HOUSE OF ASSEMBLY

Thursday 5 November 1987

The SPEAKER (Hon. J.P. Trainer) took the Chair at 11 a.m. and read prayers.

COUNTRY FIRE SERVICES

Mr GREGORY (Florey): I move:

That this House congratulates the Government for the new directions that the Country Fire Services is taking to ensure that firefighters are properly equipped and that all firefighting trucks are roadworthy and capable of providing firefighting capacity and safety for their crews.

I have some pleasure in moving this motion, because in 1983-84 I was a member of the Public Accounts Committee when it inquired into the costs and operations of the Country Fire Services. During that inquiry we visited a number of brigades and took evidence from board members of the Country Fire Services and, indeed, we were fortunate enough—or unfortunate—to be in Millicent and Mount Gambier on the day of the fire. I also happened to be in Millicent, Mount Gambier, Mount Burr and Nangwarry on the day after the fire and saw its after-effects.

The committee's report recommended a number of things relating to the operation of the Country Fire Services, and they could be grouped as follows: the management structure, the financial operation, the operating structure and the training structure. The Government must be complimented because in most cases it implemented the recommendations of the Public Accounts Committee and consequently we saw a significant change in the operation of the Country Fire Services. I will refer to a number of recommendations of the Public Accounts Committee in detail. They go to the heart of the matter: the problems and the malaise of the Country Fire Services at that time. Recommendation 4 is as follows:

The completion of a fire risk rating survey and the standards of fire cover be an immediate priority for the Country Fire Services Board.

I am pleased to say that on 25 October I was at the commissioning of the new unit for the Lobethal Country Fire Services, at which occasion the local government representative on the Country Fire Services Board advised the volunteers who were there that he had insisted that the fire cover safety standards be implemented as soon as possible. He advised those volunteers that the work had been done on it and that it was near completion.

It is very important that that be done, because unless one knows what one is fighting and what are the problems likely to be confronted, one cannot equip or train oneself to be able to handle the situations that might arise. Recommendation 5 was:

The Country Fire Services Board use the standards of fire cover to determine priorities for equipping brigades.

We had the ridiculous situation where, immediately after the Ash Wednesday fire, a brigade in the Adelaide Hills collected over $50 000, given to it immediately because the people there thought they needed it. They got the old subsidy of 50 per cent and went out and got themselves a unit that cost nearly $100 000—when on that occasion they could have bought two units that would have been adequate for the area. However, they bought one.

The other awful part is that within our State there are areas where, no matter how long collection or fund raising activities are undertaken, the people involved will not be able to provide themselves with an effective fire unit. This meant the Government was subsidising wealth, and it was not fair for people living in those areas. Recommendation 6 was as follows:

The Country Fire Services Board implement within the next 12 months a trial system for subsidy payments, based on priorities determined for the standards of fire cover information.

Recommendation 14 was as follows:

Following the completion of the standards of fire cover investigation, the Country Fire Services Board commence a program to link subsidies to the needs and priorities identified through this exercise.

I have already briefly mentioned that. Recommendation 22 was as follows:

The PAC recommends that completion of the fire risk rating survey and establishment of the standards of fire cover methodology be made the first priority with respect to implementation of the operational aspects of the corporate review report. The operations division of the Country Fire Services Headquarters review the various instructions and advices to brigades to ensure that these reflect the standards and classifications agreed following the implementation of the standards of fire cover.

On that occasion we found that there were many people who had volunteered to suppress fire, to protect their property and that of other people in the community but who were doing this in a most dangerous manner. They just did not know what they would confront. In fact, some of the district councils with responsibilities in this area had no idea of what these people would confront and in some cases refused to provide them with adequate equipment to protect their lives when they were out working. Recommendations 19 and 24 of the report refer to the training of personnel. Recommendation 19 is:

The Country Fire Services Headquarters be regarded as the administrative support to the Country Fire Services Board, with responsibility for implementing board decisions relative to the scope and nature of firefighting activities. Services such as training, equipment/appliance advice and administration of the Country Fire Services Fund, should be provided by headquarters personnel under the ambit of the Country Fire Services Board's responsibility for the organisation and control of the country firefighting services.

Recommendation 24 was as follows:

The PAC notes that the Corporate Review Report has suggested that the training strategy should flow from the fire cover exercise. The PAC strongly endorses this proposal.

It is all tied up with people being properly equipped and properly trained. In our investigations into the Country Fire Services one of the problems we found was that the board refused to take corporate responsibility for directing brigades on how they ought to be equipped, manned, trained and should operate. They took the soft option of not wanting to rock the boat. I think one should appreciate that there was a proliferation of equipment used by the brigades and that the communications (which also are important in the fighting of fires) was *ad hoc;* the best way of describing it was that the fire controllers in the regions would have had to have motor vehicles with antennae that would have made Santa Claus' reindeers appear deprived in order that the fire controllers could communicate with all the brigades under their control.

People have refused to accept advice regarding radio equipment, so one brigade area did not know of a fire in an adjoining area because it was unable to communicate through radio. If they had known, they would have been able to go and assist in putting the fire out. However, when one tries to talk to these people about having a proper communications system, they know best: they do not want to take directions from people in the city. They think that they know best and that attitude is foolish.

When I was in the Mount Gambier council fire control room with the district fire controller, I noted that he did not know where half his units were because the communi-

cations system had failed. He did not know what was going on, and at one stage he committed a fire unit to Tarpeena to assist in fire suppression there and to protect the people. If members recall, a number of houses at Tarpeena were burnt to a heap of rubble. When the crew questioned how they would know where the fire was, he said, 'When you get there, you will see it.' On the Thursday following I understood what he said, because I was there and could certainly see where it had been.

Mr Lewis interjecting:

Mr GREGORY: I do not know. I have been advised by people in the Woods and Forests Department who fought a fire that had been continuing for four or five days in the Wirrabara forest in the Mount Remarkable area (but they were getting nowhere with it), that the army offered assistance. He did not want soldiers from the army to put out the fire but, rather, he wanted a signals unit so that he could have some decent communications, and in half a day he succeeded in putting out the fire. It goes back to another matter of training in radio communications, with which I will deal later, because a unit or brigade in this State has 70 radios which cost about $1 000 each and, if they had 10, they would be over-utilised. It must mean that everybody has one. Recommendation 3 states:

The board should require councils and brigades to comply with equipment and appliance standards determined by the board and its subcommittees. This may involve withholding subsidy until requirements have been met.

That is very important, because there is a pigheaded approach to equipping units and brigades. In a case at Beachport the district council and the Chairman were of the view that they did not need high pressure pumps. They had low pressure pumps and could not understand the need for high pressure pumps. The brigade captain explained that a good high pressure pump would enable him to go faster, because he would carry less water. He could stay in the field longer, because he would use less water, and he would be more effective. If they got caught, they could throw up a fog and they might survive. Recommendation 12 states:

The Country Fire Services Board determine and then issue a statement which defines its relationship with, and the respective responsibilities of, councils, brigades and its headquarters. This document should outline the scope and manner in which the board intends to meet its responsibility for control and direction of the Country Fire Services.

Recommendation 15 states:

Upgrading of equipment and appliances should be planned and phased in over several years. Dependent on the availability of funds, priorities and needs, the Country Fire Services Board should adopt a more flexible approach to subsidy payment; for example, the proportion of subsidy paid should vary according to the need and priority determined from the standards of fire cover.

I now want to refer to a matter that has occupied a fair amount of space in the press in the past few days, that is, motor vehicles. A survey done in the South-East relating to the Ash Wednesday fire revealed that of 81 fire appliances involved 41 malfunctioned during the fire, five of which placed those firefighting units in extreme danger. I will now indicate to the House what those malfunctions were: 14 involved vapourisation problems; three involved radiator faults; two involved starter motor faults; one involved tyre failure; six involved fuel blockages; five involved broken manifolds; four involved brake failure; one involved electrical wiring failure; two involved gear box failure; one involved distributor failure; one involved engine failure; and one involved differential failure.

Fighting a fire is very much like fighting a war, because the enemy is the fire and it is very unforgiving and it can kill. I do not know any army commander who would want to go into the field and find within one day that half his vehicles could be non-functional because of mechanical failures. As a former member of the Citizens Military Forces and holding rank within the workshop, I know what would have happened. The tradesmen working there would have been expected to maintain those vehicles in top condition so that they could be correctly utilised.

Members have seen this furore about motor vehicles and people saying that the situation is all right. I have a statistical table showing what inspections entailed. I can advise the House that for vehicles under the age of 10 years, three were unroadworthy and 18 not acceptable. I seek leave to have that table inserted in *Hansard.*

The SPEAKER: Can I have the member's assurance that the table is of a purely statistical nature?

Mr GREGORY: Yes, Sir.

Leave granted.

			Acceptable										Not Acceptable										Unroadworthy									
Total	Age	Year	R0	R1	R2	R3	R4	R5	R6	R7	R8	Total	R0	R1	R2	R3	R4	R5	R6	R7	R8	Total	R0	R1	R2	R3	R4	R5	R6	R7	R8	Total	
1	45	1942	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	1	
1	44	1943	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	1	
1	42	1945	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	1	
1	38	1949	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	1	S.A. Country
—	37	1950	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	Fire Services
—	36	1951	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
2	35	1952	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	1	—	—	1	—	—	—	—	—	—	1	
20	34	1953	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—	—	—	—	—	—	2	Vehicle &
1	35	1954	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	1	Equipment
1	32	1955	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	1	Inspections
3	31	1956	—	—	—	—	—	—	—	1	—	1	—	—	—	1	—	—	—	—	1	2	—	—	—	—	—	—	—	—	—	—	
3	30	1957	—	—	—	—	—	—	—	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	1	—	2	Survey to
17	29	1958	—	—	—	—	—	1	—	—	—	1	—	—	1	—	—	—	—	—	—	1	—	2	1	1	1	1	4	1	4	15	25.9.87
10	28	1959	—	1	—	—	—	—	—	1	—	2	—	—	1	—	—	—	1	—	—	2	—	—	2	—	—	2	—	2	—	6	
11	27	1960	—	—	—	—	—	—	—	—	—	—	—	2	—	—	—	—	1	—	—	3	—	—	1	—	2	1	2	—	2	8	No. Appliances
13	26	1961	—	—	2	1	—	—	—	—	—	3	—	1	1	—	—	1	—	—	—	3	—	1	1	—	2	—	2	1	—	7	619
17	25	1962	—	—	—	—	—	—	1	—	5	6	—	—	—	—	—	1	—	—	2	3	—	—	—	—	1	1	4	1	1	8	
4	24	1963	—	1	—	1	1	—	—	—	—	3	—	1	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	
28	23	1964	—	1	2	1	—	1	3	—	—	8	—	—	—	2	2	3	1	—	—	8	—	2	1	1	—	4	3	1	—	12	
15	22	1965	—	—	3	—	—	—	—	—	—	3	—	1	—	1	1	—	—	1	—	4	—	3	—	—	3	—	1	—	1	8	
12	21	1966	—	1	3	1	1	—	—	—	—	6	—	1	—	—	—	—	—	—	—	1	—	1	—	1	—	—	1	1	1	5	
10	20	1967	—	1	1	—	—	1	—	1	1	5	—	—	—	—	—	—	1	1	—	2	—	—	—	—	—	3	—	—	—	3	
28	19	1968	—	—	1	1	2	1	4	—	—	9	—	3	1	1	1	2	—	—	—	8	—	4	2	—	2	3	—	—	—	11	
16	18	1969	—	1	4	—	2	—	1	—	—	8	—	2	1	—	—	2	—	—	—	5	—	—	—	1	1	—	1	—	—	3	
34	17	1970	—	6	4	1	2	1	1	—	1	16	—	3	1	—	1	2	1	—	2	10	—	1	—	—	1	1	3	1	1	8	
47	16	1971	—	13	—	1	1	1	1	1	4	22	—	4	1	—	1	3	2	1	—	12	—	3	1	—	—	4	4	—	1	13	
42	15	1972	—	9	2	1	1	1	1	2	—	17	1	9	1	—	2	2	1	1	—	17	—	2	—	—	2	3	—	—	1	8	
29	14	1973	—	11	2	1	—	2	1	—	—	17	—	2	1	1	—	1	—	—	1	6	—	1	2	—	1	2	—	—	—	6	
25	13	1974	—	3	2	—	3	2	2	1	1	14	—	2	3	—	—	1	—	—	1	7	—	—	—	—	2	1	1	—	—	4	
23	12	1975	—	4	2	—	5	1	1	1	—	14	—	3	1	1	—	—	—	—	1	6	—	—	—	—	1	1	1	—	—	3	
25	11	1976	—	3	2	1	3	3	1	1	1	15	—	1	1	—	—	—	—	—	—	2	—	2	1	—	—	3	1	1	—	8	
17	10	1977	—	—	1	2	3	1	3	—	2	12	—	—	—	1	1	—	—	—	—	2	—	1	—	—	—	—	—	1	1	3	
22	9	1978	—	3	4	1	1	—	2	2	2	15	—	1	1	—	—	—	2	1	1	6	—	—	1	—	—	—	—	—	—	1	
17	8	1979	—	6	2	3	2	—	—	—	2	15	—	2	—	—	—	—	—	—	—	2	—	—	—	—	—	—	—	—	—	—	
26	7	1980	—	7	3	1	1	—	3	1	1	17	—	2	—	—	—	2	3	—	—	7	—	—	1	—	—	1	—	—	—	2	
13	6	1981	—	5	3	—	2	—	2	—	1	13	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
19	5	1982	—	8	3	—	—	2	2	2	1	18	—	1	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	
16	4	1983	—	6	4	—	3	2	—	—	1	16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
26	3	1984	—	10	7	2	3	1	1	—	2	26	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
27	2	1985	—	16	2	3	1	1	—	1	1	25	—	1	—	—	—	—	—	—	1	2	—	—	—	—	—	—	—	—	—	—	
14	1	1986	—	6	2	—	—	—	5	1	—	14	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
—	—	1987	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
619	—	—	—	122	61	22	37	22	35	17	26	342	1	42	16	8	9	20	13	5	10	124	—	24	21	4	21	31	28	11	13	153	

Mr GREGORY: I have also a report on vehicle and equipment inspections, and I detail the following information:

Maintenance level satisfactory, 334 vehicles; fair, 195; poor, 90.

Appliance condition, 342 acceptable, 124 not acceptable and 153 unroadworthy.

I understand that the South-East councils were apprehensive about the motor mechanic who was employed by the CFS and who was inspecting their vehicles because they were of the view that a city mechanic would just not understand the mechanical condition of fire trucks. They wanted the Department of Transport bloke to do the inspections. When he looked at the vehicles he lumped the 124 non-acceptable and the 153 unroadworthy vehicles together. I find that attitude appalling because the Department of Technical and Further Education provides for the technical training of motor mechanics in this State. They are all trained to the same level and standard, and they all have to pass tests, whether they serve their apprenticeship in the country, in the city or anywhere else. They know what is required.

It appals me that that should happen. However, on 25 October I was gratified to find that the local government representative on the CFS Board, Mr Roger Brockhoff, who is Chairman of the Onkaparinga District Council, at the commissioning of the new Lobethal CFS unit was of the view that the Director was doing his job. He made it clear that it was the responsibility of the CFS to ensure that every volunteer who went out to fight a fire returned. He said that if people were in unroadworthy vehicles, the chances of their returning were greatly reduced. As a community, we have a responsibility, whether we employ those people, whether they assist us or whether they are volunteers in any capacity.

That responsibility is to ensure that they work in conditions that are as safe as possible. This House passes a lot of legislation about the safety of employees and the public. We have even done it this week with respect to the Road Traffic Act and the Motor Vehicles Act. However, when it comes to unroadworthy firefighting vehicles that carry volunteers—people who put their hands up and say that they will assist the community—it does not seem to matter because they are just going down the road. Members of this House seem to have forgotten that these vehicles usually go off the road and into rough paddocks and fields with stones and other obstacles in them. These vehicles need to be in better than excellent condition.

Mr Lewis interjecting:

Mr GREGORY: Some of the yelling and screaming from the other side of the Chamber indicates to me that members opposite do not understand that fine principle and difference. On the one hand people are complaining about unroadworthy Country Fire Services vehicles yet, on the other hand, expect volunteers to go on these units to fight fires. I find this appalling. District councils seem to have abrogated their authority in this area. Councils have authority, and this is set out in the Act and the regulations. It has been suggested to me that district councils have not even bothered to read the regulations and, in some cases, do not even know that they have these responsibilities.

In relation to the problems with the vehicles, a person on television on Monday night this week suggested that there was a problem with rubber off a clutch pedal. Information I have indicates that, of the defects, 59 of the units had faulty brakes, 57 units had faulty steering, 51 units had faulty suspension, 56 units had faulty lights, 44 units were structurally faulty (that is, with cracked chassis—and Brockhoff mentioned one district council that had locked six trucks up because they had cracked chassis), 23 units had faulty tyres and 19 units had faulty exhausts. We know from our country brethren that faulty exhausts cause fires. It would not be good for the Country Fire Service to go to put out fires and be lighting them behind because of faulty exhaust pipes.

Mr Lewis interjecting:

Mr GREGORY: I am pleased that the member for Murray-Mallee finds that funny. It comes down to the lives of people. Brakes and steering are very important on these vehicles. It would not be good for the driver of a CFS vehicle, when going down a hill on someone's property, to say, 'Hang on, the brakes have failed,' and then to say, 'Now the steering is not working any more.' Apparently, during the Ash Wednesday fires, a number of units that came to relieve at night time had faulty lights. All members know that when fighting fires units need to be relieved so that they can be refurbished and the people can get some sleep for the next day's activities. In this case of the unit turning up without lights, the district controller was smart enough not to let them continue on for two reasons. First, they could not see where they were going and, secondly, the units that were returning could not see them and might run into them.

The other day I saw a photograph of a blitz truck at Summertown. I remember that Stirling CFS had a blitz truck and I also remember the embarrassment it caused volunteers when they took it to the Mylor Oval to demonstrate its firefighting capacity and could not get it to pump water. People at the oval were being asked to contribute to the fire service so that this truck could be used to extinguish fires in the area, yet it would not work. This occurred in about 1950-51 when that blitz was a relatively new truck, yet it is still around and people want to fight fires with it. The records show that none of the vehicles over 40 years of age that have been checked by the mechanic at the Department of Transport are roadworthy. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ROYAL VOLUNTEER COASTAL PATROL

Mr MEIER (Goyder): I move:

That this House condemns the member for Bright for his unprovoked attack on volunteers serving in the Royal Volunteer Coastal Patrol and calls on him to issue a full apology.

Mr Speaker, you and probably all members of this House would be aware of the headline that appeared on page 3 of the *Advertiser* just over a week ago, 'Dad's Army sea rescue outfit accused of being a threat to life'. The impact of that article on volunteers in South Australia, particularly on volunteers on Yorke Peninsula, has been devastating. Certainly, it has been completely unprovoked and unnecessary, and I am just staggered that the member for Bright has had the audacity to launch such an attack. What is the organisation that he has launched his attack on? It is referred to as the Royal Volunteer Coastal Patrol. One thing we know about the organisation is that its Patron-in-Chief is His Royal Highness Prince Charles. Earlier this year Prince Charles wrote a letter which states:

As Patron-in-Chief it gives me great pleasure to offer my congratulations to the members of the Royal Volunteer Coastal Patrol for 50 years of service to the people of Australia. From those early days in 1937 the many roles undertaken by the Coastal Patrol have helped to mould its unique character.

Further on, Prince Charles continues:

The Coastal Patrol's outstanding record in search and rescue is one of which the patrol can be extremely proud.

That is the organisation we are talking about, and we hear squeaking from members opposite. The first patron after

the Patron-in-Chief happens to be their own Federal Leader, the Prime Minister of Australia, the Right Honourable Robert J.L. Hawke. I would like to quote from a letter that Bob Hawke, their Prime Minister, has written about this same organisation that the member for Bright has accused of being a 'Dad's Army' group. He states:

On this, the occasion of the 50th anniversary of the Royal Volunteer Coastal Patrol, I would like to offer my personal congratulations to all members, past and present, of the society, and to all its supporters.

Notice, Mr Speaker, he has emphasised 'all': he has not distinguished between any States. The next paragraph continues:

As a patron of the patrol, and well aware of the valuable role it has played over many years . . . I believe that it is fitting that I salute the achievement of this milestone on behalf of the people of Australia.

Bob Hawke is praising this organisation on behalf of the people of Australia, but the member for Bright has said that this is a patrol, the activities of which he would sincerely advise private sponsors to look at very closely. In fact, he has gone so far as to state that:

It could be argued that the activities of the Coastal Patrol have been more of a threat than a nuisance in South Australia to this point.

That is what the member for Bright says. He certainly contradicts his Prime Minister and His Royal Highness Prince Charles. In fact, Bob Hawke goes on to state:

The patrol has provided a significant service to the Australian community over its 50 years.

Further on, he states:

The burden on government, and on taxpayers, is made lighter by the positive contribution of volunteer organisations such as the patrol. Paying tribute to these fine efforts is the least that we can do.

But do you think a member of the State Government would do that? No! He is quite happy to knock it and knock the volunteers. Broadside! He does not distingish any person but includes the volunteers generally. The member for Bright describes them as:

. . . rather a group of adults who enjoys playing dress-ups, that, in fact, they are more of a nautical Dad's Army than a *bona fide* rescue service.

What an indictment! It is tragic, especially in view of the praise that the Prime Minister has heaped upon this organisation. Finally, I would like to quote from the third patron, who happens to be Admiral Sir Anthony Synnot, a former Chief of Defence Force Staff who retired in 1982: in other words, the top dog in the Navy in Australia. He had this to say about the Royal Volunteer Coastal Patrol.

Last year we celebrated 75 years of the Royal Australian Navy. Today I am mindful that 50 years ago another naval group was formed. Decommissioned at the end of the war, they continue to volunteer their time to assist and benefit our community. Countless people today owe their lives and the safety of their craft to the volunteer work of Coastal Patrol. These men and women, ordinary Australians, prove day in and day out that when we are up against it—in this case against the fairly forbidding prospect of tracking down and rescuing people in trouble at sea—we are still a pretty tough nation.

With due respect to the Admiral, he could have said 'when we are up against it from Government members, such as the member for Bright,' who continues to attack the services of volunteer organisations such as this. It is absolutely disgraceful. We have just heard the previous speaker (the member for Florey) defending aspects of the CFS. We could well imagine how the CFS would have reacted if the member for Bright had decided that there were one or two people there he did not like and he cast aspersions on the whole of the CFS—there would have been an uproar. In fact, if that happened, I think that the Government would be thrown out, and that would not be a bad thing.

But the member for Bright has decided that he can do that with this volunteer organisation because he has worked out that perhaps it is not the biggest volunteer organisation in the State. He can perhaps afford to weather the waves, if I may use that pun, in this case. The people of Yorke Peninsula are not impressed, and I quote first from a letter addressed to me from a Mr Vic Holland of Port Victoria, which states:

I was very offended to read the article in the *Advertiser* on Saturday, 24 October 1987, headed '"Dad's Army" Sea Rescue'. Mr Robertson, MP, certainly will no doubt feel very smug with his words in Parliament. Pity he did not say them in Port Victoria—he may not have made it back to Adelaide.

Perhaps that is a warning—if the honourable member wants to spend his holidays on the Peninsula, he had better be careful. It further states:

Sir, I ask if you could in any way ask for a retraction of the totally inaccurate statements he made. He has offended many people who voluntarily have been working over the past two years to help people who fall foul of the sea.

I have another letter from a person in Port Victoria who has been equally disturbed at the accusations made by Mr Robertson—the not very bright member for Bright. The letter is from a Mrs Koster, who states:

The ALP member for Bright, Mr Robertson, has done a bad service to all coastal rescue operations—

that goes without saying—

by making uninformed statements of the kind reported in the article. He seems to think that the Royal Volunteer Coastal Patrol is in competition with other rescue bodies mentioned, although no other rescue group operates in Yorke Peninsula waters on the Spencer Gulf side [immediately adjacent to Port Victoria] so let me set the record straight: (1) the Royal Volunteer Coast Patrol attracts no funding from Government.

If I can just digress for a moment, remember how Bob Hawke said, 'The burden on government and on taxpayers is made lighter by the positive contribution of volunteer organisations such as the patrol.' Mrs Koster has picked up that very point. However, the member for Bright said:

I would sincerely advise any private sponsor to look very closely at the activities of the patrol before providing the group with any money or, indeed credibility.

Mrs Koster went on to say in her letter:

2. Here on Yorke Peninsula, the RVCP fills a desperate need when boats get into trouble in our unpredictable waters. Except for our professional fishermen and the RVCP, no-one has the equipment nor the expertise to effect a rescue. Our Coast Patrol is on 24-hour standby and works directly under police control.

3. The patrol boat based at Port Victoria is in first-class condition, fully equipped for its task and manned by highly trained personnel, who attend regular training sessions.

4. Since October 1985 the Port Victoria vessel has effected 40 rescues, towed boats into port a total of 84 nautical miles and saved 98 people from the sea. The total estimated cost of boats rescued was $356 000.

Those are some of the achievements on Yorke Peninsula of this group, about which the member for Bright said:

The activities of the group have been of fairly dubious value as a water rescue service . . .

The honourable member should have done his homework in the first instance. During the past 18 to 24 months on Yorke Peninsula alone, 98 people have been saved or towed in from the sea. If that is of dubious value, I am afraid that the member for Bright should re-examine his thinking on other issues. Mrs Koster's letter further states:

I ask Mr Robertson, does this group of dedicated people deserve to be so degraded by calling them a 'Dad's Army'! I am not in any way connected with the Royal Volunteer Coast Patrol, but living in Port Victoria I cannot help but be impressed by the splendid job being done by people who provide a service to the boating fraternity and the State. Rather than degrading them, they should be congratulated and encouraged in their efforts and dedication. Before making spurious statements of the kind attributed

to you, Mr Robertson, may I suggest that you do your homework first and get your facts straight!

The Hon. P.B. Arnold: He should make a public apology.

Mr MEIER: Indeed, he should, and that is what my motion calls for. I hope that Mr Robertson has enough courage to do so.

The SPEAKER: Order! While the honourable member can refer to the honourable member for Bright by his name in quoting from correspondence, he should not do so as part of his contribution to the debate.

Mr MEIER: Thank you, Mr Speaker. I will refer to him as the member for Bright, who is not so bright. I will also refer to a letter published in the *Advertiser* on Friday 30 October, headed 'Yorke Peninsula's "Dad's Army" to the rescue'. Mr Gordon K. Dutschke, from Port Victoria, had this to say:

> The ALP member for Bright, Mr Robertson, is obviously unaware that Yorke Peninsula is outside the metropolitan area when he states that the Royal Volunteer Coast Patrol is a 'Dad's Army outfit'.
>
> We have no highly government-funded sea rescue services on the peninsula. What we do have is the Royal Volunteer Coast Patrol, which is on standby 24 hours a day, to haul people and boats out of the sea when they are in trouble. In all kinds of weather.
>
> They then are allowed to pay for the privilege out of their own pockets, so their rescue boats will have fuel and can be maintained in A-1 condition. Or they can go out fundraising, always provided that they are not needed out in the gulf to rescue vessels that are often ill-equipped for our waters.
>
> It seems that Mr Robertson is one of those who think that any volunteer organisation consists only of a bunch of cranks and rank amateurs, who do something just to 'dress up' and look cute.
>
> I can assure Mr Robertson that it takes extreme skill and intimate knowledge of local waters to go out in high seas to rescue people and boats. The Royal Volunteer Coast Patrol saved close to 100 people in the past two years. Not bad for a Dad's Army.

Rightly spoken, Mr Dutschke, and I think the members of this House generally, but unfortunately with at least one exception, would support your comments. I have already referred to one of the specific matters that have been attacked by Mr Robertson, but I will go back and note one or two further points. First, he indicated, according to *Hansard*, that the Coast Patrol group originated in New South Wales as a professional rescue group in about 1926. Mr Robertson, the information that has been given to me—

The SPEAKER: Order!

Mr MEIER: The member for Bright. The information that has been given to me—through you, Mr Speaker, of course—is that it was not 1926 but 1937—only 11 years out, I guess, but one of those sorts of little inaccuracies that have occurred in this debate. The member for Bright has also claimed many small inaccuracies in the pamphlet that was issued. If one wants to be non-hypocritical surely the least one can do is be accurate in the comments that one makes.

The member for Bright refers to the fact that the patrol claims to have six craft and 68 operating personnel in South Australia, although apparently the reality of the situation is that the patrol has only two craft and the number of operating personnel is unknown. The member may be right in the number of personnel, as I have not gauged accurate figures, because I do not think it is relevant. On Yorke Peninsula the patrol has on its register available for rescue operations nine private vessels. One craft is owned by a local resident, Miss Sue Mumford. She has dedicated that craft entirely for the use of the patrol at her own expense. It is available 24 hours a day throughout the year for rescue work only. It is a 22ft craft and is on permanent standby. Again, think how much money the Government has saved as well as any other savings by a person voluntarily making a boat available full time. Can we imagine how Miss Sue Mumford must feel at the present time? She is devastated by this attack on her and the Coastal Patrol. She does not know why a member of the Government has to speak out on these people who have given so much time and effort without receiving any reward other than a kick in the teeth from the member for Bright.

I think it is very important to point out that when the Coastal Patrol moved to Yorke Peninsula about 18 months or more ago it did not impinge upon any other area. The sea rescue organisation at Ardrossan and Edithburgh does an excellent job. I give full commendation to the sea rescue organisation and all personnel who freely volunteer their services. Likewise, the coastguard is located at Port Vincent, Stansbury and I think we will call it Wallaroo or the Moonta area, because it depends whether you identify the person's actual place of living or from where the service operates. So, the coastguard is represented on Yorke Peninsula and is doing an excellent job. From time to time I have spoken with some of its members and I have seen it in operation. I have seen its displays and it is to be fully congratulated and commended. But the Coastal Patrol has moved into an area, which covers Port Victoria, Point Souttar and Stenhouse Bay, where previously there was no rescue service. In no way can one say that it is moving in on someone else's territory. Just think—98 people have been brought out from the sea since this service was established. I would hate to think that worse things could have happened, but it does not take a lot of imagination to realise that.

I have been given information on all the rescues conducted by the Royal Volunteer Coastal Patrol. A point that I missed earlier is that it has the royal warrant. The royal prefix was given by Her Majesty the Queen in 1974 for recognition of services. I notice that the member for Bright conveniently left off the royal tag in referring to it. Perhaps he did not want to acknowledge the fact that it has a distinguished record and that Her Majesty the Queen recognised its services back in 1974. I have been given details of rescue operations and, although I would be happy to read them into *Hansard*, I realise that private members' time is valuable and perhaps the opportunity will be afforded me later.

I have also received full details of one rescue operation that took place on 13 and 14 September. The information details the hours that have been spent by these voluntary people. I point out that the officer in charge, Mr David Mumford, Mr Vic Holland and Mr Jim McKenzie each worked on the rescue for 15 hours—a total of 45 hours. Mr Max Jacobs also spent eight hours on the rescue, and Judy Mumford spent a few hours at the boat ramp telling all who went out about the missing craft. A huge number of hours were spent on just one of the 40 or so rescues that have occurred.

I have about three pages of details regarding that rescue. Time will not permit me to go into full details at present, but I refer to a press report, which was released shortly after that—I assume the following week. Entitled 'Search for missing boat off Port Victoria', that report states:

> The officer in charge of Region 5, Police Division, Chief Inspector Jock Riach of Kadina, said the operation was successful and he was appreciative of the cooperation he received from the many different organisations taking part in the search and rescue.

It is acknowledged that this organisation has been in full cooperation with the police during its time on Yorke Peninsula and that in all cases it has been a combined effort. It is also of interest that the radio base, according to information given to me, for the station at Stenhouse Bay happens to be in the Chief Ranger's house in the Innes National Park. That shows that employees in a wide range of areas are involved and are happy to put in their bit of voluntary effort. At least two service clubs have said that they will

give whatever support is necessary to the Royal Volunteer Coastal Patrol.

I have many other things to mention on this matter. However, I trust that in the meantime the member for Bright will issue a public apology to the many people he has offended, particularly on Yorke Peninsula. I seek leave to continue my remarks later.

The SPEAKER: Is leave granted?

An honourable member: No.

The SPEAKER: Leave is not granted.

Mr MEIER: Leave is not granted: that is fine. The Government was complaining recently that certain members on this side were taking too much time on private members' business.

Members interjecting:

The SPEAKER: Order!

Mr MEIER: I have given an opportunity for the debate to continue later. The member for Bright and one or two beside him—perhaps the members for Adelaide and Briggs—did not grant me leave to continue my remarks, so I am happy to continue. This gives me the opportunity to go into full details in relation to the rescue operation on 13 September to which I have already referred briefly. I will quote from the report given to me about this rescue. It states:

Search and rescue of a 15ft Rover fibreglass red cabin with a white hull: this craft was said to have left Port Victoria boat ramp on 13 September 1987, with two men aboard, one 55 years of age with a heart complaint requiring white pills for medication, and another man aged 45 years of age. This craft had a bad hole in the bottom of the hull, faulty wiring on the motor, and the marine radio was reported not to be working properly.

This craft was last seen approximately four miles off the reef in the centre on the western side of Wardang Island by his friends who went fishing out further. They returned later to find that he had shifted. At approximately 9 a.m. he was travelling about six to seven miles north-west of Goose Island, when stopped. The craft had water come over the stern swamping the motor and battery.

At 17.50 hours, Mr T. Depalma advised us that a vessel was overdue. It was a 17ft 6in red cabin, white hull with two persons aboard, last seen west of Wardang Island. One crew on medication. Craft suspected leaking. At 17.55 hours, police advised, David Mumford, Vic Holland, and Jim McKenzie on standby. Checked the boat ramp to find a Holden car, and boat trailer still there. At 18.30 hours, police asked, crew called. The men to man the rescue boat and Sue Mumford to operate the radio base.

At 19.13 hours, police asked boat and crew to stay at the boat ramp, until they could find a fishing vessel with radar. Friends and relatives advised that they don't fish north of the island. At 19.43 hours, both boats leave boat ramp, three persons on board patrol boat, and two persons on board the fishing boat *Stranger*. Will all be working on channel 73 VHF and channel 7 UHF.

At 19.52 hours, patrol boat 5, heading to the south-west end of Wardang Island. Sea conditions fairly rough. Request base to call every 15 minutes. At 20.10 hours, patrol boat 5, location check still heading to south-west of Wardang Island. At 20.15 hours, patrol boat 5, request relay from the other boat *Stranger* on 07 UHF. At 20.25 hours, patrol boat 5, location check still heading to south-west of Wardang Island approximately 2 mile from south end. Patrol boat 5 to flash spot lights.

At 20.40 hours, patrol boat 5, location 1 mile off south end of Wardang Island. At 20.55 hours, patrol boat 5, location 2 mile south-west of Wardang Island heading due west. At 21.13 hours, patrol boat 5, heading north-west at the back of Wardang Island. Almost at beam of lighthouse approximately 3 mile offshore. At 21.30 hours, patrol boat 5, north-west of Wardang Island heading north-east towards Goose Island, approximately 3 mile offshore.

At 21.44 hours, *Stranger* reports sighting light dead ahead. Both boats will proceed to investigate. *Stranger I* reports not receiving patrol 5 clearly. At 22.00 hours, approaching Goose Island from the west approximately one mile out. Light seen before on land.

At 22.15 hours, heading towards Rocky Island following *Stranger I* to the Port Victoria boat ramp. At 22.40 hours, both boats at the boat ramp. Retrieving the boats. The tide was out so we used the professional boat ramp. On backing the boat trailer down to the end of the ramp, found that the ramp had a drop of about 14in. If loaded the boat when the wheels were over the end of the ramp, we would not have been able to pull the boat out 1ft.

The first attempt to pull the boat up straightened the winch hook out, which catapulted the hook and cable to the vehicle, catching the police officer in the hand, causing him to drop his hand-held radio. After attaching the winch cable to the boat with a knot and shackle we winched the boat on with ease, then took the boat back to the base, went to the police station for a debriefing and for further instructions for tomorrow. Instructions at the base were that the search would resume at first light.

So, from that detailed report on the commencement of this search operation on 13 September we find that these volunteers were out from 1750 hours through until after 2240 hours—and on a completely voluntary basis. It was certainly a great worry for the two people who were somewhere out there needing help; but they had done their sweep around Wardang and Goose Islands unsuccessfully. So their next move was to come back at first light.

The report also notes that at 12.30 a.m. on 14 September the officer in command went home for fuel. He went back to Port Victoria and refuelled the boat. The cable, to which I referred earlier, was repaired in the meantime. At 2.7 a.m., the officer in command went to bed, while the other gentleman stayed with the other person at Port Victoria. This was all voluntary service, which was attacked as a 'Dad's Army' unit and said to be a great danger to any boat owner who might happen to be in difficulties—and I acknowledge that the reference was made in relation to Gulf St Vincent. The member for Bright said:

If, however, a boat owner was unfortunate enough to be in difficulties in the gulf and if that boat owner's family was unfortunate enough to call the Coastal Patrol, I can imagine the difficulties involved.

Those sorts of comments are a reflection on people like those volunteers to whom I have just referred and who have spent hour after hour putting in a voluntary effort. And what do they get? They get a real blast, a hit in the teeth, and no thanks at all from the member for Bright. It is certainly disgraceful in the extreme, and I just hope that an apology will be forthcoming.

Time permits me perhaps to refer to the report of the next morning's operations, which began at 5.30 a.m. So, in other words the officer in command was in bed from 2.7 a.m. to 5.30 a.m.—getting some three and a bit hours of sleep. That is what volunteers have to go through. The report of the morning's activities is as follows:

At 5.30 a.m. Rang Vic to advise him that I would call in Max Jacobs, leaving one person spare if needed.

Several other telephone calls were made. The report then continues:

At 6.15 a.m., met at the boat ramp to find Vic and Jim had the boat in the water ready to go.

So, they, too had been early. The report continues:

At 6.20 a.m. police explained that Marine and Harbors, boat 29, fishing boat *Stranger*, the Department of Fisheries, were also helping patrol 5, was to proceed to Goose Island where they will search the coast line of the western side of Wardang Island. When finished searching the southern end of Wardang Island, patrol 5, is to proceed on a heading of 255 degrees for six miles, then sweep North until they meet *Stranger*. On board was Vic Holland, Jim McKenzie and Max Jacobs on patrol 5.

At 6.28 a.m. patrol 5 headed to Goose Island via Rocky Island along with boat *Stranger*.

At 6.33 a.m. Marine and Harbors, arrived at the Port Victoria police station waiting for Inspector Jock Riach. David Mumford on shore at boat ramp alerting all boat owners of the incident.

Mr Speaker, you see again that the police have become part and parcel of the operations; the Department of Marine and Harbors has become part and parcel of the operations and the Royal Volunteer Coastal Patrol also has become part and parcel of the operations, but the latter has been slammed by the member for Bright for no good reason. The document further states:

At 6.47 a.m., D. Mumford at boat ramp reported to the Patrol base that a fisherman saw a red boat white hull 1 mile north-west Goose Island, only one person seen on board at 1630 p.m.

The bells having been rung:

The SPEAKER: Call on the Orders of the Day.

Mrs APPLEBY (Hayward): I move:

That Orders of the Day: Other Business be postponed until Notices of Motion: Other Business be dispensed with.

The House divided on the motion:

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

Noes (14)—Messrs S.J. Baker, Becker, and Blacker, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy (teller), Gunn, Lewis, Meier, Olsen, Oswald, and Wotton.

Majority of 11 for the Ayes.

Motion thus carried.

The SPEAKER: I call on the member for Goyder.

Mr MEIER: Thank you, Mr Speaker, I appreciate the opportunity to continue addressing my remarks to the motion, of which I hope all members would be aware and which I foreshadowed yesterday. For the benefit of those members who have just come in, I will remind them that yesterday I gave notice that I would move this motion:

That this House condemns the member for Bright for his unprovoked attack on volunteers serving in the Royal Volunteer Coastal Patrol and calls on him to issue a full apology.

Certainly, I am pleased that the House has given me the opportunity to continue my remarks beyond midday, because it is not often that that opportunity is given.

The Hon. Ted Chapman: Has he apologised?

Mr MEIER: The member for Alexandra—

Members interjecting:

The SPEAKER: Order! A bit of decorum, please.

Mr MEIER: As the member for Alexandra pointed out, an apology is the key thing, and I agree with that. The member for Bright has a variety of avenues that he can use to make that apology. I was prepared to give other members a chance to speak during the first hour of private members' time today, although I had certainly not finished my remarks. However, the member for Bright and one or two members next to him said that they did not want to grant me leave. I appreciate the opportunity in being allowed to continue speaking to my motion, because it is a disgrace of the first order that such a volunteer organisation should have aspersions cast on it by a member of the Government—

The Hon. Ted Chapman: Any member!

Mr MEIER: By any member, for that matter, but in this case it happens to be a Government member. I think of the motion on the Notice Paper relating to the member for Albert Park. That motion attacks the Opposition.

Mr FERGUSON: Mr Speaker, I rise on a point of order. I refer to Standing Order 154, which provides:

No member shall digress from the subject matter of any question under discussion; and all imputations of improper motives, and all personal reflections on members shall be considered highly disorderly.

The Hon. Ted Chapman: We will remember that.

The SPEAKER: Order!

Mr FERGUSON: Mr Speaker, it is highly improper that threats should be made across the floor.

The Hon. Ted Chapman: That's a promise.

The SPEAKER: Order! I call the member for Alexandra to order.

Mr FERGUSON: I merely draw to your attention, Mr Speaker, the first part of the Standing Order. I am not suggesting that the member for Goyder is imputing any improper motives, but he is certainly digressing from the subject matter.

The SPEAKER: Order! The Chair will monitor any digression that occurs from this point.

Mr MEIER: Thank you very much, Mr Speaker. I am happy to stick to the topic as long as interjections do not take me away from it. As I was saying before I was interrupted, the search and rescue operation on 13 September was certainly an extended operation. I had taken the House to the end of the first night's operations and had indicated how the officer in command had got to bed at 2.7 a.m. I then said that the operation had recommenced at first light and that the officer in command had been back at the Port Victoria boat ramp at 6.15 a.m. to find that two other volunteers already had the rescue boat in the water ready to undertake a further search. Also, I had reminded the House that the police were there and were given a briefing and that Marine and Harbors officers were also called in. I take up the story from there:

At 6.48 a.m. the message that was received earlier was relayed to boat Patrol 5 and the police. At 6.51 a.m., Marine and Harbors asked if he could contact Patrol 5, on 16 VHF; answer was 'Yes'. Inspector Jock Riach arrived at boat ramp. Police on *Stranger I* asked if Patrol 5 could see if a craft is out from Goose Island. At 6.53 a.m. Patrol 5 heading 340 degrees from Goose Island out to investigate fisherman's report of previous day's sighting of boat. At 7.15 a.m. Marine boat 29 needs a crew. David Mumford, crewing for Marine and Harbors boat.

The Officer in Command, David Mumford, was the gentleman from the Royal Volunteer Coastal Patrol. Let us get this clear—David Mumford is now on the Marine and Harbors boat. The report continues:

Left boat ramp heading south-west, Marine and Harbors boat 29, search plan is to go south-west from boat ramp about 7 miles, south-west of Wardang Island, then head north along the western side of Wardang Island. At 7.26 a.m. north end of Wardang Island continuing with original search pattern along the western side of Wardang Island to the south end. At 8.5 a.m. John Graetz—

and I know John Graetz; he is a police officer—

informed Coastal Patrol base that *Stranger I* is off the southern tip of Wardang Island, eight miles due west, will head north.

Members will understand that the reason that the lost boat was not picked up that evening was that it was—if we find that the report is true—many miles farther out than they had envisaged. Even the police did not realise that. Certainly, that helps to explain why it was not picked up at night time. In the morning it seems that they are getting back to the approximate location where it may be. The report continues:

Port Victoria police suggest one boat search six miles north, one boat search four miles north. At 8.22 a.m. Marine and Harbors 29 advised that they are seven miles south-west of Wardang Island. Could contact patrol base, to contact police that they can see for three miles south and not see anything. Will head north. At 8.24 a.m., above message relayed to police. At 8.40 a.m. Patrol 5 out six miles and Marine and Harbors 29 out four miles travelling north. At 8.42 a.m. police asked if any craft can contact the Department of Fisheries boat in search. Frequencies unknown.

It was then considered that the Department of Fisheries should be brought in. That clearly highlights to members of the House and all South Australians that the Coastal Patrol is in no way a patrol that wants to continue on its own and not cooperate with others. We have seen here specific examples of cooperation with the Police Department and the Department of Marine and Harbors, and they were considering bringing in the Department of Fisheries boat also. That puts the lie to the statement of the member for Bright

that the patrol was setting itself up as a 'Dad's Army' and that it would not cooperate with other groups or services.

I think it is shown quite clearly that on Yorke Peninsula, cooperation is first and foremost. In fact, in my conversations with Officer in Command Mumford, we were talking about the other two services, namely, the Sea Rescue and the Coast Guard. I put a few questions to him and said, 'If you got a call and you felt that it was in the Coast Guard area or the Sea Rescue area, do you think you would put your boat out there so that perhaps you could receive accreditation or the kudos?' He said, 'John, that's just ridiculous. No way. We're busy enough as it is looking after the section of coastline that we have. We're very happy to have the Coast Guard at Port Vincent and the Sea Rescue at Ardrossan. There's just no competition at all.' The ability for them to cooperate with others is clearly shown here. I now refer back to the search and rescue operation report, as follows:

At 8.55 a.m. Marine and Harbors 29 tried to contact Fisheries on HF radio 4206—no reply. At 9.3 a.m. Coastal Patrol ask Marine and Harbors if they can contact Fisheries on . . . emergency 2182—Standing by on 5833. At 9.28 a.m. Marine and Harbors 29 met up with *Stranger 1* at centre of Wardang Island, about 4 miles out. At 9.30 a.m. police advised plane has found boat sending off flares 15 miles west of Reef Point. Will have plane circle the area. At 9.32 a.m. Marine and Harbors 29 request police aircraft to continue to circle distress craft.

A good question arises here. If flares are suddenly being observed at about 9 o'clock in the morning, why were the flares not observed during the night rescue? Certainly, it is a question I put to David Mumford as Officer in Command of the Royal Volunteer Coastal Patrol. The answer is, as we heard earlier, that the boat, motor and battery—and what was possibly not mentioned in this report—the flares—were also flooded by the wave that came over the boat: they were wet and were not going to work. That is why it is only in the morning that the flares are seen. Continuing from the report:

At 9.35 a.m. Marine and Harbors 29 asked Patrol 5 to stand by while 29 checks if crew are okay. At 9.42 a.m. Marine and Harbors pulled alongside of boat. Both male occupants are in good health. At 9.43 a.m. Coastal Patrol base relayed message to all boats. At 9.44 a.m. Coastal Patrol base relayed message to boat ramp to relatives.

Again, I think we see that it is the Coastal Patrol that is relaying the messages, in this case to the relatives. I do not think there is any question in anyone's mind that the relatives would have been very distressed at this stage, not knowing what the situation was and perhaps wondering whether or not the boat would be found. So, it is the Coastal Patrol that gets the message through—the Coastal Patrol that the member for Bright has attacked. The report continues:

At 9.45 a.m. Marine and Harbors 29 have craft under tow heading for Goose Island. At 10 a.m. SES—

the State Emergency Service—

have set up radio base at Port Victoria police station. Request frequencies used. Coastal Patrol base replied with information.

So, we see another example of cooperation, with the Royal Volunteer Coastal Patrol cooperating and liaising with the State Emergency Service. Let us go back and see what groups we have. We have had the Coastal Patrol in from the word go; we have had the Police Department in from the word go; we have seen the Marine and Harbors Department come in; we have seen the Department of Fisheries brought in; and now the State Emergency Service is also brought in—five groups. That is a clear example that the Royal Volunteer Coastal Patrol is not trying to become an exclusive organisation. The report continues:

At 10.56 a.m.—Patrol 5 and Marine and Harbors 29 approaching Rocky Island. Police are concerned that no-one can contact the Fisheries boat which is supposed to have been in the search. Marine and Harbors 29 replied 'No-one has heard from them all day.' 11.2 a.m. Marine and Harbors 29 asked base if they could contact Marine officer Merv Parker to inform him the operation is nearly completed; both men safe and well. 11.5 a.m. Department of Fisheries craft pulled alongside Marine and Harbors 29 to convey message to the Fisheries that they have missed a radio sked and asked them to go to a debriefing at the police station after the operation has finished. A debriefing was held after at the Port Victoria Police Station.

Sue Mumford operated the Port Victoria radio base for 10 hours 13 September 1987, 1830 hours until 2330 hours, and 14 September 1987, 0630 hours to 1130 hours). David Mumford, Vic Holland and Jim McKenzie worked on the rescue for 15 hours each, a total of 45 hours all together. Max Jacobs spent eighth hours on the rescue. Judy Mumford spent a few hours that morning at the boat ramp informing all boaters who went out about the missing craft. Patrol boat 5 was on the water for nine hours using 140 litres of fuel.

I wonder what it would cost for 140 litres of fuel at the price of petrol on Yorke Peninsula? In fact, the price of petrol has been very close to 60 cents for quite some time, which would make the cost of 140 litres something like $84. For all this service, Coastal Patrol received a donation of $20 to help cover the costs, for which a receipt was given. The report continues:

Officer-in-command Mumford has said that they do not want any money from the police or the Government. This report is to show what was put into the rescue.

I referred earlier to the newspaper article. Again, that article was not put in by the Coastal Patrol but was picked up by a reporter, and simply recognised what happened during the rescue. I quote the full article. Earlier I quoted the last paragraph, but the article, headed 'Search for missing boat off Port Victoria', states:

Two Adelaide men on a day's fishing trip sparked off a sea search off Port Victoria on 13 September when they failed to return to the boat ramp by nightfall. An initial search around Wardang Island by the Royal Volunteer Coastal Patrol and a local fisherman was unable to locate the missing vessel that night, and operations were called off until 7 a.m. on Monday. A full scale search then began, involving the Fisheries Department, Marine and Harbors, Coastal Patrol, police, SES, and local fishermen.

Radio communications were provided between the search vessels by the SES and the Coast Guard radio base at Wallaroo. At 9.20 a.m. the missing boat was sighted by police aircraft 15 nautical miles west of Reef Point, and taken in tow by a Marine and Harbors vessel. The engine had been swamped by 1½ metre high waves, blown up by 20 knot winds in the area. Three cracks had also developed in the boat's hull, necessitating a night of bailing by the men to keep their craft afloat. Fears were held for the welfare of one of the boat's occupants, an elderly man who suffers from a heart condition, but both were in good spirits after their rescue. The Officer-in-Charge of Region 5 Police Division, Chief Inspector Jock Riach of Kadina, said that the operation was successful and he was appreciative of the cooperation that he received from the many different organisations taking part in the search and rescue.

It can be seen that this one rescue operation—one of about 40 since the Royal Volunteer Coastal Patrol was set up on Yorke Peninsula—was not an event to be dismissed lightly. The boat had cracks in it, and I also believe that a hole had formed on the bottom causing the occupants to keep bailing virtually for the whole night.

The Hon. Ted Chapman interjecting:

Mr MEIER: The member for Alexandra asks whether I will let my people know that I am speaking on behalf of the whole Opposition. I hope that I am making clear in this debate that I am speaking not only on behalf of the Opposition but also on behalf of the whole of the Parliament, bar one. After an apology is forthcoming, I hope that I will be speaking on behalf of all members of the House of Assembly. That will be the case because the member for Bright has been particularly silent through the whole of this debate, and it is not as though he has not had a chance to interject.

The Hon. Ted Chapman interjecting:

Mr MEIER: It is not for me to say whether the honourable member is feeling embarrassed or isolated. The point is that no voluntary organisation in this State or the country—whether it be the Royal Volunteer Coastal Patrol, the Coast Guard, the Sea Rescue, the CFS, or the SES—should be blasted as a group simply because a member has a personal gripe against them or because he feels that an error has occurred in a pamphlet or somewhere else. The member for Bright should know the right way to go about things. If he has a problem, he should contact the person or persons concerned to see whether they can help him establish the answers. Other channels can be gone through, but to make a blanket criticism as he has done leaves people working in a voluntary capacity amazed and dejected.

I now consider a few of the specific remarks made by the honourable member. While it is not my intention to discuss matters concerning the Royal Volunteer Coastal Patrol over the whole State, because I am best informed about its operations on Yorke Peninsula and in my electorate, nevertheless I have received a fairly detailed response to allegations made in *Hansard* by the honourable member.

If one looks at what the member for Bright said and then at the response, hopefully members will become aware of the errors that have occurred. The first area that the member for Bright refers to is in relation to a pamphlet. It is a pity I am not allowed to hold up a pamphlet in this House, but I have a copy of it with me and I have had a chance to look through it. The member for Bright refutes a few points made in the pamphlet and he says, amongst other things, and I quote:

> The pamphlet also offers free advice on boat ramp location, fuel points, position and condition of sandbars, navigational hazards, beauty spots and picnic areas.

He also notes:

> The pamphlet advertises a number of educational courses which the Coastal Patrol purports to run and those are in the areas of safe power boating, marine radio operation, seamanship, trailer boats, runabouts, meteorology, coastal navigation, astro navigation, first aid, radio direction finding, radar and satellite navigation.

I asked the officer in command of the Yorke Peninsula region, Mr David Mumford, what he had to say about those accusations. He simply produced a pile of training manuals that he had in his possession and said, 'Well, here they are; do you want to go through them and have a look to see what we offer?' I did not have time to do that because I think we talked for about an hour and a half about various factors. Certainly there was no question that the training manuals were there. I want to refer now to some comments that have been made by Mr Johns, the officer in command of the Royal Volunteer Coastal Patrol (South Australian Region). He says in reply to the member for Bright:

> 1. Pamphlets prepared and printed at national headquarters in New South Wales without any prior consultation with South Region Command; less than 50 handed out personally in this State by members. Copy posted to Commissioner of Police for the officer in charge of operations one month before—no reply.

I assume that means there was no acknowledgment by the Commissioner of having received the pamphlets. I suppose that would not be necessary. I know that I receive many pamphlets and I do not necessarily acknowledge receipt of them. It depends entirely on the accompanying letter and whether I feel it warrants acknowledgment. Mr Johns goes on:

> 2. Re-education courses: these as set down by national headquarters in their training manuals; have been conducted in South Australia on Yorke Peninsula.

I have just referred to the training manuals that Mr Mumford put on my desk when he saw me recently and I do not question the number of training manuals. Whilst I did not have a chance to go through them in detail, it is probable that I am not the best person to do so because I do not have a great deal of knowledge of what is the right and wrong thing to do on the sea. Mr Johns then says:

> 3. The Royal Volunteer Coastal Patrol was founded in New South Wales on 27 March 1937 and is an incorporated body. We have been incorporated in South Australia since January 1985. The Royal Volunteer Coastal Patrol is a registered charity organisation.

If this body is a registered charity organisation what right does the member for Bright have to say, and I quote:

> I would sincerely advise any private sponsor to look very closely at the activities of the patrol before providing the group with any money or, indeed, credibility.

We saw from the comments of the member for Bright that he acknowledges that $4 000 was given by the State Bank of South Australia. I believe that most, if not all, of that money went to the Yorke Peninsula section of the Coastal Patrol. He obviously is criticising the State Bank for its contribution. What is the State Bank supposed to do when we see examples such as that which I went through, giving every detail of one rescue where many hours were put in voluntarily? The SES, Department of Fisheries, Department of Marine and Harbors and the police were all involved. The member for Bright says, 'Be careful of giving them any money'. It is a tragic shame. I remind members again of the Prime Minister's letter about the same organisation wherein he stated:

> The burden on Government and on taxpayers is made lighter by the positive contribution of voluntary organisations such as the patrol.

The Prime Minister recognises what they are doing and that they are providing a positive service. The member for Bright unfortunately says, 'Be very careful'. I go back to Mr Johns' point in relation to what the member for Bright said. The honourable member stated:

> As far as I can establish to date, the activities of the South Australian division of the Coastal Patrol have been as follows: the group appears to have discovered that a group of citizens was collecting money for the establishment of a rescue service based at the Aldinga boat ramp a number of years ago and the Coastal Patrol moved in and took over the collection of moneys, presumably with the aim of setting up a rescue service. Since that time the group has tried to establish exclusive launching rights at North Haven, which is very much the territory of the Volunteer Coast Guard, as well as at the O'Sullivan Beach boat ramp and the Glenelg boat ramp, both of which are patrolled by the South Australian Sea Rescue Squadron.

Mr Johns' reaction to that was as follows:

> Re the Aldinga Beach operations. A search and rescue organisation was set up by a Mr Norman Bullard in 1982, known as South Coast Rescue. Other than Mr Bullard being a professional member of the RVCP (Royal Volunteer Coastal Patrol) to New South Wales, he was never a member of this State's body. In the short period of time he operated, he created a bad relationship with the South Australian Sea Rescue in his attempt to intrude on bases at O'Sullivan Beach and in the metropolitan area of Adelaide. On 27 September 1983 his membership was withdrawn from the patrol at the request of the South Australian Regional Command Royal Volunteer Coastal Patrol.

It states that his membership was withdrawn on 27 September 1983. It is now 1987, so it is over four years ago. If that gentleman was undertaking those activities, it is highly improper for the member for Bright to come out in 1987 and make such accusations if in fact that member resigned four years ago. If he had put it into context it would perhaps have some credibility, but the imputation and insinuation is that this occurred in the last few weeks or months.

It appears that that is far from the truth. Mr Johns also points out that, from October 1985 to October 1987, 40 vessels have been rescued and 96 lives saved without incident, and all operations were carried out with the acknowledgement of the local police or authorities. I think I made

it quite clear earlier that these people have been rescued on Yorke Peninsula in the main, and that is certainly a credit to all the volunteers who have been associated with the Royal Volunteer Coastal Patrol during this period. Point 6 made by Mr Johns (and I mentioned this earlier) states:

Yorke Peninsula received a grant of $4 000 from the local branch of the State Bank towards assistance in the cost of fuel and maintenance of equipment. This was giving the support in arranging as such by the local council.

I do not quite understand what he means by the last point, but I think a word might be missing. In other words, the local council was also quite happy to endorse the volunteer group. Mr Johns continues:

All other funds either out of the pockets of members or small donation by persons rescued in expressing their appreciation.

We heard earlier that a $20 donation was received following countless hours of work, the use of 140 litres of fuel and the wear and tear involved in one operation. I regard $20 as not a huge donation, but that is not the point. These people are volunteers who are quite happy to give of their services.

In turning to Mr Johns' seventh point, I refer back to the member for Bright's comments, because it is about the Royal Australian Navy (RAN). I do not pretend to be an expert on the RAN as to what it can and cannot do. The member for Bright said:

I have also been told that the group has approached the Royal Australian Navy in South Australia seeking a donation of $6 000 for a marine radio service. The group was told in no uncertain terms that that was not on. Members of that group then took the request to the Navy in Canberra and upped the ante and apparently doubled the request. But again they were told that it was not on.

Mr Johns replies to that in point 7:

No funding from the Royal Australian Navy, nor has it ever been approached. Only request the possibility to obtain redundant radio equipment.

From my reading of that, I guess Mr Johns is saying that the RAN could be approached for some redundant radio equipment but it appears, from what he says, that the approach was not made. The next point relates to the royal visit. The member for Bright said:

One of the craft was part of the escort group which escorted the Royal Yacht *Britannia* from Glenelg to Outer Harbor under fairly trying conditions at the time.

I assume that the member for Bright means that it was reasonably rough weather and perhaps the seas were not ideal, but I do not recall the conditions. He continues:

The escort operation was under the control of the police, and in fact the police informed all small craft to break off and go back to base. The response of the Coastal Patrol staff was to switch off its radio and go off the air for some 20 minutes or so.

The member for Bright then says:

That led the police to believe that that craft itself was in difficulty and apparently at one stage the police were thinking of launching a rescue operation to try to rescue the members of the Coastal Patrol.

I wonder whether the member for Bright said that tongue-in-cheek in an attempt to cast some aspersions on the volunteers. I do not know about that, but I do know that the Royal Volunteer Coastal Patrol received a letter from persons associated with escorting the royal yacht. Addressed to Captain W.F. Johns, it was from Peter M. Marshman of the headquarters of the South Australian Police Department, and is as follows:

Dear Frank,

I would like to take this opportunity to thank you most sincerely for your help and cooperation during the recent operation mounted for the arrival of the Queen and the Duke of Edinburgh. It was a shame that the weather intervened as it did, but notwithstanding that I felt that the operation was most successful from the point of view of demonstrating the capacity of the various sea rescue groups to cooperate together in a common purpose. Would you please convey to all your participating members my appreciation for their involvement and their professional approach. It was a pleasure meeting and working with you.

Yours sincerely

(signed) Peter M. Marshman.

That is what the Police Department had to say to the Coastal Patrol, to the organisation that the member for Bright cast aspersions on, asserting that perhaps the police had thought of rescuing the Coastal Patrol itself. Someone must be wrong somewhere. Is the member for Bright suggesting that the Police Department was wrong in the information that it gave in the form of such a fine letter of thanks to the Royal Volunteer Coastal Patrol? Surely the member for Bright could at least have done his homework and found whether the Police Department had acknowledged the services provided by the Royal Volunteer Coastal Patrol. To me, it seems quite clear that the Police Department was very happy with the escort that was undertaken. In fact, Mr Johns makes a comment on this matter in reply to the *Hansard* extract. At point 10 he states:

Re the royal visit in 1986: at the request of local authorities we provided two vessels to act as an escort to the royal yacht *Britannia* on 9 March 1986, and received from the officer commanding the operation on behalf of the South Australian Police a letter complimenting us on the efficient manner we conducted ourselves. Also acknowledgment from the royal yacht *Britannia* and the Jubilee 150 committee. At no time did we consider we were at risk to ourselves or others during the operation. All personnel who participated in the patrol had many years at sea and in the handling of small vessels and realised the capacity of the vessel they were aboard.

So, we see that acknowledgment came not only from the Police Department but also from the royal yacht *Britannia* and from the Jubilee 150 committee, yet the member for Bright has cast aspersions on the Coastal Patrol. Perhaps I should remind the member for Bright that the Patron in Chief is His Royal Highness Prince Charles—and of the words of commendation said there—or of the first patron, the Rt Hon. Bob Hawke, Prime Minister of Australia, and his heaps of praise on the Royal Volunteer Coastal Patrol.

The Hon. E.R. Goldsworthy interjecting:

Mr MEIER: If time permits I will go through that again. The member for Kavel asks what Prince Charles said. I would be happy to go through it, but there are other things that I want to bring to the attention of the House first. I thank the Government again for giving me the opportunity to detail so many of these things. As Government members well realise, I was quite happy to allow other members to have a say during private members' time. However, it seems that they wanted me to keep going. I acknowledge that, obviously, the pressure is on the member for Bright from his fellow members that it is time the whole truth came out—the truth in this story—and I am being given the full opportunity to do this. For that I thank the Government, and particularly the Minister on the front bench, for allowing me to continue. A number of other points have been brought out in the letter from Mr Johns.

Members interjecting:

The SPEAKER: Order! The member for Goyder has the floor.

Mr MEIER: I draw the attention of members to the following comments of the member for Bright:

It has been put to me also that the Coastal Patrol is rather a group of adults who enjoy playing dress-ups; that in fact they are more of a nautical Dad's Army than a *bona fide* rescue service.

The Hon. E.R. Goldsworthy: Did he say that?

Mr MEIER: He said that. Again, can members imagine how the people on Yorke Peninsula would feel about this jolly thing? Some of them do not even have uniforms. The officer in command told me that on one occasion they were

asked to dress up, but he said, 'I am sorry, a lot of us don't have uniforms or overalls,' yet the member for Bright condemns them. Point 12 of Mr Johns' letter states:

Re 'Dress-Ups';
Both the Volunteer Coastguard and the RVCP have similar dress to establish our identity to the community and further to relate we are a disciplinary organisation, such as St John Ambulance, State Emergency Services, scout movement, and similar bodies.

Perhaps the member for Bright wants to say that all these volunteer organisations are playing dress-ups. If he wants to say that to all the volunteer organisations, let him. I just hope that the Government will fall as a result of the inept statements made by the member for Bright, because he should know better. I would like to know how CFS and St John ambulance members, let alone the coastguard and Sea Rescue members, feel about these comments. It is a real disgrace.

In relation to financial assistance, I have mentioned several times that the member for Bright has warned people to be very careful before giving any money to these organisations. That relates to this group which spends countless hours of volunteer time and, in the case of Port Victoria, donated a boat free of charge and with no expectations so that it could be used for rescue operations, and that boat has been used for over 40 such operations. The member for Bright warns people to be beware. He states:

It has been put to me by members of the other groups that the activities of the patrol threaten the funding and sponsorship base of the established rescue services, which is to say, the South Australian Sea Rescue Squadron, the Surf Life Saving Association and the Volunteer Coastguard.

It almost seems that the member for Bright is saying that this Volunteer Coastguard has no right to ask for money. I would like to pay a compliment and give full praise to the South Australian Sea Rescue Squadron. I mentioned it before and I will say it again. I also praise the Surf Life Saving Association. When I was younger I remember going on the beach quite often and I really appreciated and respected the Surf Life Saving Association's work. I think that it deserves full commendation and that the Government should always consider giving it more money. But, again, like so many voluntary bodies, it has to raise so much of the money itself. I have mentioned also that the Volunteer Coastguard on Yorke Peninsula is absolutely invaluable. In fact, at the recent CYP show, otherwise known as the Minlaton Show, the Volunteer Coastguard, for the fourth year in a row, displayed the magnificent boat. It received due publicity in the local newspaper and many hundreds, possibly thousands, of people saw the boat.

During this debate we have heard several times that the Coastal Patrol is quite happy to join with other voluntary groups. There has never been any question of it, but the member for Bright continues to cast aspersions on the Coastal Patrol and suggests that, by its very presence in South Australia, it is trying to nuzzle others out from funding. Certainly there are many voluntary organisations. I think that the member for Bright will be approached by many other voluntary bodies who seek funding. It is hard to know which bodies should be given money and which ones should not and how much to give one and how much not to give the other. However, it is quite clear to me that his suggestion that one group will cause the rest to miss out is spurious and completely unfounded.

I would like to get back to what Mr Johns was saying, as I am running out of time, and I would like to finish my remarks. Mr Johns said:

We do not receive any financial assistance from the State Government, nor do we expect any under the present financial situation.

I would like to back that up from the statements of the officer-in-command at Yorke Peninsula, Mr David Mumford, who also said that the member for Bright's outburst had now made them more determined than ever that they would not take Government money, because it was a Government member who was attacking them. While certainly they would have appreciated some Government money, they feel so hurt that they have been kicked in the teeth and the face. They are disillusioned beyond belief at what the Government is really saying in respect of volunteer organisations. I would like to continue with what Mr Johns had to say.

Members interjecting:

Mr MEIER: I do not regard this as a smiling matter, because I have had ample opportunity to indicate the various points of concern and it is a darn shame that the member for Bright had to bring it up in the first place.

The Hon. Ted Chapman: Has he apologised yet?

Mr MEIER: No, he has not. As to point No. 14, Mr Johns says:

It is our intention to constructively develop our operations in South Australia—

Members interjecting:

The SPEAKER: Order!

Mr MEIER: Mr Johns states:

It is our intention to constructively develop our operations in South Australia in areas not catered for in organised search, rescue, radio communications, education and civil coast surveillance.

It is a pity that we cannot table maps, because a map would clearly indicate where the other rescue operations centres are and where the Royal Volunteer Coastal Patrol is located on Yorke Peninsula, I indicate to the House that the Coastal Patrol is at Port Victoria, Point Souttar and Stenhouse Bay, covering all areas where other rescue operations are not located.

The Hon. B.C. Eastick: Not many people know where Point Souttar is.

Mr MEIER: I have been asked to describe where Point Souttar is. Many people would know where Point Turton and Warooka are located—

Members interjecting:

Mr MEIER: Mr Acting Speaker, I seek your permission to have inserted in *Hansard* a map showing marine monitoring station locations for Spencer Gulf and Gulf St Vincent.

The ACTING SPEAKER (Mr Duigan): I am afraid that maps are not acceptable material for insertion in *Hansard.*

Mr MEIER: That is a great shame. It would help to show where these services were established if maps could be included in *Hansard.*

Members interjecting:

Mr MEIER: The member for Light interjects. However, there are more important things than the location. Members should please look at their atlases if they do not know where these areas are. As to point 15—and the member for Bright certainly attacked the issue of membership—Mr Johns states:

As we only seek dedicated type of personnel, we do not expect a large membership, nor do we see the necessity for same, as we do not cater for social activities. Hence a person on joining the RVCP has a period of six months probationary membership and to prove his ability in this period of time.

In other words, it is all very well for the member for Bright to try to attack this small group to say that they are like a 'Dad's Army', to accuse them of playing dress-ups and to make other insinuations about them, as happened with the visit of the royal yacht *Britannia.* It is a crying shame that the people who have served for hour after hour, week after

week, month after month and soon year after year get hit in the teeth as they have been hit.

[*Sitting suspended from 1 to 2 p.m.*]

PETITION: RETAIL TRADING HOURS

A petition signed by 329 residents of South Australia praying that the House urge the Minister of Labour to allow retail trading until 5 p.m. on Saturdays and Sundays was presented by Hon. M.K. Mayes.

Petition received.

PAPER TABLED

The following paper was laid on the table:

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

University of Adelaide—
Report, 1986.
Statutes.

QUESTION TIME

TOXIC CHEMICALS

Mr OLSEN: Will the Premier explain why the Government has chosen to store 35 000 litres of highly toxic chemicals at Northfield, close to residential sections of the metropolitan area, and advise how long the Government intends to allow the huge quantities of these banned chemicals to remain in this location, what actions the Government has taken to reduce the risk of fire and/or explosion, and why Government workers at the Northfield Agricultural Research Centre were apparently not issued with protective clothing before being asked to handle the dangerous substances?

The Minister of Agriculture was interviewed just two days ago about the Government's storage of large quantities of aldrin, dieldrin and DDT recently confiscated from farms. He said that the only safe place to store such substances was many miles out to sea. However, Channel 7 news last night identified the storage location as being just a few kilometres from the heart of the city—at the Northfield Agricultural Research Centre. The Minister was interviewed and admitted that he was 'edgy' about the storage of the chemicals, and said that the Northfield location was 'only temporary' before a national depot was found. It was alleged that three semitrailer loads of chemicals had arrived at Northfield over the past few weeks, but that Government workers had refused to handle the substances because they were not provided with adequate safety equipment.

I understand that both the Metropolitan Fire Service and the Enfield council have confirmed the location of the chemicals, and that the Metropolitan Fire Service has described the location as a 'high risk' area. I therefore ask for an explanation of the Government's decision to site, in the middle of the metropolitan area, 35 000 litres of chemical substances considered far too dangerous to be stored on farms in considerably smaller quantities.

The Hon. FRANK BLEVINS: In the absence of my colleague the Minister of Agriculture, who is sick, I will attempt to give the information I have. In relation to background, let us not forget why this material has been accumulated: it is as a result of the United States Department of Agriculture banning Australian meat for having unacceptable levels of these particular organochlorins. So, let us remember why the Government found it necessary to withdraw these chemicals from the various properties around the State in the interests of those properties, those farmers and, of course, our export trade. Those chemicals had to be stored somewhere. I understand that they are on the Department of Agriculture's land at Northfield, where they are under the close supervision of the Department of Agriculture and, whilst that may not be totally satisfactory, I would argue that it is much more satisfactory than having them stored in perhaps less than satisfactory conditions throughout the State.

Of course, this material has to be disposed of, and it has to be disposed of safely, and the Minister is working very hard to ensure that that takes place. That is as much information as I have, but I will ask the Minister's staff to contact the department immediately to see whether a further report can be given to the House prior to the end of Question Time.

Members interjecting:

The SPEAKER: Order! I neglected to point out to members that questions that would otherwise be taken by the Deputy Premier will be taken by the Premier and questions otherwise taken by the Minister of Agriculture will be taken by the Minister of Labour.

VENTURE CAPITAL GUIDELINES

Mr FERGUSON: Will the Minister of State Development and Technology inform the House whether his departmental officers are confident that South Australian firms will be ready to take up any new opportunities that will be available from proposed changes to the offset area of defence contracts by the Federal Government? I understand that the Commonwealth Department of Industry, Technology and Commerce has formulated approved venture capital guidelines for use as a means of discharging offset obligations.

Following correspondence from the Minister's office, I have been given to understand that these guidelines, along with the announcement of one or two new venture capital companies, specifically set up to operate in the offset area, are expected to be made public by Senator Button this week. In view of the fact that the South Australian Government operates its own interim offset program on State Supply Board purchases, it would appear to be imperative that South Australian companies grasp the new opportunities which will be available to them.

The Hon. LYNN ARNOLD: I thank the honourable member for his question. He has, on a number of occasions, asked questions regarding the venture capital market and the general area of the adequate provision of financial support for new technology initiatives in this State. In that context, I can understand his interest in the announcements by Senator Button and can advise in addition to the comments I have already made in this House on this matter that we will want to monitor very carefully a number of things. The first point I need to make is, as I have said earlier, the proposed changes are to be put to the AITC (Australian Industry and Technology Committee) meeting of Ministers that was to take place this month, but it will now take place in early December. That will determine the final State/Federal Ministerial approval of this.

Nevertheless, Senator Button has made public announcements on this matter and has indicated what is being proposed is in fact an extension of the program already in existence that would provide companies with another way

of acquitting their offsets opportunities. The way they might do it is to participate through venture capital companies established in Australia to provide venture capital to industry. The way they would end up doing that is by obtaining an offset credit equivalent to three times the actual investment level, and that would be for the purpose of compensating for the very high risk involved. It is the very high risk that very often results in the scarcity of investors in the venture capital area. I might say that one aspect of this that leads to some support for it is the present stock market situation internationally which clearly may well have an effect on venture capital fund raising and, therefore, the fact that this offset program may be able to generate some funds may be some means of compensating for what could be a loss of funds in other areas.

At first sight the scheme appears to be quite laudable, but we must be concerned about certain aspects. One is that it will not be just South Australian companies having access to venture capital that might be provided by existing or new venture capital firms, but also the capacity of the two new firms about which Senator Button spoke to consider South Australian investment opportunities. There are both sides to that. I, as Minister, the Government and the Department of State Development and Technology will monitor the situation very closely to see whether the State receives its fair share of access to funds in this area. At the meeting of Federal and State Ministers to be held in December, I will make that point.

It should be remembered that even under this extended proposal existing venture capital companies are not precluded from being able to be used as vehicles in this offset way. In that context, the one licensed MIC that exists in South Australia (SAMIC), would be able to get offset opportunities here. In the absence of any other information as to how well the other companies will work, we will recommend in the first instance that SAMIC be looked to by South Australian companies and other potential investors. We will encourage them when talking with overseas companies seeking our advice on what offset opportunities are available.

So, the scheme is an extension, not a replacement, of the existing offset arrangements. Secondly, it will be finally decided in December when the State and Federal Ministers meet. Thirdly, we will be monitoring to see that South Australia gets its fair share, if not more, under this scheme and, fourthly, we will encourage South Australian firms to consider the existing opportunities, SAMIC being just one of those, and they will be able to operate under these offset arrangements.

KALYRA HOSPITAL

The Hon. E.R. GOLDSWORTHY: Does the Premier acknowledge the validity of concerns expressed to him that the Government's decision to withdraw funding from Kalyra Hospital amounts to a form of religious discrimination? Is he prepared to review the decision? I have a copy of a letter dated 11 October to the Premier from Dr Bill Lawson, Chairman of the James Brown Memorial Trust, which operates Kalyra. I will read from the letter, but I point out that it is not Roger Goldsworthy speaking, although I am a friend of the Mary Potter Hospice and other institutions. In his letter Dr Lawson states:

> The Government's decision strikes at the heart of a basic constitutionally guaranteed freedom. Kalyra Hospital and especially its hospice care for many who are terminally ill due to neoplasms (90 per cent) is run entirely on non-sectarian lines. I am having extreme difficulty in restraining people who are becoming extremely offended at the Government's apparent bias in this matter which touches very much at the religious freedom of individuals in their hour of greatest need.

My understanding of what Dr Lawson is saying is that, if Kalyra closes, there will be no independent hospice care facilities available other than those run by the Roman Catholic Church. I also have in my possession copies of two letters, written within the last week to the Minister of Health by the Community Hospice Program and the South Australian Association for Hospice Care, which suggest further grounds for a review of this decision.

The Community Hospice Program makes the point that the working party established by the Government to manage matters stemming from the decision to close Kalyra has met only once; that Daw House, proposed as the new location for in-patient hospice beds, 'has serious deficiencies'; and that 'to remove the opportunity for in-patient symptom control, respite, and terminal management from the Community Hospice Program, even temporarily, would be to seriously reduce the service provided, and gravely threaten the confidence and comfort of the scores of patients being nursed at home'. The letter from the South Australian Association for Hospice Care dated Tuesday of this week, in calling for a reversal of the Government's decision, says that 'the present network of hospice care in the Southern Region will be seriously disrupted' if Kalyra is closed.

The Hon. J.C. BANNON: I have received communications from Dr Lawson also, and have looked closely at them.

The Hon. E.R. Goldsworthy interjecting:

The Hon. J.C. BANNON: That is correct. I have received other communications apart from the letter the Deputy Leader has quoted. I have also received other letters from a number of people concerned about the issue.

Mr Olsen interjecting:

The Hon. J.C. BANNON: The Leader of the Opposition interjects, 'I bet you have'. I hope he is not implying that he has been part of some sort of organised writing.

Mr Olsen: No, I received copies.

The Hon. J.C. BANNON: I wondered about that.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: I do not deny the intensity of feeling in some quarters aroused by this decision. Of course there are people who have very good reason to feel enormous gratitude for the services provided by Kalyra Hospital in the past. Present patients could feel uneasy about what will be its future, and so on. These matters are always extremely sensitive—I understand that and have a great deal of sympathy for it. A decision has been made by the Government, based on the recommendation of the Health Commission and an in depth assessment, that we could better provide hospice facilities in the southern region by applying funds to upgrading existing and developing new facilities. Kalyra's role in that instance must change, because the cost of trying to do something within that existing institution, with the number of problems it has, would not be justified.

The Hon. E.R. Goldsworthy interjecting:

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

The Hon. J.C. BANNON: One of the difficulties in this area has been the emotions whipped up, implying that people, particularly those at the hospice care stage, will somehow be removed and placed elsewhere. That is not on. If I or the Minister of Health hear of any cases of that, immediate action will be taken. I feel very strongly for an individual who is featured in the paper and involved in the hospice area. Others stated that they hoped that this facility would remain open because it is giving them marvellous

care and attention. That comment was coloured by the fear that this individual might be removed to some other place. That will not happen: it is not on. It simply means that there will not be new admissions to that aspect of Kalyra facilities. They will be going to other facilities of a higher standard: upgraded, and provided with all the appropriate modern technical and other assistance.

Mr Olsen interjecting:

The Hon. J.C. BANNON: We do not believe that health services can be provided on the cheap.

Mr Olsen interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition.

The Hon. J.C. BANNON: It may be that some of these services will be more expensive because of the standard to which they are provided, but I assure members that the bottom line is that money will be saved by this closure and money will be better applied in those other areas. Having said that, I point out that a future exists for Kalyra, and a proposal is being developed to ensure that Kalyra does have some future as a hospital. I would hope that members of the James Brown Memorial Trust, and Dr Lawson in particular, whose sincerity and commitment to the hospital I do not doubt, will with an open mind look at the possibilities and take advantage of them.

Let me make a final point. It is interesting to see that, on every occasion when the Government attempts on the basis of a study to try to do something about better using taxpayers' money, about trying to ensure that we do not have an ever increasing bill that will result in greater taxes and charges—doing the very things about which the Opposition keeps berating us every day—as soon as there is an individual issue, the broader issue into which it fits is immediately forgotten, and the Opposition fastens on to the issue as in this instance. We had it with the Goodwood High School , with the Bridgewater/Belair rail line, and so on. It is a disgraceful attitude to adopt.

On the one hand, the Opposition berates the Government over macrosavings and efficiencies and changes that have to be brought into effect, and on the other, every time we try to do something to it, when we put alternative positions in place, we get all this criticism and public campaigns, and so on. Mr Speaker, that sort of phoney opportunism is not the way we will administer this State or solve our problems.

MESSENGER PRESS

Mr De LAINE: Will the Minister of Employment and Further Education inform the House if there is any truth in the speculation that Messenger Press is soon to close its Port Adelaide operations? I have been informed by a reliable source that employees have recently been told by the company that this Port Adelaide based establishment is to be relocated and rationalised.

The Hon. LYNN ARNOLD: I thank the honourable member for his question. I can advise that there is some truth in what he has heard and, as a result of something I have heard, I have asked for and obtained some information on the matter.

News Ltd effectively gained control of Messenger Press in December 1986 following the Herald and Weekly Times board's recommendation that a bid by Newscorp be accepted. The General Manager of Messenger Press has advised that, subsequent to News Ltd effectively gaining control of Messenger Press at Port Adelaide, a decision was made to rationalise the operations of this company over the next six months. The commercial printing operations will be transferred to Griffin Press at Netley, which is a wholly owned subsidiary of News Ltd. The newspaper production operations will be transferred and consolidated with the *Advertiser's* operations. The marketing, administration and editorial operations will remain at Port Adelaide in the foreseeable future. Approximately 200 people are currently employed at Port Adelaide, and about half will remain as is (at Port Adelaide), with the remainder being offered either a transfer in their same position or employment with one of the *News* wholly owned subsidiaries within the metropolitan area. It is, as I understand it, the advice of the General Manager of Messenger Press that no retrenchments are expected to occur.

The rationalisation decision has been made for efficiency reasons. Apparently Messenger Press is in the unique position of having both commercial printing and newspaper production under the one roof. It is anticipated that increased efficiencies from this move will result in a better quality and a larger paper is expected to result from the rationalisation. The staff of Messenger Press were informed of the proposal on 26 October 1987.

INTERNATIONAL VISITORS

The Hon. JENNIFER CASHMORE: Will the Premier now admit that the Government has failed abysmally to attract more international visitors to South Australia? The Premier often says that tourism is a bright spot on the South Australian economic horizon. He gave this matter some emphasis when reviewing the State's economic performance in this year's budget speech. However, yesterday one of Australia's leading travel authorities put the Government's performance in a different context.

Addressing the Adelaide Rotary Club, the Managing Director of Thomas Cook Travel, Mr John Massey, said that South Australia's performance in attracting international visitors was the worst of any State. He said this applied particularly to Japanese visitors—those likely to spend most money in Australia—where South Australia's share was only 4 per cent. Mr Massey's views are supported by latest ABS information on tourism which shows that South Australia is falling behind.

The latest ABS survey on hotel and motel accommodation for the March quarter of this year showed that South Australia accounted for only 6.9 per cent of total guest arrivals; that the average length of stay of visitors to South Australia and our room occupancy rates were both below the national average; and that takings from accommodation were the lowest of the mainland States and only 5.6 per cent of the national total.

The Hon. J.C. BANNON: No, I will not admit that the Government has failed abysmally in its tourist effort. On the contrary, the facts and the figures indicate quite the opposite. I am aware of Mr Massey's—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: I am aware of Mr Massey's comments, and I do not agree with them or with his analysis. In one respect, I do: he has rightly pointed to the problems of the Japanese market, and that can be attributed to the fact that we do not have direct flights from Japan to Adelaide. We are making strenuous efforts to do so, and I would apppreciate a bit more help from those opposite to do that. It is quite clear: these are not the latest figures I quote, but we had a share of that market double that of Western Australia until a direct service was implemented between Perth and Japan and, in consequence, Western

Australia's share rose quite sharply and ours has remained static—the same. That is not good enough, and we are sending that message clearly indeed that we require more flights, particularly for that Japanese increase.

We will not get our proper share until we have direct flights, and it is in the interests of all South Australians to support and keep saying that very loudly indeed. The Minister of Tourism and the Lord Mayor are in fact making major representations to Qantas on this. A couple of months ago I had a meeting with the Chairman of the Qantas board and representatives. There have been a series of meetings, representations and statistics, and so far we have not got that approval.

The buck has passed between Qantas, the Federal Government and Japan Airlines and others, and that is not good enough. I agree in that area, Mr Speaker, but in all other respects I reject it completely. Our tourism performance has been superb. For a member who opposed the casino—one of our biggest drawcards—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: For a member whose Party niggled and picked around the Grand Prix legislation and almost brought that undone, for a member who raised horror stories about Kangaroo Island and water shortages, which have partly contributed to a major reduction in Kangaroo Island tourism during this season, and for a member who joined with her Party in attacking aspects of the ASER project when in fact we enjoyed the second highest convention growth of any city in the world last year, I find it amazing that she has the gall to even put her head up as shadow Minister of Tourism, particularly to join in trying to rubbish our tourism performance.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: There are probably another dozen examples—they are coming from all directions, Mr Speaker, and I will leave it at that.

The SPEAKER: Order! Not only was the continuous haranguing conducted by the member for Coles while the Premier was replying out of order, but so also were the hosannas coming from the Government backbench. The honourable member for Albert Park.

WEST LAKES

Mr HAMILTON: Thank you, Mr Speaker. I was very quiet and was listening intently. Will the Minister of Marine confer with his colleagues the Minister of Emergency Services and the Minister of Local Government in an attempt to clarify and resolve the impasse that has arisen at West Lakes about access to the lake frontage? The Minister will recall my representations made to him in this place two weeks ago on this complex and emotive matter. I am informed by at least two lakeside property owners that ambiguity exists as a result of signs erected around the waterway which read 'Keep out'. My constituents have stated to me that many fences have been erected to the water's edge, denying public access around the lake. Yesterday's Messenger Press editions of the *Portside* and *Weekly Times* both carried articles which were headed 'Residents warned over Lakefront dispute' and which stated, in part:

> Lakefront residents at West Lakes are being warned by police they cannot legally evict people from the lake's edge in front of their homes. The warning comes after a dispute, involving an alleged assault, between a Lakes resident and a jogger.

The article continues:

> Inspector Peter Marshman, of Henley Beach police, said the incident had brought a 'festering' issue to a head. It highlighted a misconception—widespread among lakefront residents—that their properties extended right into the water's edge. 'There is an easement right the way around the lake,' Inspector Marshman said. 'These people don't have property rights beyond the edge of their front yard.' People walking along the easement were no different from those 'paddling past in a canoe or on a sailboard'. People used the area to walk or jog, but home owners were 'telling them to tick off', Inspector Marshman said.
>
> He was 'peeved' to learn that many homeowners had bought their properties on the indication that their land extended to the water's edge. The issue of public access had been confused all the more by Woodville council's erection of barrier fences with 'Keep out' notices.

The article also points out that the council's decision on signs is to stand. In this regard, the article states:

> Woodville council has reaffirmed its decision to place 'Keep out' signs next to private properties along the West Lakes waterfront. A council spokesman said the signs were necessary because public property at the water's edge ranged in width from nil to 0.8 m. As a result council did not recognise the area as a walkway. Council had decided the narrow ribbon of land was not safe to walk along, the spokesman said.

This is a critical issue. The article continues:

> He said waterfront rights had been included within waterfront properties at the time of West Lakes development.

Finally, the letter that certain residents have written to me states that they purchased their lakeside properties in the belief that they really had a lakeside property. My colleague the member for Henley Beach has similar problems because some of his constituents have been denied access around the same waterway.

The Hon. R.K. ABBOTT: I thank the member for Albert Park for his question. He is to be congratulated on the way in which he has handled this problem. Not only has he been concerned about it for a long time, but I understand that he has had numerous discussions with the local council. I am certainly aware of the issue as well. As the honourable member said, this is a complex issue: it involves property rights and pedestrian access. I believe that some form of legal advice is necessary. I shall certainly be happy to confer with my colleagues the Deputy Premier and the Minister of Local Government to try to resolve this issue to the satisfaction of all concerned.

TIMBER COMPANY

Mr D.S. BAKER: In view of the revelations in the letter from Mr Geoffrey Sanderson read by the Minister of Forests to the House yesterday, will the Minister explain why Mr Sanderson did not alert the Government to the doubtful financial viability of its New Zealand timber joint venture before the Government agreed to make the investment? When I asked the Minister a question on 21 October about Mr Sanderson, he denied that Mr Sanderson had been involved in any significant way in the negotiations which led to the New Zealand timber joint venture, and he said he did not know whether Mr Sanderson had shares in the New Zealand company involved in the deal. However, the letter from Mr Sanderson, revealed yesterday, shows that he did in fact have a very important involvement in the joint venture negotiations and, at the relevant times, he also had a significant financial interest in the New Zealand company with which the South Australian Government was negotiating—Westland Industrial Corporation.

Further details revealed in Mr Sanderson's letter show that he must have had an intimate knowledge of the viability of the New Zealand activities brought into this joint venture, and it is therefore relevant to ask the Minister why Mr Sanderson was not able to reveal to the South Australian

Government, at the time it agreed to make this investment in 1985, that the value of assets of the New Zealand company involved were overstated and its liabilities understated; that its profit projections were overestimated; and that substantial operating losses were being incurred.

The Hon. R.K. ABBOTT: I do not take advice from Mr Sanderson on any issue negotiated for Satco. I accept the advice of the Chairman of Satco, Mr Peter South, not that of Mr Sanderson. For the honourable member to stand up in this House and say that I denied Mr Sanderson was involved in the negotiations is a total untruth.

An honourable member: It's in *Hansard.*

The Hon. R.K. ABBOTT: If it is in *Hansard* you can't read *Hansard* correctly.

The SPEAKER: Order!

The Hon. R.K. ABBOTT: The member for Victoria said that Mr Sanderson was the principal negotiator, and I deny that. He was not the principal negotiator. Mr Sanderson said in his letter that he was involved in most of the negotiations. Quite a number of officers were involved in those negotiations. I do not take advice from Mr Sanderson; I take advice from the Chairman.

Members interjecting:

The SPEAKER: Order! I call the House to order. I do not know about other members, but the Chair is finding it extremely difficult to hear the reply from the honourable Minister because of the level of noise in the Chamber.

WORLD CUP CRICKET

Mr TYLER: Will the Premier, on behalf—

Members interjecting:

The SPEAKER: Order!

Mr TYLER: This is becoming a regular occurrence with the Deputy Leader interjecting.

The SPEAKER: Order! I ask the honourable member for Fisher not to comment.

Mr TYLER: Will the Premier, on behalf of cricket lovers, approach the Nine television network with a request that there be a direct telecast of Sunday's World Cup cricket final from Calcutta? As members will be aware—

Members interjecting:

The SPEAKER: Order! The honourable member for Fisher.

Mr TYLER: Thank you, Mr Speaker. As members will be aware, Alan Border's Australian cricket team yesterday won through to the World Cup cricket final to be played in Calcutta on Sunday. During the World Cup series I was approached by many people who were extremely disappointed that there has been no direct telecast of World Cup matches in which Australia has participated. My constituents have told me that they understand other countries have received a direct telecast, including Canada, where cricket is not their No. 1 national game as it is in Australia.

Members interjecting:

Mr TYLER: I did not think that it was particularly funny.

The SPEAKER: Order! I ask the honourable member for Fisher to ignore what is coming from Bay 13. The honourable member for Fisher.

Mr TYLER: This morning I telephoned Channel 9 in Adelaide to ask if it was intended to take a direct telecast of the final. I was told that there would be no direct telecast. However, I was informed that the channel was waiting for confirmation from its network as to whether it would take package highlights. I expressed to the station my disappointment, as the final will be played on Sunday afternoon, which is a time when the majority of cricket lovers would have the opportunity of watching the telecast. I also contacted the Australian Broadcasting Corporation to find out its commitments and was told that the ABC will be broadcasting direct on 5AN from 3.30 p.m. through to the completion of the game. The ABC informed me that it does not have any television rights.

The Hon. J.C. BANNON: I thank the honourable member for his question. I think that it might come as a surprise to members to know that it apparently was not the intention to have a direct telecast of this event. We have made it into the final for the second time since these World Cup contests have taken place, and we did so in a pretty startling and fairly gritty style. I think that there will be enormous interest which will go beyond cricket fans, because it is a world class sporting event of very wide attraction. Of course, many millions will watch what goes on, and it is fantastic publicity for Australia.

It is obviously of intense interest to all sporting fans. I have made some representations to Channel 9 about the possibility of a live coverage, and can advise the House that Channel 9 management informs us that the first session of the World Cup will now be shown live on Sunday commencing at 2 p.m. That certainly takes it a little further than the member for Fisher's inquiries. I would think there would be much better satisfaction for sporting fans if the entire match was shown, and I hope that, in looking at its programming and other arrangements, the channel which certainly puts on some magnificent sporting coverage could see its way clear to provide us with a complete coverage. The entire match will be broadcast on radio 5AN and, obviously, the reinforcement of television would be a good thing.

Incidentally, there is extra local interest in this match because it will be played on a pitch that is being prepared under the expert supervision of Les Burdett, the Curator of the Adelaide Oval, who has gone over especially to provide his internationally recognised services. Whether or not this will provide some sort of benefit to Australia, I do not know. I gather that Mr Burdett was contracted when we were not sure whether or not Australia would be in the final. Be that as it may, there has been enormous interest generated in this event, and the member for Fisher is quite right in raising it. While we have no control over such matters, I would hope that as well as the first session, we will be able to see the whole match on television.

PRISON STANDARDS

Mr BECKER: My question is directed to the Minister of Correctional Services.

Members interjecting:

The SPEAKER: Order!

Mr BECKER: Will the Minister make investigations to determine whether South Australian prisons observe United Nations standard minimum rules for the treatment of inmates? Adherence to the United Nations standards would prevent any form of punishment by placing inmates in a dark cell or any 'inhuman or degrading punishments'. However, information has been put to me that these standards are not being observed.

Allegations from several sources have been made to me that at Adelaide Gaol there is a cell known as the 'fridge' where prisoners are sent for discipline. They are stripped naked and left for periods of between several hours and 24 hours. I have been told that this cell is so cold in winter that prisoners use toilet paper to wrap themselves up. A further allegation made to me concerns the treatment of a

prisoner on admission to the Adelaide Remand Centre who was stripped and forced to walk naked up several floors to his cell.

The Hon. FRANK BLEVINS: The first thing I should say to the member for Hanson is that he have a look and make his own investigations. All members of Parliament have the right to enter prisons at any time. It simply requires a phone call. Adelaide Gaol is within five minutes from Parliament House, and the honourable member has been a member of Parliament I think for about 17 or 18 years, and he has been quite free during that period to go and have a look. Certainly, our gaols do not comply in total with the United Nations minimum standards. I would not think that Adelaide Gaol would comply with any minimum standards anywhere in the world. It is certainly, without doubt, the worst accommodation in Australia by far, but that will be closed in February. Yatala, because of its age, is unlikely, even after the extensive renovations, to completely comply with the United Nations minimum standards.

However, the institutions that we have built since this Government has been in office do comply with the United Nations minimum standards. As regards areas of segregation within the prisons, there are segregation areas for particularly difficult prisoners, and I am sure that the member for Hanson would agree that there ought to be. On occasions, particularly violent prisoners have to be segregated, but at all times those segregation areas are open to the visiting justice and to the Ombudsman who can go in at any time to ensure that all segregation of prisoners is done in the most humane way possible.

As regards any particular incident that the honourable member used to grab his headline, if he will give me the details of the allegations, I will have them investigated and bring back a reply. The honourable member is like his predecessor in making allegations. I always send him a telegram or a message asking for the details of an alleged outrage or atrocity, but I am still waiting. He never gets back to me. The member for Hanson is a nymphomaniac for publicity; he cannot get enough of it. He makes these allegations, but when I ask for the details so that I can check them out, he never comes up with the goods; he never delivers.

This is a serious allegation, and I take it seriously. I hope that the member for Hanson takes it seriously by giving me some information to work on. If the honourable member does not give me or the press that information, I can only assume that, as usual, he is merely grandstanding.

SCHOOL ABSENTEEISM

Ms GAYLER: Has the Minister of Education seen the segment on the ABC's *7.30 Report* on Thursday 29 October, and the article in the *News* of the same day concerning rising school absenteeism? Were those reports accurate and is he aware of the new approach being taken in some South Australian high schools to make senior school programs more relevant and productive for students?

The SPEAKER: Order! The honourable member for Morphett has a point of order.

Mr OSWALD: I ask for your ruling, Mr Speaker, on the admissibility of that question. I understand that questions regarding the accuracy of press reports are inadmissible.

The SPEAKER: Order! The honourable member cannot ask whether a report is accurate, but it seemed to be a multi-barrelled question, so I ask the honourable member to bring it up so that we can examine its construction and see whether it can be phrased in a mode that is acceptable.

AGE DISCRIMINATION

Mrs APPLEBY: Can the Minister of Employment and Further Education indicate when initiatives will be taken through the Office of Employment and Training to alleviate attitudes by employers who continue to practise discrimination based on age rather than skills? The recently released 'Ageing Strategy' discussion paper has again highlighted discrimination on the basis of age, as follows:

> With changes in employment which make it harder for people in the pre-age pension decade to find employment, there has been a growth in early retirement which is sometimes disguised redundancy.

Having monitored advertisements for employment and having received constant representation from adult unemployed persons claiming discrimination on the grounds of age, I ask the Minister to address this as a matter of urgency.

The Hon. LYNN ARNOLD: I thank the honourable member for her question. I have previously had discussions with her about this matter and have answered her questions about this matter in this place. I share her considerable concern about this very significant issue. Indeed, there are two aspects of discrimination on the basis of age. One relates to those people pre what we commonly accept as the retirement age who are in the market for work and do not get it. The reason they may not be getting it is that their age has counted them out rather than any other factor to do with their training level or other suitability for the position. The other aspect of age discrimination is the question of what we commonly accept as the arbitrary retirement age, that is, those over 65 years, and whether they are being discriminated against because they are not able to get work.

In many parts of the United States that is regarded as a discrimination against them by arbitrarily determining that a point counts them out for any further capacity to be involved in the work force. When that matter was more recently raised in a letter from the member for Hayward, I first decided that we should be examining the reported incidents of such discrimination in South Australia. We must determine whether or not a problem exists. I asked the Office of Employment and Training to determine, in consultation with the Commissioner for Equal Opportunity and Commissioner for the Ageing, whether a problem exists. With the concurrence of their respective Ministers they are meeting with what might be termed the task force on this matter and have spoken with a couple of groups in the community about this. They are proposing more consultation with other community groups and in fact will meet with DOME within the next couple of weeks. They are scheduled to report to me by September of next year.

On the basis of the first consultations they have had, groups they have spoken to have tended to identify that they have not yet seen a problem, but it may be just the makeup of the groups that they have seen so far. It may be that those groups have members who have, for various other reasons, done fairly well in the employment stakes and have not been the victims of discrimination on the basis of age. That is the initial assessment of my office from the sample taken so far, although it may have been somewhat skewed. They are fairly certain, as am I, that we will start to see evidence as they talk to a wider range of groups. I repeat the point I made earlier that we must first identify whether evidence exists of such discrimination taking place in the community rather than going on a feeling that it might be taking place, before we can get to the next problem of what we intend to do about those two aspects of discrimination.

TOPLESS BATHING

The Hon. D.C. WOTTON: My question is to the Premier. As taxpayers' funds have been used to survey public attitudes to nude and topless bathing, what does the Government intend to do about the findings?

Mr Hamilton: Cover them up.

The Hon. D.C. WOTTON: Cover them up! The annual report of the Coast Protection Board tabled this week reveals that the Government has funded a survey involving interviews of 1 500 metropolitan beachgoers. Amongst other things, questions were asked about nude and topless bathing and the survey established that 55 per cent of the adult respondents were in favour of certain beaches, or parts of beaches, in addition to Maslins Beach, being set aside for nude bathing, while 69 per cent favoured additional areas for topless bathing. Does the fact that the Government has spent money to ask questions like these suggest it intends to adopt a more liberalised approach to the behaviour of beachgoers?

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: I thank the honourable member for his question. I have not studied those findings nor, indeed, have I subjected nude or topless bathing to a study recently. Certainly, Maslins Beach has been a great success but whether in fact there are other areas is a matter that has not been considered by the Government. We will await any recommendations. Obviously public opinion in these matters is a very important consideration because they tend to be controversial and have been over the years. I would say that there is a pretty healthy current community attitude to it but I do not think, at the same time, that people should be put into a position where they feel offended or embarrassed or whatever in these circumstances. Clearly, having ascertained a level of public opinion, we will await the recommendations of the Coast Protection Board. I think that is a perfectly legitimate area of public inquiry.

SECONDARY EDUCATION

Ms GAYLER: Is the Minister of Education aware of the new approach being taken in some South Australian high schools to make their senior school programs more relevant and productive for students who do not want to go on to tertiary studies but do want good employment prospects? At a recent conference it was claimed that increased school absenteeism showed the extent of the failure of present educational policies. The Australian Schools Commission report called 'In The National Interest' found a consistent view among youth favouring secondary education which is less theoretical and more practical; gives students a more adult role; and provides more information on matters directly relevant to their lives. It is a fact that 74 per cent of year 12 students do not go on to higher education. At Banksia Park High School in my electorate, a new vocation and community access program has been embarked upon to meet the wishes of these senior students.

The Hon. G.J. CRAFTER: I thank the honourable member for this most important question. I am aware of the report and indeed the work of the school to which she refers. That is one of many secondary schools that are attempting to provide a curriculum, offering a program within that school that is more attractive to those young people who find that the current offering is of little interest to them.

I do want to correct the record with respect to the public statements made in recent times about truancy and absenteeism in our schools, because they do not state the facts. The false impression is gained that some 18 000 students are truants in this State each year. The reality is that .4 per cent of those students are truants, that is, absent from school without the knowledge of their parents or the school. The remaining 99.6 per cent of students are absent with the knowledge and consent of their parents. The 18 000 students represent 8 per cent of the total enrolment in our schools in South Australia who are absent from school on any one day, often because of illness, medical or dental appointments and other many and varied legitimate matters. The absentee rate is comparable to the absentee rates, for example, in the work force at large.

The department maintains statistics in this area and it is very clear that that .4 per cent, the truants, as distinct from the absentees, almost all are of secondary age, and most often have a long history of truancy. There are many explanations as to why those young people truant from our schools and they vary from a dislike of school, pressure from friends and pressure from parents to provide support in the home, for example, when other children are ill, dislike of a certain teacher or certain subjects or not succeeding at school and pressures building up, resulting in that young person not wanting to attend school. Explanations for the extent of absenteeism are complex and many are related to societal factors, such as increase in family breakdown, and itinerancy—statistics show that most families move once every four years. Unemployment is another factor that contributes to the absenteeism of students. Therefore, many and varied factors result in this situation, but to allege that this is increasing in our schools as a result of the failure of our education policies is something I clearly refute.

The degree of both absenteeism and truancy is static: they are not increasing and, therefore, the statistics quoted in the article to which the honourable member refers cannot be attributed to the failure of present Education Department policies, especially where it was claimed for working class young people. The Education Department is indeed taking a number of measures to minimise the incidence of truancy in our schools. They vary, as well, from the work of attendance officers which these days is much more related to the causes of truancy than to punitive action (although that is part of the work), providing support through student counsellors and other staff in our schools, developing programs to assist the students concerned, and also working in a multi-agency situation with the Department of Community Welfare, the Health Commission and others. Pilot projects have been established in places like Murray Bridge and Mount Gambier to assist in this area.

Out-of-school support is provided through attendance officers, with project teams and other similar measures being implemented. Most importantly, I think, is the matter to which the honourable member refers, that is, the work of restructuring the style and curriculum offering and programs of many secondary schools. Banksia Park High School is one that is taking a lead in this area. The reality is that not every secondary school, given the declining enrolments that we have, can be provided with the resources, or has the resources, to develop these programs but, wherever that can be done, I welcome it, particularly at Banksia Park High School, which has chosen to welcome back students who have left the school and have perhaps been on the unemployment list for some time, or who are adults in the community wishing to re-enter our education system.

In those circumstances, they may choose fewer subjects than is normally the case in a full year, attending courses only when they are scheduled, and so have an adult learning environment in that school. That is very important for the

success and enjoyment of those people who come back into the school as adults. It allows students to work part-time, as well as taking part in formal studies and in the life of the school community. It provides opportunities for community service work and work experience, and the development of that is an exciting one for young people in our schools.

We also see the development of many new courses involving life skills, which is also important to that group of young people in our community. So, the honourable member does raise a matter of substantial importance, I would have thought, to all members, and these changes are to be welcomed in our schools. It is something—

Members interjecting:

The Hon. G.J. CRAFTER: It is a very substantial change in the offerings, and I welcome it.

Members interjecting:

The SPEAKER: Order! I call the member for Florey to order.

MINISTERIAL STATEMENT: ORGANOCHLORINS

The Hon. FRANK BLEVINS (Minister of Labour): I seek leave to make a statement.

Leave granted.

The Hon. FRANK BLEVINS: Following on from the question asked by the Leader of the Opposition at the start of Question Time, I have obtained the following information.

As a result of the potential damage to our meat export markets and ever increasing community concern, this Government and all other Australian Governments are taking urgent steps to ban or control the use of residual pesticides. As part of this proposed ban this Government has conducted a recall program of all residual organochlorins stored on individual farms in South Australia. This recall program ended on 31 October and, as a result, 35 000 litres of liquid and 2 000 kilograms of solid chemicals have been handed in to the Department of Agriculture.

The Commonwealth Government is taking the overall responsibility for the collection and disposal of these dangerous chemicals, and is currently making final arrangements to identify a national collection point for all of these chemicals from all States. We expect to be advised by the Commonwealth of the proposed location within the next two to three weeks. As soon as practicable after that, chemicals that have been collected here in South Australia will be transported to that site. In the meantime, it was necessary to find a single and highly secure site to store these chemicals, and the Agriculture Department's property at Northfield was chosen for a number of reasons. This site is highly secure, being surrounded by two eight foot high barbed wire fences, and is subject to regular security patrols.

All chemicals as they are delivered to the site are decanted into secure containers, which are then stored under shelter and surrounded by sandbags. The storage area has installed smoke detectors which are connected directly to the nearest fire station, which is two minutes away.

The entire site has been inspected and approved by Department of Labour inspectors and representatives of the Metropolitan Fire Service. The local council has been advised and has approved of the arrangements. All workers at the depot have been fully instructed in the safe handling of these chemicals and must wear protective clothing and breathing apparatus whenever in direct contact with these products. This Government is very aware of its responsibilities in relation to this issue, and I wish to assure the House that all steps necessary have been taken to ensure the safety of the public.

PUBLIC EMPLOYEES HOUSING BILL

Returned from the Legislative Council with amendments.

METROPOLITAN MILK SUPPLY ACT AMENDMENT BILL

The Hon. Lynn Arnold, for the Hon. M.K. MAYES (Minister of Agriculture), obtained leave and introduced a Bill for an Act to amend the Metropolitan Milk Supply Act 1946. Read a first time.

The Hon. LYNN ARNOLD: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

Production of milk in Australia has traditionally been divided into two sectors: milk for human consumption (market milk) and milk for manufacture into products such as cheese. The market milk industry is regulated by individual States, through authorities such as the Metropolitan Milk Board. The regulation of marketing of manufactured dairy products is covered by Commonwealth Government legislation administered by the Australian Dairy Corporation.

Since 1 July 1986, new Commonwealth marketing arrangements have applied for manufacture milk (Kerin plan). Under the Kerin plan a levy on all milk is used to support export returns, and this plan has stabilised industry returns.

Recent interstate trade in market milk between Victoria and New South Wales has threatened the stability of the Kerin plan. On two occasions the New South Wales Minister has called for the removal of the levy on all milk and therefore threatened the stability of Australia's dairy marketing arrangements.

Discussions are continuing in Victoria and New South Wales to retain stability in the industry, but the threat to the Commonwealth marketing arrangements remains. If the Commonwealth marketing plan does collapse, pressure will be placed on domestic prices for manufactured dairy products and market milk.

Under the Metropolitan Milk Supply Act, the Metropolitan Milk Board and the industry cannot fix a maximum only price for market milk, to combat possible discounting from interstate market milk. The board currently sets fixed prices and in future will set a maximum and minimum price as recommended by the board's review of milk pricing.

The amendments to the Metropolitan Milk Supply Act will allow the board, by notice, to declare a maximum only price if the industry is threatened from discounting. Such a notice will be for a specified period not exceeding 30 days.

Separate from the pricing issue, the Superannuation Board and the Metropolitan Milk Board have agreed in principle to an arrangement whereby the board funds in advance for its accruing superannuation liabilities. This arrangement would be prohibited by section 14 (2) of the Metropolitan Milk Supply Act, which states that superannuation contributions be paid annually in arrears.

This amendment to the Metropolitan Milk Supply Act will allow the board as a public authority, in terms of the Superannuation Act, to enter into an arrangement with the Superannuation Board under section 11 of the Superannuation Act.

Clause 1 is formal. Clause 2 provides for the commencement of the Bill on proclamation. Clause 3 provides that the Metropolitan Milk Board may enter into arrangements with the South Australian Superannuation Board with a view to its employees becoming eligible to apply for acceptance as a contributor to the fund.

Clause 4 provides that the board may vary the retail prices fixed by regulation for milk and cream sold in the metropolitan area so that a maximum price only applies. Other prices and charges may be adjusted accordingly. The board may exercise this power by notice in the *Gazette* and a notice has effect for no more than 30 days, unless it is extended. When a notice ceases to have effect the regulations continue in force as if the amendments contained in the notice had not been made.

Mr GUNN secured the adjournment of the debate.

BARLEY MARKETING ACT AMENDMENT BILL

The Hon. Lynn Arnold, for the Hon. M.K. MAYES (Minister of Agriculture), obtained leave and introduced a Bill for an Act to amend the Barley Marketing Act 1947. Read a first time.

The Hon. LYNN ARNOLD: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The issue of the personal liability of board members was raised with the Government by the board as a result of amendments made to the Companies (South Australia) Code regarding the personal liability of directors and senior officers for certain decisions taken in their official capacities. While the Australian Barley Board is not subject to the Code, board members expressed concern about their personal liability as members of the board. As a result, the Government has decided to amend the Barley Marketing Act 1947 to expressly exclude the personal liability of board members for decisions made by the board.

The Australian Barley Board is empowered to trade on futures markets in accordance with guidelines determined by the responsible Ministers in South Australia and Victoria. Since the board will soon be issued with these guidelines, and since futures trading will be confined to trading for hedging purposes, a definition of hedging is required to be incorporated into the Act.

The board has conducted investigations into suspected illegal barley trading and encountered significant problems in obtaining satisfactory evidence for prosecution.

Section 10a of the Act allows the board to serve notice on a person requiring that person to provide information specified in the notice. The person cannot without reasonable excuse fail to comply with the notice or provide false or misleading information.

While the intention of this section is clear, the board has found that a grower can successfully claim a common law right against self incrimination for failure to comply on the grounds the information provided may lead to some pecuniary penalty.

The board has requested an amendment to overcome this situation, and the Government has agreed with that request by introducing an amendment to give the Australian Barley Board the same powers in this regard as are given to the Australian Wheat Board in relation to wheat trading.

Rural producers from time to time execute bills of sale over their crops in order to secure ongoing finance.

It is the Australian Barley Board's policy to act on:

(1) Garnishee Orders of the Australian Taxation Office.

(2) Bills of sale granted by the Minister of Agriculture.

(3) Registered bills of sale.

The board acts in good faith on these bills and makes payments to the grantee until advised the bill has been discharged.

However, the board has experienced difficulty with one particular grower who delivered barley subject to a bill of sale from his property under another name and the board, without any knowledge of this, paid him.

The grantee of the bill of sale naturally took action against the grower concerned and cited the board as a party in this case.

The board is unable to police the actions of every grower in this State and was not a party to this scheme to defraud the grantee.

The board has requested, and the Government has agreed, to amend the Act to protect the board from prosecution in these circumstances.

While the Barley Marketing Act empowers the board to market barley (and oats) up to (and including) the 1987-88 season, so as not to inhibit the commercial flexibility of the board, the Government has decided to move now to extend the life of the Barley Marketing Act by a further five years.

Clauses 1 and 2 are formal. Clause 3 inserts new subsection (5) into section 4. The new provision is a standard provision excluding liability of members of the board. Clause 4 inserts a definition of 'hedging purposes' in relation to futures contracts. The provision is identical to the provision currently before the Victorian Parliament for insertion into the Victorian Act. Clause 5 inserts a provision into section 10a requiring self incriminating information. However, the information can only be used against the person giving it in proceedings for an offence against the Act. Clause 6 inserts a provision that protects the board against claims by the holders of a bill of sale or other security over a barley or oat crop. Clause 7 extends the operation of the Act to the 1992-93 season.

Mr GUNN secured the adjournment of the debate.

CANNED FRUITS MARKETING ACT AMENDMENT BILL

The Hon. Lynn Arnold, for the Hon. M.K. MAYES (Minister of Agriculture), obtained leave and introduced a Bill for an Act to amend the Canned Fruits Marketing Act 1980. Read a first time.

The Hon. LYNN ARNOLD: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

Since January 1980, the marketing of canned deciduous fruit produced mainly in South Australia, New South Wales

and Victoria has been controlled through the Australian Canned Fruits Corporation. This is implemented under terms of agreements between canners and within the framework of the Commonwealth Canned Fruits Marketing Act 1979 and complementary legislation of the States concerned. The corporation acquires and arranges for marketing of canned deciduous fruit, sets minimum selling prices, equalises returns to canners from domestic and export market sales and arranges for the provision of seasonal finance to canners.

Following the Industries Assistance Commission Interim Report on Canned Fruit (Statutory Marketing and Interim Assistance Arrangements), the Commonwealth Government has agreed with industry requests to continue the current marketing arrangements for a further year to 31 December 1988. Federal Parliament has been presented with a Bill which extends operation of the Commonwealth Act to that date and the purpose of the measure before members is to secure a similar extension to the complementary South Australian Act. Parliaments in other relevant States naturally are required to undertake the same action.

Clause 1 is formal. Clause 2 amends section 4 of the principal Act which is the interpretation provision. The definition of 'season' has been amended to extend the season to 31 December 1988.

Mr GUNN secured the adjournment of the debate.

APIARIES ACT AMENDMENT BILL

The Hon. Lynn Arnold, for the Hon. M.K. MAYES (Minister of Agriculture), obtained leave and introduced a Bill for an Act to amend the Apiaries Act 1931. Read a first time.

The Hon. LYNN ARNOLD: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of this Bill is to amend the Apiaries Act 1931. The amendments sought stem from advice received from the Ombudsman, Crown Solicitor, a magistrate in a court case and from consultation with the beekeeping industry. Amendments are sought to remedy shortcomings in the sections dealing with reporting of disease and provision of water by the beekeeper.

To protect the Beekeepers Compensation Fund an amendment is sought to limit the amount of compensation payable to any one beekeeper, and give the Minister power to refuse compensation when the owner has failed to report obvious disease for a long period of time. Provision is also sought for interest to be paid on amounts standing to the credit of the fund. Provision is sought for the right of appeal by a person who has been refused compensation.

Industry has asked for, and I am seeking, amendments to enable the Chief Inspector to order sterilisation as well as burning infected material; to prohibit the exposure of beekeeping materials to places where bees have access; to transfer the schedule of deseases to the regulations; to update the list of diseases to which the Act applies and distinguish between prescribed diseases and declared notifiable diseases; and for an increase in penalties for offences against the Act.

An amendment is sought to delete that part of the Act which provides that the Minister gives queen bees to the owners of bees on Kangaroo Island. This was only possible when the Department of Agriculture was running the Ligurian bee farm on the Island.

Clauses 1 and 2 are formal. Clause 3 amends section 3 of the principal Act which is the interpretation provisions. The definition of 'disease' is struck out and a new definition is substituted. 'Notifiable disease' is also defined for the purposes of the Act. Clause 4 amends section 5 of the principal Act which requires a beekeeper to be registered by increasing the maximum penalty in subsection (1) to $5 000.

Clause 5 repeals section 6 of the principal Act and substitutes a new provision. The new section provides that a beekeeper must give notice to an inspector of a notifiable disease in his or her apiary with 24 hours after evidence of the disease appears. The maximum penalty fixed is $5 000. Clause 6 amends section 7 of the principal Act which deals with the duties of beekeepers by striking out paragraph *(c)* of subsection (1) and substituting a new paragraph which requires a beekeeper to comply with any directions or instructions lawfully given by an inspector under the Act.

Clause 7 amends section 8a of the principal Act to provide for payment into the Beekeepers Compensation Fund of interest. Clause 8 amends section 8c of the Act which is the section dealing with compensation. A new subsection provides that the maximum amount of compensation payable under the section will be calculated in accordance with the regulations. Clause 9 amends section 8d of the principal Act which is the section limiting compensation. The amendment provides that the Minister may refuse an application for compensation where disease has been present in the property for at least two months before notification was given by the beekeeper.

Clause 10 inserts section 8e into the principal Act to give a person who is refused compensation by the Minister a right of appeal to the District Court. Clause 11 amends section 9 of the principal Act which creates a number of offences. The maximum penalty under this section is increased to $5 000. Clause 12 amends section 10 of the principal Act by increasing the maximum penalty in subsection (3) to $5 000.

Clause 13 amends section 11 of the principal Act by increasing the maximum penalty in subsection (3) to $5 000. Clause 14 amends section 12 of the principal Act which is the provision prohibiting the bringing of bees into Kangaroo Island and the keeping of bees other than pure Ligurian bees on the Island. Maximum penalties have been increased to $5 000. Clauses 15, 16 and 17 increase the maximum penalties in sections 13, 13aa and 13a of the principal Act respectively to $5 000.

Clause 18 repeals section 13b of the principal Act and substitutes a new provision requiring beekeepers to maintain sufficient clean water for bees. The maximum penalty fixed is $5 000. Clause 19 amends section 19 of the principal Act which is the regulation making power. Subsection (2) is amended by providing that regulations may impose a maximum penalty of $5 000 for breach of any regulation. Clause 20 repeals the schedule to the principal Act which listed the diseases and pests affecting bees to which the Act applies. Provision has been made in the definitions of 'disease' and 'notifiable disease' to allow prescription of diseases by regulation.

Mr GUNN secured the adjournment of the debate.

ARCHITECTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 22 October. Page 1522.)

Mr BECKER (Hanson); The Architects Board, which is self-funding, supervises some 600 registered South Australia architects and has nine honorary members. This brief Bill amends qualifications for the registration; covers professional conduct in relation to advertising; provides for an annual report to be tabled in Parliament; and provides immunity of liability for members of the board.

I understand that the amendments contained in the Bill have been sought by the Architects Board, and were the subject of discussions between that board and the Government for at least 12 months. In July this year the board agreed to the draft legislation. When I met the Chairman of the board (Mr Neighbour) on 27 October, he advised me that that was the first indication the board had received that the legislation was before Parliament. The Chairman, to say the least, was most upset at the form of the proposed amendment to section 35. Its wording was nothing like the proposed amendment agreed by the board in July.

I understand that the board has since contacted the Minister, and has indicated that it is satisfied with the terminology that will permit architects to advertise in a responsible manner, for example, associating their name with a particular project, but not advertising as the best and cheapest in Australia. Because the Government did not amend this legislation earlier South Australian architects have missed out on the opportunity to advertise in magazines that are bicentennial publications. South Australia is the only State that prohibits professional advertising for architects. Section 32 of the Act has only been used once in 20 years. A national subcommittee checks overseas qualifications.

There are now adequate procedures for the board to check practical qualifications through local academic institutions. The board considers that the clause is no longer necessary, as all South Australian architects are appropriately qualified. On this legislation being introduced I contacted the Architects Board and the Royal Australian Institute of Architects, and wrote to some 276 architects listed in the yellow pages. I thought that I would survey architects to see their reaction to the legislation. I received a number of telephone calls and letters from architects. There seems to be wide opinion about the legislation. Not everyone supports it, and not everyone supports a particular clause, although there is general agreement that something must be done to the Act. In other words, there is agreement that the Architects Act needs to be totally reviewed and revamped.

My first reaction to that is that there should be such legislation, and that there should be an Architects Board. What has been achieved since 1939 in establishing a very high standard is a credit to the profession. It is interesting to note that the Royal Australian Institute of Architects (South Australian Chapter) in its 1987 awards of merit recently awarded the category 1 (for non-residential architecture) award to the Centennial Park Chapel complex and Geof Nairn Pty Limited. The category 3 (for conservation) award of merit was for the Mortlock Library, Jervois Wing of the State Library, and was awarded to the South Australian Department of Housing and Construction in consultation with Danvers Architects. This shows the high standard of architecture in the profession commercially and in Government departments.

It is also interesting to note that the Mortlock Library project was nominated and was the recipient of the Lachlan Macquarie award for building conservation. It was designed by Mr Peter Sharp from the South Australian Department of Housing and Construction working in association with Mr Danvers of Danvers Architects. That top national award was announced in the *Weekend Australian* of 1 October 1987. Congratulations and due credit must be given to those two people and that project. It is outstanding, and proves that we have high quality architects in South Australia. We should do all we can to preserve that situation.

A commendation was given to the Adelaide General Post Office postal hall restoration and to the Commonwealth Department of Housing and Construction in association with Danvers Architects. The category 4 (for recycling and adaptive reuse of buildings) commendation was given to the South Australian Maritime Museum and Christopher Loan (the architect). We should recognise the ability of the board to be able to supervise architects in South Australia. I promised to read a letter that I received into the record. It is lengthy, and makes a considerable number of valid points—points that I was not totally aware of. It states:

> Thank you for your notification of the proposed changes to the Architects Act. It was the first I had heard of this matter. Unfortunately, the Architects Board has got out of the habit of communicating with the profession as a whole.

The board should be aware of the importance of communicating with its members. It was not aware that the legislation was before Parliament. I think that any profession, board, or organisation should be aware of the fact that communication is paramount. The letter continues:

> For a number of reasons I believe that these proposed amendments should be firmly opposed by the Opposition.

Well, we support the legislation. The letter continues:

> I will briefly set out my objections to each of these amendments, but the overall and most important reason is that the Architects Board has not consulted with the profession on these changes and has not notified the profession that any changes are being considered.
>
> While there is a general agreement amongst the profession that the Architects Act is in a mess and that it focuses too much attention on protecting the title 'architect' instead of the profession of architecture, there is also a recognition that to get an intelligent new Act written will require considerable debate and input from the profession as a whole in South Australia.

That is what I hope we will achieve by reopening this legislation. The letter continues:

> The Bill as proposed is demonstrably poorly researched and, as the Architects Board has failed to inform the profession of the proposed changes, it can claim no broad based support from the profession. I believe that this Bill should also be opposed for the following specific reasons:
>
> 1. Part 2. Section 2. The power of the board to prescribe special examinations for the accreditation of architects is important because:
>
> *(a)* it permits the board to lead the profession with requirements for academic and professional skills if the tertiary institutes move too far from the requirements of the profession.
>
> *(b)* it allows the board to admit to architectural practice in South Australia highly skilled persons who may have gained their skills while working in architectural practice instead of training in tertiary institutes. It seems to me to be illogical and unpleasantly elitist that an architectural draftsman with lengthy practical experience should not be allowed the opportunity to enter the profession under a system of examinations, both academic and practical, set by the board possibly in conjunction with the tertiary institutions.
>
> The Bachelor of Architecture course takes five or six full-time years to complete, and few mature adults can afford this period away from work to gain a qualification which would confirm their proper status in the profession. The board should retain this power and not abrogate its authority to other bodies which have clearly no interest in this matter.
>
> *(c)* The existence of this power gives the board distinct 'bargaining power' when negotiating with the academic bodies to maintain professional standards.
>
> *(d)* The removal of this power would serve no positive purpose at all. The board is not required to use this power and the present board does not. However, the existence of this power is an asset

in itself, and under a different board it may be used to the distinct advantage of architecture in South Australia in the future.

As I said, it was explained to me that only once in 20 years was that clause used. I am satisfied that the academic institutions thoroughly demand and pursue the qualifications of those who want to enter the profession. With this committee of overseas professions looking at the academic qualifications of those who migrate to this country, I am quite sure that the standard of architecture will be maintained. The next point that this person makes is:

2. Part 3, Section 35. Architects are already allowed to advertise. The Act was amended on 15 August 1985 when the clause 'An architect shall not publicly advertise his services or permit others to do so on his behalf' was deleted.

That is noted in the *Government Gazette* dated 15 August 1984 where it states under by-law (6):

Promotion of services—An architect shall not give or offer to any person any consideration for securing or attempting to secure for him any architectural work.

However, in the same by-laws in the *Gazette* of 31 March 1977 under 'Code of Professional Conduct', 38 (6) provides:

Promotion of services—An architect shall not publicly advertise his services or permit others to do so on his behalf, nor shall he give or offer to any person any consideration for securing or attempting to secure for him any architectural work.

The point made by this person is that an architect in South Australia could advertise. He continues:

The real problem is that there are no by-laws to the existing Act which relate properly to advertising, and the proposed amendment does not change the situation. The board offers no guidelines while maintaining a discretion on what is, or is not, 'professional conduct'.

I understand that the board will have to bring in regulations or amendments to the by-laws to go in concert with this Act. He continues:

The large architectural firms now advertise quite openly in the knowledge that they have sufficient funds to mount a legal challenge to any adverse determination of the board.

I have not been made aware of that. He continues:

Small firms simply cannot afford the legal costs involved in challenging the board. What is needed are simple guidelines on advertising practices, set out in the by-laws. What is not needed is the nonsense of a change to the principal Act which makes no mention of advertising.

3. Part 4, Section 47B. I suggest that if this amendment has any merit at all then it should also be a requirement that the board reciprocate by taking out 'Broadcover Insurance' to protect those persons that it may harm by its 'honest acts or omissions'. Unfortunately the board has not always acted in accordance with the Act it is supposed to be administering. In short I feel that if the principal Act is going to be rewritten, as stated by the Minister, then let these matters be resolved then; not by this poorly considered collection of amendments which appear to be little more than an effort by the present board to reduce its responsibility. All of these matters together with the principal Act should be discussed by the profession as a whole. The board has been totally negligent in not keeping all registered architects in South Australia aware of what is going on.

Finally, let me draw your attention to an inconsistency which urgently needs correcting and hopefully will be addressed in the new Act. In South Australia one needs a licence to practise in any building trade from plumber to painter. But for those wishing to practise in the field of building design, the Government requires no qualifications or demonstration of skills whatever. Anyone is permitted to design buildings and supervise construction. Consequently the profession of architecture in South Australia is continually 'white anted' by a mass of unqualified 'building designers' who destabilise the profession by absorbing the bread and butter work which should be the financial bedrock of the profession.

By allowing non-qualified and non-regulated 'building designers' to operate, the Government not only undermines the architectural profession; it also encourages poor building design, as the lower end of the market gravitates towards the cheap 'plan drafting services' who besides being untrained and unqualified have no interest in promoting good design.

Other professions such as doctors, dentists, lawyers, and surveyors all practise under Acts of Parliament which regulate their operations and which restrict the practice of these professions to those holding the recognised qualifications. While the present situation remains where the practice of architecture is totally unprotected, then the Government of South Australia can have little claim to being really interested in good building design for all of the people. At present less than 3 per cent of the new housing stock is designed by architects, and less than 5 per cent of development applications to the Adelaide City Council are by architects. A further consequence is that all councils are obliged to maintain a costly staff of building inspectors to check all these unprofessional submissions.

I have deliberately taken the time of the House to read that letter into the record, because I think it gave a fair summary. In the short time that I have had to research the legislation and to understand what is really going on and what is happening within the profession, I appreciate having received those comments. I think Parliament should study what has been said by that person.

Overall, the legislation appears to be fair and reasonable at this stage, and I take it that there will now be a total review of the legislation. I hope that the board and the Institute of Architects will get together and communicate in whatever form they can with all registered architects in South Australia so that a broad-based discussion can be held, resulting in the legislation that the profession wants and that the profession will support being presented to Parliament in the next 12 months. There will then be no doubt as to the further enhancement of architecture in South Australia.

Mr S.G. EVANS (Davenport): I support the Bill. I wish to say that the member for Hanson is correct, that if we are to have an Architects Act, we need to bring in some by-laws or regulations that clearly spell out their opportunity to advertise. I have no objection to architects advertising. I want to pick up the point that the member for Hanson raised by way of a letter that was sent to him from a concerned citizen who, I believe, is most probably an architect with a small business operating in a tough field who had a legitimate concern.

The member for Hanson may not remember or he may not have known that I chaired a committee during the term of the Tonkin Government. Building designers, house designers, home designers, and drafting people were all complaining that they were denied the right to use their profession or their qualifications because they were obliged to work under an architect. Legally they could not go out and work on their own or advertise that they were home designers, home draftsmen or whatever. I was given the task to try to resolve the difference between the drafting people, home designers (or whatever name they wished to be called at the time) and the architects. In the end, the architects' representatives, by going back to their board and society, agreed that there should be some changes. The Act was changed at that time to allow these people to operate in this field as long as they were not advertising that they were architects.

One still has the problem that if they have a degree in architecture, they cannot go out and advertise that they are an architect, even though they have the degree, unless they have done a certain amount of work for a registered architect—that is, an architect registered with the board—and the board agrees if they think the person is suitable to be a registered architect. Although a person with a degree in architecture can advertise that fact, he cannot say that he is an architect. That is ludicrous. That provision remains because architects felt strongly that their board had a role to play.

An engineer concerned with the construction of buildings and representing the society of engineers is a member of that committee. He made the point that engineers do not

have a board; they do not have to be registered by the board, nor are they licensed by Parliament. That raises the point of whether there is a need for an Architects Act. Now that we have the Builders Licensing Board and councils must have available the services of a qualified engineer, either on staff or in a consulting capacity, there is no need for an Architects Board. The position could be the same for qualified architects as it is for solicitors, who do a workshop for 12 months. Once that status is achieved, there would be no need for an Architects Act. On a close examination, members would agree that it is not necessary.

The member for Hanson referred to a letter pointing out that architects are not asked to design or supervise the construction of many homes in this State. I have nothing against architects and believe that they have an important role to play. However, one of the reasons why homes in this State have been cheaper than those in other States is that people are not coerced into employing the services of architects.

I have no doubt about the qualifications of people who draw plans and carry out design work in consultation with engineers, because each council requires specifications to be drawn up to conform with the Building Act. If they do not, the local council will not pass the plans. It is as simple as that. The engineer who passes building plans is liable for any error in judgment. Test cases have been held in this State under common law, not through the Builders Licensing Board. One of the worst examples involved an architect who was at the time President of the Royal Society of Architects and concerned a house at Ironbark, on the edge of Upper Sturt, in the Adelaide Hills. He was sued for thousands of dollars because the house was an absolute disgrace: you could put your hand through the cracks in the wall within two years of its construction. In that case, a registered architect had failed in his duty.

However, I do not think that we should get excited about design problems because the architect, the engineer or whoever works on the building is liable. That is why local councils go to great lengths to make sure that buildings conform with the Building Act. Councils have a fear that, if they pass plans for the construction of a home, they could be sued for a lack of professionalism if something goes wrong. So, there is really no need for an Architects Act and, if the Parliament introduced a Bill tomorrow to do away with it, I would support it.

The member for Hanson made the point that bigger architectural firms have a monopoly over the field in bigger jobs, thereby creating difficulty for the smaller operators. That happens in every type of private enterprise in our society, even the medical profession. Collective groups are being formed among professionals with expertise in different fields within their profession. I have nothing against bigger architectural firms, which act as developers and contractors. They buy land, design buildings, construct them and put them up for purchase or lease. I have no objection to that. However, it means that they are more than just architects. The consortiums include environmental planners, landscape architects, design architects, engineers and economic advisers. They are huge operations, but I accept that.

I do not think that it is a bad thing, as mentioned by the member for Hanson from the letter that he received, that not many architects work on private homes. In Victoria, for example, there is more architectural activity in the design of private homes. I challenge members to look at homes in the other cities to see whether they are any better than those built in this State. They are not, and that is a clear test of whether we have a satisfactory arrangement in South Australia. Drafting people can operate on their own, being bound by building regulations and the Builders Licensing board. If in the final analysis the building goes ahead, they are locked into the system. I do not think that we need worry and, if the Architects Act were abolished, architects would not have to worry at all. After all, engineers are not registered by a board yet they design homes in this State.

Given the types of soil in South Australia, particularly in the suburbs of Adelaide, an engineer's advice and recommendations are probably more important than any other aspect of the construction of a building. The soils are such that, if the proper footings are not laid, the building will suffer severe cracking. In the early days engineers' advice was not available; a pier and beam foundation was put down or a small slab foundation was poured over the top without consideration of the soil type.

If engineers do not have to be registered under a board or an Act, neither do architects. I do not seek to change that today. I just want to put on record my belief that we could do away with the Architects Act. I support the Bill that is before the House. I also support the approach of the member for Hanson that architects should be able to advertise openly so that small operators should not be afraid of being taken to task, while the big operators can get away with it if they are confident enough. I support the proposition.

The Hon. T.H. HEMMINGS (Minister of Housing and Construction): I thank honourable members for their contribution. I congratulate the member for Hanson on his writing to about 70 architects to get their opinions on these amendments. Whilst he did quote to the House certain views on the amendments before the House now, he also quoted some architects who said that other parts of the Act should be looked at as it is very archaic. I would be the first to agree with the member for Hanson, as would the Architects Board. These few amendments are being put in now whilst the Architects Board, at my request, is looking at the whole aspect of the Act to correct the problems that concern the architectural profession. The amendments have been brought in to cover certain aspects that are causing pressing problems to the profession.

The member for Hanson mentioned the delay in advertising. We had to ensure that everything was perfectly clear so that those members of the profession could, in a proper manner, be given access to advertising like their interstate counterparts, and the amendments do that. I urge the House to support the amendments. It is for the good of the profession and will be well received by the profession generally.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Professional misconduct.'

Mr BECKER: Unfortunately, I do not have with me a copy of a letter I received from one architect in which mention was made that by-laws were amended, particularly section 6, on 15 August 1985 so that reference to advertising was deleted. I am wondering now whether that supplements this clause or *vice versa* or whether the board still has to amend by-laws.

The Hon. T.H. HEMMINGS: We still have to amend the by-laws, as is the normal practice once amendments have been agreed to both in this place and in the other place. I am optimistic and we are going ahead with the changes to the by-laws but normal practice is that they will not be amended until the amendments have been agreed to.

Mr BECKER: I see no problem with that. However, what was the significance of the alteration on 15 August 1985 to section 6 in regard to professional conduct? The notice appeared in the *Government Gazette* on 15 August 1985.

The Hon. T.H. HEMMINGS: I do not know why that by-law was amended in 1985. This amendment is to allow architects to advertise. As it does not affect the passage of this Bill, I will be only too pleased to ask my officers and the Architects Board to provide that information at a later date for the member for Hanson. I am sure he agrees that it is not relevant to the Bill before the Committee.

Mr BECKER: I ask that question because it was said that the amendment to the by-law deleted a reference to advertising, which was the point that I could not understand.

The Hon. T.H. HEMMINGS: I will take an educated punt and say 'No'. The whole thrust of this amendment is to allow architects to advertise. In the past they have been able to advertise only in the telephone directory or with the usual sign on a building being erected. This Bill allows them to advertise in professional magazines and interstate, and, in effect, as the member for Hanson said, it will improve the kind of work coming in and let people know that in South Australia we have some fine architects. The member for Hanson made that very good point. One of the architects from the Department of Housing and Construction in conjunction with a private architect (Mr Danvers) won the prime award for the Mortlock Library. I am pleased that the member for Hanson has placed that on the record. We are very proud of that achievement.

Clause passed.

Clause 4—'Insertion of new ss. 47a and 47b.'

Mr M.J. EVANS: I move:

Page 2, after line 7—Insert the following subsection:

(2) A liability that would, but for subsection (1), lie against a person on whom immunity is conferred by that subsection lies instead against the board.

My amendment deals with liability of officers of the board and the board itself. Whilst it is perfectly acceptable and, indeed, normal practice for officers or members of the board or people engaged in the administration of an Act such as this to be exempt from any personal liability in relation to honest acts or omission in the exercise or purported exercise of a power or function under this Act, consistent with many other provisions of legislation that liability should attach to either the Crown or the board. In this case it is most appropriately vested in the board.

While personal liability is not appropriate, it is certainly true that, given that the Architects Board is administering a professional code, it is quite feasible for a person to suffer significant financial loss as a result of an honest but wrong act on the part of a member, the Registrar or some other person administering the Act, and it is unreasonable that that person should then be left with no remedy at law to seek to recover damages. While I would not suggest that the individuals concerned should be liable, clearly they are acting on behalf of the board and therefore the board itself should be liable for any such honest but wrongful act.

The Hon. T.H. HEMMINGS: I oppose the amendment. With all due respect to the reasons given by the member for Elizabeth, the amendment we have before the Committee (my amendment) excludes those people listed for honest omissions, but not the board as a body. It excludes natural persons but not the board as a body. That is the view of the Government. The board can be sued.

Mr M.J. EVANS: Is the Minister therefore saying that, if in his personal capacity a member of the board undertakes some wrongful but honest act, which results in a loss to an architect, the Registrar, or some other person acting on behalf of these people the board would in fact be liable, as my amendment suggests? Is the Minister in fact not opposing the policy of the amendment that I am putting forward but simply saying that it is unnecessary because such provisions are already contained in the clause that we have before us? If that is the case and we have his certification of that, then of course I would be quite happy. It would however make me wonder why the Government itself included such a provision in the National Parks and Wildlife Bill, which this House approved on Tuesday; why it approved such a provision in the Dentists Act, which the House approved last year; why it approved such a provision in the Local Government Act Amendment Bill, which was presented to the Legislative Council about half an hour ago, and which of course states that where an officer of the council, acting honestly but wrongfully is to be sued, the person is not liable: the council is liable instead.

If the Minister is saying that parliamentary officers have erred in including all such provisions in previous Acts, and that the Government has a new policy in relation to this, I am happy to accept that. But, if in fact that is the case, then I could well see that the amendment is relevant. Otherwise, I do think it is unfair that people have no recourse to recover damages from people or from the board.

The Hon. T.H. HEMMINGS: Perhaps the member for Elizabeth feels that consistency is the name of the game. However, as I have said, this particular amendment (the Government's amendment) excludes natural persons, but not the board as a body. If, for example, the Registrar, through an honest act or omission, committed a mistake which was causing hurt, the Registrar could not be sued but the board can. I think that is a very fair attitude for the Government to take.

I do not wish to prolong this debate. However, the member for Davenport (totally irrelevant to the amendments before the Committee) talked about areas of responsibility and how the general public could suffer through acts by people involved in the building industry, whether they be building designers, engineers or whatever. Those of us who take an interest in local government remember some of the real problems that exist in the areas of footings and foundations which cause concern out there in the community and also to local government and designers. The Government is stating that the board has a responsibility and the board can be sued. I think that is a very correct and proper attitude to take.

Mr M.J. EVANS: I fully understand that the board can be sued. I am well aware of that. However, the amendment proposed by the Minister in this Bill does not relate to the liability of the board at all. The liability of the board is not under discussion. What is under discussion is the liability of individuals and who should accept, if they are not to be liable, the liability of someone else. Quite clearly, if the Minister has gone to the trouble of removing the liability of certain individuals, clearly they were liable previously and he was concerned that they would be sued. If people had always had the option of suing the board instead of the individual we would not need to be making these changes. If the Minister intends to give me an assurance that, where any of the people named in section 47b commit some honest but wrongful act, the board can in fact be sued in their stead; that would be perfectly reasonable.

He shakes his head, so I take it that that is not what he is saying. In other words, if any of those people as individuals commit such acts, there will be no recourse in law against anyone. The board, as the Minister has just admitted, is liable only for its own acts so that, where the board acts wrongfully as a board, the person who has suffered may sue the board. But we are talking about the wrongful

acts of individuals which in fact need not be on behalf of the board at all: they are acting as individuals, not as members of the board and not on behalf of the board. Therefore, the board will not be liable—as the Minister has just agreed—for their wrongful acts.

I am simply seeking to ensure that the liability does not disappear into thin air and the people who have suffered as a consequence have no-one to turn to. That is the critical aspect that the Minister seems to have missed. We have to be quite positive that, where the individual concerned makes the mistake, the board accepts the liability. If the Minister is simply saying that my amendment is irrelevant because it is already there, that is fine. If he is not, he is admitting that the liability will simply disappear and no-one will be liable.

Mr BECKER: In view of the amendment moved by the member for Elizabeth, why is this clause involving immunity from liability termed the way it is compared to other provisions in legislation referred to by the member for Elizabeth? Why is there a change in the phraseology?

The Hon. T.H. HEMMINGS: I do not know whether this answer will satisfy either the member for Elizabeth or the member for Hanson. The Architects Board was fully consulted about the clause now before the Committee. I cannot answer for other Ministers, but this is the amendment that the Committee has before it now. As to the comments of the member for Elizabeth about a wrongful act, this amendment talks about no liability being attached to a member of the board, the Registrar or any other person engaged in the administration of this Act for an honest act or omission. If they make a wrongful act they may be liable under the law, but this involves an honest act or omission: as ordinary persons they are protected. We are still saying that the board, not for an honest act or omission, can be sued. There is no difference here than with other provisions.

Amendment negatived.

Mr M.J. EVANS: I wish to address a question to the basic clause as it stands and not to my amendment. As to the Minister's statement, he seemed to imply that where a deed was honest but wrong it was not covered by this immunity, because he said simply that where an act is wrong those people would not be protected. I would have thought it quite feasible for a person to be both honest and wrong. One does not have to have a corrupt or illegal decision for it to be a wrong decision. A person can be honest but wrong. Such things occur all the time, and I would have thought that the Minister's Christian attitude would not require him to render these people liable to be sued for that.

Clause passed.

Title passed.

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

That this Bill be now read a third time.

Mr M.J. EVANS (Elizabeth): It is unfortunate that as the Bill comes from Committee the law is so unclear in this case. The Government will have to do some serious homework about the question of immunity from prosecution. We place members of the public in a very invidious position when they are not certain, from having consulted various items of legislation that this Parliament produces, whether or not they have a cause of action against those who have misled them or acted wrongly in relation to them. While it is perfectly reasonable for us to free individuals when acting in an honest but perhaps wrongful manner in relation to deeds that they may do in the course of their employment, it seems to me that we should make it quite clear where causes of action lie and where their available potential is.

As the Bill comes to the House now, it is clearly deficient in this way. It clearly frees from liability a certain class of person, but it gives no indication where the public may go for their sanction or recourse and I think that, given the distinctions that the Government chooses to draw between the various bodies that it protects with this legislation, the public will not know what its rights are, people will not know where they can turn for recourse, and the courts will waste significant amounts of their time and public funds in pursuing such matters. People look to this Parliament for leadership and clarity of explanation and thought. Unfortunately, the Minister has chosen not to give them that benefit.

Bill read a third time and passed.

SUPREME COURT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 October. Page 1326.)

Mr S.J. BAKER (Mitcham): The Opposition supports this measure, but we would appreciate the presence of a Minister on the front bench. This Bill amends the Supreme Court Act and, in particular, section 39, involving vexatious actions before the courts. As currently provided, the Attorney-General can make an application to the Supreme Court for an order that proceedings should not be instituted by a vexatious litigant without leave of the court, a vexatious litigant being a person who abuses the court process and who imposes unnecessary hardship on other persons as a result of such litigation. For a considerable time there has been a problem in the courts, with people who know the rules of court holding up justice by abusing their rights and privileges under the law.

In a speech on the Local and District Criminal Courts Act some weeks ago, we were talking about the changes in jurisdiction and monetary amounts, and I said that some people played the system. I have no doubt that, if any member asked clerks of court for a list of people who have a record over a period of having abused their rights, they could supply such a list. We seek to solve those problems by allowing the Attorney-General to intervene and to ask the court to disallow the right of that person before the courts.

In their 1984 annual report the Supreme Court judges recommended that the relevant provisions of the Supreme Court Act be amended to allow the court on its own motion to make an order restricting the institution of proceedings by vexatious litigants. Although the amendment in the Bill does not go that far, it allows the court to make a report to the Attorney-General for consideration and, if the Attorney-General then considers it appropriate, an application can be made to the court for an appropriate order against a vexatious litigant.

As a lay person who has read the existing provision and the provision in the Bill five times, I have had difficulty in distinguishing between the two provisions because, for the Attorney-General to go to the courts, he must first receive a report from the courts. My logic suggested that, for the Attorney-General to intervene, he must have been advised by the courts to intervene because of problems they were experiencing. Indeed, there was no other way in which the Attorney-General could be informed that a vexatious litigant was before the courts, therefore the provision in the Bill simply formalises a process that must have been going on, and it simply puts into the Act a practice that has existed for some time. So, it is not, as far as I am aware, a

real reform of the system, unless someone can tell me differently.

The problem of how we can dissuade people who abuse their rights under the law will no doubt test our legislative powers for many years to come. Certainly, this Bill does not seem to go any way towards improving the situation. I shall not take up the time of the House by quoting examples of people who have been disadvantaged because they have continued to defer a hearing or to ask for an adjournment, and who, having got a decision, have appealed against it. They have made a mockery of the courts by putting up propositions that cannot be sustained, knowing that they will take up the courts' time and be costly to everyone involved.

I wish that in this democratic society there was a more effective means of cutting such people out of the system. However, as has often been mentioned in this place, the law is a fragile entity and everyone has the right of access to the courts. The Opposition supports the Bill, but my understanding is that, although it does not go anywhere at all, it certainly puts into the Act a practice that must surely exist today.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its support for this Bill. Albeit a minor measure, hopefully it will help the courts in the discharge of their duties and free up the valuable time of these institutions for more appropriate and important matters. To that extent this Bill streamlines the procedures whereby vexatious litigants can be dealt with. I am not aware of the informal practices to which the honourable member for Mitcham has alluded. However, under the provisions of the Bill the Attorney-General is the only person who can apply to the court for an order restricting the institutional proceedings by a vexatious litigant where that can clearly be justified in the public interest.

The vexatious litigant acts against the public interest by abusing the court process and imposing unnecessary hardships on other persons. Therefore, the Attorney-General, representing the public interest, is the proper person to make an application under the appropriate section of the Act. Despite the present provision, I am advised that it is rare for cases to be referred to the Attorney-General by the courts or by the parties, for example, solicitors or members of the general public, so that an application can be made under section 39.

The Government agrees with the Supreme Court judges that action should be taken to improve the operation of that section. However, it does not consider that the court should be able to make an order on its own motion that a person is a vexatious litigant. Therefore, the Government favours the approach of amending the Supreme Court Act to provide specifically for any court to refer matters to the Attorney-General for consideration of an application under that section. So, now the courts will have a clear legal basis for referring matters to the Attorney-General. This will protect the public interest and ensure that the power to make applications under section 39 is exercised more effectively. I do not have any details of the actual circumstances that have existed in the past, but obviously there have not been many cases, fortunately, of this nature on record.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Vexatious proceedings.'

Mr S.J. BAKER: Concern was expressed by my colleague in another place that the provision that allowed for special circumstances for obtaining legal counsel in cases of poverty had been taken out of the Act. However, I understand that the Attorney-General's answer on that matter was satisfactory: such persons have legal aid available to them. New section 39 (1) provides:

> If, on the application of the Attorney-General, the court is satisfied that a person has persistently instituted vexatious proceedings, the court may make either or both of the following orders:.

Then, paragraph *(a)* applies only to the Supreme Court. Subsection (2) of that new section provides:

> Where it appears to the Supreme Court or any other court of the State that there are proper grounds for an application under this section, it may refer the matter to the Attorney-General for consideration.

So, the provision that would allow the Attorney-General to intervene in any court is being taken out and new section 39 (1) applies only to the Supreme Court. Therefore, we are being asked to direct that only the Supreme Court can exercise this power, whereas other courts can apply to the Attorney-General to go nowhere.

The Hon. G.J. CRAFTER: It is my understanding—and if my interpretation is wrong I will seek to have it clarified—that any court can make application to the Attorney, but that only the Supreme Court can bring down the order. I think that that is appropriate. It is a very harsh order to deny a person access to litigation and to the courts. I believe that that is the explanation for the construction of those sections in the Act.

Mr S.J. BAKER: What the Minister is now saying is that it can only be an order of the Supreme Court which is then applied to itself or all other courts in the system, that will apply?

The Hon. G.J. CRAFTER: Yes.

Mr S.J. BAKER: So that we are then dealing with almost a dual system where the Supreme Court will overload itself on the minor courts in terms of judgments?

The Hon. G.J. CRAFTER: There are not many, in fact.

Mr S.J. BAKER: How many times has section 39 been invoked over the past five years?

The Hon. G.J. CRAFTER: I previously indicated 'not many'. I do not have that information on file, but it is quite rare for that section to be used. I will undertake to obtain that information for the honourable member. I can say—and this is referred to in the second reading explanation—that it is rare.

Clause passed.

Title passed.

Bill read a third time and passed.

ADJOURNMENT

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

That the House do now adjourn.

Mr FERGUSON (Henley Beach): During this grievance debate I will take another step forward in my campaign in relation to the introduction of plain language in this House and in legal and Government documents. It was pleasing to hear in recent debates references made by various members of the House concerning the need for plain language. I heard the member for Coles express this point of view only yesterday, and it is an extremely encouraging point of view. I remind members of the House of some of the things that it has done this year in relation to various Acts. Referring to the South Australian Health Commission Act Amendment Bill, section 57aa (5) contained a beautiful piece of English prose, as follows:

Where it is alleged that a person has committed an offence against a by-law relating to vehicular traffic, or the parking of motor vehicles, within the grounds of an incorporated health centre, the board may cause to be served personally or by post upon that person a notice to the effect that he or she may expiate the offence by payment to the incorporated health centre of an amount specified in the notice (being an amount fixed by the by-law) within a time specified in the notice and, if the offence is so expiated, no proceedings will be commenced in any court in respect of the alleged offence.

That one sentence contains 104 words. The Petroleum (Submerged Lands) Act Amendment Bill contains the following sentence:

Where petroleum is discovered in a lease area, the Minister may, by instrument in writing served on the lessee, direct the lessee to do, within the period specified in the instrument, such things as the Minister thinks necessary and specifies in the instrument to determine the chemical composition and physical properties of that petroleum and to determine the quantity of petroleum in the petroleum pool to which the discovery relates or, if part only of that petroleum pool is within the lease area, in such part of that petroleum pool as is within the lease area.

That sentence, which was passed by this House, contains 95 words. In the same Bill there is this gem:

Where a dealing to which this section applies (including a dealing referred to in subsection (7)) creates a charge over some or all of the assets of a body corporate, the person lodging the application for approval of the dealing shall be deemed to have complied with subsection (4) *(a)*, and with subsection (4) *(c)* in so far as that subsection requires two copies of the document referred to in subsection (4) *(a)* to accompany the application, if the person lodges with the application three copies of each document required to be lodged with the National Companies and Securities Commission relating to the creation of that charge pursuant to section 201 of the Companies (South Australia) Code or pursuant to the corresponding provision of a law of a State or Territory.

That sentence contains 113 words. I defy any member to whom I have just read that sentence to tell me what it exactly means. When I went to school I was told that one of the ways one could define a sentence was by saying all one could before having to pause. It would be extremely difficult for anyone to read out that sentence, as I just did, containing 113 words without pausing, and make sense out of it. Also, the Petroleum (Submerged Lands) Act Amendment Bill contained the following sentence:

For the purposes of calculating the amount of the fee imposed by subsection (4) in respect of an entry of approval of a dealing, the value, as determined by the Minister, of any exploration works to be carried out pursuant to the dealing, being works that were, at the time when the application for approval of the dealing was lodged, required or permitted to be carried out by or under the relevant title, shall be deducted from the value of the consideration for the dealing or from the value of the interest in the relevant licence as the case requires.

That gem of a sentence contains 98 words. When talking about this subject previously I have referred to the fact that the British Parliament had passed a Bill that required all contracts to be written in clear and readily understandable language using words with common and everyday meanings, be arranged in logical order, be suitably divided into paragraphs with headlines, be clearly laid out using lettering that is easily legible and be of a colour that is readily distinguishable from the colour of the paper. I am suggesting that it may be time that this Parliament thought about introducing a similar Bill, not only in relation to legal contracts, but perhaps to its own legislation.

In the United Kingdom, the Director-General of Fair Trading, Sir Gordon Borrie, has stated in a discussion paper on problems raised by household insurance that many customers find the jargon in which insurance policies are written very difficult to understand. There have always been complaints against the over use of legal language and indeed as early as 1566 complaints were made by people who were opposing the use of long and complicated legal language. Reference can be made through the years from that date from time to time about the use of plain language.

In America, the modern development in the drive to simplify the language of private legal instruments came with the emergence of the 'Plain English' movement. The first glimmerings came in 1974, when Nationwide Mutual Insurance Company and Sentry Life Insurance Company introduced simplified automobile insurance policies, and in 1975, when Citibank and First National Bank of Boston introduced simplified consumer loan arrangements. The first week in February 1977 saw the introduction of the Sullivan Bill in New York, which became law the following year and President Carter's television 'Fireside chat' which culminated in an executive order that required plain English in Government regulations.

The first efforts to legislate 'Plain English' show widely differing approaches. New York's Sullivan law, a brainchild of the Citicorp lawyer, Duncan A. MacDonald, protects consumer instruments, which are defined as residential leases or contracts for money, property, or services for 'personal, family, or household purposes'.

The movement for plain language in Australia can be traced back to 1976 and similar developments in the use of plain language for insurance policies were also under way during that year. The National Roads and Motorists' Association produced the first of its plain English insurance policies during that year and the next year the Real Estate Institute of New South Wales produced its residential and commercial leases in plain English.

I would like to refer specifically to what has been happening in Victoria in the past 12 months. Professor Eggleston, from one of the universities in Sydney, has been contracted to assist the Victorian Government with the introduction of plain language in that State, and I must say from this distance that it appears to have had some success. I believe it is time that the Parliament took this into consideration and did the same here.

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

The Hon. JENNIFER CASHMORE (Coles): I wish to raise an issue which demonstrates that the Government is breaching its own planning laws and is also breaching the rights of citizens in respect of those laws. I intend to demonstrate continued breaches of the Planning Act by the Minister for Environment and Planning, the failure of three Ministers to consult with each other and to see that the Government's statutory obligations are observed, and the failure of the Premier to inform his constituents of what his Government is doing to downgrade their properties.

I refer to the proposed construction of an admission unit for the Central Northern Regional Receiving Home, namely, a DCW accommodation for youths between the ages of 10 years and 17 years who have been sentenced by the Children's Court, and for children deemed to be at risk in the community. The proposed location for this unit is section 795 Markham Avenue, Enfield. The background to this is that the Department for Community Welfare wants to build this admission unit, which will comprise six bedrooms, a lounge, a dining-room, a quiet room, a store-room, and toilet and bathroom facilities on the former site of the Enfield Receiving Home. This unit to house youngsters who have been sentenced by the Children's Court will be directly opposite homes in an R2 area. It would also be adjacent to Housing Trust homes which are proposed to be built, and it is very close to a nearby high school.

As members will know, the Planning Act does not bind the Crown in respect of the normal rights of residents to

object to proposals. However, section 7 of the Planning Act does bind the Crown. It states:

(2) Where a Minister of the Crown, or a prescribed instrumentality of the Crown proposes to undertake development it shall, subject to subsection (3), give notice containing prescribed particulars of the proposal—

and where that land is in a council area, it must give particulars to that council. The Act further provides that, if the council has any objection or any comment, it shall report to the Planning Commission. If the council opposes the development, the Minister is bound to lay the council's report on the development on the table in both Houses of Parliament.

In respect of the Markham Avenue development, the Enfield council and its residents are strongly opposed to the development. In the council's report to the Planning Commission, it states that the proposal clearly does not comply with the objectives of a residential 2 zone. It further states:

This proposal . . . is more akin to a reformative or penal institution and would be more appropriately located in a Special Use Zone.

It continues:

It is considered that the quality of this residential area would deteriorate rapidly if non-conforming uses such as the proposal are permitted to establish on this land.

Further on, it states:

This proposal, although residential in nature, is in the form of an institution and does not comply with this requirement.

That requirement is that no development should be undertaken which would impair the amenity of the residential character. The council's most serious indictment of the DCW detention centre refers to the fact that:

This proposal is considered to be seriously at variance to that principle and would create an impairment to the amenity.

Further on in the council's report it states:

The proposal by virtue of its use will detract from the attractiveness of the locality and alter adversely the residential character of the area.

Further on it states:

. . . if this proposal were to proceed it would be at serious variance with the Development Plan, detract from the residential character of the area, significantly impair the amenity of the locality and cause a serious non-conforming intrusion in the locality.

In short, the council and the residents strongly oppose the development. In desperation, because they were getting no help whatsoever from their local member, who happens to be the Premier, the member for Ross Smith, the residents came to me. I went to Markham Avenue to hear what they had to say. More than 30 of them gathered on the footpath and pointed to the very close location opposite where youths were to be detained as a result of sentencing in the Children's Court.

The fact that these people have already been harassed by these youths, who have broken into houses, stolen goods, stolen cars, held up elderly women in the street on their way back from shopping centres and demanded money with menaces, is a fairly good reason why these residents would be opposing a permanent detention centre of the kind that the DCW has in mind. But what happens as a result of these protests? Precisely nothing! The Premier has done nothing. The Minister for Environment and Planning, who has had at least three months to lay on the table of both Houses of Parliament the Enfield council's report, has not done so. The Minister of Housing and Construction, whose department is the construction authority for the detention centre, has not laid the report on the table of both Houses; nor has the Minister of Community Welfare, who is the responsible Minister.

Nevertheless, in breach of the Act, work has commenced. Some weeks ago, subcontractors appeared on the site and started digging foundations for the centre. As soon as the Enfield council became aware of that, it contacted the Department of Environment and Planning and pointed out that the Planning Act was being breached, that work was commencing on the site, and that the Minister had not observed section 7 of the Act and complied with the requirement to lay the council's report on the table of both Houses of Parliament. Work ceased, and nothing happened for several weeks.

Two weeks ago, work resumed. One weekend, a subcontractor appeared on the site and erected temporary toilet facilities. The residents became very agitated but could do nothing. On the morning of Monday 26 October, the council examined the site, recognised that work had commenced, contacted the Department of Environment and Planning and asked the department to inform the Minister that the Act had not been complied with and that the council's report had not been laid on the table of both Houses. Work stopped.

I wonder what the Ministers are doing when three of them cannot get their act together to observe one of the statutes of the Parliament. Work is stopping and starting on the site in defiance of residents' objections, in defiance of the Planning Act and, apparently, in defiance of the Minister for Environment and Planning, who, I gather, has at least had the grace to inform his colleagues that work should stop. One of the Ministers—or all three—is failing miserably in getting their act together, in observing the law and the wishes of the council and the residents of Markham Avenue that the project should not proceed.

Dr Cornwall should look elsewhere for his detention centre. He should take better care to ensure that young detainees are actually detained and not left to roam the streets, as they are doing at the moment. What is happening at the temporary centre is absolutely unacceptable. The fact that a permanent centre is in contemplation and almost under construction is an indictment of all three Ministers for permitting breaches of residential planning laws to occur. Certainly, the Minister for Environment and Planning should be called to account for his failure in this matter.

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

Mr HAMILTON (Albert Park): I welcome this opportunity to speak, particularly as the member for Mitcham is in the Chamber. I want to respond to his inane, stupid response, which appears at page 1353 of *Hansard* of 20 October, in which he said in relation to RSI:

Either members have been so uncaring that they have allowed the situation to deteriorate dramatically or there is indeed a propping up of ALP offices for political gain.

He went on to say:

Despite the cries of 'foul' from the member for Albert Park and the slimy contribution from the Minister of Housing and Construction, the facts remain: members are abusing their staff or abusing the system. Electorate staff should not under normal circumstances get RSI because they do not fit into the classic mould of unbroken typing workloads.

The honourable member went on to talk about some of the problems with RSI.

I remind the member for Mitcham that, before he came into this place, I sought additional assistance for one of his colleagues, the then Minister of Industrial Relations (Hon. Dean Brown). That application was rejected. I went to the media and, if my memory serves me correctly, in August 1981 or 1982 Greg Kelton in his political column in the Saturday *Advertiser* responded to what I had said about the

need for additional staffing in electorate offices. He agreed that the proposition that I put forward for additional staff was worthy of merit—not that I wanted a full-time staff member for myself, but one who could be shared with other electorate offices. The Hon. Dean Brown, in a letter bearing his own signature, spoke in very glowing terms about the staff and the amount of work that was done in my electorate office. I remind the House of those statistics: from January 1980 to August 1981, the number of inquiries or calls to my office increased from an average of seven per day to 73 per day.

I am a very caring man, and the House knows that. I have tried under all circumstances to get additional assistance in my office, even to the point of writing to Telecom to get an additional telephone box put outside my electorate office so that when my secretary was on the office telephone I could use another telephone. The then miserable Government was not prepared to provide an additional line to my office.

I really take offence at the suggestion that I am uncaring about my staff. I remind the member for Mitcham that my office has the equivalent of 1.4 staff. One girl works two days, another works three days and my first secretary works 20 hours a week in an effort to rehabilitate herself back into the office. It does not involve additional staff, but the equivalent of 1.4 overall.

The honourable member's snide and insincere remarks about the use and abuse of electorate staff by MPs on this side of the House are despicable, to say the least. The point I really want to make is this: I challenge the member for Mitcham (I know that he will not look over to me, because he is gutless) and the member for Hanson to meet any or all of these electorate secretaries outside the Parliament and talk with them individually. We will see whether they have the gall to come back to this place and say that I or any other MP on this side of the Chamber have been uncaring towards our staff. Let them repeat it outside 'Cowards Castle'. They do not have the intestinal fortitude to do so outside this place. They are prepared to use and abuse those girls as a political tool. They care not for the distress that they have caused those women and their families.

The cruellest thing about this is the children who are subjected to ridicule in the playground—and the member for Mitcham laughs. It is the kids who suffer, apart from their parents, and yet he sits there and laughs about it. There is such a thing as respect in this world, and I call a spade a spade. I challenge this man, if he is a man, to go outside the Parliament and talk to these girls because I am arranging for them to come to Parliament next week and meet the member for Mitcham and the member for Hanson outside this place. I challenge them to talk to those girls and say to my secretary and any of the others that they have been used and abused by the member of Parliament for whom they work. I know that I can speak for my secretary because of the great support that I have been given, and I know that from documentation. Let the member for Mitcham and the member for Hanson say outside this place that I have in any way used or abused my secretary in the course of her duties. Not at all!

Another cruel part of the speech by the member for Mitcham was when he said that we have allowed the position to deteriorate dramatically. As I said, since 1981, I have tried to get additional assistance in my office and I have not relented, despite a change of Government. My colleagues on this side of the House know that. The part that really hurts is that I have heard, not from my secretary but from other sources, that she has had over 300 consultations with visits to specialists, doctors, psychiatrists and the like in an endeavour to rehabilitate herself and get back into the work force.

I pledge my support to her in that regard and I have committed myself in writing to that effect. If that is uncaring, I do not know what caring is. I condemn in the strongest terms the honourable member and I throw out the challenge again that, if he is a man's bootlace, he will meet those girls outside the Parliament next week and talk to them—any place, any time. I throw out that challenge to both the member for Mitcham and the member for Hanson to come outside the House—outside Coward's Castle—and talk to the girls individually. We will then see what sort of a man or a mouse he is.

Members interjecting:

Mr HAMILTON: It is interesting to see how the Liberals laugh about it. So much for their concern about rehabilitation and concern for the worker! We hear about their newfound concern from the Leader of the Opposition who plays it up in the media. We have on the front bench two parrots who follow whatever their Leader says. They are two parrots with the brain of a pea given the way they carry on in this place. They show their true colours when they laugh about the disabilities of other people in the community. That is why we on this side of the House are here. We are prepared to look after the working class in this country. As former trade union officials we have had to go out and work for the disadvantaged—those people who need assistance. As I have often said to people in my community, I cannot recall in my lifetime in the work force one thing that the Liberal Party and/or its supporters have given to the working class in this country. I would like to be reminded—

Mr D.S. Baker interjecting:

Mr HAMILTON: That is the goat-herder from Naracoorte. It is a classic illustration of the fascist right who want to kick the hell out of the working class in this country. God help the working class! I repeat again that, if the man who has very little intestinal fortitude and his colleagues are prepared to come outside the House next week, at any time on any day, I will arrange for those girls to meet them. I do not believe that he has the guts to meet them. I look forward to his meeting with them individually.

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

Motion carried.

WEST BEACH RECREATION RESERVE BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council without amendment.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

The Legislative Council intimated that it insisted on its amendment to which the House of Assembly had disagreed.

At 4.50 p.m. the House adjourned until Tuesday 10 November at 2 p.m.