. I assure him that it is not. When practitioners have pointed out to the courts that the career prospects of an offender of 19 or 20 years of age would be affected in a variety of ways, the courts have on many occasions applied the Offenders Probation Act, found the charges proved but dismissed them and ordered a small contribution towards the cost of that prosecution. Because there is a diversity of opinion amongst magistrates as to how to apply the Offenders Probation Act, some young people have walked away with a conviction, while others have not. It is the luck of the draw on who one gets and concerns the attitude of the particular magistrate or judicial officer. Two young people can do identical things but one can walk away with a conviction and the other one does not. That is the problem that young people face. It is a hypocritical attitude by the Opposition to say that these people should be treated as criminals for the rest of their lives. That is what the Opposition wants. That is the effect of continuing to categorise this.

Members interjecting:

The SPEAKER: Order! Previous speakers were heard in peace, and I expect the same courtesy to be extended to the member for Hartley.

Mr Ingerson interjecting:

The SPEAKER: Order! I call the member for Bragg to order for interjecting while the Speaker is addressing the House.

Mr GROOM: For whatever reasons the Opposition wants to continue to classify these young people (the great bulk are in the 20 to 30 year age group) as criminals for the rest of their lives. I support the move towards an expiation fee for this offence. The effect of the expiation fee is that, if one is caught possessing a small quantity of cannabis or cannabis resin (100 grams for cannabis and 25 grams for cannabis resin), one will get an expiation fee.

Mr S.J. Baker: Ninety-nine buddha sticks.

Mr GROOM: The honourable member's example was the most ludicrous I have heard. He said that if one is caught with 99 buddha sticks in one's pocket or something like that one will get an expiation fee. Whether it is one, 100, 99 or 150 buddha sticks, if one is trafficking in it one will be charged with trafficking offences and go to gaol.

Mr S.J. Baker interjecting:

Mr GROOM: That is what the Act says. The honourable member should get better advice than what he has reported to this House. He should look at section 32 of the Act. If one is charged under this section, with a stage in the production, manufacture or trafficking of drugs, one will face very severe penalties. If one has in one's possession for sale a greater quantity than 100 grams one will be fined \$4 000 or 10 years imprisonment, and it is proposed that that amount go to \$50 000. The honourable member's example is quite wrong and shows an appalling lack of comprehension about the way in which the Act is worded.

Mr S.J. Baker interjecting:

Mr GROOM: If one has 99 buddha sticks and is caught trying to sell them one will be charged with trafficking and not with possession. It is a simple lesson. If one has 10 plants and is caught trying to sell them one will be charged with trafficking. I suggest that members opposite go back, study the Act and learn about the way in which it works before coming into the Chamber and peddling this nonsense about 99 buddha sticks.

I interjected on the member for Light during his contribution in relation to schoolyards. He said that there was drug trafficking in schoolyards. With the greatest respect, that is totally inconsistent with the information that I have received, and I spoke about this in August. I have spoken to teachers, senior police officers, children and parents, and there is little or no evidence of trafficking in schoolyards. However, that is not to say that it does not go on outside schoolyards.

Mr Ingerson interjecting:

Mr GROOM: You go and talk to the senior police officers. I suggest that the member for Bragg do what I did—go out into the community and talk to the people: to the senior police officers, teachers and students. He should go to the youth centres and talk to them. He will find that it does not take place in schoolyards. That is not to say that it does not take place outside schoolyards. However, this occurs amongst young people, even the 13 to 17 year age group. The Australian royal commission statistics show that those young people in that age group who have experimented with drugs have left school. Only 1 per cent to 2 per cent of secondary students, according to the Australian royal commission, have tried drugs. That is why I interjected on the member for Light: because what he was suggesting in relation to schoolyards was nonsense. I have represented in years gone by young people charged with the simple possession of marijuana. This involves considerable administrative resources. First, the amount involved might be only one gram, half a gram or two plants.

Mr Ingerson: It is illegal.

Mr GROOM: Of course it is illegal, and it will continue to be illegal with expiation fees. Again, by way of interjec-

tion, the honourable member makes the same misconception. In relation to police resources, first, they take a report and must make sure—

Mr Ingerson interjecting:

Mr GROOM: Just listen. At present, if the police catch someone with a small quantity of cannabis or cannabis resin, they are required to interview the person. They must get corroboration, particularly if the charge is denied at that point of time.

Even if it is admitted, the police then take their statements and have to issue a summons through the court. From then on, after it goes through the court process, the summons is served and requires a service fee. After it is served on the person, he fronts up to court, and an adjournment is usually involved. The person might get legal representation and it is put off. Everyone—the police, the police prosecutor, the investigating officers and all trot back to the court. What happens when it gets to court? It is either dismissed under the Offenders Protection Act with a small contribution ordered towards costs, or there is a \$50 fine at the most. All this happens because of a simple cannabis offence. That is the reality of the situation and that is what is happening in real life, not the cocoon life that the Opposition has been portraying. That is reality.

What a misdirection of police resources it is to require them to go through this procedure for something like 4 234 charges a year. It is an enormous cost burden. I believe that the police need far greater support in relation to the way in which they control drugs in the community. I have said that before. I believe that the police need far greater resources. But, if we released police resources from prosecuting people who are not really criminal types—that is the great bulk—they could be deployed in other areas, and we could start catching the traffickers and those dealing in hard drugs. That is the fact of the matter. It will enable a far greater deployment of resources in relation to catching the hard drug users and the hard drug traffickers.

The Opposition kept going back to the fact that this was a matter of control. As I said earlier, it is not a matter of control of drugs. It is simply a matter of treating offenders in a different way. In answer to some of the Opposition retorts in relation to control, members opposite should pay attention, in particular, to the Royal Commission into Drugs. I mentioned this on 6 August 1986 at (page 128 of *Hansard*), when quoting the royal commission dealing with parents. It states:

Australian parents should know that young people who experiment with drugs almost invariably do so because of some failing in the home. It is often because the parents have not maintained close contact with their children that children look to the drug scene for excitement and relief from boredom, acceptance by a peer group or even to gain attention from their parents.

That is a practical effect: that one of the biggest problems for young people is the attitude of parents and the lack of communication with parents. But, that is a matter of parental control. There is another aspect in relation to the penalty side of it that members kept bringing up. I think the member for Semaphore said, 'You can get an expiation fee every day.' I remind members that there are other offences in the criminal law if a person is getting an expiation fee every day. Quite clearly, that person is trafficking in drugs, because how does one get the drugs every day? If one comes under notice in that way, if one is trafficking in drugs, the police will get the evidence. One can be charged with conspiracy or with aiding and abetting. I do not think that there is any problem in relation to successive offenders. The statistics quite clearly show that the great bulk of people who come before the court are first offenders, and they remain first offenders.

In relation to successive offenders, they can be dealt with in other areas of the criminal law. In summary—because I said I would not take up my full time—I want to reiterate the main theme of what I have advanced to the House, that is, that it is not about *de facto* decriminalisation, the control of drugs, not about the prevalence of drugs in the community, or the harmful effects or otherwise of drugs. It is a matter whether we treat offenders in another way in relation to possession of under 100 grams of cannabis or under 25 grams of cannabis resin.

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

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

Motion carried.

PAY-ROLL TAX ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

NATIONAL COMPANIES AND SECURITIES COMMISSION (STATE PROVISIONS) ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

SECURITIES INDUSTRY (APPLICATION OF LAWS) ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

FUTURES INDUSTRY (APPLICATION OF LAWS) BILL

Received from the Legislative Council and read a first time.

METROPOLITAN TAXI-CAB ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2, line 30 (clause 4)—After 'public' insert '(in particular, in meeting the requirements of tourists)'.

No. 2. Page 2, line 37 (clause 4)—After 'operation' insert 'and its relationship to other public transport services'.

Consideration in Committee.

The Hon. G.F. KENEALLY: I move:

That the Legislative Council's amendments be agreed to.

These are minor amendments to the board's responsibilities and functions. In a sense, they add very little to, but certainly do not detract from, the Bill. However, if it is the wish of the Legislative Council that this form of words should be included in the legislation, this House has no objection to that.

Mr INGERSON: I thank the Minister for accepting these changes. They are basically there, as I assume he said, to extend the definitions of what the board can do. Having

moved them, the Opposition obviously supports the amendments.

Motion carried.

CONTROLLED SUBSTANCES ACT AMENDMENT BILL

Debate resumed.

The Hon. H. ALLISON (Mount Gambier): In speaking to this Bill, I would say from the start that I do not have any quarrel with its clauses, which control the use of analogue drugs, nor with those which increase substantially the penalties for peddling addictive drugs. It is essentially clause 8 to which my colleagues and I have strong opposition, and it would not surprise me at all if members on the Government benches and back benches do not have equally strong opposition to that clause. However, it remains to be seen whether they will show the same intelligence and perception as that displayed by the member for Ramsay who has consistently expressed opposition to the decriminalisation of marijuana.

I was happy to hear the member for Semaphore express equally strong opposition to clause 8, and I remind members on both sides that there have been members of this House who for the past eight or nine years—since the Dunstan-Duncan era when threats were being made to decriminalise marijuana, to the time when Deputy Premier (subsequently Premier) Des Corcoran had the personal strength to say that marijuana would not be decriminalised as long as he was here, and then onto the more recent times of 1983 and 1986—have had repeatedly to argue against the threat of marijuana decriminalisation.

During that period, there are those on this side who have argued consistently on medical grounds against the decriminalisation of the drug, and I am happy to see that at last the *Medical Journal of Australia* (volume 145, 21 July 1986), an edition from which the member for Bragg has already quoted, has come out with a strongly reasoned argument against the use of marijuana. Not only does it come out with that strongly reasoned argument: it also supports that argument with a medical bibliography of 59 test cases which build up a solid documentation of reasons why marijuana should not be used and why its use should not be encouraged by legislation such as this.

While the member for Ramsay was propounding against clause 8, the member for Hartley was expressing equally strong support for the Bill. The police themselves, whose lot the honourable member was seeking to improve, are not openly in favour of decriminalisation: in fact, the Police Association has spoken out strongly against the legislation. Although the honourable member says that it is still a crime to possess or smoke marijuana, the legislation provides that the payment of an expiation fee shall not be regarded as an admission of guilt. The natural reaction to that clause will be: 'It's okay to smoke marijuana because the fine is little more than a parking fine.' Indeed, a fee for towing away a parked vehicle could be more than the expiation fee.

The legislation is open-ended, since the penalties will be fixed by regulation, which means that they will be subject to change by regulation instead of having to come before Parliament in the form of an amending Bill. How many times are people likely to get caught in the confines of their own home? Police resources are already so thinly spread that currently apprehending people who are smoking the drug illegally is difficult. Absolutely no case can be made for marijuana on the grounds of its being an acceptable soft

drug. Medical evidence has built up against the drug. Not only has the *Medical Journal of Australia* come out with a strong case against it: the South Australian Health Commission has also at last issued a document warning of the dangers of smoking marijuana.

As other colleagues have said, delta-9-tetrahydrocannabinol has an adverse effect on the human system. Indeed, THC and the other 60 cannabinol derivatives are found only in hashish plants and, along with mescaline, marijuana forms one of the two strongest euphoricants in the medical dictionary. None of the others comes near them. So, to say that marijuana is fairly harmless ignores or avoids that fact.

The abuse potential of marijuana, according to the medical evidence (and in this respect I ask members to refer to page 145 of the *Medical Journal of Australia*), is nine times that of alcohol. Over 300 medical reports have been produced over the past few years, none of them seeking the legitimisation of the use of marijuana. If a drug company today sought to introduce a new drug on the market and to reveal the same medical tests that have taken place over the past 10 years to the medical authorities of the USA, Great Britain, Western Europe or Australia, that drug would be banned from the market. Yet here the Minister condones increased use of such a drug.

The THC lodges in the fat bodies of the human frame, and the brain itself is one-third fat. The reproductive organs, the testes and the ovaries, also have substantial fat bodies. Although the effect of alcohol can be dispersed quickly overnight, THC has a half-life of between five and eight days and a full life of one month: that is, it takes the THC from a cigarette a month to be excreted from the system. If more cigarettes are smoked, then the half life of each one compounds, so that it takes longer and the amount of THC secreted in the fat bodies increases steadily, impairing the whole range of physical and mental functions, about which other members have spoken at length.

At page 83 (column 2) of the *Medical Journal of Australia*, there is an account discrediting earlier reports contained in the Ganja in Jamaica Report, which when it was published said that heavy cannabis smoking did not adversely affect pulmonary function. However, the World Health Organisation report many years later, in 1983, stated:

Respiratory and pulmonary toxicity have emerged as major clinical implications of chronic cannabis smoking.

While epidemiological studies still have to be carried out as they have been on human lungs of people smoking tobacco, nevertheless the fears are already in 1983 from the WHO, but those fears have been substantiated elsewhere among the bibliographic reports referred to in the *Medical Journal of Australia* report. They say that the use of marijuana leads to psycho-physical addiction and opens the road to other harder drugs. I refer to column 1, page 85, of the *Medical Journal of Australia*, where it states:

On the basis of data it would appear that the abuse potential of cannabis may be nine times greater than that of alcohol when it is easily accessible and socially acceptable.

Regarding cannabis addiction and dependence, the report in the *Medical Journal of Australia* states:

This position should be revised in view of the older historical reports and recent scientific observations that cannabis is dependence-producing and has a significant potential for abuse. It is on the basis of such reports that cannabis was classified by the League of Nations and the United Nations conventions of 1923 and 1960 respectively, among the dependence-producing drugs which were to be restricted to medical or scientific purposes.

Later, the report states:

The cessation of cannabis use can also give rise to withdrawal symptoms which are relieved by the resumption of cannabis or THC intake.

There is little doubt, even from a cursory examination of the *Medical Journal of Australia* report, that the drug is addictive, produces withdrawal symptoms, and must be feared and not condoned.

One has to question why we have a \$500 000 anti tobacco smoking campaign accompanied by this eccentric legislation. We have a \$100 million Federal drug awareness campaign which this legislation pre-empts. We are not even giving that drug awareness campaign time to work properly, yet we have the Minister in another place doing a very serious disservice to the youth and adulthood of Australia.

There is no control over the quality or quantity of marijuana that can be used even under this legislation because police resources are so scarce on the ground already. How to prove whether a person is growing just for personal use as against being a pusher in a group is a problem that the police themselves must regard as almost insurmountable.

Other examples of research with findings against marijuana include those in 1978 by Dr Marietta Isidorides who researched in Athens, Greece. She reported on the deformation of white blood cells being unable to function properly. White blood cells protect a person from disease. They are an important part of the immune system. As the member for Bragg said, the destruction of the white blood cells naturally opens up a person to other more serious illnesses, and one has to question whether there is in fact a direct link with AIDS. I have no doubt at all that there would be some link.

In 1977 Dr Akiro Morishima, researching in New York, found that, of 25 young men who were marijuana smokers and who had smoked two cigarettes a week on average their white cells contained only five to 30 of the normal 46 chromosomes. Of course, these are the bodies that give the genetic instructions to newborn babies with the result, he says, that we have stillborn or deformed babies born, or babies that are mentally and behaviourally deficient. He also found that rhesus monkeys were giving birth to deformed offspring: 50 per cent were born dead as against only 4 per cent of a control group that had been injected with alternative substances to cannabinoids.

Dr Carlton Turner, former Director of the National Institute of Drug Abuse, says there is no other drug used or abused by man that has the staying power and the broad cellular actions on the body that cannabinoids have, and there are 61 cannabinoid derivatives in marijuana. Some cannabinoids are psycho-active. All the cannabinoids are biologically active and he quoted that, of all the cannabinoids, 5 per cent reached the brain and the other 95 per cent affect other parts of the body. We should be worried about the physiological as well as the psychological impact of excessive marijuana smoking.

In addition, the entire pulmonary tree—your breathing, respiratory, blood circulation and the blood itself—is harmed quickly, not slowly, by tetrahydrocannabinol delta-9. The evidence points out that these reactions occur far more swiftly than from tobacco smoking.

Dr Forest Tennant, again from the United States drug abuse program, said that of 1 000 US soldiers tested in West Germany who smoked cannabis, they contracted sinusitis, pharyngitis, asthma and other respiratory diseases in less than one year. He said that both in number and in severity pulmonary systems were far worse than in other older tobacco smokers who were smoking 30 cigarettes a day for 11 years on average.

The speed with which marijuana acts and reacts in the human body is something that is quite frightening. He found that chronic bronchitis and emphysema in 18-year-old smokers were of a severity such as would generally be found in 45 to 50-year-old cigarette smokers. In 1978 the United

States National Institute of Drug Abuse Conference in Virginia found that the reproductive system damage in the fat bodies resulting from the high incidence of cannabinal left in the ovaries and the testes was indisputable.

In 1979 Dr Robert Heath of the Tulane, United States, Medical School found that cells from the limbic area of the brain, that is, the area that controls sex drive and emotions, were damaged within a very short time of commencing cannabinal use. He showed slides of the brain damage to the Rheims Symposium to which the member for Bragg earlier referred.

On the other hand, alcoholic drink usage takes a long while to affect those same limbic cells. We had evidence, he said, that one billionth of a gram of tetrahydrocannabinol affects the thalamus and the hypothalamus, which in turn affects the pituitary and endocrine system, leading on to impaired sex drive and reproduction. There are many more examples, some of which are referred to in the *Australian Medical Journal* report, and others of which have been quoted in this House over the past three or four years.

I would simply address a final plea, first, to the young people of South Australia who may be interested enough to read *Hansard*: whatever you do, despite the fact that you are aided and abetted in the future use of marijuana, do not accept the drug—reject it. To my parliamentary colleagues, I would say that there are obviously those among you who may on the grounds of conscience like to oppose clause 8. I do not know what instructions you have been given by Caucus or Cabinet. I do admire at least one of your number who consistently has come out against marijuana and shown remarkable courage in doing that in the face of strong pressures from his colleagues. I say to all my colleagues on both sides of the House: reject clause 8, which by foul rather than fair means leads to the decriminalisation of the use of marijuana.

Mr OSWALD (Morphett): Earlier this evening I was interested in the contribution by the Labor member for Hartley who asked us to accept the point that the three parts of the amendments before the House tonight were all part of the total Labor Party's package to combat the drug menace in this country. In that he included on-the-spot fines for the possession of marijuana. The honourable member accused the Opposition of dwelling too much and for too long on the medical effects of marijuana and claimed that we are missing the point of the Bill. I do not believe that we are missing the point of the Bill.

Every member of the House—the 47 who sit in this Chamber—has a responsibility to the people of South Australia to protect and shield them from the effects of drugs. If we can in any possible way achieve that aim, we have the responsibility to do so. It will be very interesting when the vote is finally taken tonight because it will be a conscience vote on the part of all members to see those who genuinely believe that clause 8 should be totally thrown out. It is a bad clause for the people of South Australia. Certainly, it is not in the interests of the national drug offensive that is on at the moment.

We ought to question for a few minutes and look at the historical reasons why the Labor Party is attempting to bring in this legislation. It is not, as the member for Hartley said, part of a total package. The member for Hartley gave us various reasons, including his sympathy for young offenders who go before the courts. There are historical reasons why the Labor Party has done this. It has continued tonight to put up smokescreens to hide those reasons. I will prove the point with various statements made by Ministers over recent years. The Government has introduced this legislation

because the young turks in the Labor Party—members of Young Labor themselves—want the social freedom to smoke marijuana free of any criminal record. They want to be free of the risk of being dragged before the courts so that they can have their social freedom to smoke the stuff. It has also been done in an attempt to win votes for the Australian Labor Party amongst the young people in the community.

Some members opposite will tell us about the medical effects, and I will get on to those shortly. Let us be honest and frank with each other about the motives that the Government is putting up for this piece of legislation. To establish that point, I quote from the *Advertiser* on 10 June 1983, where the Minister of Health (Dr Cornwall) first made a statement that he wanted the ALP policy to allow marijuana to be grown and used privately in South Australia. It was quite an unequivocal statement: he wants the policy to allow marijuana to be grown and used privately in South Australia.

Mr Lewis: And they called him Father of the Year.

Mr OSWALD: Father of the Year for 1986. The report states:

The Minister of Health, Dr Cornwall, wants ALP policy to allow marijuana to be grown and used privately in South Australia.

He will seek the change at the party's State convention this weekend.

Dr Cornwall believes that, if he succeeds, the change will pave the way for a private members Bill to decriminalise the private use of marijuana and will allow a conscience vote on the issue in State Parliament.

He plans to address the convention as a key speaker in support of motions urging legislation to allow the private cultivation and use of cannabis by adults, while retaining existing penalties for commercial cultivation and trafficking.

I would imagine that at that stage, June 1983, Dr Cornwall was a very popular man amongst the Australian Labor Party, because it was picked up very quickly. A report in the *Advertiser* on 14 June under the heading 'ALP wants to legalise pot: convention votes for decriminalisation' states:

Decriminalisation of marijuana won overwhelming support at yesterday's ALP State Convention but it may be nearly a year before an attempt is made to legalise its private use.

The article then states how it would be necessary to spend some time in educating the public around to this way of thinking.

The Young Labor contingent at the conference of course backed the legislation. One of the speakers, a Mr Lawrence, told the convention that 200 000 people in South Australia had used marijuana. I challenge that figure, but if it was 200 000, compared with 1.2 million residents, it is hardly any reason at all for such a proposition. However, let us look at some of the motives behind it. The report states:

He said it would be easier for AYL to attract more than its 300 members if the party acknowledged the view of many young people on the issue [marijuana].

There is the first motive: to get more young people involved. Also, the Secretary of the Food Preservers Union spoke to the conference and said:

... marijuana arrest severely discriminated against the working class.

I say that is absolute nonsense. Fortunately, there were a couple of objections. The Transport Workers Union representative, who I would imagine was a family man, said:

The convention has a heavy responsibility to understanding the anxiety of parents for their teenagers on the issue.

I totally support that remark. However, Dr Cornwall, who was not speaking for the State Government at that stage, was reported as saying:

... there would never be a better time in the Government's term to get informed public debate going on marijuana. He said South Australia had 30 000 to 50 000 regular marijuana users.

Persistent use of marijuana had harmful effects. But as a social drug 'it is not in the same league' as tobacco and alcohol, which respectively affected up to 40 per cent of acute patients in hospitals and caused at least 1 400 deaths in South Australia each year.

That press release is riddled with inaccuracies, riddled with statements put up to the State convention to justify the stand: their main concern was that the young people at the convention wanted it. They wanted to increase their membership, they wanted to attract votes, and they wanted it so that people could smoke it freely without restrictions and without the risk of any criminal prosecution.

To turn around and say, as did the Minister of Health at the time, 'It is not in the same league as tobacco and alcohol' is just totally misrepresenting the situation, as Dr Cornwall would have known it, as it was then and as it is now. The Minister of Health was strutting the South Australian stage telling everybody he was the greatest Health Minister that this State had ever had and was ever likely to have. Historically, now, we know what we all think of his role as Minister of Health in this State.

On 15 June in the *Advertiser* under the headline 'Drug's effects not fully tested: AMA', the AMA pointed out a few home truths. The report stated:

The decriminalisation of marijuana won overwhelming support at the ALP State convention on Monday. In a conscience vote, the convention supported by 135 votes to 55 an Australian Young Labor motion.

The report stated that the South Australian Police Association strongly opposed the moves and three Adelaide doctors also strongly opposed the move and suggested the problems that would be caused by it. The article stated further:

The South Australian Police Association's assistant secretary, said the introduction of any legislation would encourage more people to use marijuana and probably lead to involvement with 'heavier-type' drugs. We are very concerned about this prospect because it could cause a flood of these stronger drugs into the State, he said. If that happens, Adelaide could become the drug capital of Australia.

Further on in the article, Professor Alpers, of the Flinders Medical Centre, stated:

... heavy use of marijuana obstructed the air flow into the smoker's lungs which could lead to chronic bronchitis. It also exacerbated asthma. The director of FMC's endocrinology department, Dr S.J. Judd, said marijuana had similar harmful effects to tobacco and alcohol.

The article continued:

Marijuana smoking could cause impotence in males and there were reported cases of babies being born with abnormalities because their mothers smoked marijuana heavily.

I remind members of the days when we had the thalidomide scares, how we stepped in to ban thalidomide. The Parliaments of the world were happy to support the banning of thalidomide. Now we have established a further three years down the track, that marijuana is far more damaging to the development of the human foetus than ever was the thalidomide drug, yet members opposite will vote tonight to allow the decriminalisation and free use of this drug in private around South Australia. I ask them to search their consciences before they vote on this issue. The report continued:

A neurologist and senior lecturer at FMC, Dr J.O. Willoughby, said marijuana smoking did have short-term harmful effects, but because of the 'vast literature' about the effects of marijuana smoking, it was hard to be sure of what particular adverse effects the drug was responsible for. If the use of marijuana is decriminalised, this will all have to be carefully looked into.

That is fine: warning bells started to ring around the community. In the meantime, the Minister of Health and Young Labor pressed on, trying to push through this piece of legislation, thinking they could get the public over. Then

the group NORML (National Organisation for the Reform of Marijuana Laws), with its State patron, the Hon. Don Dunstan, tried to put its weight behind the move of public opinion.

Mr Rann: Who was the national patron?

Mr OSWALD: The national patron was someone for whom I have no respect either. It was the Right Hon. Sir John Gorton, who should have more sense than to put himself up as national patron of an organisation with these aims and objectives. I have no time for either gentleman, if the truth was known, Mr Speaker, because it was a totally irresponsible move on both of their parts. However, the NORML organisation, under Don Dunstan, then weighed in:

... that sufficient research has been carried out both in Australia and overseas to establish that the use of cannabis poses no threat to either the individual or the community at large.

So, part of the Labor Party machine turned a little further to see that we would have marijuana smoking decriminalised and freely available to youngsters in the country. Then ANOP stepped in and conducted a poll for the Labor Party. That is when things started to go slightly wrong. The poll showed that 70 per cent of South Australians—almost three out of four—did not want to have marijuana decriminalised and available for use.

The Minister decided for political reasons that he would have to step back, and that is what happened. In late 1983 the Government stepped back from the legislation and decided that it would not bring it in in that form. Eventually, the Controlled Substances Bill, which we are now amending, was introduced into this House as the thin end of the wedge. Subsequently, the Government decided to proceed gently and tonight—two years later—the thin end of the wedge is being hit by the hammer. We now see the next step towards decriminalisation of marijuana. We are tired of members opposite who want to see marijuana smoked freely, without restriction, by young people in this State.

We are tired of the dishonesty of members opposite in not coming forward and saying why they really want this. However, the reason is quite clear. It was decided in the Labor Party halls of power back in 1983 that this State would decriminalise the use of marijuana and make it available. We are now putting up with the last fling, if you like, of the Labor machine to ensure that this move occurs and that the South Australian community will wear this by hook or by crook. Why in 1986 did not the Minister of Health conduct another poll? In 1983 the Minister was very keen to conduct a poll. The Minister did not conduct a poll in 1986 because he would have found that the same percentage of people who said 'No' in 1983 would have opposed the measure in 1986. Even with the Labor Party's magnificent PR machine it was unable to convince people in 1983 that we should go down this track, and it knew that it would not be able to convince them in 1986. However, we are going down this track regardless to the peril, I hope, of members of the Government.

Members may recall that in early 1983, to assist the Labor Party along its way, various commissions were set up to inquire into the non-medical use of drugs, and one was the Sackville royal commission. If anything, that royal commission turned out to be a complete whitewash and a vindication of the Government's stance. The Sackville commission went into great length about the reasons why there were no problems with the use of marijuana. In fact, it put forward the following reasons:

a. social use of marijuana produced little risk of brain damage, even on a long-term basis, although chronic use may have risks attached;

b. mental function impairments have not been detected under clinically controlled tests;

c. the effects on reproduction appear minimal, although the research undertaken could not be classed as definitive;

d. the effects on pregnancy suggest that pregnant women should refrain from using all drugs, unless necessary on medical grounds;

e. there appears to be little effect on immune response;

f. the effects of cannabis use on lungs and liver appear to be similar to that of tobacco and alcohol. It may be that use overlapped and cannabis enhanced the toxicity of the other drugs, or that it acted independently.

The Labor Government of the day hung its argument on the Sackville commission report and said, 'There is no problem—we should bring it in.' However, no-one then mentioned the Williams royal commission which was sitting at the same time in Canberra.

I think it is very appropriate that for a couple of seconds we should look at what the Williams royal commission had to say, because it is quite different and, therefore, it is quite obvious why the Government has not mentioned it. I hasten to point out that the Williams royal commission was far more senior than the Sackville commission that sat in South Australia. The Williams royal commission said:

The commission was of the view that cannabis resin:

1. Does cause intoxication and drowsiness.
2. The drug also has a capacity to cause harm to organs of the body by lodging and remaining in the fatty tissue.
3. More time must be allowed to determine the long-term effects of the drug.

I think we must be very careful about accepting the Sackville commission's report. Certainly the Government hooked on to it and thought it was a marvellous report because it justified the argument put up by Young Labor at the 1983 conference which came up with the decision that was binding on the Party organisation. Of course, the Minister of Health had given public notice of that decision a month or so beforehand.

This drug is dangerous. We have a responsibility to see that it is not made freely available in South Australia. I commend to honourable members the speech of the member for Bragg, who gave a lot of technical information which I do not have time to cover. However, I will summarise some of my concerns about the dangers of tetrahydrocannabinol. It is now known—and perhaps it was not known earlier when the Williams commission reported (although it said that time must be allowed to assess the long-term effects of the drug) that 28 per cent of people who smoke pot daily turn to harder drugs, such as heroin and cocaine. That highlights the letter that we all received from the Police Association expressing its concern in this area. The US National Institute of Drug Abuse states:

Marijuana is about five times more addictive than alcohol.

I think that puts to rest the argument in the first press release I quoted from Dr Cornwall, when he addressed the State Council of the Labor Party and said that there is no difference in effect or danger between marijuana and alcohol. The National Institute continues:

- one gram of marijuana has 50 per cent more cancer causing substances than one gram of cigarette tobacco
- women who smoke marijuana during pregnancy are five times more likely to have babies with facial disfiguration than women who don't
- short term memory impairment and slowness of learning
- impaired immune response
- interference with ovulation and prenatal development.

Finally, I appeal to members opposite and implore them to vote against this Bill. They have a moral responsibility to this country and to this State to oppose it and to do everything in their power to see that this drug is not freely available to the young people of South Australia. It is the responsible way to go and I ask all members to oppose clause 8 of the Bill.

Mr MEIER (Goyder): It is eight minutes past 10 and I certainly hope—

An honourable member: It's five past.

Mr MEIER: All right, five past or eight past—it does not worry me. However, I certainly hope that we will be going home at 10.30: the reason being that, if one looks at the sitting times for last week, on the last sitting day we rose at 3.52 p.m. (in other words, there were two hours when we could have continued debate but did not) and on the previous day we rose at 6.22 p.m. and did not go through until the normal time of 10.30 p.m. Therefore, I certainly hope that we rise at 10.30 tonight and do not go through until midnight or some other ridiculous hour, seeing that we changed the Standing Orders some time ago to stop late night sittings. If we do not, it will certainly show the ineptitude of this Government in trying to organise business and the running of the State.

I think I have said enough on that and I will now turn to the Bill. This Bill is a disgraceful situation for South Australia. It is disgraceful to such an extent that, if it passes, it will reflect on most members opposite, and it will be the youth of this State who will judge members opposite (with one exception at this stage). I feel for the youth and for the future of this State.

It was very heartening to hear at least two contributions from members opposite. I compliment the Minister of State Development and Technology and I also acknowledge the response from the member for Hartley who at least had the courage of his convictions to state his position. However, there is latent inactivity by members opposite who are sitting there and absorbing nothing, perhaps, although this is one of the key pieces of legislation dealt with so far this session. Therefore, I hope a few members opposite will have the decency to get up and say why they are or are not supporting the legislation and, in particular, clause 8.

Can one keep getting on-the-spot fines? Is it such a ridiculous situation? It is clear to me that almost all members opposite have been hoodwinked by their Minister of Health. That Minister, as we have heard from the member for Morphett and other members, has gone out seeking to decriminalise marijuana, and as Father of the Year he seems to have pushed it even more. What a strange situation for the Minister to be adjudged Father of the Year—but I will not go into that.

Why do not members opposite rise up and oppose the Minister of Health? Why do they not tell him to get off his high horse? He is sending them on a track to disaster. Whilst that does not worry me personally—because I would be very happy to be in government—it worries me when that track to disaster is using the youth of South Australia and abusing our South Australians. That is why I feel so many members opposite should stand up and say what they know in their hearts to be right, and stop this legislation, which will merely be detrimental to our people. I think the Minister of State Development and Technology said that countries which have had a long association with marijuana are loath to seek to decriminalise it, yet countries that have had marijuana for only a relatively short period of time seem to be falling into the trap. Cannot we learn from history? If one looked at the Chinese civilisation, one would know how they absolutely hated the British over periods of time for the way in which they were killing or crippling their citizens. Why should we be endeavouring to do the same to our citizens?

It is a disgrace, and I think that, if ever there was a time for members of the public to say whom they have as representatives, it is now, when they can look at most of the Government members and say, 'You are irresponsible.' While

I believe that youth may publicly say, 'Yes, we have got nothing against marijuana,' inwardly they know the negative effects and the evils of marijuana.

I have two sons and, whilst they have not reached their teenage years, they hear the stories on television and read them in the newspapers about drug abuse. They have said to me, 'Why do people use drugs?' Usually some famous person is put forward in the media. I say, 'They are mad; they have learnt from their mistakes. You take the lesson, too. Don't ever indulge.' However, one is worried when one finds that, of course, the initial contact is often free.

One is given the drug for nothing, then another lot and another lot and, suddenly, one is asked for payment. I just hope that my sons will not be affected by this legislation, and that the sons and daughters of members opposite and those of the people of South Australia will not be affected by it, either. There is one sure way in which we can stop it, and that is to vote clearly and concisely against clause 8.

I put the challenge out again to members opposite. Are so many of them going to just sit there as puppets, or are they prepared to stand up and say what they believe in—whether they are for or against this Bill? Are they prepared to stand up? I would applaud all members who at least have the courage of their convictions to get up and say what they believe. I do not want to see this whole situation become a joke, where the line of conversation at a party is, firstly, 'Have you had a speeding fine lately?' and the answer is, 'Yes, I was going too fast the other day and got booked. What about you, Fred?', to which he replies 'No, I got a marijuana fine the other day. It was just bad luck: I was leaning out the window of my house at the time.' A big joke! That is exactly what it will be if the legislation gets through.

I had a Japanese exchange student staying at my place a couple of weekends ago. I said to the Japanese student, and to a Norwegian student who was with me, 'Do either of you smoke?' because I wanted to get it clear if they were going to smoke, as I did not want them to smoke in the bedrooms. They both said, 'No, we do not.' I then said, 'What is the drug situation like?' and the Japanese student said, 'I am staggered at the way in which drugs are freely available here in South Australia. In Japan there is just no way that those drugs would be available where I come from,' which was near Tokyo. It was not as though it was a minor settlement.

The Japanese recognise the evil of these drugs. Why cannot we see the writing on the wall? Why must we learn from our mistakes? And we will learn, whether it is three years, five years or 10 years down the track: we will see the mistake that has been made. And, once this sort of thing has been passed, it is so darn difficult to change it. That has been proved time and time again. I just hope that enough members opposite have enough commonsense to perhaps think of their own children or, at least, members of their family, and stop them from being put in this situation. They should not listen to an argument such as that put forward by the member for Hartley, namely, 'For heaven's sake think of your youth. We do not want to load them with a criminal offence.'

If we make clear that the negative effects of marijuana smoking deserve a criminal offence, our youth will listen, and there is no need for us to kowtow to weak, ineffective laws. I say again that the Labor Government is going down the wrong track. It is the track of destruction, and I ask members opposite, for the sake of South Australia, not to follow their Minister of Health and to stand up for their

own thoughts, their own ideas, and their own knowledge of what is best for this State.

We have the silly situation where cannabis remains a prohibited drug, and I applaud that. The second reading explanation also indicates that drug trafficking is one of the most reprehensible crimes against humanity, and I applaud that statement. I agree with those aspects of the Bill that seek to increase the penalties, although I believe that there is an amendment to increase them further. However, we will deal with that during the Committee stage. However, at the same time, some have said that 'The dangers of the drug are recognised, but'. We heard the 'but' come from the member for Hartley.

I can understand how the member for Hartley must have been a very good solicitor. He must have represented his clients very well, because his argument here seemed to have some of his colleagues convinced. It certainly did not convince members on this side. What an argument! He asked whether the Opposition was going to have some of the youth of our State wear a criminal conviction for the possession and use of marijuana. The same argument could be applied to youth who are led into larceny, theft or shoplifting—

The Hon. B.C. Eastick: Or using other people's cars.

Mr MEIER: Yes, using other people's cars. How criminal could one be if one judged youth for a little inaction in their younger days, saying that that would stay with them for the rest of their lives and could prejudice their job opportunities. That is a fallacious argument.

The DEPUTY SPEAKER: Order! I ask honourable members not to interject out of their seats.

Mr MEIER: That is a fallacious argument that does not ride with me at all. The member for Hartley still has a relatively youthful appearance. He would not have such a youthful appearance if he had got to the front bench. He would then have to worry about a few more things. Perhaps he could have been the Minister of Health. He might have been a better Minister than the one we have now, but I will not get to that. Surely the member for Hartley can think back to his youth and remember the many instances, unless he was different from the average youth, where he was tempted to do certain things that were perhaps against—

Mr Groom interjecting:

Mr MEIER: No, he was the perfect child. Perhaps his colleagues were tempted to do things that were against the law. I know what my youth was like, and I know how many times I was prevented from doing something because I knew that it was against the law. However, I had great respect for the law. I believe that, if we use the argument that, because a person might get a criminal conviction, we should take something off the Statute Book, it is the weakest argument ever presented to this Parliament. I am surprised that the member for Hartley had enough gumption to put forward such a weak argument. We can think of other criminal offences, such as death caused by dangerous driving. It is a tragedy when it occurs, and we feel sorry for the person who has been killed and, if it is a young teenage driver, for the silliness of that moment when he drove a car and killed someone. However, that person must wear it. Likewise, with shoplifting and breaking and entering, so much of which is directly attributable to people getting into trouble when they need money for drugs—

Mr S.J. Baker: Sixty per cent.

Mr MEIER: Is it 60 per cent? If members in metropolitan seats had read their local *Messenger* press over the past few months they would realise that the incidence of crime, particularly breaking and entering, where videos, cassette recorders and similar high value items were taken, was

increasing all the time. It was pointed out by the member for Light that people are provided with free marijuana in some instances the first time. As a result of that and perhaps a follow-up, the time comes when payment is demanded.

The Hon. H. Allison: Are you pushing it if you give it away?

Mr MEIER: That is a very good question. I will continue with the analogy. If you are then asked for payment and do not have the money, where do you get it? You are told to get it any way. The member for Light mentioned grabbing a person's handbag and hoping that you would get away with it. Breaking and entering is perhaps the next move. People are being forced into a criminal situation.

Mr Groom: That is absurd.

Mr MEIER: It is not absurd. The member for Hartley has perhaps been away from the courts too long. He should go back to his legal practice, or is it not still operating?

Mr Gregory interjecting:

Mr MEIER: Listen to the chuckler. He takes this debate in such a frivolous way. The people of South Australia will judge when he is prepared to throw away the lives of so many of our youth, and that is what it is. It is a disgrace to those members who intend to vote in favour of this Bill. These people are then forced into stealing to get the money to pay for marijuana. To get the money the pushers say, 'We have an alternative for you. What about selling some marijuana? You will get off the hook that way and be able to pay our debt.' So, these innocent people are trapped into a situation where they become pushers.

I applaud the parts of this legislation where pushers will be given stiff penalties and, hopefully, that will have an effect. However, it is not being directed to the users of the marijuana—the people who will have to pay high prices for it, let alone all the medical ill-effects that we have heard about from many speakers tonight. I will not recanvass that: I simply refer people to the various members who have canvassed so much of the negative health effects.

The Bill provides that a person possessing less than 100 grams of cannabis or marijuana will be quite all right. They will not get busted normally, and an on-the-spot fine will be imposed. I have been informed that perhaps a fraction less than 100 grams is equivalent to about a packet of Weeties. That is a lot of cannabis to get through for one person. If there is no evidence of selling, an on-the-spot fine will be imposed. How much is envisaged in the on-the-spot fine? That will be done by regulation, but current thinking is that it will be between \$50 and \$150. Let us assume that the minimum fine is applied and one gets a \$50 ticket.

For speeding, if one gets one's first ticket, one loses three points; for the second ticket one loses another three points; for the third ticket another three points are lost; and for the fourth ticket one is without one's licence. With on-the-spot fines for driving offences, one loses points each time and, after four offences, one has lost the right to commit any more offences and has lost one's licence. What is the end to four offences of on-the-spot fines in relation to marijuana? Does one lose the right to smoke marijuana? Is that the end of it? Is there a cut-off point?

Mr M.J. EVANS (Elizabeth): I support the general thrust of this Bill which, is basically to increase penalties for the trafficking in various drugs and for other purposes, of course; it is not exclusively that purpose. There are a number of other important measures in the Bill which, in the light of clause 8, have not received from the House the sort of attention that they might ordinarily have had, and I think we should not omit in our consideration the other provi-

sions apart from clause 8 concerning drug analogues and, of course, the drug assessment and aid panels.

Notwithstanding that, I believe that the concern which has been shown about the provisions of clause 8 is more than justified in the circumstances in which we now find ourselves. If the Parliament approves the provisions of clause 8 as they now stand, there is no doubt that we will be sending out to the community—and particularly to young people—some very confusing signals about the way in which the Parliament and the Government view the use of marijuana in this community.

It is certainly the case that the Bill quite properly proposes substantial increases in the monetary penalties for the sale of marijuana as a drug. Quite clearly, the increase, as the second reading speech says, is some 10-fold. The monetary penalty will go from \$4 000 to \$50 000—more than 10-fold. Of course, that is accompanied by the alternative of 10 years imprisonment.

That is a very substantial penalty for the sale of more than 100 grams of marijuana but, of course, that is not the end of it. If one is involved in the trafficking of cannabis, one can end up, under the Bill as it now stands, with a maximum penalty of \$500 000 and imprisonment for 25 years. Therefore, Parliament is quite properly saying that to traffick in these drugs is a crime which is almost the equivalent of homicide—almost the equivalent of murder. Yet, at the same time, this Parliament is proposing to say, in terms of clause 8 as it now stands that, the use of such a dangerous commodity is almost penalty free—that it certainly will not attract a criminal conviction. It will only attract a minor fine, the amount of which is yet to be determined, even for consistent and repeated use.

I find that proposal internally inconsistent, to say the least. There is no way in which one can justifiably stand up in the community and say that the trafficking in this drug is such a dangerous thing that it merits a penalty of 25 years and \$500 000 yet we treat its use in small quantities as being such a casual affair as to attract no more than the equivalent of a parking fine—in some cases, given the City Council's new parking fines, less than a parking fine. I find that sort of situation almost impossible to contemplate in the sense of trying to put out a message to the community and to young people, in particular, which is consistent and logical.

The way in which the Bill is now structured means that we are enhancing the penalties for sale and trafficking, acknowledging the dangers of the drug. The second reading speech refers to it as a drug of dependence and psychoactive, clearly acknowledging the problems which are associated with it. Yet at the same time, we are saying that possession and use on a small scale, of the level of the individual user is almost to be ignored.

An honourable member interjecting:

Mr M.J. EVANS: I do not think we are talking about setting examples here. Most members of Parliament do not smoke marijuana in public, and that clearly is setting an example. However, that is not what we are talking about. We are talking about internally consistent legislation, about sending clear signals and messages about what we intend, and about what standards of conduct and morality we believe are appropriate. I cannot see that this legislation as it is now prepared does that at all.

If the drug is too dangerous to traffick in, then it is too dangerous to use, and that is a principle which I think the Government has acknowledged in respect of trafficking. However, it is moving the other way in respect of the use. I certainly would not find it possible to support that kind of provision. We are encouraging, in effect, what amounts

to a cottage industry in cannabis. We will no doubt be contributing to a reduction in the overall price of the drug. No doubt, if we remove a substantial part of the penalty—and to date the most significant element of the penalty has been the criminal conviction which is often attached to it—quite clearly the price will necessarily fall, because the risk which attaches to it is reduced in the sense of the possession of the drug.

Obviously, I recognise that the sale is a thing which is still heavily attacked by the Bill but, of course, the penalty for possession is reduced, and that might well have a downward effect on price, thereby increasing the available supply. I am also very concerned with the way in which the Bill will set up some very sharp and clear anomalies in the system in relation to the way in which people will be treated in future if they are found in possession of that drug. It seems quite clear to me that there is the potential for considerable unintended consequences, to use a phrase which is in current political vogue, in relation to this legn.

Those unintended consequences, I think, could relate from the very sharp levels of distinction which occur when one has in one's possession less or more than 100 grams, or whether one has a quantity of plants that are or are not of a commercial nature. That expression is certainly not defined, and I have some difficulty in knowing quite what is a number of plants of a commercial nature or alternatively, whether or not a person will find himself liable for a penalty of \$50 000 or 10 years imprisonment for giving away to their good friend or the person with whom they might live, or their husband or wife, whatever the case may be, a small quantity of marijuana—because that constitutes supply.

Quite clearly, we are encouraging a mentality among marijuana users which says that the possession of small quantities is okay. Clearly, we are not saying that it is totally legitimate, because the small fine will still apply, but there is no criminal conviction. And, we are saying that that will apply no matter how many times one is caught with the drug. Therefore, a mentality will prevail among that section of the community which uses the drug that small quantities are legitimate.

That will mean that a cottage industry and, no doubt, an exchange and barter system—even giving it away to people to whom you are emotionally close—will prevail. The moment that that occurs they commit very serious offences—offences for which we are strengthening the penalties—and I doubt whether most people will be aware of those fine distinctions of that law or the unintended consequences that could flow to them if they gave away even a small quantity of that drug to someone in their own home, to use an expression which has been used often tonight.

They will find themselves, if caught and convicted, liable to a penalty of up to \$50 000 and 10 years in gaol for even small amounts, and I think that that kind of unintended consequence could certainly have very serious effects on young people in this community. We could find them involved in criminal cases for which they were certainly not prepared and in which we certainly did not intend them to become involved. It is also certainly the case that the Minister has yet to spell out with any degree of certainty just how this system will operate, and it is most unfortunate that he chooses to bring in the legislation before he has even solved the detailed provisions. In his second reading explanation, the Minister said:

While the fine detail of administrative arrangements is to be the subject of further consideration and consultation between the Police Department, technical and scientific personnel and the Health Commission, (and the Act will not be brought into force until that has occurred), it is envisaged that where the seizure is cannabis or cannabis resin, the police officer will take the offender's name and address and arrange for the drug to be identified

and weighed if the identification and assessed amount are contested at the time of apprehension.

That opens up enormous potential for dispute and confusion within the community, and it is absurd that this Parliament is being asked to legislate for this major change in our social condition without the details of that being available. I also consider it most unfortunate to read in the second reading speech that the level of penalties which will be fixed by regulation have not yet even been devised. I quote the phrase, 'Current thinking is that they will range between \$50 and \$150'—current thinking.

That is hardly any degree of commitment or reassurance that this proposal is well thought through and well sounded in administrative and social judgment. All the Government has before it at the moment is 'current thinking'—not even a hard and fast proposal or Cabinet decision to place before this Parliament by way of recommendation. That is totally unacceptable when we are dealing with a drug of this potential to harm people in the community.

There is no doubt that these problems of administration and classification of the nature of the drug involved, of the quantity involved and of the person's intention with respect to that quantity will certainly cause very significant legal dispute, hardship and uncertainty within the community. Where drugs are concerned, I do not believe that we should be involving ourselves in uncertainty and confusion. That is the last thing we want. In the administration of this aspect of the criminal law, we need certainty and decisiveness in relation to what penalties are applicable.

People should know where they are going before they set out on these paths and I put it to the House that many people looking at this legislation, were it to be enacted in its present form, would come to the conclusion that they might well possess small quantities of cannabis and cannabis resin—even smaller quantities of the resin—or in some cases mixed drugs which involve part cannabis leaves and the like and part resin which obviously would involve even greater confusion, and conclude that they could quite possibly hold those substances and not run any risk of a criminal conviction, and thereby not put their future careers in jeopardy.

But, of course, if they get their sums wrong or if the police officer who comes across them has a different viewpoint from them about the amounts and quantities and nature of the substance and their intention with respect to it, they might well then find themselves in a court of law faced with very serious consequences, far more than they intended when they initially took possession of the drugs. That degree of uncertainty I believe, will introduce an even greater degree of hardship than the present law imposes on those young people, and about which we have heard so much tonight.

It is my view that if the offenders probation system is not working properly, so as to discharge first offenders of trivial offences, and not do so uniformly, then that is the legislation which we should be amending, not this legislation. If that system does not work to protect the first offender who is guilty of only a minor transgression, that is the law that we should be amending, not the Controlled Substances Act, because the whole area of first offenders is a very difficult one and there are many other first offences with which this community would not necessarily wish to burden a young person with a criminal conviction and which are not covered by this legislation. We are adopting here an *ad hoc* legislative solution to an administrative problem in the courts.

That is all we are doing. That is all this represents, because, if we are serious about relieving young people of the burdens of a criminal conviction, of a one-off thing that they did in

a moment of ill judgment in their younger days, certainly the Offenders Probation Act should be receiving our attention, not the Controlled Substances Act, because we ought to be acting across the whole sphere of those areas.

I remind the House of the three young men, the sons of members of the legal profession and Judiciary in this State, who recently came before the courts for a minor transgression of the law. Of course, that involved not drugs but alcohol and road offences, and they were dealt with in ways in which the courts considered appropriate. They need not have been so treated. Convictions could have been recorded and quite serious consequences could have flowed from that.

If we are serious about looking at those sorts of problems, then that is the way we ought to be dealing with them and not on an *ad hoc* basis in regard to controlled substances exclusively. We are certainly not giving the same attention to those persons who are the victims of heroin abuse, which is far more pernicious and far more inclined to produce victims than is marijuana.

I do not really believe, and I do not believe that anyone in this House would accept, that those who smoke marijuana are in any way to be compared with the victims of heroin abuse, yet we are not giving that same degree of attention and scrutiny to those victims who, in my view, are somewhat more to be pitied and assisted than those who choose to smoke marijuana.

In the time remaining, I would also like to look at what is being done in assisting people involved in the abuse of cannabis. The Government has some quite good programs to help people kick the habit of nicotine, to get off cigarettes and to restore their healthy lifestyle. The Government also has a number of support programs for those whose drug abuse involves alcohol, but where is the support, education and rehabilitation for those who are involved in marijuana?

There is no doubt that while marijuana, alcohol and cigarettes are the three widely regarded drugs of addiction and abuse, marijuana potentially is one of the most serious of the three. Certainly in regard to its long-term uses, which have yet to be defined, and in connection with its abuses and with subsequent attempts to drive a motor vehicle, we will find that one of the more serious threats to road safety in the next 10 years is not only alcohol abuse but marijuana abuse, which seriously impairs the driving skills of a person consuming it, yet it is much harder to detect by means of, say, a random breath test than is alcohol. But where are the support programs for what we are told are thousands of young people in this situation? I have yet to see any evidence of those programs and, indeed, the second reading speech says:

We need, and indeed have developed, a comprehensive strategy, for tackling the drug problem. Prevention, early intervention, treatment and rehabilitation are important components of that strategy.

I have yet to see that in relation to marijuana, and indeed the proposal we have before us in clause 8 will provide no mechanism for dealing with that very important aspect of drug legislation, that is, 'rehabilitation, treatment and early intervention', to quote the Minister, in relation to those matters. I foreshadow an amendment which I believe will deal more adequately, but of course not totally, with that problem, and hopefully, the House will give favourable consideration to it.

That is one of the more serious aspects of this whole question, and one which has been given very little consideration by the Government when it was putting forward this proposal for expiation fees. That proposal is little more than an attempt to sweep an administrative problem under the carpet—to sweep those who are affected by this drug of

dependence under the carpet and say that they are simply going to be ignored, that they will not have criminal convictions recorded, that that whole embarrassing list of people involved in court cases will be simply swept aside.

In order to pretend that the problem does not exist, we will simply remove their names from court cases, we will remove their statistics from the quarterly report in the *Government Gazette* of the criminal statistics in South Australia, and so the whole problem will in that way be diminished. The reality is that young people, those addicted to this drug in the community, will still be there and will still need our assistance and help as a community, but that will not be so readily available, because the nature of the problem will be very much unknown, except by the sheer volume of expiation notices which might potentially be given out and which I suspect will not necessarily be handed out at all because, obviously, the police will accept the Government's message—if this Bill is passed—that marijuana usage is no longer a serious offence and not one to be taken seriously.

While I believe that we have quite inappropriately sought to deal with that problem by not addressing it at all and by attempting to relegate marijuana to the same level as any other commonly used drug now: not because it is any better to smoke tobacco than to smoke marijuana, or any better to abuse alcohol than to abuse marijuana, but simply because that drug was discovered later and therefore received our legislative attention, whereas the other two did not. I accept the argument of people who say it is hypocritical to treat it in that way, but I believe that it means not that we must reduce the penalties for cannabis but that we must look more seriously at the abuse of other drugs in our community. We will not solve that problem by adding a third drug to the commonly abused statistics which we then seek to ignore by changing the definition of crime.

Mr LEWIS (Murray-Mallee): 'Super dope' could spread to South Australia: I have news for the *News*—super dope is already here.

Members interjecting:

Mr LEWIS: They call him Father of the Year, and next year he will be Godfather of the Year, I'll bet. I refer to none other than our ubiquitous—if that is an appropriate term—Minister of Health. In today's *News* is an article attributing the statement to my colleague from another place, as follows:

Authorities might have to contend with 'super dope' forms of Indian hemp, the South Australian Opposition warned today. Research quoted by the Opposition showed the 'super dope' caused anxiety attacks, confusion and delirium.

Of course, that applies to the Minister of Health, I understand that. The report continues:

Other side effects included impaired learning ability and motor coordination.

That is equally relevant. The report continues:

Opposition youth affairs spokesman, Mr Lucas, called on the South Australia Government to take note of the US research. The research showed Indian hemp might now be far more potent and dangerous than in the past.

Of course, whenever plant breeders set their mind to it they can improve any characteristic of a particular species by selecting the individuals from the next generation and breeding only from those species: that is, selecting further seeds from plants only from those which enhance the characteristic which they wish to have enhanced. In this case, of course, it is the presence of THC. The report continues:

The Government's legislation to introduce on-the-spot fines for simple marijuana possession is before the South Australian Parliament.

Mr Lucas said people should not support the legislation on the basis of less-potent marijuana which might have existed 15 years ago.

That is some speculation, or at least it would appear to be. I have it on good authority that that is very much the case. The report continues:

'The Government should not be softening the community attitude to drugs at all—certainly not if we have a more powerful super dope to contend with,' he said. 'Studies in the US have revealed marijuana is an average of seven times stronger than 10 years ago. If that is happening in the US, experience shows it is either here or on the way as happened with the drug, crack,' Mr Lucas said.

Members interjecting:

The Hon. D.J. Hoppgood: Has Mr Lucas cited his sources?

Mr LEWIS: I will cite the sources for you, rather than Mr Lucas. He has not been cited in this article as attributing his information to any particular expert anywhere. The information which I have (and regrettably, as I did not realise that the debate would be today, it is in my Murray Bridge office) comes from none other than the Grand Jury DA prosecutor in New York State, one Patrick O'Connell, who has been a close friend of mine for a number of years. He was an outstanding and brilliant law student during the time he was at university, and he was rapidly promoted to the position that he presently occupies while in his early thirties. There is no question about that man's ability to marshal resources and obtain factual information and for a long time he has been interested in and marshalling information relative to this problem. I spoke to him in 1984. I visited him in New York earlier this year. I have corresponded with him both before and since, not only on this matter.

If some further information is required, may I suggest that members write to the DA's office in New York. There are other sources, I am sure, which the honourable member and others may wish to seek out. I invite them to do so, and I am sorry that the information which I had carefully documented is not in my possession to give them that detail. I am willing to do that in the event that they approach me some time tomorrow.

Members interjecting:

Mr LEWIS: I think we should.

Mr Meier interjecting:

Mr LEWIS: More particularly, it is regrettable that the honourable member draws attention to the fact that we had such lightweight programs last week and now find ourselves in this awkward position.

Members interjecting:

The DEPUTY SPEAKER: Order! The honourable member for Goyder. I ask members to cease interjections across the floor. I call on the member for Murray-Mallee to continue.

Mr LEWIS: The most distressing aspect of clause 8 and its consequences in this Bill to amend the Controlled Substances Act is that based on committing an offence before or after you are 18 years old: it gets more serious after you are 18 years old. In fact the clinical evidence, the empirical evidence, epidemiological evidence, shows that the danger is greater the younger one is. Members opposite, indeed, maybe even members on this side of the Chamber, may not have come across the evidence to which I am referring, which clearly indicates that marijuana, contrary to the popular perception of those frequent users of some years ago, does serious damage not only to the brain—and I will not go through the biological sequence of events in chemical terms which has already been well described by the member for Mt Gambier in his speech to the House—but does considerable damage to the gonads, the testicles, the ovaries.

Mr Deputy Speaker, it is about time somebody drew attention to the fact that it is largely a consequence of the

combination of the use (or abuse) of the drugs alcohol and tetrahydrocannabinol by Vietnam veterans that has resulted in deformities to children and not exposure to 2,4,5-T or 2,4-D—Agent Orange and Agent Green, as they are called. There is increasing empirical evidence to that effect being collected in the United States, statistically valid, to indicate that where the problem exists it only exists where there has been, acknowledged although not recorded in formal documents, the use of marijuana.

It is regrettable also that by the action we are taking as a Parliament, if we agree to the Bill in its present form and the Government forces the measure through the House crunching its numbers (allowing only those who have been most strident in their opposition to the proposition for years to take the course of voting against it, thereby ensuring its passage) that there is crime associated with the use and abuse of hydrocannabinol. The way in which the schoolyard network is established, as described by the member for Mount Gambier, is precisely the way I found the network established in schools in the electorate I currently represent, as well as the electorate I represented before its name was changed and the boundaries redrawn. It is therefore no coincidence—it just did not grow up, like Topsy—it was systematically introduced into the mores of behaviour in the schoolyards where it was peddled.

An honourable member: What about the youth survey?

Mr LEWIS: There can be absolutely no doubt about that. The honourable member refers to my youth survey. Only three people out of 77 cited the view that penalties for the use or abuse of marijuana were about right or were too heavy. The other 74 said they were too light and needed to be either heavier or much heavier.

Mrs Appleby: Was this one of your surveys?

The DEPUTY SPEAKER: Order!

Mr LEWIS: It was one of the questions in the survey where people were invited to respond by stating what they thought would become a more serious crime. Once having established the fact that it is a criminal pattern of behaviour in the schoolyard which is introducing children to the use or abuse of this substance, by smoking it (most commonly) it is not difficult to understand what an enormous problem we are creating for ourselves as a society in a year or so's time—much worse than the problem we have now. Large numbers of people will consider it legitimate for them to be stoned while they drive. In that state, they will quite clearly cause more damage and loss of life and property than those people in the same age group affected by alcohol, because they know, and honourable members here know, as well as I, that it is not possible to simply discover the presence of tetrahydrocannabinol or indeed any of the derivatives of that, whether Delta 9 or any others, in the blood or anywhere in the human metabolism. Nor is it possible to determine once it is there when in fact it was ingested or imbibed or otherwise acquired. Nor, regrettably, is it metabolised at the same rate as alcohol.

The people who are being encouraged by the measure as contained in clause 8 will think that it is no different from the kind of effect they initially experienced, whether it is with that drug or alcohol, and that it will wear off. As time goes by, however, they will not become more accustomed to and tolerant of the substance in their metabolism: its effects will in fact be cumulatively more destructive. That has already been shown by empirical evidence collected in America and referred to by me earlier and the member for Mount Gambier in specific fashion, and other members, not all of whose speeches I have heard, in the general case.

Today we heard Ministers and members of the Government back-bench decrying the attitude that they alleged we

had in relation to the safety of people working at Roxby Downs. Yet, notwithstanding that the risk to which they were exposed is much less than the danger to which people who smoke pot are exposed, they now come in here tonight and try to convince you, Madam Acting Speaker, and me that this measure is acceptable, that it is quite okay to encourage young people or, indeed, people of any age to begin smoking or otherwise taking the compound into their systems and trying to conduct normal lives whilst affected by it.

The danger is it is not only damaging their internal organs, their reproductive organs and their brains to name the two most important, and thereby affecting their capacity to enjoy a normal life and to give a normal life to the offspring which may be so unfortunate as to have such twits as parents. Worse, they will go to work stoned and kill their workmates as well as themselves. There is no way that we can discover whether or not they were stoned at the time.

How can members of the Government, including you, Madam Acting Speaker, advocate such a change in the law, such a change in behaviour, and such a change in mores knowing that that will be the consequence? I do not understand how in all conscience and in all human decency Government members can say to their children, to the children of other South Australians and indeed to any South Australian anywhere, 'It's okay, we will sting you with only a fine. It is a simple offence. You weren't carrying a lot'. That is what the Government is saying. A ticket will be issued and offenders will have to pay a fee, but it will not be a lot and if the offender is a minor that is another matter again. You must be really daft, Madam Acting Speaker, and any member who countenances a society that encourages that kind of self-abuse either internally or externally, or one's fellow citizens through that kind of irresponsible behaviour must be going in the wrong direction.

I think the Labor Party is taking us in the wrong direction on this matter. It is the egocentric idiocy of the member now known as the Minister of Health that brings us to this sorry pass. As was pointed out by my Leader, we have wasted millions of dollars on a drug offensive, if we now pass clause 8 in its present form. We find that we have a Premier who was prepared to go back on his word made less than 12 months ago just before an election. Quite obviously it was a con job for the convenience of the election. I dare say that, had the Labor Party the guts and the honesty (which it has never had) to go to the people saying that it intended to introduce this measure and the prostitution legislation, it would not be sitting on the Treasury benches now—and members opposite know it. The Labor Party would not dare touch this legislation if we were within 12 months of an election, because it knows of the community's attitude to this proposition.

The Hon. D.C. Wotton: That's why they legislated before the election—

Mr LEWIS: Indeed. That is why the Government told gross untruths. The other distressing thing to me about this measure, to which the members for Semaphore, Elizabeth and Mount Gambier to my certain knowledge drew attention (and there may have been others), is that there is no program for the rehabilitation of people who become, if nothing else, psychologically hooked on the use of marijuana. There is no rehabilitation program anywhere. However, we are making it possible to expiate the offence of using or abusing this stuff by paying an on-the-spot fine and not incurring any record of the fact that it has happened. How on earth can the member for Hartley in the course of his remarks say in this place in all sincerity—and how on earth can the Minister say it in the same fashion—

that it is not the Police Force that is opposed to the propositions contained in this measure but the Police Association? Damn it, where is the difference? Is there a difference? Is that sophistry or semantics? It is not logic. Both groups comprise the same people.

If there were a community organisation containing members across the board of socioeconomic groups and subcultures within the community and if there was an organisation representing the views of responsible young people anywhere in this or any other State of this nation, I would say that that organisation would have to be Apex. If we look at the attitude expressed by the young people of whom Apex is comprised, we find that it has absolutely no truck with the provisions of clause 8 in this Bill. Apex has stated its public opposition to any such proposal as would decrease and diminish the significance and importance in the mind of an offender of offending by using this drug.

So I say, as have other members, and plead with any member who still considers that they will support the Bill in its present form: at least vote against and amend clause 8. Members owe it to the future of their children and themselves and their fellows, whether in the workplace, on the roads or ultimately in the hospitals. We do not have the resources to commit to the rehabilitation of people who become hooked on this drug; nor do we have the resources to otherwise repair the damage it will do.

The Hon. P.B. ARNOLD (Chaffey): I rise to place on record my views on this legislation. In so doing, I pay a tribute to the contributions made by a number of my colleagues on this side of the House. I believe that, as time goes by, the action taken by the Minister of Health will be seen in its true light, especially if this legislation passes in its present form and becomes law. I think it is an absolute tragedy for the State and for the population in general, particularly the young people of this State, that the Government through this legislation is virtually encouraging them to use another drug.

We already have problems with drugs of dependence in the community with many people addicted to nicotine and alcohol. We now have the Government virtually encouraging the use of marijuana through this type of legislation. There is no other way of interpreting this Bill, particularly clause 8, which is an absolute nonsense. Clause 8 (5) provides:

The payment of an expiation fee shall not be regarded as an admission of guilt but any substance, equipment or object seized under this Act or any other Act in connection with the alleged offence that would have been liable to forfeiture in the event of a conviction shall, on payment of the expiation fee, be forfeited to the Crown.

Really, as I said, that is an absolute nonsense. The Government says that the payment of an expiation fee shall not be regarded as an admission of guilt but, if anyone pays an expiation fee for exceeding the speed limit, that is an absolute admission of guilt.

If anyone is convinced in their own mind that they have not exceeded the speed limit and they are served with an expiation fee notice, anyone worth their salt would contest it right down the line through the courts. By taking the action set out in clause 8, the Government is saying, 'Go ahead. You can use this drug. If you pay us a fee, we are virtually prepared to turn a blind eye to it.' I suppose the most cynical interpretation that you can put on that is that the Government is using this as another form of revenue raising. If that is the case, it is an absolute disgrace. It is an absolute tragedy that we should even find ourselves in this position. The Minister of Transport is in the House. My colleagues the members for Bragg and Mount Gambier mentioned the Australian Medical Association journal.

It clearly indicates that the use of this drug does have an effect on the ability of a person to effectively drive a motor vehicle. The Minister of Transport is currently presiding over possibly the highest death rate on the roads that has ever been recorded in this State. Yet he is prepared to support the legislation promoted by his colleague the Minister of Health which will certainly increase that toll.

This afternoon during Question Time we questioned the Government at great length about Roxby Downs and the effect of radiation on workers. Here we have a similar situation where the Government is prepared, on this occasion, to turn a blind eye to the fact that this measure could significantly increase the road toll. How can the Government justify proceeding with a situation like this or allow it to occur? The member for Hartley went to great lengths to try to prop up the Government and support the Minister of Health. I believe that his approach is quite naive. If he believes what he said in this place then he is out of touch with reality. One has only to talk to youngsters at length and, if one has their confidence, they will talk quite openly about the situation. The tragedy is that the Government is encouraging youngsters to become involved and try these drugs. There is no doubt in my mind that marijuana leads to harder drugs in certain circumstances.

Another major concern I have—and I have had it for a considerable time—is in relation to the courts' handling of the situation over a number of years. It is a game of Russian roulette if one is unfortunate enough to be apprehended and charged with an offence for using or having marijuana in one's possession. It is very much the luck of the draw as to the court in which one appears, and there is the situation where one person is literally let off with a caution or minor fine and the next person, depending on the magistrate or judge, can wind up in gaol. This has occurred on numerous occasions in the Riverland with constituents of mine. Some have been virtually let off scot-free and another has finished up in Cadell for a considerable period of time. There has to be consistency somewhere along the line. In my view that is not justice. Once we used to say, 'Justice must not only be done but must be seen to be done.' Recently this has not been the case when dealing with marijuana.

I will not suggest what the penalties should be, but certainly they should be applied consistently across the board in an even-handed manner. This is not occurring in relation to this legislation. The double talk that has been going on by members opposite and the Government is unbelievable. I support the contention that many robberies and break-ins are occurring as a direct result of dependence of various people on drugs of one sort or another.

My electorate office is next door to the local pharmacy in Barmera, and time and time again that pharmacy was broken into until heavy security doors were placed on it, with clear signs indicating that no drugs were stored on the premises. It was obvious why the pharmacy continued to be singled out. Those people were looking not for cosmetics or cash, but drugs. One only has to talk to pharmacists to determine what they were looking for.

That clearly identifies why the rate of break-ins has dramatically increased. In country areas break-ins have occurred less often than in the metropolitan area but we now find that country towns and farmhouses are being broken into as much as anywhere else. In my view that is for one purpose—to steal property that is readily saleable and provides ready cash for the purchase of drugs.

I believe that the reasoned debate put forward from this side of the Chamber should convince many members opposite that they should oppose this legislation. Certainly, the Minister of State Development and Technology has indi-

cated his opposition. I only hope many others will do likewise and support the Opposition on this occasion in the interests, particularly, of the young people of South Australia. I record my opposition to this legislation and will be solidly voting against it.

Mr BLACKER (Flinders): I, too, share with other members their concern, particularly about clause 8. I wonder at the logic and thinking of the Government when it introduced the Bill. Part of the second reading explanation states:

By introducing such a system the Government is not in any way condoning the use of this psychoactive drug. It is seeking to put the matter in contemporary perspective.

What does this mean? On the one hand, it is saying that we are dealing with a psychoactive drug and, on the other hand, it is trying to create an excuse for its tolerance. That is what it is doing. I believe that the Government is to be condemned for the way in which it is handling this matter. It is completely negating any effort of the \$100 million drug campaign of the Federal and State Governments. On the one hand it is saying that we should oppose things and, on the other, it is trying to facilitate the weaning, particularly of young people, on to drugs. I believe it is as serious as that.

The police have condemned this matter and they do not believe there is any merit in it. The Apex Club has already been mentioned and has come out very strongly against it. I am convinced that by far the majority of my electorate is strongly opposed to this legislation. In fact, I am concerned about the way in which the Government is heading in its attitude towards moral and social issues. If one wanted to coin a phrase one could say, 'If one were a pot smoking alcoholic gambler who used the services of prostitutes this could be a great State.' Indeed, it is very sad to have to say that, but that is the way we are going. Unless the Government is prepared to take stock of itself and look at what is going on then we will further decline in those areas.

I cannot say I have had any experience in the drug field, but I was in hospital for six months where I was on medically prescribed drugs for a considerable time. I also had the unfortunate experience, when I was in a very low state of health, to be prescribed drugs that overreacted. I was told that the effect of those drugs was exactly the same as one would experience on an LSD trip. The vivid experience of that and being told that it is similar to an LSD trip explains my real fear of drugs.

I am told—and this figure has been quoted tonight—that 26 per cent of regular users of marijuana go on to harder drugs. If that is the case, it is frightening. If we can do anything to prevent one person getting onto harder drugs, we should do so. More particularly, we should ask, 'Just how serious is marijuana?' I do not think that anyone has really been able to quantify that. Marijuana has been passed off by the Government as being a relatively harmless drug but, as each year goes by, the effects of marijuana become more widely documented and the harmful effects are more exposed.

Let us disregard all that and consider the behavioural patterns that result from the use of drugs. It was put to me by a doctor that it is not just a case of one and one makes two with the use of alcohol and marijuana but a case of one and one makes eight because of the combined effect of the two drugs. The effects on the individual are far more complex than just a double dose of alcohol or something of that kind.

This matter is very serious, perhaps even more so because marijuana is difficult to detect. Nowadays with the use of alcotesters, breathalysers, and so on, we can detect a person who is under the influence of alcohol, but it is not so easy

to detect a person who is under the influence of marijuana. I wonder how many fatalities have occurred in South Australia this year in which marijuana played a part. I do not know, and I am pretty sure that the Minister would not know. The risk is there, and there is a very real fear in the community.

I am not quite sure how widespread use of this drug is, but some people tell me that it is very widespread. They tell me that it can be collected pretty well anywhere. It has been inferred that marijuana is available in schools, down the street, and so on. I have no evidence of that, but that is common town talk. If that is the case and if the use of marijuana is as widespread as general gossip would have us believe, obviously the effect on drivers and road users must be significant. It is not unreasonable to say that marijuana would have played a part in the death of some people in this State and throughout Australia. I know it is impossible to quantify, but it is not unreasonable to say that marijuana is having that effect. If we can do anything to stop that, we should do it.

This legislation has the reverse effect: it gives impressionable young people who may be tempted by peer group pressure or for any other reason to use marijuana the idea that the State says it is okay, that there are some doubts about it and that one is not allowed to sell it, but it is okay: it is not a criminal offence, so one should be able to use it. That in itself starts people off on the wrong foot altogether.

If a young person gets involved and becomes a regular user, what are the effects on that individual? I do not refer to the medical effect: I refer to the degrading effect on that person and his ability to secure employment, if he is not already employed. For argument's sake, if we as prospective employers were faced with a group of applicants for a position that might be available, and if it was known that one was a user of marijuana, almost certainly we would put that person at the bottom of the list, because there are all sorts of risks. If that person was employed as a driver or a machine operator, there would be a risk. In fact, there would be a risk in relation to any type of work in which an employee makes some sort of judgment. What will that do to workers compensation?

The argument goes on and on, and becomes compounded as we continue. The more one talks about it, the more complex and involved it becomes. If this legislation passes, I believe that it will haunt the Government for a long time, and I say that in all sincerity. It will not go away. Every time an offence is committed in which marijuana could be assumed to be involved, it will come back to the Government—the Government did it. I believe that the Government is to be condemned. It does not have a mandate to do this. Because the Government won by a majority, it believes that it has a mandate to do anything it likes, but it does not have a mandate to do this. The Government should rethink its position and back off because, if it did that, it would be doing this community, and more particularly our young people, a very great service.

I referred earlier to what could be occurring in regard to road fatalities, and I wonder how any of us would feel if a member of our family was taken out by someone under the influence of marijuana. It stirs my emotions, as my emotions would be stirred if one of my family was taken out by a drunken driver. It is a risk which this Parliament is taking. The community will perceive that this Government is taking a calculated risk with the young people of this State, and that is something that the Government should sit back and consider. Needless to say, I will certainly oppose clause 8: it is unwarranted. The Government does not have a mandate, and the dangers that will accrue from

now on will further exacerbate the problems that we know have occurred in the past. The second reading explanation is conflicting where it states:

The Government is not in any way condoning the use of this psychoactive drug. It is seeking to put the matter into contemporary perspective.

However we interpret that, it just does not add up, contemporary perspective or not. I make one other point in relation to the expiation fees that will be fixed by regulation. We do not know what we are talking about. This Parliament has no idea. It is suggested that between \$50 and \$150 be the penalty, but we all know that regulations do not come out in the way that we are led to believe. If the Government had a firm conviction as to what it intended, it would have written it into the legislation or at least have been more positive in the second reading explanation.

I will leave it at that. I have spoken on this issue a number of times in the past decade. I have not received any correspondence or approaches on this occasion in support of this proposition. The last time a measure of this kind came before the House, two or three years ago (it might have been more than that), I received one letter in support, but in nearly 14 years one letter in support of legislation of this kind is certainly not convincing evidence. However, I have received dozens of letters and thousands of petitions over that period strongly opposing legislation of this kind, and I ask the House to do likewise.

The Hon. D.C. WOTTON (Heysen): I, too, oppose this legislation in the strongest possible way. It is ridiculous for us to be here at 11.30, in the middle of the night, debating what I believe to be one of the most significant pieces of legislation in which I have been involved in this place in 11 years. I feel strongly about this legislation.

We are supposed to have this Bill and another vital important piece of legislation through this House by 6 p.m. Thursday. We should be spending from now until Thursday night debating this legislation alone. Yet we are being told that we have to go ahead with it. Otherwise, what will happen? I suppose the Premier will bring down the guillotine and we will be told to go home, or whatever the case might be.

Let me indicate some of the reasons why I feel so strongly about this legislation. First, it is so blatantly clear that, if the Premier had announced his intentions in regard to this legislation prior to the last election, he would have lost that election, just as would be the case now, if an election were to be called within six to 12 months. I wonder how backbenchers, particularly those in marginal seats, feel about this situation. They must be aware of public opinion. This Government's proposal to introduce on-the-spot fines for the private use of marijuana is ill-conceived and against the public interest.

This legislation has widespread public opposition, but we have a Minister who is rushing headlong towards decriminalisation of marijuana for personal use. The Government has no mandate (and that has been repeatedly said by successive speakers from this side of the House), to introduce this legislation. I know there is concern by members on the other side of the House. A couple have had the guts to say so tonight.

Mr D.S. Baker: We admire them.

The Hon. D.C. WOTTON: We do admire them. I admire the Minister who stood up. It is all very well for the Minister on the front bench to grin like a Cheshire cat. I admire his ministerial colleague who was prepared to get up and say how he felt about this legislation. I bet my bottom dollar that plenty of people on that side of the House would be

feeling exactly the same but do not have not the guts to say so in this place tonight.

Members interjecting:

The Hon. D.C. WOTTON: I find it incredible to think how many members on the other side of the House have been prepared to speak on this legislation. Two members from the Labor Party and two Independents did so. Only two members of the Labor Party have been willing to say what they think. What about all the others? Have they been told that they must sit down and shut up? Have they been overruled by the Premier and his Ministers? The Minister of Transport sits at the table at the moment. If any Minister should be feeling guilty about this legislation, it is the Minister at the table. How can the Minister prove just what effect marijuana is having on driving and on the increasing accident rate that we are experiencing in South Australia?

I do not know whether they do not listen, whether they do not want to listen or whether they are just being bulldozed by a pig-headed Minister; I do not know. Surely, if this Government is concerned about the increase in the road toll and about future generations and the young people of today, it would not support this Bill. I repeat: what makes me so furious about this Bill coming before the House at this time is that prior to the last election the Premier said that a Labor Government would not do anything to change the situation and make it easier for people to smoke marijuana.

Yet, here we are, 12 months out of an election, and the Government is saying, 'We will change our mind. We do not really care what the results of this legislation are.' If the Minister at the table does not understand the feeling of the public out there at present about this legislation, that is bad luck and it is the bad luck of the Government. I suggest that, if the Government were to call an election within the next six to 12 months, it would lose that election as much as a result of this legislation as anything else.

We have the Premier—squeaky Bannon—whom we are hearing going on all the time about social issues, supposedly talking about the Government's strong stand on drug abuse—supposedly. Time after time he trots out the same old press releases saying that as a Government they feel strongly about drug abuse in this State, yet at the same time we have this legislation coming in. The other aspect that I find so farcical—and I say this as the father of four children—is that we have a Minister of Health who for some ungodly reason has been termed Father of the Year—

The Hon. G.F. Keneally: He has got children—

The Hon. D.C. WOTTON: I do not care how many children he has: I pity his children if he is the sort of bloke who can bring this type of legislation into the House, recognising the effect that it will have on his kids and on my children. I find it incredible that Minister who has been designated Father of the Year is responsible for this legislation.

I commend the member for Light, as the lead Opposition speaker, on his contribution in this debate. Obviously, he has researched the subject thoroughly and brought forward many strong points that I support.

Mr Groom interjecting:

The Hon. D.C. WOTTON: It is all very well for the member for Hartley to be bleating away up there. I do not know what he said, perhaps something about misleading. As far as I am concerned, the member for Light hit the nail right on the head in his contribution to the debate this evening.

The Hon. H. Allison: And that would be the public's judgment.

The Hon. D.C. WOTTON: Exactly. I find it interesting that members on this side of the House are those who are able to judge public attitudes.

The Hon. G.F. Keneally interjecting:

The Hon. D.C. WOTTON: Here we go again: cackle, cackle, cackle. I believe that that is the case.

The Hon. G.F. Keneally interjecting:

The Hon. D.C. WOTTON: That is all very well. As I said earlier, we can see how the present Government works. It blinds the public at the time of an election by dangling all these lovely carrots and saying what a good job it will do, yet 12 months after an election this is the sort of legislation that the Government brings down. I refer again to members opposite, particularly those in marginal seats. I refer to the members for Fisher and Adelaide and some of those members who surely must be concerned about this legislation and the effect that it will have.

Mr Ingerson: What about the member for Briggs?

The Hon. D.C. WOTTON: Many over there are in marginal seats, so I will not spend the whole time talking about all of them.

The Hon. B.C. Eastick interjecting:

The Hon. D.C. WOTTON: I would suggest that, because of the public feeling that exists in relation to this legislation, we would see massive swings if we went to an election at this time, if this legislation were to pass. I sincerely hope that will not.

I sincerely hope that there are enough Government members opposed to this legislation to prevent its passing. That is yet to be seen. The other thing that I find interesting—and, again, this has been referred to by the Leader and other members on this side of the House—is the strong stand that has been taken by the Police Association in this State. We had the member for Hartley saying that the Police Association does not represent the police: that is bunkum! The Police Association is a strong body in South Australia which has come out strongly in relation to this matter. As the Leader asked, just how will the police administer this legislation? I am looking forward to hearing about this when we go into Committee, because I do not know how they will do it—and the Police Association does not know how it is to be administered.

The Hon. G.F. Keneally interjecting:

The Hon. D.C. WOTTON: The Minister says that Dan Brophy is not a policeman, but he is the Secretary of the Police Association and knows enough about police work and the support that the police have from the public of South Australia to recognise the problem that the police will have.

It is ridiculous for the Minister to just throw that away. As a matter of fact, the Federal Police conference held in Adelaide only a matter of a month or so back came out unanimously against such a move. It is not just a matter of the South Australian police, but of police from the other States as well, coming out so strongly.

There were two other contributions that I appreciated tonight. One came from the member for Elizabeth, who referred to a number of salient points during the debate. He referred particularly to the need for rehabilitation and treatment. I would like to know what the Government has in mind with regard to that. The Government crowed about this matter during the second reading debate, but if it is prepared to open up Pandora's Box with this legislation, then what will it do about rehabilitation and treatment?

Mr Ingerson: They wouldn't have a clue.

The Hon. D.C. WOTTON: No, they wouldn't have a clue—they would not have the foggiest. The other thing that amazes me—

Mr Peterson: I didn't think that there would be anything that would amaze you.

The Hon. D.C. WOTTON: I appreciated the contribution from the member for Semaphore, too, and thought he made a lot of sense.

Mr Peterson: That's a change.

The Hon. D.C. WOTTON: Yes. The other thing that I found interesting when talking to those few people out there who support this legislation is that they said to me, 'What are you grizzling about? We already have alcohol and nicotine, so we might as well go down the marijuana track, and whatever else might follow.' I find that an incredible attitude. So far as I am concerned, two wrongs do not make a right. We all recognise the problems associated with alcohol. I think that the majority of members in this place recognise the problems associated with marijuana and nicotine. Why do we continue to go down this track? I might be in a minority, but I would certainly like to see more severe penalties with respect to some aspects of alcohol and cigarette smoking.

Members interjecting:

The Hon. D.C. WOTTON: I am not ashamed to say that. I understand the concerns expressed by professional people in this State regarding alcoholism and young people, because it is a major problem.

Some months ago I had the opportunity, as I have explained to this House before, to spend some time working in one of the leading drug rehabilitation centres in England. I spent some time there looking particularly at the effects of drugs on young people—teenagers. I certainly recognise the problems that are being experienced in Britain at the present time regarding young people and alcoholism. I suggest that, if we do not do something about it, we will have as great a problem, if not greater problems, in South Australia. With this legislation, the Government is just closing its eyes to the situation and just letting it go ahead. I suggest that there are few things that arouse stronger feelings in parents than the fear that their children might become involved in the use of drugs.

The most difficult aspect of the problem is often a sense of helplessness, a genuine uncertainty about what is actually going on, and about the right course of action to adopt. There is, of course, no simple answer to questions regarding drugs with young people, or with adults, if it comes to that. The correct reaction to any problem involving growing children must inevitably be determined by the individual circumstances, by the particular nature of the problem and the established attitudes and relationship of the people concerned. However, I would suggest in the case of drugs that it is fair to say many parents face a grave handicap in their efforts to do something right. They are quite simply ignorant of the facts, and this is certainly the case when it comes to marijuana.

There are just so many aspects of the drug that we do not understand. I certainly believe—and I take on board the professional advice that I have been given—that when young people become involved with marijuana there are certainly signs that it can lead to harder drugs. I will not say that that is always the case, but why take chances? I suggest that a very high percentage of young people who experiment with smoking, then go on and experiment with marijuana, and then go on to harder drugs.

Mr Ingerson: It is 28 per cent.

The Hon. D.C. WOTTON: The figure of 28 per cent has been suggested in that *Australian Medical Journal* report. As far as I am concerned, one in four is far too many to suggest that we should take a chance of throwing a life away. The Liberal Opposition today has called on the Gov-

ernment to delay debate in the House of Assembly. It has called on the Government to withhold this controversial legislation. It has done so because of the meeting on 7 November of the Ministerial Council on Drugs Strategy. It has suggested that the South Australian Government's representative on that occasion should raise the on-the-spot fines proposal at that forum. Let us get some feedback from those people before we go headlong into this legislation. It seems extremely sensible to withhold it until that advice has been sought. That plea has been made by a number of members on this side. Obviously, the Government is not prepared to accept that advice. It does not see the necessity to seek further advice from its colleagues from other States, or overseas if it comes to that.

I would be interested to know just where it has sought advice from—whether it has gone to countries that are unfortunately experiencing or have experienced far greater problems in drug abuse than are being experienced in this State at present. I doubt whether it has done that.

The Hon. H. Allison: Have they asked Dr Cornwall?

The Hon. D.C. WOTTON: Dr Cornwall, the veterinary doctor, is supposed to be such an expert on so many aspects of health. The Government is simply carrying out ALP policy and does not give a damn about anything else. I oppose the legislation.

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

Mr D.S. BAKER (Victoria): I rise to speak against clause 8 in this Bill to amend the Controlled Substances Act. I pay tribute to our lead speaker, the member for Light, for the way in which he put our case. I think it was a credit to him and to the research he had done. I also compliment all those members who have supported our stand against clause 8, and I think it says a lot for the guts of some of the people on the Government benches that have been able to get up and speak against this iniquitous legislation.

The Hon. P.B. Arnold: They are few and far between.

Mr D.S. BAKER: They are few and far between, and there must be many members—on the back bench especially—who represent electorates where there are many young families who are wondering what is going to happen when we finish at 12 o'clock tonight and what the reaction will be tomorrow when people find that members have not spoken on this Bill and, worst of all, where they stand when tomorrow they are asked to be counted.

The Hon. H. Allison interjecting:

Mr D.S. BAKER: Yes, it would be rather interesting to hear from some of them. I think we all fully support the provisions of the Bill that seek to increase the fines for drug traffickers, and support for that has been unanimous. But the major issue to be addressed in this Bill is the Government's proposal virtually to legalise the use of marijuana. It matters not what the member for Hartley says—in the practical sense that is what will happen. We have all sought the views of our constituents on this matter, and in my electorate I have spoken to people on school councils, police officers, young people throughout the district, and every group with an interest in this legislation, and all of them have been absolutely staggered to find that the Labor Government wants to *de facto* legitimise this drug.

The Hon. P.B. Arnold: It has something to do with pre-selection.

Mr D.S. BAKER: Perhaps it could have. I was staggered at the feeling generated in the electorate, and I was staggered when I spoke to police officers in the towns throughout my electorate who have to administer this law. Each and every one of them, without fail, said, 'Why are they introducing

it? That is the feeling throughout my electorate, as I am sure it is throughout many of the other State electorates. The universal view is that the Government did not have a mandate to undertake this legislation. During the last State election campaign, the Premier quite categorically stated that he would not be introducing this type of legislation, but here we are, a few months afterwards, experiencing the Labor Party's old practice of breaking electoral promises.

The Government's policy on marijuana contains quite a few contradictions. One cannot smoke it in public, because it is illegal, but one can smoke it at home, where it is legal. A plant or two in one's backyard is quite okay, while growing a few more in one's backyard will not be tolerated. If one carries 99 grams, one is a good guy, but if one carries 100 grams, one is classed as being a trafficker.

Mr Gunn: It goes up by a sliding scale.

Mr D.S. BAKER: That is right: it is going to be a circus. Surely this reckless attitude of the Labor Party is just as hard to understand as is its policy on uranium. Look at some of the anomalies with that policy: uranium at Roxby Downs all of a sudden is good, but uranium at Honeymoon, of course, is bad. Last year selling to France was horrific, but this year we find that it is okay. The Labor Party's policies on marijuana are just as out of touch with the general public as are its policies on uranium. Surely, the Minister of Health and the Government must realise the concern that people have and their condemnation of them for bringing in this legislation.

I was interested to receive a letter (and I know that all parliamentarians received it) from the Secretary of the Police Association, Mr Brophy. I have heard during the debate tonight that he did not represent the police officers. However, in his letter Mr Brophy made two what I thought were very good and competent statements. He stated:

The proposal, if adopted, will promote wider use of the drug, with the resultant increase in demand catered for by local and interstate suppliers.

He then asked, 'Where will the resources come from to deal with this aspect of enforcement?' I think all of us have found, as I have already stated, that it is not only the Secretary of the Police Association; it is the law enforcement agency in general that shares this concern. I think that each member I have spoken to has made quite clear the problems that will confront the Police Force when it tries to administer this legislation, if we are unfortunate enough for it to pass into law.

How do members opposite think that decent parents—in many cases single parents—feel about this legislation? Discipline is a very hard commodity for many people to administer within a family in this day and age. It would be expected that, as lawmakers, we should be passing laws that help parents to maintain discipline within families. It is the concern of every parent bringing up teenage children that we should do whatever we can in social legislation to help people keep their children on the straight and narrow. The amount of feeling and detestation that is shown towards Dr

Cornwall and the acquiescence of the Labor Party towards this Bill has been severely misread by members opposite. Why has the Government decided to support Cornwall? Cornwall's nomination as 'Father of the Year' surely must be the joke of the year. If parents had their way, we would witness the demise of the dog doctor. Decent people in this State are totally aghast.

The Hon. G.F. KENEALLY: On a point of order, Mr Speaker, the member refers to the Minister as 'Cornwall' and 'the dog doctor'. I do not think that that is warranted. It is a reflection on the Minister, who should be addressed appropriately as the Minister of Health.

The SPEAKER: I take the point of order, and ask the member for Victoria to use more appropriate language and to withdraw the remark that he has just made.

Mr D.S. BAKER: What would you like me to withdraw, Mr Speaker—'Cornwall'?

The SPEAKER: It is not a matter of what the Chair would like the honourable member to withdraw; it is what the Chair is asking the honourable member to withdraw, that is, the reference to the Hon. John Cornwall as just 'Cornwall' and 'the dog doctor'. That is quite unparliamentary even if the member is in another House. I ask the honourable member to withdraw those remarks and then continue with his contribution.

Mr D.S. BAKER: Yes, Mr Speaker, I will refer to him in future as 'the honourable member in another place'. We all support the increase in penalties. As I have said before, I am sure that none of us worries about that side of it. However, I think the Government is remiss in walking away from its social responsibilities to our youth.

Last week I brought before the House the case of a person charged with his third drug offence and fined \$5 by the court on each count. The Attorney-General did not even appeal against that decision. I think that shows that already this Government has gone soft on drug offenders in this State. Surely we must take a stronger line, and surely the Attorney-General should have taken a stronger line in that case. Under the legislation none of the on-the-spot fines will be cumulative, as is the case with driving offences, whereby at the end of the day a driver can lose his licence. Nothing like this will occur with marijuana. When the Minister states that the payment of an expiation fee will not constitute an admission of guilt and not amount to a criminal conviction, it says very little for the Government.

At midnight, the bells having been rung:

The SPEAKER: Order! It is now midnight and, under Standing Order 58a, the House stands adjourned until 2 p.m. tomorrow.

ADJOURNMENT

At 12 midnight the House adjourned until Wednesday 29 October at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 28 October 1986

QUESTIONS ON NOTICE

HEALTH COMMISSION

149. Mr OSWALD (on notice) asked the Minister of Transport, representing the Minister of Health:

1. How many administrative officers, both male and female, in grades 1 to 5, respectively, were employed in the South Australian Health Commission as at 30 June 1984, 1985 and 1986?

2. How many executive officers, both male and female, were employed in the commission in grades 1 to 6 (including 4Z), respectively, as at 30 June 1984, 1985 and 1986?

The Hon. G.F. KENEALLY: The reply is as follows:

	30.6.84		30.6.85		30.6.86	
			male	female	total	
EO6	1	1	1	—	1	
EO5	1	1	1	—	1	
EO4	—	—	—	—	—	
EO3	2	3	4	—	4	
EO2	3	3	—	—	—	
EO1	7	7	6	2	8	
AO5	—	—	3	—	3	
AO4	11	11	9	4	13	
AO3	19	19	11	3	14	
AO2	10	10	10	1	11	
AO1	31	30	24	7	31	
			occupied positions			

* It should be noted that

(1) Statistics for 30.6.84 and 30.6.85 represent positions on establishment not necessarily filled.

(2) Statistics on male/female occupancy have only been recorded in 1986.

PUBLIC SERVICE OFFICERS

150. Mr OSWALD (on notice) asked the Premier:

1. How many administrative officers, both male and female, in grades 1 to 5, respectively, were employed in the public sector as at 30 June 1986 (excluding statutory authorities)?

2. How many executive officers, both male and female, were employed in the public sector as at 30 June 1986 (excluding statutory authorities) in grades 1 to 6 (including 4Z), respectively?

The Hon. J.C. BANNON: The reply is as follows:

Male and Female Employees in Administrative and Executive Classifications in Departments, as at June 1986

Classification	Male	Female	Total
Administrative Officers			
AO1	360	63	423
AO2	110	15	125
AO3	146	20	166
AO4	128	10	138
AO5	36	10	46
Total AO	780	118	898
Executive Officers			
EO1	76	5	81
EO2	59	2	61
EO3	53	4	57
EO4	19	0	19

Classification	Male	Female	Total
EO4Z		3	0
EO5	14	4	18
EO6	16	0	16
Total EO	240	15	255
Total AO and EO	1 020	133	1 153

MOUNT BARKER FACILITIES

163. The Hon. D.C. WOTTON (on notice) asked the Minister of Transport, representing the Minister of Health: What plans are there to establish community health care facilities in the Mount Barker district?

The Hon. G.F. KENEALLY: The S.A.H.C. has recently completed an area health plan for the southern Hills area. The purpose of the study was to produce a planning document which provides guidelines for the development of an appropriate range of coordinated health related services which are required to fulfil the present and anticipated health needs of the population living in the local government areas of Mount Barker, Onkaparinga, Stirling and Strathalbyn for the period 1985-1990.

The Mount Barker area is currently serviced by the Southern Hills Community Health Service which has recently incorporated the functions previously performed by the Eastern Hills Domiciliary Care Service. This service provides a range of health services. The Area Health Plan recommended that this service be formally expanded to provide the entire southern Hills area with community health services, thereby ensuring optimal use of resources and a coordinated mode of service provision. It would also enable current deficiencies to be addressed. The area health plan has been approved by the commission and the steering committee which represented the services in the southern Hills.

The service would continue to be based at Mount Barker Hospital. It is proposed that an advisory committee, comprising representatives of the various health units in the area, be constituted. This would ensure that the ongoing needs of the area are monitored.

EMPLOYMENT DEVELOPMENT PROGRAM

167. Mr S.J. BAKER (on notice) asked the Minister of Employment and Further Education: In respect of the announcement by the member for Adelaide in the *News* on 19 July 1986 of a \$250 000 grant for local councils to engage employment development officers:

(a) from which department budget line will this money be forthcoming;

(b) is it a once only grant or is there a guarantee of continuous funding; and

(c) which councils will be recipients under this scheme?

The Hon. LYNN ARNOLD: Before proceeding to answer this question I would point out that the \$250 000 grant referred to in the *News* on 19 July 1986 is in fact an approximate amalgamation of the budgets for the Local Employment Development Program for 1985-86 and 1986-87. The \$64 000 grant from the 1985-86 budget will be expended during 1986-87. There has not been any commitment of the 1986-87 budget at this stage.

- (a) Local Employment Development Program;
- (b) Once only grant with the possibility of additional grants in 1986-87 subject to review of progress and the further development of the Program;
- (c) Present participating Councils are:
 - Hindmarsh/Thebarton
 - Marion
 - Munno Para
 - Port Adelaide
 - Port Pirie

SELF-EMPLOYMENT VENTURE SCHEME

183. **The Hon. D.C. WOTTON** (on notice) asked the Minister of Employment and Further Education:—When assistance is provided to persons through the Self-Employment Venture Scheme, is consultation carried out with other members of the particular industry or business community involved to test the viability of further involvement in that industry or business and if, not, why not?

The Hon. LYNN ARNOLD: Every effort is made through Government departments and agencies, including the Small Business Corporation, industry associations and small business persons themselves, to firstly assess and research the business viability and secondly test the effect on an existing business that the addition of a similar business in close proximity might have. The guidelines of the Self-Employment Venture Scheme state quite clearly that—

- ventures are normally expected to be directed towards
 - the provision of new products or services; or
 - the provision of existing products or services in a novel manner; or
 - the provision of existing products or services for which an unsatisfied demand exists in the community; and
- projects which would not adversely affect existing businesses

It is important that the State Government does not provide funding to establish a new business if by so doing an existing business is adversely affected.