HOUSE OF ASSEMBLY

Thursday 12 November 1987

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

ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

At 11.1 a.m. the following recommendations of the conference were reported to the House:

As to the amendment:

That the Legislative Council no longer insist on its amendment but make the following amendment in lieu thereof:

Clause 3, page 1, lines 26 to 33 and page 2, lines 1 to 46:

Leave out the proposed new section 152 and insert the following:

152. (1) A member of the police force or an inspector may, for the purposes of determining any of the masses to which this Act relates, direct the driver or other person in charge of a vehicle—

(a) to drive the vehicle or cause it to be driven forthwith—

(i) to a place at which a weighbridge or other instrument for determining mass is located;

or

(ii) to a particular place convenient for using an instrument for determining mass;

and

(b) to do such things as are reasonably necessary to enable the masses in question to be determined.

(2) A member of the police force or an inspector may not give a direction under subsection (1) in relation to a vehicle that is not on a road unless he or she has reasonable grounds to believe that the vehicle has been driven on a road in contravention of a provision of this Act relating to mass.

(3) A person who—

(a) fails to comply with a direction under subsection (1);

or

(b) leaves a vehicle unattended for the purpose of avoiding a direction under subsection (1),

is guilty of an offence.

Penalty: For a first offence—not less than $5 000 and not more than $10 000. For a second or subsequent offence—not less than $10 000 and not more than $20 000.

(4) A court may not reduce or mitigate in any way a minimum penalty prescribed by subsection (3).

(5) Where a court convicts a person of any offence against this section, the court may order that a the person be disqualified from holding or obtaining a driver's licence for a period not exceeding three months.

(6) A disqualification under subsection (5) operates to cancel the person's driver's licence as from the commencement of the period of disqualification.

(7) Subject to subsection (8), the place to which a vehicle may be required to be driven pursuant to this section must not be more than eight kilometres from the place at which the vehicle is located when the direction is given.

(8) If there are reasonable grounds for believing that the driver of the vehicle intends in the ordinary course of the journey to travel along a particular road, the vehicle may be required to be driven any distance further along that road to a place that is not more than eight kilometres from either side of the road.

And that the House of Assembly agree thereto.

ANTI-POVERTY FAMILY PACKAGE

Ms LENEHAN (Mawson): I move:

That this House congratulates the Federal Government on the recently announced anti-poverty family package which will provide extra assistance to those families most in need and, further, the House requests the Federal Government to examine the consequences of the recently implemented policy relating to the payment of widows pensions and supporting parents benefits, such examination to include a review of the effectiveness of training and retraining programmes specifically targeted at these groups.

In moving this motion to, first, congratulate the Federal Government on the anti-poverty family package to be introduced into Australia next month, I wish to provide a brief background analysis—

Members interjecting:

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

Ms LENEHAN: Thank you, Mr Speaker. I wish to provide a brief background analysis of the data upon which the package is based and then to outline the most significant aspects of the package. I will then address the second part of my motion which calls on the Federal Government to monitor the consequences of the withdrawal of the supporting parents benefit for sole parents with a dependent child over 16 and the removal of the class B widow's pension.

In the past 10 years, the number of children in Australia's poorest families has more than doubled. Today, more than 800 000 children, more than one child in five, are from families which have to depend on income support from the Government. Most of those children are in families which have suffered from the impact of unemployment (involving 220 000 children) or marriage breakdown (involving about 440 000 children). More than 70 per cent of separated parents who no longer share a home with their children fail to share their income with those dependants. All children have a basic right to be supported by both parents to the best of their ability, but currently more than 250 000 sole parents care for 440 000 children who depend upon Government support.

The Director of the Social Security Review (Dr Bettina Cass) in her report on income support for families with children, which was released last October, recommended that the Federal Government should target child payments at low income families and structure a package to encourage people to seek economic independence. Dr Cass received more than 120 formal admissions in response to her report, and she conducted a nationwide tour of seminars with more than 50 organisations from January to March of this year. The overwhelming support from these consultations was for a substantial increase to child payments and the amalgamation of the family income supplement with additional pension benefit to support parents' transition to work.

This is exactly what the Federal Government has done. The family package restructures assistance to working and pensioner families on low incomes. It replaces the family income supplement and will provide help for at least 200 000 families who are struggling on low wages to make ends meet. The family allowance supplement will be paid at a basic rate of $22 per week per child, with a higher rate of $28 per week for children aged 13, 14 or 15 years, and will be paid in addition to the family allowance. Several points about the scheme should be noted. First, as well as substantially increasing payments, the income test will become more liberal with a threshhold of $300 per week income for one child plus $12 per week for each additional child. I seek leave to incorporate in *Hansard* a statistical table showing the income limits for the family allowance supplement.

The SPEAKER: Do I have the honourable member's usual assurance that the matter is purely statistical?

Ms LENEHAN: Yes, Sir.

Leave granted.

Income limits for Family Allowance Supplement

No. of children	For full payment* $	For part payment: Children under 13 renting $	Children under 13 not renting $	Children 13 to 15 renting $	Children 13 to 15 not renting $
1	300	374	344	386	356
2	312	430	400	454	424
3	324	486	456	522	492
4	336	542	512	590	560
5	348	598	568	658	628
Extra children	Add $12	Add $56	Add $56	Add $68	Add $68

* Income above these amounts reduces the amount of payment by 50 cents in the dollar.

Ms LENEHAN: The new child disability allowance will now be paid at the rate of $112 a month per child to all families with disabled children. Rent assistance of up to $15 per week will also be paid from December to people in private rental accommodation who receive the family allowance supplement and to parents on unemployment benefits. To fully illustrate the total weekly payments for families with dependent children that are renting privately, I seek leave to incorporate in *Hansard* another statistical table showing the various amounts that are paid to families with up to five children.

The SPEAKER: The honourable member again wishes to seek leave to incorporate purely statistical material?

Ms LENEHAN: Yes.

Leave granted.

Family Allowance Supplement

Total weekly payments for families with dependent children* Renting privately**

Total family income: Weekly under $	Total family income: Annual under $	Number of children: 1 $	2 $	3 $	4 $	5 $
250	13 000	37	59	81	103	125
250	13 000	37	59	81	103	125
260	13 520	37	59	81	103	125
270	14 040	37	59	81	103	125
280	14 560	37	59	81	103	125
290	15 080	37	59	81	103	125
300	15 600	37	59	81	103	125
310	16 120	32	59	81	103	125
320	16 640	27	55	81	103	125
330	17 160	22	50	78	103	125
340	17 680	17	45	73	101	125
350	18 200	12	40	68	96	124
360	18 720	7	35	63	91	119
370	19 240	2	30	58	86	114
380	19 760	—	25	53	81	109
390	20 280	—	20	48	76	104
400	20 800	—	15	43	71	99
410	21 320	—	10	38	66	94
420	21 840	—	5	33	61	89
430	22 360	—	—	28	56	84
440	22 880	—	—	23	51	79
460	23 920	—	—	13	41	69
480	24 960	—	—	3	31	59
500	26 000	—	—	—	21	49
520	27 040	—	—	—	11	39
540	28 080	—	—	—	1	29
560	29 120	—	—	—	—	19
580	30 160	—	—	—	—	9
600	31 200	—	—	—	—	—

* Families will receive an additional amount of $6 a week for each child aged 13 to 15.

** Families not in private rental accommodation can estimate the payment they will receive by subtracting $15 a week from the above amounts.

All payments are tax-free.

Note: In addition to the above payments families will also be eligible for the relevant family allowance payment for each child.

Ms LENEHAN: The Federal Government deserves the congratulations of this House for tackling head on the poverty faced by hundreds of thousands of families with children living in Australia. The Institute of Family Studies, after analysing the package in detail, has strongly given its support to the Family Assistance Program, describing it as a guaranteed minimum income scheme for all children. I believe that all members of this Parliament will support the Federal Government's goal to end child poverty by 1990.

I now turn to the second part of my motion which addresses the Federal Government's decision in the May economic statement to remove from 1 September 1987 the eligibility of recipients for class A widow's pensions and for supporting parents benefits of those families where the youngest child is 16 years or over, and also the complete phasing out of the class B widow's pension. For those families and individuals who are immediately affected by this decision, the Federal Government has extended eligibility for fringe benefits until the end of 1988. Sole parents in approved full-time study and receiving a pension before 1 September will remain on the pension until the completion of their current course.

Like other members of this House I am only too well aware that these changes—and indeed the changes as well to the phasing out of the class B widow's pension—have caused disruption and anxiety to those people who are affected. I agree with, and indeed support, the Federal Government's longer term objective for greater economic independence for sole parents. Let us remember that sole supporting parents disproportionately make up the poorest family units in our community.

I welcome the allocation of an additional $2 million under the adult training program to specifically assist women who are affected by the changes to their income security, and the $500 000 for child-care assistance for sole parents undertaking vocational training or Austudy courses. However, I believe it is important to closely monitor the effects of these changes and the success of training and retraining programs which have been designed to meet the objectives of economic independence through vocational education and training.

Recent inquiries which I have made have revealed that so far in South Australia approximately 80 widows have received a basic training course under the adult training program. This course is designed to provide information about re-introduction into the work force. I understand that there is then the opportunity to go into something more specific under the adult training program in the way of skills training. However, I have been told that it is not possible to keep track of those widows who apply for courses under the Austudy or TEAS programs, and this causes me some concern, because I believe that it is vitally important to follow up these people who have been removed from benefits or from some form of supported income and to ensure that they are being given the opportunity to fulfil the goals that have been set by the Federal Government.

It seems to me that this is an ideal opportunity to take this group of mature people, the vast majority of whom are women who have been out of the paid work force for long periods of time, and to tailor refresher, retraining and, indeed, training courses and programs to meet their needs.

At the same time, those courses should, I believe, have to take cognisance of the particular labour market needs and demands. It is important to take the group of people who need these refresher, retraining and training courses and to match them up with the demands in the community.

I am thinking of such demands as child-care workers, areas of keyboard skills (which we have need for), technological skills, and a number of areas where women have not been traditionally employed and trained. I am also thinking of things like the hospitality and tourism areas, just to name a few.

Mr S.G. Evans interjecting:

Ms LENEHAN: I think that is a quite inappropriate and frivolous comment by the honourable member, although I am not surprised: it is the sort of thing that he would say.

Mr Lewis interjecting:

The SPEAKER: Order! The honourable member for Murray-Mallee will have his opportunity to contribute to the debate at a later stage.

Ms LENEHAN: I take this matter as an extremely serious and important one, and I believe, that as well as these types of training courses, it is vitally important to provide this group of mostly women with skills and confidence building which will increase their awareness of the contribution that they must make to the community as a whole. To disregard the contribution that this group of people can make is, I believe, to deprive the community of the vast resource of life experiences that they have developed along the way in terms of caring for and supporting children on low incomes in our community.

In a question that I recently asked the Minister of State Development and Technology I highlighted the example of one constituent who has been to me and who is feeling the effects of the removal of her benefits under the sole supporting parent benefit, I believe that she really represents a vast number of women who have fallen through the net which the Federal Government is certainly trying to provide. I do not wish this to be seen as a criticism of the intention of the Federal Government, but I believe that it is the duty of members of this House to point out to that Government that there are numbers of women who, despite every effort to contact them, to provide them with the opportunity to attend some form of training or retraining courses, have not been contacted or offered appropriate courses.

It seems that really we have this golden opportunity, if you like, to instigate a pilot program which can be thoroughly assessed and which will ensure that people are given appropriate and comprehensive training in order that they become economically independent and so that they can return to the workforce.

Just in case any members think that perhaps I am being a little idealistic and that this is not possible, I assure the House that on a recent study tour I visited the Scandinavian countries of Norway and Sweden, and these programs are being implemented very successfully in those countries, where there is a determination on the part of the community and the Government to ensure that all members of the community have access to adequate training and education so that they can take their place in the workforce, so that they can contribute, and so that their particular labour is valued by the total community.

I believe that the Federal Government is moving towards this position, but in my motion I request that it continues to monitor the success of these programs to ensure that they achieve the goal of obtaining full employment for those people whose pensions and benefits have been removed. I urge the House to support my motion.

Mr LEWIS secured the adjournment of the debate.

RENTAL ASSISTANCE

Mr DUIGAN (Adelaide): I move:

That this House acknowledges and endorses the principle that rental assistance reduces the impact of housing costs on low income families in the private rental market and helps alleviate poverty.

Housing is a very important issue, and it appears rather more often under Notices of Motion and Orders of the Day: Other Business than any other item. I have asked the House to direct its attention to assisting people in the private rental market so that the housing cost proportion of their total income can be reduced by a support system provided by the State and Federal Governments.

Housing is an important issue to Governments, individuals and the community and it is obviously important in policy terms to nearly every member of the House as they have addressed themselves to the issue on a number of occasions. Governments of both political persuasions, at both Federal and State levels, have a variety of housing policies covering both demand and supply. My motion addresses one of the policy issues relating to demand, namely, providing direct financial assistance to renters. That has a number of consequences, the first of which is that if there is direct financial assistance to renters there will be a reduction in the family income spent on housing. Secondly, it will reduce—albeit marginally—the number of people in the subsistence or poverty categories. Thirdly, it directs itself to families, particularly those most in need; and, fourthly, it ensures that the private rental market remains a viable alternative for many people, at least while they wait for what could be more affordable public housing.

Last week the 1987 South Australian Housing Trust annual report was tabled in this House and it indicated that a number of programs were directed towards assisting people and families in the private rental market, including the rent relief program and the counselling and financial assistance programs available through the Emergency Housing Office which, in the past financial year, helped more than 25 000 families with financial and counselling advice. The second program in the private rental area is run through the Housing Improvement Program, which exercises rent control over many premises on the South Australian private rental market.

I particularly want to direct my comments this morning towards the rent relief scheme. I refer to the 1986 and 1987 annual reports of the South Australian Housing Trust. The 1986 report, under the heading 'Rent Relief', states:

The rent relief scheme provides direct cash assistance of up to $25 a week to private tenants experiencing genuine difficulty meeting their rental payments. Under the scheme households are assisted with direct cash payments to enable them to remain in private rental accommodation until the trust can assist them with an offer of alternative accommodation. The trust reviews the circumstances of each recipient every four months.

The scheme began in 1982 and the trust report indicates that over 30 000 people have been approved for assistance. The report gives some examples of the types of people who both apply and become eligible for rental assistance, and I will cite some of those examples so that we are clear about the people being discussed when we direct our attention towards the policy of rent relief. A single aged pensioner, whose sole source of income was the pension, was assisted

with $19 a week towards her rent of $77 a week. A supporting parent with two children, again on a limited income, was paying $85 a week in rent and was assisted by the trust with $19 a week rent relief. Assistance was also extended to a single youth on low income of $88 a week who was committed to paying $55 a week for his accommodation. Rent relief reduced that outlay to a more affordable $40 a week. I now refer to the 1987 report of the South Australian Housing Trust in which we were advised:

> During the year ended 30 June 1987, 12 345 housholds applied for rent relief and 10 726 were approved for assistance. . . . and the total value of payments made during 1986-87 was $7.07 million.

In the 1987 Annual Report is another example of the sort of people who continue to be provided with assistance under this program. The report states:

> Marilyn is a supporting mother with four young children who endured a long period of financial hardship after desertion by her husband. She was forced to rent privately following the sale of the marital home and was able to secure a three bedroom house at a rental of $90 per week. This represented 45 per cent of her income and made it extremely difficult to make ends meet. Marilyn applied for rent relief and was provided with assistance of $18 per week. This will assist Marilyn to maintain her private rental home while she and her children wait for rental housing through the trust.

I now wish to return to the principle of directing financial assistance to low income families in order to alleviate poverty. Poverty in Australia could be ameliorated or, in the terms of my motion, alleviated if income security or housing policies or both, dealt effectively with the problems faced by people on low incomes. What most families in the low income bracket need is affordable housing. Housing is available and it is generally of a good to reasonable quality, but it is often beyond the reach of many low income people. There really remain in the public arena only two main options for this group: reducing the cost of housing or increasing their capacity to be able to afford it through some rental relief program.

Housing costs are the biggest single contributor in forcing people below the poverty line. This has been illustrated in a variety of Government and academic reports. Indeed, yesterday the Minister of Housing released the Youth Housing Inquiry Report 'Beyond Tent City', which refers to a number of Government and academic reports. At page 21, under the heading 'Private rental', it states:

> According to figures obtained from the 1986 census, approximately one in every seven households in South Australia live in the private rental sector. Approximately 28 per cent of people in private rental accommodation are aged between 15-24 years. Nationally, the incidence of poverty after paying for housing is on average 11.2 per cent for all family types across all tenure types. The incidence for young single people aged 15-24 years in the private rental sector, however, ranges from 20 per cent to 25 per cent. The degree of poverty experienced by young single people in private rental accommodation is alarming: An under 18 year old on present unemployment benefits of $50 per week may be paying anywhere from 50 per cent to 80 per cent of income in rent for shared accommodation.

The statistics speak for themselves in terms of the impact that housing has on people's capacity to exist in our community. A related conclusion of much of the Government and academic work in the whole area of accommodation and accommodation assistance programs is that income support systems need to be more sensitive to how and where recipients get their housing. At present they are not, although the recent anti-poverty family package referred to earlier this morning by the member for Mawson is attempting to pick up that conclusion of a number of reports. The most recently announced policy and the desire to have an anti-poverty family package is a recognition that one of the most important reasons for people falling below the poverty line is the cost of their housing.

There is another consequence arising from these reports. It is not simply that the incidence of poverty in our community is increasing: its distribution is changing, as well. I will quote from a paper prepared as part of an extensive review of social security and income support programs being run by the Federal Government. Discussion Paper No. 18 entitled 'Assisting Private Rentals' states:

> On the basis of an analysis of the 1978-79 income distribution survey the Social Welfare Policy Secretariat estimated that, while the level of poverty was similar to that of 1972-73, its incidence had shifted away from single individuals and had become relatively more concentrated among families. This changing structure was associated with increasing poverty among non-aged people, partly due to rising unemployment and increasing sole parenthood.

An additional factor was that poverty among the aged had been reduced by rising levels of real pensions, with an increasing number of them having full ownership of their property. The release of further information as a result of the 1981-82 income and housing survey has led to a large number of more detailed studies on poverty incidence, and these have confirmed the importance of unemployment and sole parenthood as the current principal causes of poverty. The report continues:

> Growing numbers of children have become dependent upon social security incomes as a result of rising unemployment, the increasing trend in sole parenthood and rising poverty among working people.

The sentiments expressed in that report are reflected in the statistics that were provided to this House in the supplement to the Annual Report of the Housing Trust, entitled 'The Housing Trust in Focus 1987', which was tabled last week. On page 24 of the supplement is a table which indicates the source of income of the current recipients of rental assistance in South Australia. In 1987, of a total of 8 720 people benefiting from the rent relief program, many of them (3 324) are on unemployment benefits. The next largest category is those on sickness and a variety of other benefits, including TEAS (2 829). The next largest category is those on supporting parents benefit (1 829). The smallest categories are those on the aged pension (432) and those who are employed and on very low wages (306).

The subsequent table on page 24 indicates the consequences of having a rent relief program. Of those 8 720 people in receipt of rent relief, 5 595 paid in excess of 50 per cent of their whole income in housing costs prior to being given rent relief. With the rent relief subsidy, that number fell to 2 000.

The emphasis and orientation of the program is to try to reduce the proportion of one's total income spent on housing and, as a result of the Housing Trust's program, the commitment of those large numbers of people paying in excess of 50 per cent is reduced to 30-40 per cent. Therefore, there is a dramatic shift in the proportion of people's income available after paying housing costs, to meet the large number of other expenditures that families inevitably bear. The 'Social Security Review' figures indicate that poverty among families of all types, including aged people in the private rental accommodation area, is four to five times higher than it is for any other group. I believe that this indicates the importance of providing rental assistance, and of continuing to do so. Clearly, owners in the accommodation market are much better off than tenants, and always have been. The 'Social Security Review' states:

> Housing analysts have argued that the Government has given priority to objectives other than providing housing assistance in an equitable way. It has instead promoted owner occupation and as a result has favoured those who over their lifetimes have or tend to get middle to high incomes.

A number of people have conducted analyses of the amount of Government assistance that is provided to various categories of tenancies. The report concludes:

Their estimates of current levels of assistance are that, on average in 1984-85, owner occupier households benefited by $1 250 per household, and public tenants received $1 795, while private tenants received less than $300. . .

The purpose of the rental assistance program is to try to ensure that there is a more equitable distribution of Government assistance to people in various types of occupancies. There are a variety of rent relief schemes designed to address this problem. The motion simply seeks to affirm the principle of ensuring that the most needy are those who are currently being squeezed out of the housing market by a bias towards home ownership in Government policies. Rental assistance is not a panacea for all housing problems, but it could help reduce them. I commend the principle of rental assistance and I urge members of the House to support the motion.

Mr S.J. BAKER secured the adjournment of the debate.

YOUTH SUPPORT

The Hon. D.C. WOTTON (Heysen): I move:

That this House, recognising the desirability of supporting families, calls on the Minister of Community Welfare to take the necessary steps to ensure that when a minor leaves home of his or her own accord, and seeks to be, or for some other reason is admitted to a Government youth accommodation facility, it be made mandatory that an interview be conducted between the youth concerned, the youth's parents or parent and a qualified social worker and every effort be made to have the youth reinstated with his or her family when it is in the best interest of the youth.

At the outset, I believe that the intent of this motion is, in fact, the intent of current legislation. In saying that, I want to refer to two areas of the Community Welfare Act Amendment Act 1981. First, I refer to section 10, under 'Objectives and Powers of the Minister and the Department', as follows:

The objectives of the Minister and the Department under this Act are—

(a) to promote the welfare of the community generally and of individuals, families and groups within the community; and

(b) to promote the dignity of the individual and the welfare of the family as the bases of the welfare of the community, in the following manner . . .

and I refer to paragraph *(d)*, particularly, which states:

(d) by providing, assisting in the provision of or promoting services designed to reduce the incidence of disruption of family relationships, to mitigate the adverse effects of such disruption, to support and assist families under stress and to enhance the quality of family life.

I recall very clearly that when this legislation was being dealt with in Cabinet the then Minister of Community Welfare, John Burdett, from another place, put considerable emphasis on that provision in this legislation.

Another provision that I want to refer to is that contained in section 25 under Part IV—Support Services for Children, Division I—Principles to be Observed, which states:

A person dealing with a child under or by virtue of any of the provisions of this Part . . .

(e) shall promote, where practicable, a satisfactory relationship between the child and other members of, or persons within, his family or domestic environment.

The fact is that, in cases on which I have received representation, this is just not happening. I recognise, though, that in some circumstances it would be totally inappropriate to have children or minors remain at home—and I refer particularly to problems involving domestic violence and other areas where, very sadly, in our community today—

Ms Lenehan: Child abuse.

The Hon. D.C. WOTTON: And child abuse—it is not appropriate for young people to stay in their own home; that is a very, very sad fact of life. I also recognise that in the vast majority of cases the youth shelters that we have in this State are doing a very good job. But what I am concerned about is the involvement of parents. A number of cases involving these issues have been brought to my attention. In fact, I raised this matter in the House earlier this year. Since then, people from both within and outside my electorate have come to me and expressed concern about these issues. They have referred to situations of young people between the ages of 15 and 18 who, for one reason or another, have left home and have found their way to welfare organisations which have then placed them in a shelter of some description.

It is clear, in relation to the cases related to me, that the welfare officers associated with those shelters have made no attempt to make contact with the parents involved. I referred earlier in this House to a certain letter, and I want to refer to it again, because I think it spells out the matter very clearly. It comes from a father of a 16-year-old. In his letter he refers to, as he puts it:

. . . the apparent ease by which under 18-year-old children are able to be accommodated outside the family home by, apparently, Department for Community Welfare supported organisations.

He goes on to say that his 16 year old son's statement, 'I don't wish to live at home under my father's rules of the house' was sufficient for one organisation at Prospect to offer him accommodation. A subsequent interview with the manager of the organisation revealed (quoting from my constituent's letter) the following:

(1) All he was interested in was whether the child was mature enough to go into self-contained housing.

(2) If the child was old enough to pay his way, i.e., eligible for the dole.

(3) If he in fact had no money the Department of Social Security or similar would forward an amount of money until the dole benefit became available.

He goes on to say:

At no time whatsoever did he consider that it was his responsibility—

and I am referring to the welfare officer—

to contact the parents to substantiate the child's story or in fact to establish whether the child was in fact a true 'desperate homeless individual'. I appreciate the fact that some children for varying reasons are unable to live under the same roof as their parents, but surely it is not the decision of a so-called social worker to break down every home environment of every child without a substantiation of the facts.

I do not believe a person should be kept against their will under their parent's roof if there are genuine reasons, but I strongly object to the ease in which an under-age juvenile can for no other reason than for its own personal dislike of conforming to the family unit and respecting the rest of the persons about it, walk out and obtain such assistance from the likes of the above mentioned, at the expense of most importantly those who are genuine and of the taxpayer—also the very fact that my son was assessed as mature and capable enough by those people to go into the type of housing in which he has been accommodated, surely bears testimony to his upbringing and in turn is not the indication of an uncaring parent.

I put it to you that the system as it stands is open to abuse and the immediate result is a destroyed family unit. The effect on the parents is far too complex to put into words at this time, and in the end result the community as a whole.

In summary, I would point out I have faith in my son as being able to stand on his own two feet, but it has been by his parents' efforts, not by a social worker who more than likely has never had to raise his/her own children, and appears only interested in processing a system rather than getting to the real basis of the individual's needs.

My concern has been expressed by other parents also, who are battling against the deterioration of human principle. The younger generation need the guidance of experienced parent adults in order to succeed. If a juvenile or minor can in our present tough society be left to do its own bidding, then legislation itself and those who draft it can only be held responsible.

I have a number of cases that I wish to refer to specifically and a number of articles that have been brought to my notice. I believe it is essential that the Government take steps to ensure that young people who seek accommodation in emergency youth shelters are given appropriate counselling and every effort is made to reinstate them with their families. When a minor contacts the Department for Community Welfare to inquire about housing, an interview must be conducted between the youth concerned, his or her parents and a qualified social worker. An attempt at reconciliation must be made, if this is in the best interests of the youth concerned. At the moment it is very easy for young people to opt out of responsibilities associated with being part of a family. Young people are able to get accommodation easily, often without the knowledge of their parents or parent.

In cases that I will refer to later I will point to situations where parents were not contacted by welfare officers about the place of abode of minors. As I said, I realise that there are genuine cases (in situations of domestic violence and abuse) where young people have no option but to leave home, and in these cases young people are often better off away from the family environment. However, my concerns are chiefly focused on the many examples where minors are leaving home simply because they have fallen out with their parents or cannot hack the discipline or responsibilities at home. Although current legislation makes provision for consultation between minors and their parents, it is not happening in enough cases, and that is my direct concern. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

HEALTH INSURANCE

Ms GAYLER (Newland): I move:

That this House condemns the Liberal Party for its suggested free-market health insurance system with premiums based on risk and age group which would seriously disadvantage people such as the elderly and retirees on pensions or fixed superannuation incomes who would be hit with higher costs.

It has been an accepted foundation of most post war Western democracies that Governments have a vital responsibility for the health of their people, and that health care should not be dependent on ability to pay. Until recent Liberal flirtations with New Right user-pays free market health care and health insurance notions, all major political Parties in this nation have, to varying degrees, supported that philosophy and that view of the role of Governments. In the case of the Federal and State Labor Government the health policy has been based on three principles: first, universal cover; secondly, payments related to an individual's capacity to pay via Medicare; and, thirdly (for those who wish it), private health insurance based on community rating.

That basis for health policy in Australia has been strongly supported by the community, most recently at the last Federal election in July. It is a policy which is equitable. It provides security; it provides quality health and hospital care, and it leaves no-one out in the cold. In the words of Michael Dowe in the latest issue of *New Doctor*:

Fundamental to our health system has to be the notion of equality of access and attention. Equality of access cannot exist if the consumer has to make a financial decision in seeking medical attention. Equality of attention cannot exist if the provider of health services has to render services based on the consumer's ability to pay.

As I said, the health policy of Labor Governments in this country was endorsed at the last Federal election which saw quite vocal rejection of Liberal health policies as a mishmash requiring people to pay more for less. Now, post election, apparently ignoring public rejection of these crazy health policies, the newly appointed Federal Liberal health spokesperson, Mr Wilson Tuckey, has produced yet another set of health policies from the Opposition. His suggestions abandon the three principles of universal cover, ability to pay through Medicare and community rating in the private system. The Tuckey proposals released last week are reported in the *Australian* of 5 November, as follows:

Elderly Australians would pay much higher health insurance premiums, and the young much lower premiums, under a new Opposition policy proposed by the Liberal spokesman on health, Mr Wilson Tuckey.

Mr Tuckey said the policy he would advocate for acceptance by his party would dispense with the concept of 'community rating'.

The Opposition considers its health policy as in need of complete overhaul, following the election, in which it was roundly condemned.

Mr Tuckey said he favoured the replacement of Medicare with a system in which every Australian would take out private insurance, and the Government would have 'no involvement whatsoever in the delivery of health'.

'I'm setting out to achieve a private providers system, by which people will be privately covered and will deal with the private sector. The first thing I want to walk away from is community rating . . . because it's a major distortion of normal business practice' he said. In place of community rating, he would have 'proper risk management of age groups—not individuals'.

'You then get an adjustment where there are low premiums for the young, and [I emphasise] much, much higher premiums for the elderly,' Mr Tuckey said.

The inevitable financial difficulties that would be faced by the elderly would be compensated for by premium subsidies, or 'more ideally, an increase in the size of pensions'. It would be compulsory for private insurers to accept the chronically ill.

In the *News* of the same day the same policy of Mr Tuckey was covered, and Mr Tuckey described his scheme for proper risk management of age groups. Again, it was pointed out that the elderly would be paying higher premiums into the private health insurance system. He said:

This increase could be offset by a rise in pensions.

He said not 'would', but 'could'. Essentially, Mr Tuckey is concerned to introduce normal business practice into the health insurance system. His proposal is to privatise Medicare and to allow the private health insurance system to run a free market in health insurance because the present arrangements are a distortion of business practice. In my view this Parliament should tell Wilson Tuckey that the nation's health care policy is not a policy about business practice: it is a policy about health care for all—and quality health care at that. The *Australian's* critique on Wilson Tuckey's health policy quotes it as anything but auspicious. The *Australian* goes on to say:

It appears that he looks forward to a situation in which, while the premiums for the elderly would be raised, this would impose no burden on them because the age pension would be increased sufficiently to cover the additional expense.

It is difficult to reconcile this proposal with his uncontradicted statement that he favours a policy whereby the Government 'would have no involvement whatsoever in the delivery of health'. This is not the only difficulty Mr Tuckey's health policy would create.

He has defined the term 'elderly' for the purposes of his health policy. And it would seem that there are categories of infirmity other than advanced age that should be equally worthy of Government financial assistance, the recognition of which would add to Government involvement in the delivery of health services.

The *Australian* goes on further to say:

It has long been generally agreed in Australia and in similar countries, including the United States, that public health is so vital that, whether it is provided by a private scheme or a Government scheme or by a mixture of both, it necessarily requires a substantial contribution of public money.

In relation to Mr Tuckey's scheme, it states:

It would undermine the principle that has wisely and humanely been followed in Australia since World War II, whereby the nation has attempted to act as a family in which the younger and stronger contribute to the care of the older and frailer and at the same time provide for their own futures.

This principle is already departed from by some private insurance schemes, but this is not a foundation on which an adequate national health scheme, whether Government or private, can be built.

I will not have time to continue analysing the harm of Mr Tuckey's proposals today, so I seek leave to continue my remarks later.

Leave granted; debate adjourned.

WORKCOVER

Adjourned debate on motion of Mr S.G. Evans:

That in the opinion of this House the new workers rehabilitation and compensation scheme known as WorkCover is seriously disadvantaging many small businesses, welfare agencies, charities and sporting organisations.

(Continued from 22 October. Page 1495.)

Mr S.G. EVANS (Davenport): The more I have looked at the rates that apply here, the more I am convinced that there has been some skullduggery. I do not know whether it is appropriate to call it corruption, scheming or manipulation, but I want to spend some time comparing figures. How can a group of people who are supposed to be unbiased, and supposed to be taking an overall view end up giving a premium to pay to political Parties of .5 per cent of salaries, and to charities and welfare agencies of 3.8 per cent of salaries? Further, this Parliament and the public have been told that to have tobacco products in our society is a terrible thing and we should restrict their advertising and try to place burdens on them.

The Hon. D.C. Wotton: Hear, hear!

Mr S.G. EVANS: The member for Heysen says 'Hear, hear!' I am not out to debate that point at the moment. The point I bring to the House's attention is that when one starts growing vegetables one is expected to pay 4.5 per cent of a salary in order to grow vegetables. If one grows tobacco, one pays 3.8 per cent. This Parliament agreed to those rates: the Minister has agreed to them.

First, the committee looked at it on behalf of WorkCover: I presume it went to the ALP Caucus subcommittee, which reviews all legislation (and if it did not, I hope someone tells me it did not) and which made the judgment that it was all right; it had to go to Cabinet; and then it was brought before the Parliament. How can we say that we have a concern about tobacco as a substance in our society when we charge a greater rate in respect of growing vegetables than we do in relation to growing tobacco? The growing processes are very similar, yet people tell me that the different rates are justified. Tobacco product agents are charged 2.3 per cent. The growers of vegetables pay 4.5 per cent, the growers of tobacco 3.8 per cent, and the tobacco agents 2.3 per cent. One honourable member in the House yesterday made an attack upon one of those handlers who has perhaps learned how to rig the system a bit, but we let it through at 2.3 per cent. I ask members to explain how we justify that.

The manufacturers of soft drinks, cordials and syrups are charged 3.3 per cent, whereas the producers of liquid milk and cream products are charged 3.8 per cent. A soft drink, in a way, is a luxury, and some people say it is harmful to our health. I drink the stuff, although I drink much more milk—and I am not arguing this purely because I have a personal interest in the milk I consume—but why should the manufacturers of beer, ale, stout, soft drinks, cordials, wine, brandy and all those sorts of things get away with a 3.3 per cent rate when the liquid milk and cream people pay 3.8 per cent?

How does one arrive at that figure? There has to be something in the system, whereby someone is leaning on someone's shoulder and saying, 'Don't hit us too hard.' I have not even looked at the personnel. The Minister mentioned it, but I will not go into that, because I do not know where the personnel lie politically or about their power structure in the union or the private sector. Legislation has been introduced to raise the cost of firearms licences to $60. We belt the people who want to legitimately own a gun and we say that needs to be done in the Parliament. Then we charge groups in that area 3.8 per cent for the ammunition, explosives, fireworks and matches manufacture, yet we charge other groups, such as those growing vegetables, 4.5 per cent. Which groups represent the greatest danger? Which carry the biggest stigma in society, according to the atittudes of society at the moment in regard to firearms and explosives and their use? If we are consistent in what we say in Parliament through regulations, how is the figure of 3.8 arrived at for firearms compared with 4.5 for the others?

An honourable member interjecting:

Mr S.G. EVANS: The honourable member probably refers to one area I have not touched upon and he may be thrilled that I have not. It is obvious that somebody in the system has had a word in somebody else's ear. I then refer to paper publishing, paper stationery manufacturing, commercial or job printing, book binding and publishing, paper products and manufacturing. That area picks up the newspapers, including the daily papers and the provincial press. Who owns them? In financial terms, who really owns the majority of them in this State? Is it the big money kings of the country who have just had a kick in the neck from the share market? Of course it is. Who are their best friends? Who did they support during the last election campaign? Into what Party did they pour money, whether by way of indirect advertising or direct contributions for all sorts of deals? Who were they? Who gave the ALP the support during the Federal election campaign so that it won the election? Is it unfair for one to interpret this as being a payout when those people in the print media can get away with a rate of 2.8 per cent, but the blind, deaf and epilepsy charities are hit at a rate of 3.8 per cent? Where is the justice and the fairness? Of course it is not there.

When that happens, there must be something corrupt in the system. There has to be; there is no other logical explanation for it. When those people in the private sector make millions of dollars a year (and the ABC is not in the same category, but it is included in this category), we hit them with a rate of only 2.8 per cent. To add to that injustice, radio stations and television stations are charged one lousy per cent. People spend thousands of millions of dollars to buy those stations, they have wooed and won Federal Ministers and Prime Ministers to obtain their support so that legislation can pass to ensure that they can implement these massive takeovers, but then we as a Parliament say that it is all right for the radio and television stations that make a mint (and I will leave the ABC out of it, but they get hooked into it because of the others—they are not necessarily friends of mine), and we will charge the charities and welfare agencies 3.8 per cent. Those who grow vegetables and some other agricultural products are charged a rate of 4.5 per cent. Those who grow tobacco products are charged a measley 3.8 per cent. Where is the fairness in that?

The cereal foods and baking area is charged 4.5 per cent, but the bread manufacturers are charged 3.8 per cent. We

are aware of the controversy that has surrounded the bread manufacturing industry in the State. We know the pressures that the unions have placed on the Minister and the Government over the past few years in relation to Saturday and weekend baking. Do not tell me that is not a cop out. Why are the people who grow cereals (which are just as healthy for a person to eat) along with those involved in cereal baking mixes being charged 4.5 per cent, while bread manufacturers are being charged only 3.8 per cent? Why is that so? For a lot of people, cereal, like bread, is still a basic food. Has that occurred because one union had more power than the other and we are the suckers by not picking it up and fighting it on an earlier occasion?

Is that the truth of it? Licensed clubs and non-licensed clubs are hit for 2.8 per cent. Where is the justice in that if we are considering ability to pay and trying to spread the load? That is less than the other categories that I have mentioned. The gambling services category, excluding lotteries, pays only 1.3 per cent. When I last spoke on this subject I asked the Minister (and he has not yet replied) whether the gambling section of the Casino was considered to be a separate entity. The Casino is ripping millions of dollars out of this State each year, and that money is going all over the world (and we all know that most of it is coming from South Australians and not from tourists). Is the gambling section of the Casino paying only 1.3 per cent, while charitable organisations are paying 3.8 per cent and must go cap-in-hand to the Government asking for help because they are being ripped off by WorkCover? On the other hand, a gambling facility, which offers all sorts of incentives and which says that there is 'a pot of gold at the end of the rainbow', pays only 1.3 per cent. There must be some form of corruption.

How can we allow that in relation to gambling services? I remind the Minister that he has not responded to my questions. Whether or not I am wrong on that point, I refer again to the bookmakers and TAB agencies, which pay only 1.3 per cent. I know that bookmakers are having a rough trot at the moment, but so are small businesses, especially those in the retail and manufacturing furniture industry. That industry employs more people than gambling services and creates more jobs; and it is far more essential. Gambling services could be hit to leg, but that has not occurred.

I turn now to labour associations, councils or unions which pay 2.8 per cent. Charities pay 3.8 per cent and business and professional associations pay 2.3 per cent. Why do business and professional associations get away with paying only 2.3 per cent when clubs—unlicensed clubs, sporting clubs, and so on—pay 2.8 per cent? I think I can see what happened when the legislation was drafted: people sat down and asked, 'Where are we likely to get the most flack? If we pamper the television and radio stations, that will appease them and they will leave us alone. If we pamper business and professional associations, that will keep them off our back (although not the individuals operating in the field). If we pamper the unions, that will be all right. If we pamper political Parties, that will be great and we will charge them only .5 per cent. We will pamper the medical profession and charge it only .7 per cent. We will hit chiropractors and other people in that field and charge them 4.5 per cent. Dentists, opthalmologists and opticians will be hit at a lesser rate.' The motion picture theatre industry pays 1 per cent. Is that fair compared to the 3.8 per cent paid by charities?

Mr Lewis: No, they get a lot of RSI in the motion picture industry, don't they?

Mr S.G. EVANS: And it pays 1 per cent. This subject has nothing to do with the risk factor and injuries incurred on the job. That has been eliminated and has nothing to do with it. This is a backdoor method of trying to spread the load in relation to cover for work related injuries. I refer to the injustices that apply between different areas and professions. The motor vehicle manufacturing industry pays 4.5 per cent. The railway rolling stock and locomotives category pays 3.8 per cent and, of course, we know that only Governments buy locomotives. The risks in both industries are the same, so why does the motor vehicle industry pay 4.5 per cent—and to a degree this State relies on that industry—while the railway industry pays only 3.8 per cent? Perhaps the State is going to tender for more railcars. The category of stone products, including headstones on graves, pays 4.5 per cent. So, even if you are dead, you cannot beat the blighters. The families of the deceased must pay the top rate, as opposed to .5 per cent paid by political Parties and 1 per cent paid by radio and television stations.

For sporting equipment it is 3.3 per cent, and I draw the same comparison. We talk about sports people suffering and that we cannot get them up to world standard, yet we hit them for 3.3 per cent. However, for unions, political Parties and business organisations the rate is below that. Where is the justice in that?

Mr Duigan: Are you happy with any of the classifications?

Mr S.G. EVANS: The member for Adelaide and his colleagues claim to have a social conscience. If they believe that the comparisons I draw are justified, they should search their consciences so that they can say it is fair for charitable organisations to pay 3.8 per cent, while his political Party and the one to which I belong pay just .5 per cent. Is that justice? The member for Adelaide knows that it is not justice. He can squeal all he likes. Somewhere, through all this, is a form of corruption. I do not mean by handing over money, but there is the verbal comment of leaning on people's shoulders and saying 'You go this way and I will go that way, and we will get rid of all the squealers out there who are likely to put pressure on us when we put this through.' I will give just one further example and then I will stop, because time is against me. There are many other comparisons that one could make. I do not wish to seek leave to continue my remarks later, as I believe that that is an increasing habit that we should not develop or condone; perhaps Standing Orders need to be changed to some degree. It has only happened in recent times; it is a new trend, and I will not be seeking to do that.

However, I give the illustration of a family operating a small shop selling household cooking utensils. That business is hit with a higher rate rather than that applying to retail shops. They must pay the hardware rate, which is ridiculous. There are many examples. Many people are writing to WorkCover. The charities have not had an answer, and many of the others will not get an answer because within 12 months WorkCover will be a mess. I say that clearly and openly. Where is the fairness if real estate agents are charged .7 per cent and charities are charged 3.8 per cent? I ask those members who have a social conscience to say that they support such an inequitable situation: real estate agents being charged .7 per cent, political Parties being charged .5 per cent, and charities and welfare agencies paying 3.8 per cent. If they say that, I may be able to make a judgment on where they honestly stand. I ask members to support the motion.

Mr GREGORY (Florey): I want to speak very briefly. If ever I heard or saw a member of this House displaying absolute ignorance over the application of a law of the State that has been passed through this House after being exam-

ined by this Parliament, it has just been demonstrated by the member for Davenport. He talked about members and the Parliament determining the rates. I do not know where he was when the Bill was presented, but it was on file at the time. The WorkCover board sets the rate—not Parliament or the Government. The board does it, and the board consists of a Chairman, I think a Deputy Chairman, four people from industry and four people from the trade union movement.

One matter that really illustrated the honourable member's lack of understanding was his comment regarding the insurance industry. That is what WorkCover is—it replaced 34 insurers. When I participated in the inquiry into rehabilitation and compensation of persons injured at work, 51 or 54 insurance companies were operating. I cannot be more precise about the number, because a couple were going through the hoop at that time in the workers compensation area.

All those companies had different rates for different callings, and we had the situation where an insurance company might cover different employers in the same calling but at different rates. The whole system works on the basis of risk. I thought that the member for Davenport was sensible enough to know that insurance works on the basis of risk and not on the basis of charity or the feeling that we ought to give someone a go—it involves the likelihood of risk in particular types of employment. That is something that he does not understand. Today, and when he previously spoke on this motion, he adequately demonstrated that lack of understanding. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

QUESTION TIME PROCEDURES

Adjourned debate on motion of Mr S.G. Evans:

That in the opinion of this House the practice condoned by the House, since the reduction of Question Time from two hours to one hour, has given the Government a distinct and unfair advantage over the Opposition and ignores the guarantees that were given by Ministers at that time.

(Continued from 22 October. Page 1496.)

Mr S.G. EVANS (Davenport): I will quickly go through some of the digests of the House of Assembly to give members an idea of how this Opposition particularly, and that under the Tonkin Government, have been abused by this system. I will not go through the number of questions without notice asked in every session, but will pick out a few. In 1967, 2 011 questions were asked, of which Opposition members asked 1 558 and Government members 453. In other words, 25 per cent were asked by Government members. For the session of 1968-69, when there was a change of Government, Opposition members asked 1 954 questions and Government members asked 1 145. Many questions were asked in that session (3 099), with some members asking up to 170 in a year. I am lucky if I get three a year.

In 1969, 2 910 questions were asked, of which 1 028 were asked by Government members and 1 882 by Opposition members. That is also a large number of questions. In 1970-71, 2 763 questions were asked; 2 052 by Opposition members and 711 by Government members. In those days the practice was that Opposition members were given the opportunity to ask more questions than were Government members. As part of the deal, Ministers could take more time in answering questions and were given a bit of leniency to debate it.

An honourable member interjecting:

Mr S.G. EVANS: The honourable member asked who abolished the system. It was at the time when Len King was Attorney-General. In 1971-72, 2 949 questions were asked; 2 267 by Opposition members and 682 by Government members. In that session, the ratio of questions asked by Opposition members to Government members was nearly four to one. In 1972, 2 133 questions were asked; 1 746 by Opposition members and 387 by Government members. The ratio was five to one in that period. That was the sort of courtesy shown at a time when the Hon. Hugh Hudson could ask 11 questions in one day, or so he claims. Now we do not get that many questions in a day for the whole House.

In 1973-74 a total of 1 601 questions were asked, 1 391 by Opposition members and 210 by Government members—that is, six to one. In 1974-75 (I think that this was the year that the time allowed for questions changed from two hours to one hour) a total of 968 questions were asked; 751 by Opposition members and 217 by Government members—that is, about 3½ to one.

Mr Becker: Does this include questions on notice?

Mr S.G. EVANS: No, these are questions without notice. In 1975-76 a total of 634 questions were asked, 477 by Opposition members and 157 by Government members—that is, about three to one. In 1980-81 (during the Tonkin Government) a total of 619 questions were asked, 359 by Opposition members and 260 by Government members—that is, close to one to one. I will not refer to the short session in 1982. In 1981-82 (another year of the Tonkin Government) a total of 672 questions were asked, 356 by Opposition members and 316 by Government members—and that is getting closer to one to one. In 1986-87 a total of 775 questions were asked: 43 by Independents, 388 by Opposition members, and 344 by Government members. That is roughly the same as in the Tonkin era, which I am prepared to accept.

The point I am making is that since we have gone to one hour of Question Time, the press has started writing that Oppositions are not very strong. They did that to the Australian Labor Party for a while, and it was fortunate that there was an election and the Australian Labor Party pulled it off.

Members interjecting:

Mr S.G. EVANS: Members opposite can laugh. I am trying to be as fair as possible. What has happened is that instead of getting anything from 2 800 to 3 000 questions a year, we are getting under 800 questions, and that is being generous. People say that Oppositions are ineffective; that is because they are being destroyed by the practices of this House. Ministers now take a long time to answer questions and some members of the Opposition take a long time to ask them. We have destroyed the process of Parliament being a place where individuals can raise subjects that are of concern to their constituents.

Mr Hamilton interjecting:

Mr S.G. EVANS: The honourable member says, 'Why did we change it?' If he goes back and reads that debate, he will find that I never gave in. I fought it and said that it would bring about these circumstances, and I was against the change. I believe that I have proven that I was right. In the end, the Party agreed to it. In Opposition, the Government had the numbers. One day I will go back and indicate some of the points that members made. However, that is not my purpose today. My purpose today is to show that it is impossible under Standing Orders for an Opposition to be as effective as it should be.

The Standing Orders have been destroyed as an effective measure for raising subjects on behalf of the public. It

cannot be done. When Ministers give replies, they debate the subject matter; they give ministerial-type answers to the dorothy dixer questions that they are asked. If Ministers want to get a message over and not kill Question Time in the process, if they want to be democratic and not bloody-minded and ruthless, they should make ministerial statements, perhaps earlier than when a question is raised. If they wish to have a subject raised while the press is present, they should not use up Question Time in the way that occurs.

The present Government has turned out to be the worst offender in this matter. Ministers not only do not answer questions but they also enter into debate on some other matter; and they become abusive, sometimes with personal and snide remarks in an attempt to character assassinate an individual by innuendo, or whatever. Of course the press will write the things that it does, as the press is not interested in members raising matters which, to the press, are minor. However, those things are important to the individuals in the electorate. I can understand the attitude of the press, but to a person in the electorate a matter might be of major significance. Some people might say that we should write letters—but write a letter to whom and get a reply when?

When one writes to a Minister one sometimes get a quick answer on an easy subject, but with other matters one has to wait for sometimes over 12 months to get a reply. However, we were given a guarantee at the time we went to this system that replies to questions on notice would be provided on the following Tuesday. In most cases those questions are not even considered by the following week. I know that Cabinet has to consider every question on notice—or it should—and the answers to be provided, but the system has been abused.

I know that what I am saying will fall on deaf ears. I know that the Government will say that it is happy with the present situation, and perhaps members on this side will say that they are happy because they will be in Government one day and will be able to be just as bad or do even worse. But is that what Parliament is about? Do we or do we not have a conscience? Is the Government scared of allowing the Opposition an opportunity to raise legitimate complaints in the community? Should a Government, of whatever philosophy, be frightened of that? I will raise this subject again next year, and so I do not need to speak further on it now, and I will keep raising it as long as I have a foot in the door to this place, and wherever I might be sitting.

The parliamentary process is being destroyed through political power and in the belief that the winner takes all, in a bloody-minded and undemocratic system, such as has been created. I ask members to think about what I am saying. I know that they will not support the motion, because it strikes at the heart of what they are trying to do. However, what I have said is the truth, and any impartial observer in the community would agree that this is what has occurred.

Mr FERGUSON secured the adjournment of the debate.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (No. 4)

Adjourned debate on second reading.
(Continued from 22 October. Page 1498.)

The ACTING SPEAKER (Mr Tyler): The honourable member for Murray-Mallee.

Mr LEWIS (Murray-Mallee): Thank you, Mr Acting Speaker. Just as an interesting aside, I wonder how it came about that you, Sir, were in the Chair and yet the Chairman of Committees and Deputy Speaker could adjourn the last matter.

The ACTING SPEAKER: Are you raising that as a point of order?

Mr LEWIS: If you like, yes, I am. I thought that Standing Orders required that whenever the Deputy Speaker was in the House he had to be in the Chair, unless the Speaker was in the Chair—and earlier this year that point was taken.

The ACTING SPEAKER: The honourable member should have taken the point of order when the member for Henley Beach was in the Chamber. I do not see him in the Chamber now, so there is no point of order. The member for Murray-Mallee.

Mr LEWIS: Whilst I accept that that is the legitimate answer, I nonetheless consider it to be less than adequate.

The ACTING SPEAKER: Is the honourable member taking a further point of order?

Mr LEWIS: No. The matter before the House is the proposal from the member for Davenport to give the Parliament the prerogative of deciding whether or not a criminal who has taken the life of another person should be incarcerated for life. This proposition has been supported by the members for Morphett and Mount Gambier, and I also support it.

The member for Adelaide put a view on behalf of the members of the Government (at least, that is what he claimed in the course of his remarks) in which he stated that he and the members of the Government would oppose it. I was astonished that he made that point because I thought that, at least in some part, these proposals were matters of conscience—that is, for either capital punishment or life imprisonment for people who commit the heinous crime of murder in a form which they publicly acknowledge they planned before committing the act and who have no feelings of remorse and, indeed, state that they will do the same again against the interests of other living persons or those yet unborn who may fall victim to him at some future time. It astonished me that the honourable member said that in the way that he did. He reiterated the remarks made by the member for Fisher when a similar matter was debated in the Parliament previously.

The problem I have with the two reasons given by the member for Adelaide for his opposition to the proposal to lock people up and throw away the key is that they are illogical. The first instance is not even factual. I quote from his remarks of 10 September 1987 reported on page 896 of *Hansard* as follows:

> The same point was made by the member for Fisher: in a previous debate on this matter, he stated quite simply, categorically, and in a very straightforward way that he did not support the Bill because it duplicated provisions that already existed and that, therefore, the Bill was redundant. I believe that that proposition still applies, as the provisions in this Bill are the same as those previously considered.

If they are, or if they are not, does not really matter; the fact is that such provisions do not exist in legislation. Whilst the Criminal Law Consolidation Act does not require a judge hearing a matter of this kind to fix a parole period, honourable members need to remember and take into account that the judge is compelled in law under the Correctional Services Act to fix a non-parole period. Therefore, the members for Fisher and Adelaide, and any other member of this House, are mistaken if they think that a judge has the prerogative to not fix a non-parole period. That is not the case. A judge is compelled in law under the Correctional Services Act to do so.

If members believe it is the prerogative of the judge to decide to fix a sentence of 100 years and a non-parole period

of 60 years for someone who was 45 or 50 years of age, knowing full well that the prisoner will die before the non-parole period is reached and that, in effect, it is a life sentence, again they are mistaken because I have it on the very best authority—not just excellent authority but the very best authority (and I will not name the person with whom I have discussed it)—that that matter would immediately be taken to appeal.

It was never the intention of the legislation that non parole periods should be fixed that would extend beyond the natural life expectation. On appeal, the sentence would be overturned and a more realistic non-parole period in terms of the likely life expectancy of the individual put in place. So, it is therefore not possible in law at the present time for a judge to decide that somebody who has committed such a heinous crime as the type referred to by both the mover of the motion (the member for Davenport) and the member for Mount Gambier be locked up. Any members in this place who believe me to be misleading them on this point should go and discuss it formally or informally, if they are able to do so, with judges or former judges of the Supreme Court of our State.

Secondly, and as a matter of policy, the reason given by the member for Adelaide for himself and other members of his Party on whose behalf he said he was speaking, that the purpose of incarceration—that is, detention in prison—was for not only penalty but also to facilitate rehabilitation is true in every instance, except instances where it is obvious that detention of any length will not succeed. The people who have committed the kind of crimes to which this measure is addressed have stated publicly, both before they commit the crime and during any publicity they can get at or just after committing the crime, and subsequently, that they intend to do the same again and that they feel no remorse whatever. So, such persons in that frame of mind are incapable of rehabilitation. They have stated quite categorically that they are committed to killing other people—you and me if necessary—to get their own way.

If that is the case, then we should not be so conceited as to imagine that we can possibly change their view. Their decision to kill and to kill again, indiscriminately and wherever they believe they will have the greatest impact and get the greatest publicity for their cause, is a decision which goes beyond the capacity of our present rehabilitation processes to treat. At least, that is conventional wisdom, and I do not see any evidence to the contrary.

I do not therefore believe that the release of any such prisoners, once taken into custody and incarcerated, ought ever be contemplated until they have a different view of the world and have accepted a responsible position in society, as one individual member of it. In addition to that, they must demonstrate that change of attitude, not only by their apparent behaviour to the lay person observing them within prison, but also by trained psychologists who can define and determine whether or not the fundamental shift in disposition has occurred in their psyche. I therefore have no compunction whatever about supporting the propostion of the member for Davenport. I believe it is important that Parliament first creates the position whereby it is possible to lock up such people for the term of their natural life and, secondly, that the only way in which they can be released from detention by the State is on motion of both Houses of Parliament.

Therefore, the means by which such persons could be released is still available—there is hope. However, they will have to renovate their brains completely and also the way in which they are motivated: change their motivation and attitude to the rest of us as human beings. They need to recognise, and demonstrate to a professional person, who is qualified to make the analysis, that they have changed their attitude before they can be released. Otherwise, in my judgment, if those people are released into society, when they commit a murder, they are committing a murder not so much of which they are guilty but one of which we are guilty because we gave them the means by which to commit that murder. I do not think any one of us—and I refer to all members of this Parliament and members of the general public of this State—least of all me, wants to expose ourselves to that risk. Neither do we want to expose any other citizen to that risk.

The last point I make is that it is not logical or reasonable to argue that to put somebody aged 19 or 20 years in prison for life with no chance of parole—other than on motion of both Houses of Parliament—is more severe than putting someone aged 45 or 60 years into prison for the same term and subject to the same conditions. It is not more severe because those people are not normal. They have demonstrated that they are not human in their attitude to other *homo sapiens*. By stating their views and behaving in the way they have shows that they are animals. They have no compassion and no regard for anybody who does not support their wishes. For the sake and safety of the rest of us they need to be locked up.

This is the gist of the point I wish to make: they are not the same as any other 20 year old or 45 year old, they are quite different. They have some physiological or biochemical malfunction in their psyche, in their brains and, whether it is a consequence of the impact of the environment in which they have grown up and the way in which it has brutalised them, or whether it is a consequence of hypnosis or some chemical malfunction in their brains, I do not care. The fact is they are different to the degree that every one of us places our lives, and those of the rest of society, at risk by allowing them to go free. They are different for that period of time that the difference can be identified.

At 20 years of age no other 20 year old is like them and if they are allowed to go free they are likely to have a much shorter life expectancy than another person of the same age. The violence with which they will continue to behave puts them at risk of being killed by other people in defence of their own lives. I do not know of any point in history, recorded or unrecorded, where people with such anti-social behaviour have lived for very long. They either waste their lives away on the battlefield or, more particularly, their behaviour is so irresponsible and so violent that someone else kills them in short order. Therefore, for us to presume that the likely life expectancy of anyone committed to this kind of behaviour is the same as anyone else of the same age is ridiculous.

For us, therefore, to consider it to be unreasonable on that ground (and on the other ground of compassion) to lock them up without giving them a parole period is equally ridiculous. They neither respect the lives of others around them nor the laws that govern the lives of those other people. Until we take the step which is proposed by the member for Davenport, therefore, the community will hold us to be in contempt of its best interests. We are not capable or responsible if we allow the law as it stands to remain. The sooner we amend it, the sooner we, as members of this place—regardless of the Party to which we belong—will again deserve some respect from the community for the way in which we show concern for the welfare of reasonable, law abiding people, of which society is comprised.

Mr S.G. EVANS (Davenport): Because private members' time is short, my reply will be brief. I thought that the

member for Murray-Mallee addressed this accurately and very thoroughly, and I congratulate him on his contribution. I think that it is as good a contribution on the subject as I have heard—including my own. I am really concerned that a Government can say 'No' to such a proposition. In the proposition I put before the House I am not saying that a person should be put away for all time without getting out—which was the case I put before the House last year. On this occasion I am saying that the Parliament of the day can make an assessment, with all the reports put to it by people who can make assessments of the prisoners who have carried out the more heinous of crimes against other members of society, to see whether they are fit to be considered for release. Both Houses of Parliament would have to agree. I know that that is a pretty tough contract, but there is an opportunity for release.

Secondly, I am not saying that everyone who commits the crime of murder or something similar should be put away for the term of his or her natural life. I want to read briefly that provision, which states:

(1) Where the Supreme Court imposes a sentence of life imprisonment, the court may order that the offender be imprisoned for the term of his or her natural life.

(2) An order may be made under this section only where the court is satisfied—

(a) that the circumstances of the offence were exceptionally serious;

and

(b) that the order should be made in the interests of ensuring the safety of the public.

It is 'and', not 'or'—it is both. The penalty to be applied is in the hands of the court, and the court does not have the power—which is the point the member for Murray-Mallee has made and which I did not pick up earlier—to fix a parole period that takes a person past the normal life expectancy period. What is any member of this Parliament frightened of if we give the court an indication that we believe that, in some circumstances, some people who carry out horrendous crimes against society should be put away for the term of his or her natural life unless Parliament, with the advice that is given to it, agrees that the person should be released?

There is another way of doing it, as the member for Mount Gambier mentioned: that is, putting some preamble preceding any section in the Act saying that this is what the Parliament would expect. We have not yet moved to that system, which applies in some other countries, but we can take this direction very simply. There is no difficulty at all and I ask members to think about it and support the second reading in the vote that comes up now, but be assured that, if I do not win today on behalf of the people, it will come back next year—if not brought back by me, the Government will see the light of day and bring it back in another form. I ask the House to support the second reading.

The House divided on the second reading:

Ayes (16)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, and Blacker, Ms Cashmore, Messrs Eastick, M.J. Evans, S.G. Evans (teller), Goldsworthy, Gunn, Ingerson, Lewis, Peterson, and Wotton.

Noes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Blevins, Crafter, De Laine, Duigan (teller), and Ferguson, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Plunkett, Rann, Robertson, Slater, and Tyler.

Majority of 7 for the Noes.

Second reading thus negatived.

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

PETITIONS: ELECTRONIC GAMING DEVICES

Petitions signed by 39 residents of South Australia praying that the House reject any measures to legalise the use of electronic gaming devices were presented by Messrs Goldsworthy and Olsen.

Petitions received.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions without notice and a reply to a question asked in Estimates Committee A be distributed and printed in *Hansard.*

BRESATEC COMPANY

In reply to **Mr S.G. EVANS** (15 October).

The Hon. LYNN ARNOLD: I have received further information in relation to the question raised by the member for Davenport on 15 October 1987 regarding Bresatec Company. The Adelaide University Council has indeed invited Bresatec Ltd to establish its commercial production facility at the Waite Institute. That invitation is purely an internal university matter. It does not in any way exempt Bresatec from its obligations to obtain the usual planning approvals from the Mitcham City Council.

The university council's invitation will be considered, in conjunction with the other available options, at the next Bresatec board meeting on Friday 6 November. However, a final decision may not be made at that time since the current stock market crisis has forced a delay in launching the float until at least the new year and perhaps even longer. In addition to the Waite Agricultural Research Institute, Bresatec's current options include locating at the Southern Science Park (if this site can be made available in time); temporary accommodation on Flinders University land (under negotiation); or remaining within the Biochemistry Department of the University of Adelaide and using offshore production facilities for large scale fermentation activities—at least in the immediate term (suitable contingency facilities have already been identified in the United States of America).

The final decision will, of course, be based on purely commercial criteria. However, the same press article which contained the member for Davenport's expressions of concern about Bresatec's activities (the *News*, 15 October) ended with a public assurance from the company's managing director, Dr John Smeaton, that Bresatec will not establish itself in a location where it is 'not totally welcome'.

As to the breach of trust question, I am advised that no breach will occur. (Indeed it is thought that the land in question is not subject to the trust). Furthermore, it seems likely that the wishes and intentions of Mr Waite which, I point out, should be respected but are not binding, will not be contravened. If the arrangement proceeds the activities of Bresatec *per se* are not entirely relevant. Bresatec, as a public company would enter into a property lease with the university. That lease could contain terms to control the use of the property in accordance with Mr Waite's wishes. The university is aware of and sensitive to these concerns.

ACTS

In reply to **Mr D.S. BAKER** (26 August).

The Hon. LYNN ARNOLD: The tables appearing at the end of each annual volume of the South Australian Statutes

are prepared by the Law Book Company, in Sydney, pursuant to a contract between the Government and that company. The Table of Public General Acts is in alphabetical order and, when the short title of an Act is changed by an amending Act, the compiler of the tables should re-arrange the order of that table accordingly. The change that was made to the short title of the Further Education Act in 1983 came into effect in 1984 and so the 1984 and 1985 annual volumes should have listed the Act under the title 'Technical and Further Education Act', but unfortunately did not do so. This error has obviously been discovered by the 1986 annual volume, as the Attorney-General's office found that the Act is now listed in its correct alphabetical position.

PAYROLL TAX EXEMPTIONS
(Estimates Committee A)

In reply to **Hon. E.R. GOLDSWORTHY** (24 September).

The Hon. LYNN ARNOLD: The record of the current Government in the area of payroll tax exemptions is worthy of note. Since the Government was elected in 1982, the payroll tax exemption level has increased by 116 per cent from $125 000 to $270 000, during which time the CPI increased by about 38 per cent. This is in line with the commitment given at the time of the 1982 election to regularly review the exemption level. However, more important than exemption levels is the rate of tax, and South Australia is the only State other than Queensland which has not raised the rate of tax above 5 per cent for larger employers. Another interesting point is that South Australia has the lowest *per capita* payroll tax of the mainland States apart from Queensland.

QUESTION TIME

Mr OLSEN: I wish to address a question to the Premier. In his absence, Mr Speaker, which Minister will take my question?

Members interjecting:

The SPEAKER: Order! The honourable Leader of the Opposition will resume his seat. The matter to which he has alluded is not the responsibility of the Chair. However, I advise the honourable Leader that it may be possible for the call order to be slightly altered to accommodate the situation.

Mr S.G. EVANS: On a point or order, Mr Speaker, I do not know whether it is in my power to move that the House adjourn until the Ministry fronts up.

The SPEAKER: There is no point of order.

Members interjecting:

The SPEAKER: Order! Do honourable members have any further questions? If there be no further questions, Question Time is terminated. The honourable member for Flinders.

YEAR OF THE FAMILY

Mr BLACKER: I wish to ask a question of the Minister representing the Premier on this occasion.

Members interjecting:

The SPEAKER: Order! The honourable member can ask his question.

Mr BLACKER: Can the Minister representing the Premier say whether the Government will plan for and conduct a Year of the Family in South Australia? In recent years we have had the Year of the Handicapped or Disabled, the Year of Youth, and the Year of the Homeless, and it has been put to me that having a Year of the Family, which would coordinate all Government and private activities towards that event, would be beneficial. The principal objective of the Year of the Family would be to strengthen the family unit. I understand that the Queensland Government has conducted a successful Year of the Family program which not only effectively coordinated Government and private activities but did so at a moderate cost.

The Hon. J.C. BANNON: I apologise to the House for not being here at the start of Question Time, but my absence was literally due to circumstances beyond my control. However, I am pleased that my appearance was obviously so vital and so eagerly awaited by members. In reply to the question asked by the member for Flinders, South Australia has always participated in the various years. The first major year was the International Year for Women, over 10 years ago, and since then a series of years has concentrated on various aspects of society and life. Most recently, this year has been the International Year of Shelter for the Homeless.

We have devoted resources to all of them and have been actively involved in them. However, all of them have had an international sanction and have been organised through the United Nations. That has meant that South Australia (and Australia as a whole) has been part of an international movement and focus. As I understand it, a recent decision of the United Nations is that at least for the moment it will not embark on any more of these specially designated years. Obviously those that have been held already have been successful and have resulted in programs that have gone well beyond the year in question.

At this stage I understand that there are no plans for any more specially designated years. In that regard I do not think it is appropriate for us as a State to initiate anything special. However, if there is a national or international move in that regard, obviously South Australia will participate. I think it is more appropriate for us to see what happens rather than to take the initiative in this area. After all, these things can be successful only if they are organised on a national or international basis.

CROUZET TICKETING SYSTEM

Mr ROBERTSON: Is the Minister of Transport aware of the allegation that an average of 20 STA buses per day operate on routes without fares being collected as a result of alleged faults in the Crouzet ticketing system? The shadow spokesman on transport (the member for Bragg) claimed publicly today that as many as 20 buses a day operate on Adelaide routes without fares being collected. That claim is made in a report headed 'Libs slam fare chaos' on page 3 of today's *News*. In the light of that report, I ask the Minister how much of the story is fantasy and how much is fact. In short, is the story about 'fare chaos' a fair question.

Members interjecting:

The SPEAKER: Order!

Mr S.G. EVANS: I rise on a point of order, Mr Speaker. In asking his question, the member for Bright said that he wanted to know how much of a statement made outside of Parliament was fantasy and how much was fact. I believe that the honourable member is making a comment in that regard.

Members interjecting:

The SPEAKER: Order! The honourable member's initial comment did not appear to be a point of order until he drew my attention to the fact that comment had been

introduced. If any further comment is introduced, the honourable member for Bright's leave will be withdrawn. The honourable member for Bright.

Mr ROBERTSON: I repeat my question: is the story of 'fare chaos' a fair question?

The Hon. G.F. KENEALLY: I thank the honourable member for his question. I think it is a pity if Question Time is to be taken up by me, as Minister of Transport, answering many of the malicious and inaccurate statements being made about the South Australian public transport system by people like the shadow Minister of Transport. We know that around Australia and elsewhere public transport systems quite often become a whipping boy for Oppositions, but whenever an allegation is made I am forced to correct it. I think it would be much easier if those who wished to make such criticism checked the accuracy of their facts with the agency concerned before going into print.

Nevertheless, I acknowledge the right of the Opposition to be critical—that is right and proper. However, I would like the facts to be accurate, even though I know that that is too much to hope for. On the other hand, I also acknowledge the right of the media to print statements made by the Opposition—that also is right and proper—but I wish that on this occasion the STA had been given an opportunity to respond to some of the allegations.

In response to the honourable member's question, I point out that the headline 'Libs slam fare chaos' is not accurate. Of course, it may be accurate that the Liberal Party likes to slam the STA, but 'fare chaos' is right over the top. I will explain why. I looked closely at the honourable member's statements as printed in the press today, and I quote part of them, as follows:

> On two days this week the ticketing system failed on trains operating between Morphett Vale and Adelaide.

That concerned me because, to the best of my knowledge, there have been no complaints received by the STA, and certainly not by my office or me, about the train service operating between Adelaide and Morphett Vale. Perhaps that is because there are no trains operating between Adelaide and Morphett Vale: there is no train service that has Morphett Vale as a destination. One could assume that that is why we have received no complaint. Never mind, that statement came from the shadow Minister who explained to the House how he visited a school in his electorate and talked to the school about the Crouzet system.

It turns out that on the day he was at the school, there was a school holiday. So, when the honourable member spoke to the school, we were not to know that he was speaking to the building and not to the students. They are the sorts of statements that are given some credibility by the press. I will respond to what I believe are the three major criticisms of the honourable member. First, he says that because of the alleged inefficiencies that he claims are in the system there is a significant loss of revenue. I have refuted that claim in other places, and I am prepared to refute it here. I have just received a report from the Chairman of the STA that states:

> An assessment of cash fare revenue received during the first month of operation indicates that forecast revenue, which included an additional $750 000 due to reduced fraud and greater usage control, is being achieved despite problems experienced with tickets and specific validation faults. These results show that the revenue budget is soundly based.

I do not want to hear any more complaints about reduced revenue. We are meeting our budget expectations, and those budget expectations are built on increased revenue that takes into account the increased fares, and also the reduction in fraud and the more efficient operation of the system. The honourable member points to the fact that there has been a considerable uptake in the sale of multi-trips. Of course, that means that there is a reduction in the sale of cash tickets. That is exactly how the system was expected to operate. The cash ticket is an expensive ticket compared to the multi-trip, and I would expect that every sensible user of the STA would purchase multi-trip tickets, because it would be cheaper.

We have taken account of that in our budget forecast. The honourable member said that the multi-trip ticket was causing trouble. The multi-trip ticket is causing no trouble at all. Whatever troubles we have with ticketing are with cash tickets—single trip tickets. There have been some difficulties with that, but nowhere near the extent that the Opposition alleges. The report continues:

> The Opposition spokesman said that as many as 20 buses a day operated on Adelaide routes without fares being collected.

He did not say whether they were operating over the whole day or whether they were operating individual trips. Let us assume that there were 20 buses that were malfunctioning in the ticketing equipment area. I will deny that, and I will go on to explain. Let us assume that the honourable member's allegations were correct (although they are not). It means that 20 buses out of about 900 units that we have in service at any one time operate with this problem. What the honourable member is saying is that 98 per cent—

Members interjecting:

The Hon. G.F. KENEALLY: Absolutely, in peak periods. He is saying that 98 per cent of the system is working efficiently. I am happy with that allegation, but I believe that the percentage is higher. However, if he wants to say that there are only 20 buses—

Members interjecting:

The Hon. G.F. KENEALLY: No, I am saying that there are fewer. I will go on to explain that. I am using the honourable member's arguments to show how specious they are.

Members interjecting:

The SPEAKER: Order!

The Hon. G.F. KENEALLY: They do not want to listen because they do not want to hear the truth. It does not suit their cases. The records that I have received today from the Traffic Control Centre indicate that for this week six to 10 buses on any one day allow free rides for all or part of one journey because of defective ticketing equipment. When a piece of equipment is found to be faulty, that information is fed directly to central control and the adjustments are made.

Therefore, if there are faults in one trip they are not likely to occur in the next trip unless there has been a delay in fixing the system. Let us allow for the fact that there may be two trips on these six or seven buses per day. We have 12 000 trips per day rostered on our STA bus system so, if we have five or six buses with systems that are malfunctioning for two or three trips, it is a small number indeed. One wonders where the *News* gets its view that there is fares chaos. The overwhelming majority—98 per cent on the honourable member's figures and over 99 per cent on my figures—are operating satisfactorily. That is the clear evidence.

There is no doubt that in peak periods the multi-trip ticket user is having very minor problems. I suggest that we are having less trouble with the ticketing system now than we had with the previous ticketing system. Although the number of problems has been reduced dramatically, the types of problems are different. I do not want to get on to the comments in the editorial in the *News*, except to say that it is a funny set of circumstances that the Government is urged to run the STA in a commercial way.

An honourable member: Hear, hear!

The Hon. G.F. KENEALLY: Hear, hear! When the Government has regard to commercial priorities in managing the STA, then we are criticised by the *News* and by members opposite. It is clear that any commercial operation would look very carefully at services that are under-patronised and very expensive when, at the same time, one has markets that are not being taken advantage of. However, when the STA wants to do that, somehow it is a very dire set of circumstances. The confusion that reigns in the Opposition I cannot understand; however, for the confusion that reigns in the press there may be some explanation, but I do not know what.

This is the first Government since the 1970s, when the STA was established, to make some fundamental changes to the operation of the STA, in the best interests of those people who use it and the best interests of the taxpayers in South Australia. I know that, for the next few months or whatever, the STA should expect criticism, because the Opposition has obviously identified it as an area that it is going to criticise. The STA knows that, as it is on a day-to-day basis in contact with thousands of Adelaide citizens, inevitably there will be problems. It seems that those problems are going to be dragged out, magnified, put in headlines such as 'Chaos in the STA system', to try to convince those 90 per cent of South Australians who on any one day do not use the STA system that there are problems. However, the Opposition will have more difficulty trying to convince the people who day to day use the system that it is not improving, that it has not improved dramatically over the past month, and that the system we are introducing now is not going to be to the long-term benefit not only to the users in terms of its facility but to the taxpayers of South Australia. I reject the ill-informed but quite remarkably highlighted criticisms of the Opposition in relation to this and other parts of the STA.

The SPEAKER: Order! It would assist if questions could receive slightly shorter replies from Government Ministers.

Honourable members: Hear, hear!

The SPEAKER: Order! The honourable Leader of the Opposition.

LEGAL SERVICES COMMISSION FUNDING

Mr OLSEN: I note that 17 minutes has passed in Question Time before the Opposition is able to ask its first question. My question is directed to the Premier. Why is the Government—

Members interjecting:

The SPEAKER: Order!

Mr OLSEN: The reason was most of the front bench was not here at the start of Question Time.

The SPEAKER: Order! The Leader of the Opposition was not given the call to make comment or a speech, but to direct his question.

Mr OLSEN: I know, Mr Speaker, that I should not respond to interjections from Ministers. Why is the Government denying the Legal Services Commission of South Australia funding for legal aid this year; why is the Government further threatening to withdraw $1 million from the commission's own reserves; and why did the Government attempt to cover up this situation by claiming it was providing $840 000 for legal aid when it instead paid the money directly into general revenue?

The Opposition's attention has been drawn to this extraordinary series of events by correspondence conducted between the South Australian Attorney-General and the Legal Services Commission. The Government advised the commission that it would be providing $840 000 this year for the purposes of legal aid to those unable to afford private legal practitioners. The commission was advised, however, that the money would not be paid to the commission for legal aid, but would be paid into the general revenue of the State. The Director of the Legal Services Commission, Mr Tilmouth, says by letter to the Attorney-General that the commission is totally unaware of the calculations and reasoning lying behind the $840 000 figure, which he says 'bears no meaningful relationship' to the commission's budget estimate, which was $400 000. He also expresses concern about the Government's unprecedented decision to pay legal aid money into its own coffers where, he says:

> The Government could at any time resolve to employ those funds for other purposes, thus leaving the commission absolutely powerless to do anything about it. Moreover, a payment of this kind into general revenue simply transfers the reserves from one part of the ledger to another.

He continues:

> This paper transaction is apt to mislead in so far as it purports to be an indication of the direct contribution to legal aid by the State Government.

The matter of the Government seeking payment of $1 million from the commission's reserve funds—moneys derived from interest on solicitors trust accounts and therefore the sole property of the commission—is causing grave concern for both the commission and the South Australian Law Society.

Advice received from the Crown Solicitor indicated that the Government did not have the power to take such moneys from the commission, and the Attorney-General subsequently confirmed, in writing, that the position of future State Government funding for legal aid had not changed. However, one month later, the commission was advised of significant changes to its financial situation, which Mr Tilmouth claims, 'threaten the very independence of the commission'.

Given the Premier's much vaunted and oft repeated interest in social justice, I therefore ask for an explanation of the withdrawal of State funding for legal aid for the disadvantaged in the South Australian community, particularly in the light of Mr Tilmouth's belief that 'When a Government indicates that there will be no State funding for the immediate future, it necessarily places a cloud over the commission's operations and future.'

Members interjecting:

The SPEAKER: Order! Before calling on the Premier, I would draw to the Leader of the Opposition's attention the fact that the Chair, just a moment before the Leader commenced his question, commented on the amount of time taken in response by a Minister on the Government side. I also draw to the Leader of the Opposition's attention the fact that his question lasted a substantial number of minutes, and I further draw his attention to Standing Order 124, which provides:

> . . . no argument or opinion shall be offered, nor shall any facts be stated, except by leave of the House and so far only as may be necessary to explain such question.

In other words, the facts that are supplied by members in placing their questions should only be such as may be necessary to explain such question. I now call on the honourable Premier.

The Hon. J.C. BANNON: I am not in a position, because I have not seen the correspondence described nor consulted with my colleague the Attorney-General, to be aware of whether or not what the Leader of the Opposition has put before us is fact. I do know that consistently over the years this Government has strongly supported adequate funding for legal aid and, indeed, has a reputation Australia-wide

for the way in which it has worked in this area and also negotiated for further funds to be made available. I am very happy to get a report on this matter from my colleague the Attorney-General. I would have thought that it would be more appropriate to address the question directly to him in the other place.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: I guess this follows the new economising practice of the Opposition, where they only have a limited number of questions to spread between the two Houses, and we get asked the same ones in each Chamber. No doubt my colleague the Attorney-General is being asked precisely the same question. He may be able to provide further information directly in the other place but, in any case, I undertake to obtain a report.

WOMEN IN APPRENTICESHIPS

Ms LENEHAN: I address my question to the Minister of Employment and Further Education. Is the Department of Technical and Further Education, in conjunction with the Education Department, targeting courses and counselling services to redress the imbalance in the number of young women entering traditional male apprenticeship areas? During the Estimates Committee I asked the Minister of Housing and Construction whether he could provide me with the break-down of the number of male and female apprentices currently employed in the Department of Housing and Construction. The Minister has subsequently—

Mr Lewis interjecting:

The SPEAKER: Order! Interjections are out of order. The honourable member for Mawson.

Ms LENEHAN: I am interested in this issue. The Minister has subsequently provided me with this information, indicating that, of the department's 87 current apprentices, 86 are male and one is female. As the Minister and the department are on the public record as strongly believing in and promoting policies of equal opportunity, what actions can the Government take through the Department of Education and the Department of Technical and Further Education to change both the community's and individuals' expectations which prevent young women from applying for apprenticeships in non-traditional female areas and thus deprive the community of the talents and abilities of this significant group in our community?

The Hon. LYNN ARNOLD: I thank the honourable member for her question. It is true that the figures are not very good at this stage and we would hope to see much improvement in that area. I am certain that all members in this place who take an interest in equity issues would share that concern. The South Australian Cabinet in September this year noted a report from the South Australian Working Group on Women in Apprenticeship and the recommendations contained therein.

That report contained the recommendation that there should be targets for selected prevocational and Government apprenticeship positions. As a result of that, negotiations are currently under way between the Office of Employment and Training and the Department of Technical and Further Education, in consultation with relevant other departments within the State Government, to look at the mechanisms for implementing such a recommendation and examine what strategies will be needed in order to achieve targets by 1990. That is the first main thrust that is being undertaken.

There are a couple of other issues that come within that which need to be particularly addressed. First, we may want to have 50 per cent participation by girls within non-traditional apprenticeships, or whatever figure we choose to set—be it less or more than that figure—but it ultimately depends on a number of other things, one of which is the number of applications we actually receive from young women for apprenticeships. It is in that area that we have had, with some Commonwealth Government funding support, a special project this year which has been particularly successful, visiting schools in the metropolitan and rural areas to encourage girls to consider enrolling for apprenticeships in non-traditional trade areas.

That project, called 'Tradeswomen on the move', took place some months ago, and the people involved were very impressed with the areas they were able to cover. The report has now been prepared, and if any member of this place is interested in reading it, I will make that report available. That project was designed to encourage young women to consider non-traditional trade apprenticeships. Another matter that may be of some concern, although there is no direct evidence that it has actually happened, is the selection procedure. In other words, there may be some problems in the selection procedure whereby young women are not being considered in all fairness against young male applicants.

In that regard we are now deciding that all chairpersons of future selection panels—at least the chairpersons and maybe other members of the selection panels—will be required to attend a staff development activity to ensure an understanding of equal opportunity issues and how traditional barriers can prevent women from gaining access to apprenticeship positions. Given the comments made to me by my colleague the Minister of Agriculture, who has also had some constituent concern with regard to prevocational selection procedures, I know that that is another area we need to look at.

Finally, I can advise that negotiations are also taking place between the Commonwealth Department of Employment, Education and Training and the Office of Employment and Training (Employment and Training Equity Unit), with a view to instigating a special women in apprenticeship off the job training program in 1988. If that program is able to proceed we would envisage recruitment and private indenture of between eight and 12 women.

These things will, I hope, give us the opportunity to improve the figures that are being quoted by the honourable member in her question and help us reach much better figures by 1990.

ETSA LEGAL FEES

The Hon. E.R. GOLDSWORTHY: I address my question to the Minister of Mines and Energy, now that he is here. How much is it costing the Electricity Trust in legal fees to deal with Ash Wednesday bushfire victims? There was a story in the *Advertiser* this morning about one victim and the severe problems that he is encountering in seeking to have his claim settled. I understand that is not untypical of the problems, particularly as related to me with regard to the McLaren Flat fires.

On Tuesday the Minister told the House that the trust had spent $5.3 million in settling claims thus far, and I think, Mr Speaker, that the Minister was of the view that the rate at which they were being settled was satisfactory. However, I am advised by someone who has been involved in the scene that severe delaying tactics are being used in settling these claims. The Dunn test case, which is the only one that has been to court, led to a settlement of almost 90 per cent of the claim being paid, but ETSA and its insurers

are refusing to use that as a guide and in fact, claimants are being offered 30 or 40 per cent of their claims which are drawn up on the same basis. It is suggested to me by this person who is involved in this issue that these deliberate delaying tactics are being used simply to save the trust, and of course the insurers, money.

I am told that in October 1985 a basis for settlement for compensation for orchards had been agreed, but subsequently, when the claims were submitted in detail on the basis of that agreement, the trust told them, after the claims were submitted, that that was no longer satisfactory and that they would have to start again. I am told that the only people really benefiting from this exercise are the legal advisers to the trust and I am told, moreover, that they are being paid $1.5 million in legal fees to settle claims which total, in all, $5.4 million. This is in contrast, of course, to the Victorian experience, where all claims were settled within six months of the Ash Wednesday fires.

The Hon. R.G. PAYNE: Thank you, Mr Speaker. I apologise for not being here earlier. I can only say that I could have been an hour and a half late, as occurred on another occasion.

An honourable member: With the Deputy Leader?

The Hon. R.G. PAYNE: With the Deputy Leader. I ask the House to consider carefully the words used by the Deputy Leader in this matter. First, he said, 'I have been told by "someone".' I have been in this House for 18 years, and I am still waiting to meet that person called 'someone'. He then went on to say, 'It has been suggested to me,' and we all know what the Deputy Leader means when he uses such terms. I do not need to elaborate. Even on the other side I had no demurral at all with that statement, which shows that everybody in this House knows the kind of tactics employed by the Deputy Leader.

Members interjecting:

The Hon. R.G. PAYNE: I would welcome accurate detailed information as to the person—

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. PAYNE: —who is called 'someone' by the Deputy Leader, and it appears that he can now identify that person as someone other than 'someone'. Mr Speaker, every member of this House knows that the situation in Victoria was different from that in South Australia and no-one knows that more than the Deputy Leader. In Victoria liability was accepted from the beginning by the Victorian commission. However, that is not the scene in South Australia and, if the Deputy Leader were in my shoes today (which God forbid, for the sake of South Australia), he would stand here and point out the very same facts that I am drawing to the attention of the House: that we are talking about matters that are justiciable and the House should never intervene in such matters. The Deputy Leader knows that, but it suits his purpose today to make a little fuss.

Members interjecting:

The Hon. R.G. PAYNE: The member for Mitcham, who is substituting because of the lack of a lawyer on the other side (rather poorly, I would point out, but he is at least trying), should leave it at that, because there is no way that I will go beyond saying that I know what 'justiciable' means. If the honourable member does not know, he should get advice. I have been asked how much has been involved in legal fees, and I shall try to get that information, but I remind members, and especially the Deputy Leader, that there is more than one party in this matter. There are the Electricity Trust of South Australia, the insurers, and the people who have suffered.

The Hon. E.R. Goldsworthy: And you're saving money by delaying.

The Hon. R.G. PAYNE: There is no way in which ETSA has adopted such tactics, although it may well be that the insurers have that in mind. However, that course is not being pursued by ETSA. As I told the House the other day—

Members interjecting:

The SPEAKER: Order! I call the honourable member for Victoria to order. The honourable Minister of Mines and Energy.

The Hon. R.G. PAYNE: I have regular consultation with the Chairman of ETSA (Mr Bill Hayes) and the General Manager (Mr Sykes) on these matters, and I am trying to ensure that justice is pursued with the speed that this sort of matter warrants. There is the matter of assessment, discussion and acceptance, and that will continue.

CHEMICAL STORAGE

Mr RANN: Will the Minister of Agriculture clarify the exact nature of the chemicals that have been collected and stored by the Department of Agriculture? In a letter to the Editor of the *Advertiser* Mr Mike Elliott, Australian Democrat member of the Legislative Council, states that 30 tonnes of liquid and two tonnes of solid chlorinated hydrocarbons are stored in one place and that 'as well as the chemicals recently taken from farms there are at least 10 tonnes of other chlorinated hydrocarbons, including large quantities of highly toxic PCBs from old ETSA transformers'. It has been put to me that these statements imply that all those substances are currently being stored by the Department of Agriculture.

The Hon. M.K. MAYES: To set the record straight as to what Mr Elliott, from the other House, has said in the press, it is important to clarify what is being stored. A quantity of 35 tonnes of organochlorins is stored at Northfield and, as my colleague said last week, the security and safety arrangements have been approved by the Department of Labour and by the Metropolitan Fire Services. There has also been consultation with the appropriate authorities regarding the storage of those chemicals. There are no PCBs being stored in that area. Certainly, the statement made about that is misleading. I understand that there are storage areas for PCBs in the metropolitan area, but that does not come under my jurisdiction. The honourable member referred to PCBs and chlorinated hydrocarbons, which can be used by some other authorities in South Australia, and those storage areas are in locations which I understand have been approved by the appropriate authorities. So, it is misleading for the honourable member from another place to make such a suggestion.

Security and safety at Northfield are constantly under review. The Director-General has taken a personal interest in the control of the situation, and the site is securely maintained with two fences around it. As my colleague the Minister of Labour said last week, there are smoke detectors. We have the security services maintaining a watch. We have done everything possible to secure and maintain that site. As the Minister indicated last week, discussions are progressing fairly rapidly with the Commonwealth about relocation. Over the next week or so we will probably finalise the relocation of the organochlorines, which is what we are storing there from the collection we made during the period up until 30 October. The collection of this material from throughout the State and its subsequent storage were handled according to appropriate requirements and

regulations. The storage and decanting have been conducted in accordance with those regulations so safety procedures have been followed.

This morning I had discussions with the union official representing the employees involved, and there will be a further meeting next week to discuss other safety aspects that could be implemented as a result of suggestions from workers. It is important to note—and I thank the member for Briggs for his question—that we do not store these other chemicals there. There are sites that are under the jurisdiction of other authorities: they store those chemicals, and I am told that it is done in accordance with safety regulations. I think it is important for the member in the other place to get his facts straight before making public statements because, of course, they can cause distress and concern not only to residents but also to the authorities who must safeguard these chemicals.

AVIATION POLICY

The Hon. JENNIFER CASHMORE: Will the Premier support the Lord Mayor, Mr Condous, in denouncing and leading demonstrations against the Federal Government over its aviation policy, and will he call on his friend and colleague the Federal Minister for Land Transport (Mr Peter Duncan) to ensure that the Federal Government gets its act together? The Lord Mayor has complained in this morning's *Advertiser* that Adelaide is being treated shabbily by the Federal Government and Qantas because they will not agree to lift restrictions which would allow Malaysian Airline Systems and Thai Airways to have landing rights which could bring an extra 500 international visitors a week to Adelaide.

There is every reason for Mr Condous to be angry about the Federal Government's policy, given the sharp differences revealed in this morning's *Australian* between the Federal Ministers for Transport and Tourism. Senator Evans has defended landing rights available to Qantas to the exclusion of other international airlines, while Mr Brown has said that it is 'high time' the Government took a serious look at what was more important—preserving the 50 per cent share of the market reserved for Qantas or getting more people into Australia.

I understand that, at a meeting tomorrow, Senator Evans is to discuss this matter with his junior Minister, Mr Duncan, and the South Australian Minister of Tourism. South Australia's interests in this matter could be served by the Premier publicly calling on Mr Duncan today to urge Senator Evans to recognise the benefits which would flow from more international airlines having landing rights at the Adelaide International Terminal.

The Hon. J.C. BANNON: In fact, the Lord Mayor's comments and his campaign are very much in concert with the South Australian Government, and follow discussions that we have had with him—

Members interjecting:

The SPEAKER: Order! It is most unseemly for someone of the status of the honourable Leader of the Opposition to continually interject in the way he does.

The Hon. J.C. BANNON: I am very pleased with and certainly welcome the Lord Mayor's entry into this area, which, as I say, occurs as a consequence of discussions we have had with him. The Lord Mayor's subsequent activity and negotiations are very welcome indeed. It was announced some time ago that the Minister of Tourism and the Lord Mayor in concert would tackle the Federal Minister on this issue. I have already advised the House that in July I had extensive discussions with the Chairman of Qantas as part of a long running battle with the Federal Government and Qantas (and there have been representations to other airlines) to get more flights into Adelaide. I assure the House that we are 100 per cent behind moves to have more direct flights into Adelaide.

We welcome the Lord Mayor's participation. I have personally been involved on a number of occasions, and I intend to be so involved in the future. At the moment we are concentrating on this meeting between the Minister of Tourism and the Lord Mayor, and we have involved Mr Duncan. Although he is not responsible in this area, as a South Australian Minister I hope that he will have a better understanding of just what disadvantages we are suffering from and that, therefore, he will be able to assist us in this cause.

CHANDLERS HILL CHILDREN'S CENTRE

Mr TYLER: Will the Minister of Children's Services ensure that the Chandlers Hill Children's Centre will be provided with at least an extra half-time aid for 1988? Further, can the Minister review the system where staff levels are determined each year by the number of enrolments in August of the previous year? I have been approached by many constituents whose children attend the Chandlers Hill Children's Centre for kindergarten sessions. My constituents are concerned that their children are not able to receive their full pre-school entitlement because staffing levels cannot be altered to meet the current demand.

My constituents tell me that the staff allocation for kindergartens is based on a staff-student ratio of 1:12 per session. However, the allocation for 1988 will be based on the number of students who were attending kindergarten sessions at the centre in August 1987. The CSO's policy seems to be based on the assumption that the number of children leaving the kindergarten will about equal the number seeking to enrol. My constituents point out that, although this assumption may be reasonable for most areas of the State, for areas such as Happy Valley and Aberfoyle Park, which have predominantly young families and where the population is steadily increasing, this assumption can be completely wrong.

For instance, at Chandlers Hill kindergarten the number of students enrolled in August 1987 was 55, allowing a staff allocation of 2.5. However, there was 72 children at the centre who will be continuing in the first term of 1988. An allocation of three full-time staff is required to adequately cater for these children. I am told that the size of playgroups at the centre, and information gained from families in the area, indicate that this is not a short term increase but that a kindergarten able to cater for more than 70 children will be required in the area for several years.

The Hon. G.J. CRAFTER: Many members ask me similar questions almost daily about the staffing of preschools and, indeed, all education institutions. I am pleased to advise the member for Alexandra that this is not a matter that has to go to the Public Works Standing Committee, that kindergarten probably having been there some time ago.

The 1:10 staffing ratio remains the staffing policy objective for preschools. However, it has not been possible for the present Government or for any previous Government to date to achieve that objective for each and every preschool in South Australia. Consistent with the policy of working towards this objective and within available resources, priority is given to achieving that ratio in those

preschools in areas of highest need. Preschool centres are ranked according to a socio-economic index which determines priority centres on a needs base. The allocation of staffing also needs to take into account the current rate of increase and decrease in the number of four year old children in South Australia in particular locations.

Staffing levels for the preschool sector have been maintained and the budget allocation for preschool staffing for 1987-88 illustrates the Government's commitment to maintaining the high quality of preschool services in South Australia, which are generally accepted as being the highest attainable in this country.

Staff transfers must be completed before preschools break up for summer holidays. In order for transfers to be in by October for completion by October-November for child parent centres and Children's Services Office preschools, the collection and assessment of data for rationalisation, and the rationalisation process itself, must be undertaken by the end of September. The August collection of data for this process allows the minimum of time for preparation of preschool data for the entire preschool sector.

Although staffing allocation is based on August enrolment figures, projected enrolments are taken into account in this process. While predominantly young families have settled in Happy Valley and Aberfoyle Park areas, to which the honourable member refers, statistics from the Forecasting Unit of the Department of Environment and Planning show a projected decrease of 2 per cent each year to 1991 in the 0-4 year old population for the Happy Valley local government area. Although this is the projected trend for the area, it is recognised that individual centres within it may face particular pressures and circumstances at certain times that do not reflect the general trend.

When the rationalisation exercise is completed at the end of each year the Children's Services Office, through its regional offices, continues to monitor centres and any specific difficulties which at different times may arise. In the case of the Chandlers Hill centre, if it does come under the pressure in 1988 to which the honourable member refers, then the regional office will assess the situation.

GRAND PRIX

The Hon. D.C. WOTTON: My question is directed to the Premier. What is the current state of ticket sales for the Grand Prix and when will a decision be taken on a live telecast of the event in South Australia? South Australians are justifiably proud that an event of such international interest is being staged in their State. However, many, for personal financial circumstances or other reasons (such as hospitalisation, incapacitation or remoteness from Adelaide) will be unable to attend the event.

As well, many people in Adelaide put up with inconvenience during the Grand Prix period because of traffic restrictions. For all these reasons, there is a widespread belief that the race should be televised live in this State on Sunday afternoon, and South Australians are looking for assurances from the Premier that the telecast will be permitted.

The Hon. J.C. BANNON: If they are looking for those assurances they need only look at the answer I gave on Tuesday to an identical question from the Deputy Leader of the Opposition, and the reports on that in the paper. There is no change to the situation. A decision will be made I hope, and I believe, that the event will be telecast, but it does depend on the ticket sales. A decision will not be made until that assessment has taken place. If the honourable member wants to understand my position he should have paid more attention on Tuesday.

MILLIPEDES

Ms GAYLER: Will the Minister of Agriculture inform the House of the latest progress in research to control Portuguese millipedes? Along with many residents in the metropolitan area and my constituents in the Hills, the hills face zone and suburban areas, I am frequently visited by Portuguese millipedes, and I am anxious to know of any progress.

The Hon. M.K. MAYES: I thank the honourable member for her interest. I know that the millipede has invaded her electorate as well.

The Hon. Frank Blevins: The first Labor electorate!

The Hon. M.K. MAYES: No. They are down as far as Unley. We are now seeing them all over the city. It is important to note that it is not an agricultural pest. However, we are dealing with it in the department as being a general nuisance to the South Australian community, particularly in the Hills area. We have made some positive statements recently resulting from research of Dr Bailey and Dr McKillup.

We are having great success on three fronts: in Portugal in relation to the parasitic fly; here in South Australia with Dr McKillup's research in regard to the parasitic fly and the native nematode; and the light trap that has been developed quite successfully at Northfield. We are very confident that we can make some positive statements in the new year of 1988. In relation to the parasitic fly, it is important to record that the South Australian Department of Agriculture is the only institution in Australia undertaking any research concerning the ecology and control of the Portuguese millipede.

Dr Bailey, our senior entomologist, who is in Portugal with technical officer support from the Portuguese and is working with a university in Portugal, is now in a situation of being able to breed parasitic flies and he has shipped to Australia some infested millipedes. They have been adjusted to the local cycle, which allows them to be tested in the local environment, to test the parasitic impact on the millipede and test against our local native millipede, so that the impact can be assessed on the basis of whether or not it is damaging to the native environment.

It is important to note that so far the tests have proved that the Portuguese millipede fly in particular is very specific. We are quite confident, as the tests are progressing, that we will be able to make an application for release from quarantine some time later in 1988, which will be a positive step and good news for those people in the Hills.

Not to overlook the aspect of the nematode, Dr McKillup is doing some work in relation to the drop-off in the populations of millipedes in certain areas of the Hills that have been infested for more than 15 years. It seems that the native nematode is having quite an impact on the Portuguese millipede. In fact, its cycle has speeded up in the process. It actually goes through the gut of the millipede rather than, as it does with the native millipede, wait until the native millipede is dead and then go through its life cycle process. It is quite encouraging that we will perhaps see the impact of the release of the nematode into the areas that have been infested with the millipede, and I hope that the research Dr McKillup is undertaking will reinforce the fact that this may be a seeding into those areas. He is currently working on assessing the impact of the native nematode on those millipedes—

Ms Gayler interjecting:

The Hon. M.K. MAYES: The honourable member asks if we could have one per household. No, we will not need one per household. The seeding will possibly occur in the

New Year and I hope we will see a very positive response in that area. We are very lucky to have had the support of these entomologists and it appears that we are getting some very positive results. I hope that in 1988 we will be seeking the release of the parasitic fly into the environment, confident that it will not have an effect on the native millipede or on the environment generally. Also, we hope to be able to release the nematode into infested areas so that we will see a reduction in the population there. I am reasonably confident that we will see an improvement in the situation.

SHOP ASSISTANTS WAGE CLAIM

Mr S.J. BAKER: My question is to the Premier. At his meeting yesterday with the President of the Retail Traders Association—

Members interjecting:

The SPEAKER: Order! The honourable member for Mitcham has the call.

Mr S.J. BAKER: I will start my question again. At his meeting yesterday with the President of the Retail Traders Association, was the Premier warned that there would be a significant rise in retail prices and that the major stores would not open on Saturday afternoons if the current union claim for wage rises for shop assistants is successful and, if so, is the Government prepared to review its decision to support the union claim in full?

The SPEAKER: The honourable Minister.

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: I thank the honourable member for his question. I was at the meeting yesterday with the Retail Traders Association and the Premier. The position of the retailers was put very clearly, that they believed that, if the Industrial Commission awarded the full claim that the SDA had made, there would be some increases in retail prices. It is understandable that they hold that viewpoint. The viewpoint of the Government was put very clearly that we do not believe that the price increases would be anywhere near what has been suggested. In fact, I wish to draw the attention of the House to an article in the Adelaide *News* on 28 October this year in relation to this topic. This is the most authoritative opinion that I have seen to date on the potential price increase, assuming that the wage increase was paid in full.

The article by Karen Shaw said a number of things, although I want to give only one quote. Mr John Patten, Managing Director of Independent Grocers Co-operative Limited, which represents half of South Australia's grocery stores—the largest grocery wholesaler in South Australia—states:

> Prices would have to go up between 1 per cent and 2 per cent across the board.

Obviously, I do not have Mr Patten's expertise, and I can only assume that he is somewhere in the ball park, as the saying goes. I would point out to the retailers and to Mr Patten that it depends very much on who opens and when they open. What we are providing for is voluntary opening on Saturday afternoon, not compulsory opening. Also, I think it has to be clearly understood that what the Government is advocating—and this was put to the retailers—is in support of a case before the full bench of the commission by the SDA which may or may not be agreed to by the commission.

What we are stating to the commission quite clearly is that the Government would not be a party to supporting any application or any decision which was outside the wage fixation principles. We are not in any way attempting to dilute the wage fixation principles. This Government is a very strong supporter of the central wage fixation system, and we will state that quite clearly to the commission.

The decision as to what if anything is paid will be taken by the Industrial Commission. The commission is the independent arbitrator, let us not forget, and this was pointed out to the RTA—that they applied to the commission for a variation of the award before the SDA did. On some calculations, shop assistants—who are in the main young people and women, two of the most vulnerable sections of our society—could have had a reduction in pay if the Retail Traders Association's application was successful before the commission.

We do not support that. We do not support the most vulnerable sector of our work force—that is women, part-timers and particularly young people who are already on very modest rates of pay—being asked to work on Saturday afternoons for lower rates of pay. The RTA application provides for time and a quarter for all day Saturday. Already, in the shop assistants award, it is time and a half and double time. The RTA has applied for all day Saturday to be at time and a quarter so, whilst they supported and agitated for opening on Saturday afternoons, at the same time they put in an application to the commission to reduce the penalty rates available to those who work in these establishments and who are, I repeat, in the main casual, young and female—the most vulnerable section of our work force. We make no apologies for not supporting a reduction in pay for those workers.

Our Industrial Commission has an obligation to arbitrate on a dispute. We have a point of view and we will put that point of view, but whatever the Arbitration Commission decides we will, of course, abide by that decision. We believe our view is correct. However, in the last analysis it is up to the Arbitration Commission. The Retail Traders Association was told that quite clearly at the meeting. The meeting, may I say, was very amicable and a very full and frank exchange of views occurred. There is no misunderstanding on the part of the RTA about our position, nor is there any misunderstanding from the Government's side about theirs. I repeat, Sir, that in the last analysis the Industrial Commission, as the umpire, will be the determiner of what shop assistants get paid on Saturday afternoons, and that is what it ought to be. We ought to support—

Members interjecting:

The Hon. FRANK BLEVINS: Just hang on a minute!

The SPEAKER: Order! The honourable member for Mawson and the honourable Leader are out of order.

The Hon. FRANK BLEVINS: This Government has a view that the independent arbitrated view should be respected. It is—

Members interjecting:

The SPEAKER: Order! The member for Mitcham is also out of order.

The Hon. FRANK BLEVINS: It is a view that has been expressed—

Members interjecting:

The SPEAKER: The member for Victoria, for the second time this afternoon, is out of order.

The Hon. FRANK BLEVINS: It is a view that is expressed time and time again by members of the Opposition when they are claiming, quite properly in my view, increases for members of Parliament. What they state is that they take a case to the independent umpire and that the public should abide by the umpire's decision. If it is good enough for the Opposition to state that for members of Parliament, as far as I am concerned, they ought to support the same principle

for shop assistants who are in a far worse economic position than are members of Parliament.

MINISTERIAL STATEMENT: AUSTRALIAN DEFENCE SUPPLEMENT

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

Leave granted.

The Hon. J.C. BANNON: On Tuesday I was asked a question concerning South Australia's representation in a defence supplement to *The Australian* newspaper last Friday 6 November. It was pointed out that South Australia was the only State not represented in the defence supplement. I have made inquiries and am able to inform the House of the facts relating to this matter.

On 4 September 1987 a letter was received from Mr Peter Young, the Defence Editor of *The Australian* newspaper, asking for a contribution to a supplement planned for *The Australian* which would highlight Australia's defence industrial capability. He said the content of the article would be left entirely up to the Government and that the copy for the supplement would be required by the second week of October. The article was despatched by airmail to Mr Young in his Canberra office on 13 October 1987.

On 16 October 1987 Mr Young telexed the Deputy Director of the Department of State Development, Mr Jim Duncan, acknowledging receipt of the article. However, Mr Young expressed disappointment that South Australia was the only State that had not backed up the editorial with a half-page advertisement. Mr Young's telex said a half-page advertisement would ensure an exclusive page for the article. He concluded (and I quote):

> I would strongly urge that you consider a half-page advertisement rather than suffer by comparison.

I stress that this telex was the first time any request had been made for advertising for the supplement, and the first indication that there were 'strings' attached to the editorial contribution requested for the supplement.

The Deputy Director of State Development advised that, given the size and scope of the supplement, it would be advisable for South Australia to advertise. An advertisement was subsequently booked and appeared in the supplement. For some inexplicable reason the article supplied to *The Australian,* which was detailed and lengthy, did not appear in the supplement. No satisfactory reason has yet been given to my officers for the non-appearance of the article.

I have now written to the Editor in Chief of *The Australian* asking for an explanation as to why such an important article was not published. The sequence of events I have described demonstrates that the State Government did in fact do all in its power to ensure that we were represented in what was a comprehensive and important supplement on a subject which has a vital role to play in the State's economy.

The SPEAKER: Call on the business of the day.

SITTINGS AND BUSINESS

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

That the House at its rising adjourn until Tuesday 24 November at 2 p.m.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): We are happy to support this motion, but it highlights very plainly just what a mess the Government has made of organising the business of this sitting, Mr Speaker. There are a number of Bills which the Government have indicated were of some priority. Let me just refresh the memories of Government members on some of the legislation before the House or, we understand, due to come before the House. There is a Bill covering reproductive technology—

The SPEAKER: Order! The Chair is having difficulty hearing the remarks of the honourable Deputy Leader because of the dialogue being conducted between the member for Mitcham and the member for Hayward. The honourable Deputy Leader.

The Hon. E.R. GOLDSWORTHY: Thank you, Mr Speaker. I understand that Bills covering reproductive technology and local government are to be dealt with here. There is the question of the city of Adelaide development, shopping hours, telephone tapping, Racing Commission, the Sagasco/SAOG merger, and a 57 page Bill on superannuation, I understand, is being introduced in another place. There has been a slow trickle of legislation throughout this session. Indeed, precious little legislation has come before the House and we must get up next week because the Government has no work for us to do.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: Government members are getting excited, and I like to see them excited, because that shows that they are not in a soporific state all the time. The only Bill of any real substance with which we have dealt in the past fortnight came before the House last Tuesday week and we sat until midnight because the Minister had to be in Asia in the next day or so. I hope that the Government does not expect us to come back after next week and sit in this place all hours of the day and night merely because it cannot organise the business of Parliament satisfactorily.

I hope that the acting Leader of the House, the Minister of Transport, takes that on board and that members of the Labor Caucus will let their leaders know that they had better not sit the Parliament all day and night to deal with a plethora of Bills merely because the Government cannot get its act together.

Members interjecting:

The SPEAKER: Order! The noisy expressions of support from the Government back bench are out of order. The Deputy Leader of the Opposition.

The Hon. E.R. GOLDSWORTHY: Opposition members support the motion, but a fair bit will be said on this side not only about the Bills but also about the way in which the Government conducts its affairs if it expects us to sit all hours of the day and night to deal with Bills, some of which are already in another place and others of which are in contemplation by the Government for introduction later this year. This House has had precious little to do and the Government should get off its backside and get its legislation up and running according to a reasonable and acceptable timetable.

The Hon. G.F. KENEALLY (Minister of Transport): I am forced to reply to the Deputy Leader of the Opposition, who has been somewhat more than disingenuous in his arguments about this motion. No doubt the Deputy Leader knows, as all members of this House know, that there is a difficulty in important legislation progressing through another place. The reason for that difficulty is well and truly within the control of the colleagues of members opposite. The

difficulty of convincing certain Opposition members in another place that they should deal with legislation expeditiously is a difficulty with which this Government has been faced for a number of years. In addition, recent amendments to our Standing Orders, which have resulted in the much more efficient progress of legislation through this House, have meant that the long late nights that we all abhorred (and rightly so) are no longer common—nor should they be. We now have the strange situation of members in another place finding themselves sitting when we, sensibly, have gone home very much wondering about what they are doing.

I urge those members of another place to consider amending their Standing Orders in the sensible way in which the Standing Orders of this House have been amended. That would ensure the orderly progress of legislation through both Houses. Considerable legislation has been processed by this House and the fact that this has not taken as long as it has taken in past years is a matter on which we should congratulate ourselves and not be critical.

In addition, some of the more wordy members of Parliament are no longer with us to insist on speaking on every piece of legislation and to keep us here late at night. At the start of the sitting week, we agree on a program and complete that program by the end of the week. That is a sensible way for Parliament to act. If we could get, as the Government seeks, the cooperation of another place so that legislation could progress through that House as expeditiously as it progresses through this one, there would be no delays in having legislation here for debate. The Government does not wish to be involved in lengthy night sittings before Christmas. That is something that we have thankfully got rid of to a degree and we will get rid of it completely if we get the cooperation of the Opposition in another place. I ask members to support the motion.

Motion carried.

WHEAT MARKETING ACT AMENDMENT BILL

The Hon. M.K. MAYES (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Wheat Marketing Act 1984. Read a first time.

The Hon. M.K. MAYES: 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

In 1983, the Wheat Marketing Act 1980 was amended *via* the Statutes Amendment (Wheat and Barley Research) Act 1983. That amendment enabled the Australian Wheat Board to deduct from payment to growers in South Australia an amount as gazetted annually for the purpose of payment into the Wheat Research Trust Account. The funds from that account are used to fund cereal research in South Australia. The decisions on the distribution of funds are made by the Wheat Research Committee for South Australia, a committee mainly made up of farmers, and set up under Commonwealth legislation to distribute the Wheat Research Tax collected in South Australia. Any grower who did not consent with this deduction from his payment could, by writing to the Minister, obtain a refund of the money deducted.

In drafting the Wheat Marketing Act 1984, the provisions of the Statutes Amendment (Wheat and Barley Research) Act 1983, were overlooked. However, the Australian Wheat Board has continued to deduct money from grower payments for transfer to the Wheat Research Trust Account without statutory authority since the Wheat Marketing Act 1984, came into effect. During this time, the growers have continued to have the right of seeking a refund if they so desired. The Government has decided to move immediately to amend the Wheat Marketing Act 1984 to incorporate the provisions of the Statutes Amendment (Wheat and Barley Research) Act 1983, into the Wheat Marketing Act 1984, and to make those provisions retrospective to when the Wheat Marketing Act 1984, came into effect.

Clause 1 is formal. Clause 2 deems this amending Act to have come into operation at the same time as the Wheat Marketing Act 1984, came into operation. Clause 3 inserts the provision that was enacted in 1983, providing for annual wheat research deductions to be made from the amount payable to wheatgrowers for the wheat of each season. As before, wheatgrowers may, in respect of any particular season, refuse consent to the deduction being made. The committee that recommends to the Minister each year the rate of the research deduction continues in existence.

Mr GUNN secured the adjournment of the debate.

RIVER MURRAY WATERS ACT AMENDMENT BILL

The Hon. M.K. MAYES (Minister of Agriculture) obtained leave and introduced a Bill for an Act to approve an agreement for the amendment of the agreement entered into between the Prime Minister of the Commonwealth of Australia and the Premiers of the States of New South Wales, Victoria and South Australia with respect to the River Murray and other waters; to amend the River Murray Waters Act 1933; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

Its purpose is to ratify the Murray-Darling Basin Agreement 1987 and to provide for consequential amendments to the River Murray Waters Act 1983. The Murray-Darling Basin Agreement 1987 is an agreement between the Governments of the Commonwealth, South Australia, Victoria and New South Wales signed on 30 October 1987. Its purpose is to amend the River Murray Waters Agreement 1982 to provide for improved management of the natural resources of the Murray-Darling Basin. Essentially it does so by providing a sound institutional framework for total catchment management, that is, integration of water, land and environmental resource management throughout the basin on a new level of collaboration and commitment between the four Governments. The Murray-Darling Basin Agreement 1987 is the culmination of negotiations between the four Governments which were pursued expressly to broaden resource management and encompass the total catchment management concept following the 1982 amendments to the River Murray Waters Agreement.

The 1982 amendments were the result of 10 years of negotiations and provided for broadening the power of the River Murray Commission regarding water quality matters. Certainly these amendments were necessary and welcome. However at the same time there was emerging an impetus

amongst resource managers which acknowledged the need to integrate water, land and environmental resource management on a total catchment basis if the most effective outcomes were to be realised. Thus the question of improving the then existing arrangements within the Murray-Darling Basin was raised at the Australian Water Resources Council meeting in Darwin in June 1985.

Subsequent to this and arising out of that meeting, a meeting in November 1985 of Ministers from each of the four governments representing the key resource interests agreed to establish a Ministerial Council to exercise general oversight and control over all major policy questions of common interest to the governments involved. The council comprises up to three Ministers from each of the four Governments representing the land, water and environmental interests. An interim institutional arrangement was established in which the River Murray Commission functioned under the umbrella of the council. At the same time the council also initiated the development of a strategy to tackle the basin's most pressing problems namely river salinity, water logging and land salinisation. I am pleased to inform the House that the development of that strategy is nearing completion and is already demonstrating the value of the new arrangements. At a subsequent meeting on 27 March 1987, Council considered the question of ongoing institutional arrangements and agreed on the following:

a Murray-Darling Basin Commission to encompass the statutory responsibility provided for under the River Murray Waters Agreement and to undertake an advisory role to the Council on land, water and environmental matters not covered in the Agreement;

the Commission will comprise two Commissioners from each Government representing between them water, land and environmental interests;

the secretariat to be located with the new Commission to service the work of the Council and the Commission;

governments would share the associated administrative costs of the Commission;

provision will be made in the legislation for later participation by Queensland following further negotiation.

The Murray-Darling Basin Agreement 1987 provides for amendments to the River Murray Waters Agreement 1982 to put those arrangements into effect. I have no need to remind the House of the vital importance that an assured supply of good quality water from the River Murray means to South Australia's well being and prosperity. The advanced institutional arrangements which this Agreement provides will ensure that resource management is undertaken within the most effective framework and should certainly ensure that the interests of South Australia are properly catered for. I am pleased to submit this Bill for consideration by the House.

Clauses 1 and 2 are formal. Clause 3 approves the 1987 agreement which amends the 1982 agreement. Clause 4 amends the long title to the principal Act to reflect the formal extension of the agreement to the Murray-Darling Basin. Clause 5 amends the short title to the principal Act. Clause 6 incorporates in the definition of 'the Agreement' the amendments made by the 1987 agreement. Clause 7 amends section 6 of the principal Act by increasing the number of Commissioners to two. Clauses 8 and 9 make consequential amendments. Clause 10 inserts the 1987 agreement as the second schedule of the principal Act.

The Hon. P.B. ARNOLD secured the adjournment of the debate.

LEGAL PRACTITIONERS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 3)

Returned from the Legislative Council without amendment.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

The Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

I thank those members of the House of Assembly who participated in the conference. Certainly, the agreement was not as the Government would have wished. Certainly, as Minister, I hope that it will assist in overcoming the problems, as was the intention with the legislation in its original form. It was made clear that the Legislative Council would not agree to giving the police the additional powers sought; that is, to allow them to enter and drive a vehicle to a place where it could be weighed if the driver or the person in charge of the vehicle refused to have it weighed. I make it clear, because it seems that there was some initial misunderstanding, that this power in the Bill in its original form was to be vested in the police and not in Highways Department inspectors. Nevertheless, it is quite clear that the Legislative Council felt that that power should not be granted to the police.

It is also appropriate to say that the managers from the Legislative Council were agreeable to my informing members that, if the amendments that had been agreed do not stop overloading, the Legislative Council would be prepared to reconsider the Bill in its original form. However, it wants to give the amendments an opportunity to work, and I hope that they do work. The conference agreed that the penalty for refusing to weigh should be not less than $5 000 and not more than $10 000 for a first offence; and not less than $10 000 and not more than $20 000 for second and subsequent offences. They are heavy penalties indeed, but a driver or person in charge of the vehicle will not have to pay that penalty if they adhere to instructions from a police officer or inspector.

In addition, the conference agreed that a court may disqualify a driver from driving for a period not exceeding three months (and that is up to the discretion of the court). The Government is still concerned about the overloading that occurs on our highways for reasons I have already explained but will repeat. First, overloading is certainly a breach of the law made by this Parliament. Secondly, people who seriously overload present a danger to other road users due to the braking capacity of these vehicles. I am aware that modern vehicles have very good braking capacities, but that capacity is diminished under the stress of extreme overloading. Thirdly, overloading causes stress and damage to our highways. In the spirit of shortening today's proceedings, I ask the Committee to accept the motion.

Mr INGERSON: I rise to support the motion and note that the Government has accepted, following the conference, the Legislative Council's amendments—we thank it

for doing that. As I said during the second reading debate, we are concerned about any increase in the powers of the police and, as a result, an amendment was put substituting the increased police power with an increase in the penalties. I will comment on some of the clauses because the changes made by the conference are a little different to the original Bill.

The conference recommended reinsertion of the provision allowing a police officer or inspector to order a vehicle to be weighed in a particular place using portable scales, or by directing the driver to take a vehicle to a nearby weighbridge within a reasonable time. It is also noted that a member of the Police Force may direct that a vehicle be weighed, even if it is not on a road, if a police officer has a reasonable belief that the vehicle was driven on a road in contravention of the Act. A major recommendation of the conference is the significant increase in penalties. The conference believed that it was very clear that some drivers were getting away with overloading because they felt it was cheaper to not stop to be weighed and pay the penalty if they were caught. As originally drafted, the Bill provided a minimum penalty of $200 and a maximum penalty of $1 000.

The conference felt that there should be a significant minimum penalty if it was to be a sufficient deterrent, and it recommended a minimum penalty of $5 000 for a first offence up to a maximum of $10 000; and for a second or subsequent offence it recommended not less than $10 000 and not more than $20 000. I agree with the Minister that this is a significant penalty for drivers who refuse to have their vehicles weighed. However, the conference believed—and we support this— that the penalties will act as a strong deterrent. The other provisions reinserted in the Bill relate to the ability of an inspector or a police officer to require a driver to divert his vehicle for a reasonable distance in order to have it weighed, that is, eight kilometres; and if a driver is travelling along a particular road he can be directed to a point no more than eight kilometres from either side of the road. We strongly support the amendments. I thank the Minister and the Government for supporting the recommendations of the conference.

Mr GUNN: I suppose the Bill is in a much better form now than when it left this place. I must say that I believe that the practice of providing a minimum penalty is a thoroughly bad approach in a democracy where people believe that the courts should set the penalty after judging every case on its merits. It is a thoroughly bad principle to provide a minimum penalty in legislation, and it will not be done with my approval or without me saying something about it. I think that the problems that have been put to me in relation to this legislation could be resolved if Highways Department inspectors used a little commonsense. If those inspectors continue to go down the track they have been taking, they will find themselves embroiled in continuing public controversy.

Mr Otte has written scurrilous letters about me and has tried to intimidate me and divert me from my duties as a member of Parliament. He had the first hit, but I will have the next one. I am a fairly reasonable bloke until I am intimidated. I believe that it would be a throroughly bad state of affairs if members of Parliament were prevented from standing in this place and bringing to the attention of Parliament matters which they believe are of concern to the community. Of course, one or two individuals in the community are virtually helpless against the combined weight of Government and the bureaucracy, and members of Parliament, the Government, and officers in large Government bureaucracies tend to forget that. I will not sit idly by and allow individuals to be steamrolled by bureaucracy.

That is why I have put on a real turn over this Bill, and I will speak up in my place whenever this matter is before Parliament or whenever my constituents and other people around the State are not treated fairly. Unless that occurs these people will not get a fair go. Indeed, if it was not for the complaints of members of Parliament we would not have an Ombudsman or a number of other things. I will give the Minister an example of what has happened. In common with other members—we are all busy—when I got to my office at lunchtime I found a note asking me to ring a person for whom I had made a complaint to senior officers of the Highways Department about 10 days ago.

He believed that he was not treated fairly. Yesterday, there was a market at Burra and he loaded lambs to take them a short distance. He went to the town to fill his vehicle with fuel. He stopped and went out the back. There were trucks going in all directions taking cattle to destinations. Why did inspectors sit alongside his truck until 12 o'clock last night? Why did they not check other vehicles? This constituent believes that there is a vendetta campaign being conducted against him. I tossed up over lunch whether to give the names of those Highways Department officers to those in authority, but I will not do that.

Members interjecting:

Mr GUNN: Do not tell me that what he told me was incorrect. He exercised his right to complain the previous week. I rang senior people in the department without raising the matter in this House, and this is what happens. He rang me in a great state today asking why all the other cattle trucks were not weighed.

The Hon. H. Allison interjecting:

Mr GUNN: He believes they were having a go at him. That is one of the matters that I want to discuss with senior officers. Such matters have annoyed me. If people think I am going to give in, they have the wrong bloke, because I will pursue every case. If people flagrantly break the law, they deserve to be booked, but they should all be treated fairly.

However, I object to this nonsense of inspectors racing around after every sale. Who can accurately determine the weight of stock? If inspectors want to solve this problem, they ought to get to work and recommend to the Minister a system of volume loading like they have in other parts of Australia where there is not all this damn nonsense, ill-feeling, and controversy. Officers could make such recommendations, but they do not seem to understand or want to understand the problem. I will not say more about that now, but I really want answers. I know the story, and I know the number of the vehicle that these people were in.

Indeed, there are lots of things that I could do to make life difficult for them. Every time I see them, I can ask a question in this House. I see them sitting like vultures at Port Augusta. Why is it necessary to have three big F100 utes there, when at the same time we are talking about cutbacks? The Highways Department has not enough money to keep our roads in good order yet it has heaps of money to spend on harassing people on dirt roads where inspectors should not be.

I now comment on the Bill, which provides for a $5 000 minimum penalty. That is bad enough. I hope members have read this Bill and I hope that the public is aware of what this Parliament is doing, because we are taking leave of our senses, and that really concerns me. Clause 3 provides for new section 152 (2), which provides:

> A member of the Police Force . . . may not give a direction under subsection (1) in relation to a vehicle that is not ona road unless he or she has reasonable grounds—

What are 'reasonable grounds'? New subsection (5) provides:

Where a court convicts a person of an offence against this section, the court may order that the person be disqualified—

That is fair enough, but then it goes on to say:

A court may not reduce or mitigate in any way a minimum penalty prescribed by subsection (3).

Where else on the Statutes in this or any other Parliament in this country can a similar provision be found? It would be thrown out of most other Parliaments in this country, because it is outrageous. Why would the Minister accept it? What will the legal profession of South Australia say about it? Members pride themselves—

Members interjecting:

Mr GUNN: Members know that I am right, although I would not win any votes in this House. I well remember my early experience in this Parliament when, sitting exactly where the Minister of Transport sits, was the now Chief Justice. When we were debating measures, he spoke (I cannot remember his words exactly, but he was very articulate) in great detail concerning the rights of the individual, and said that every person was entitled to counsel and that every person was entitled to be judged by the court. In this case people are not being judged by the court but by Parliament, which has not had the appropriate information before it.

I say to the Minister that there will be some terrible miscarriages of justice. New subsection (3) will cause controversy and disputes which he and his colleagues will live to regret. People will be put in gaol—that is what will happen, and there is no doubt about that, because for some minor breach of the law someone will end up in gaol. The Government indicates that it does not want to fill up the prisons, and I agree with that. We probably put too many people in gaol anyway, and it does not make them better citizens. I understand the difficulty that my colleagues have with this clause. There is this measure, and the draconian measure to smash into people's vehicles. In other circumstances the legislation would be dropped.

I know that there are people who have flagrantly disobeyed the law through overloading. I have as much to do with the transport industry in the north as anyone. I know most of the transport operators, and I have lengthy discussions with them. I know the problems, but it appals me that the Government and the Minister are so intransigent that such a harsh measure is the only arrangement they can devise. I do not know what the transport industry will say when people realise what is intended. Last year the department's inspectors told people that if they went on to private property the inspectors could not weigh the vehicles. People will not know of the change in the law and could be up for $5 000 in fines. I hope the Government understands what it is about.

I hope that before the legislation is proclaimed the Government will ask the Attorney-General to have a close look at it. The Attorney, who prides himself on the belief of the rights and liberties afforded by this State, would not take kindly to such a provision. Certainly, my colleagues in the legal profession with whom I talk and friends that I have would be horrified. Many of them will be supporters of the honourable member, but they are people who have assisted me in legal matters. Certainly, they are not the traditional supporters of the Conservative Parties, but civil libertarians in the Labor Party will be upset. I have said plenty, but I have a genuine concern about this proposal.

Mr S.J. BAKER: For some time and under considerable pressure we have resisted the temptation of minimum penalties. There have been some good reasons for that: it takes away the discretion of the court in mitigating circumstances. We have heard bleatings from the other side of the House continually about letting the fines be made on a basis of capacity to pay. We have seen $500 fines imposed when people have been seriously injured in incidents but those concerned have been given another chance. Time and time again we have seen people who have committed serious offences being given good behaviour bonds.

In that process the court has made a decision within its discretion to award that penalty. There is no discretion here except upper and lower limits. We are departing from the basic rules of law in taking this measure. It is a disgrace to this Parliament that this measure has been agreed to in Committee, and I do not give a damn who has actually agreed to it. The fact is that we are taking from the law of this State. We have consistently failed to write into laws minimum penalties. We have provided for expiation, but that is another question. However, we have not written in minimum penalties.

Members interjecting:

Mr S.J. BAKER: The boy soprano over there simply does not know what he is talking about, as usual. The fact is that if he had been in this place a little longer—

The CHAIRMAN: Order! The Committee has been going along very well up to now. Let us not spoil it. The honourable member for Mitcham.

Mr S.J. BAKER: If a person had been in this place longer he would know of the cries from the public, year after year, to write in minimum penalties because the public says that the courts are being too lenient. This Parliament, in its wisdom, has said time and again that we want discretion in the law, because it is important to take account of the circumstances. This does not take account of any circumstances pertaining to the so-called crime, and the offence here is failing to obey a direction from the police or an inspector—and we have heard about inspectors from my colleague the member for Eyre.

It will be a travesty if we allow this measure to pass, because it will mean that the rule of law that we have so strictly adhered to over the many years of this Parliament will be broken, and once it is broken it will be broken time and time again. I concur with the comments made by my colleague. It is wrong for this Parliament to set a minimum penalty in the statutes. If the Minister wants to make it by expiation, then so be it. Let that be debated on its merits by the Parliament. However, let us not write minimum penalties into legislation.

Mr D.S. BAKER: I support the remarks of the member for Mitcham, and particularly those of the member for Eyre, who succinctly, once again, put forward the fears that country people have about these draconian measures. Many of us have experienced many times what goes on with these inspectors and how they harass certain people until they catch them. Good honest people who are trying to make a living are run off the road by these people who have a title and a cap and think that they can rule the State. The excuse given by the Minister, that because of overloading the braking systems of trucks do not work as well, is absolute rubbish, and he knows it. The excuse that it is breaking up the roads with a little bit of overloading is not provable and again is rubbish.

What this is all about is giving inspectors more powers, and it is a revenue raising measure for the State. They have to get so much revenue in each week. As the member for Eyre said, these people will sit at the saleyards and catch everyone going in and out. They look at the number of stock on board and wait, they weigh the vehicles, and get their revenue that way.

The Hon. H. Allison: They don't want breathalysers outside hotels, do they?

Mr D.S. BAKER: Yes, it is exactly the same. How would Government members feel if breathalyser units were placed

outside every hotel in the State? Yet, these inspectors are placed outside every saleyard. It is a travesty of justice. As the member for Eyre said, as soon as we get volumetric loading in this State we may get somewhere. I totally agree with maximum and minimum penalties, and I will indicate what happened to a constituent of mine. This Act will make that situation much worse. My constituent is a battling truck driver, who was pulling a road train in the north of South Australia. Because of the bureaucracy that applies to all of this legislation, he had to have a permit that said that he could carry that road train in the north of South Australia. Because of work stress, and because an officer was not there to issue that permit, he had to take his road train without having the correct piece of paper.

This is now a famous case. When he was apprehended, the inspector said, 'You haven't got the piece of paper that says that you can take this road train up here.' The driver said that although he had all the others, the office was shut and he could not get it and the load had to get through. The inspector said, 'Okay, away you go.' Subsequently, it was proved that the inspector had not only come from outside the hotel but that he had been in the hotel and he admitted that he had been drinking. My constituent took exception to this because he was not pinged (as they say) for being one tonne overweight—of course, if he had had the correct form he would not have been overweight at all, so it was administrative only—but it was said he was 72 tonnes overweight, not because his vehicle was weighed and found to be overweight, but because he did not have the right form. He incurred a penalty of $15 000 because he could not get a permit when the office was shut.

What was he to do? He had to spend 12 weeks in gaol to expiate the fine that was imposed by the officer who clearly had been drinking and had acted in a most provocative manner. I agree absolutely with the member for Eyre that these inspectors have too much power and that it should be taken away from them. They should not be given more power. With maximum and minimum penalties there will be no way that the law can be lenient or take into account the circumstances of inspectors or the circumstances of the problem at the time of the overloading.

I agree with my colleagues the member for Eyre and the member for Mitcham. It will not be long before the minimum penalty will become an expiation fee, and the Minister knows it. How will it be when we have expiation fees of the magnitude contemplated in this Bill? It should not be passed, and I urge members of the Committee to reject it.

The Hon. G.F. KENEALLY: I do not know whether or not the member for Eyre has been contacted by my office, but I have already facilitated a visit for him with senior staff of the Highways Department to talk about the many matters that he raised in the House, so that can proceed. In relation to minimum penalties, this is not a unique case. This is not the first time that this Parliament has looked at minimum penalties. To a degree, the motion that the member for Davenport moved earlier today and for which all members opposite voted had an element of minimum penalty in it—and that was on life sentences. That is a more important matter than this one. Members opposite are very selective about minimum penalties and when they do not support them.

Let me tell the Committee the procedure here, because this could have been a whole lot worse if I had taken notice of the honourable members' Party members in another place. There is no doubt that the degree of penalty is much less as a result of my initiative and that of other members of this House than if we had taken note of the Upper House. Then the honourable member could have been looking at $10 000 minimum and $20 000 for the second and every subsequent offence.

I want all Opposition members to understand that this is not a proposal that the Government has put before this House or to the conference. It is a proposal that was recommended to the Government as the only way of overcoming the impasse in which we were involved, and it was recommended by members of the Liberal Party and the Democrats in another place. I object to being lectured here by members opposite about where I stand on minimum penalties when the proposition that we are debating is a proposition put forward by their own Party. If they want to take this matter up they should take it up in their Party room. If they want to lecture people, they should lecture their members in another place. Let it also be said that the Hon. Trevor Griffin and the Hon. Chris Sumner (the Attorney-General) are in another place and this legislation—

Mr D.S. BAKER: On a point of order, Mr Chairman, I have been the subject of your wrath earlier in the week over Standing Order 78 which states:

> Every member of the House—

and I bring to your attention the member now just walking out—

> when he comes into the House, shall take his place . . .

That clearly has not happened. The member has just walked in and sat down somewhere else. Surely, under the Westminster system, some even-handedness ought to prevail, and I seek your ruling on that.

The CHAIRMAN: The honourable member must have misunderstood my earlier ruling. The request I made was that members sit in a place: I did not say 'in their own place', bearing in mind that a member may wish to speak to another member while a Committee is in progress, and the obvious thing to do is for the member concerned to go over and sit alongside the member with whom he or she wishes to speak. The honourable member himself was wandering around earlier during the proceedings of the Committee, and I restrained myself from admonishing him. When members are seated, they comply with Standing Orders. So, the situation that the member is putting to me is not in accordance with the ruling that I gave and, therefore, I do not uphold his point of order.

The Hon. H. ALLISON: On a point of order, Mr Chairman, your ruling—

The CHAIRMAN: I ask the honourable member to resume his seat for a moment, as the member for Victoria stood before the honourable member was on his feet. The member for Victoria.

Mr D.S. BAKER: Mr Chairman, Standing Order 78 provides:

> Every member of the House, when he comes into the House, shall take his place . . .

It is very clear. The member for Bright came into the House and took another place. All I am seeking is some even-handedness, because I was the subject of your ruling earlier in the week, and I just bring to your attention Standing Order 78.

The CHAIRMAN: The honourable member is at liberty to bring the Standing Order to my attention. He has asked for my ruling, and I have given it. If he wishes to disagree with my ruling, it is in his own hands to do so. Standing Orders were so designed as to prevent members from standing around and being disrespectful to other members of the Committee, and I find it extremely strange that a member would want to uphold a situation involving other people standing around while a Committee is in progress. My ruling has not changed: it remains the same. The honourable Minister.

The Hon. G.F. KENEALLY: I respect the views of members opposite who disagree with the establishment of minimum penalties. I just want to reinforce the situation, so that there is no misunderstanding, as to where that proposal came from. As managers of the conference, we were faced with the Bill failing completely, so that there were no powers to deal with overloading or to accept the recommendations of the other place.

Members interjecting:

The CHAIRMAN: Order! I call the Committee to order. I can hardly hear the Minister myself.

Members interjecting:

The CHAIRMAN: Order!

The Hon. G.F. KENEALLY: As I pointed out when I introduced this motion, members of the other place acknowledged that these were quite draconian powers that they had recommended placing in the legislation. However, they agreed that it would be appropriate for me to tell the Committee that if these provisions did not have the desired effect the Legislative Council would look at taking other action. It may well be that these provisions will only be on the Statute Books temporarily, but that is a matter for the Legislative Council to consider.

Secondly, in my view, it is likely that drivers will not run the risk of being in default of this provision, and I believe that is a reasonable view. Nevertheless, I point out that it is not the preferred position of the Government: it is one that we have been forced to accept, and it is not because of the intransigence of the Minister as the member for Eyre said. This measure has come before the Committee because, without it, the Legislative Council was not going to allow the Bill to pass.

Mr GUNN: I do not want in any way to be held responsible for reflecting upon the Minister. I want to see some commonsense prevail in this place. However, I believe we would be derelict in our duties if we did not strongly protest provisions of this nature. I realise that the Minister says he has had his hands tied, but my view is that it would have been better to see the legislation fail and to bring it back in a week or two with a more sensible provision. Where the Minister has got into trouble is that his advisers have set out to use a 14 pound sledgehammer to knock in a reasonable sized nail. Anyone with any political knowledge would have known full well that there was going to be a box-on over this provision. I can guarantee that anyone who has been in this place for a while and looks at any piece of legislation for 10 minutes can pick whether there will be a controversy over it. I am pleased that the Minister has indicated that this will be a temporary measure. I take it, from the Minister, that it will be a temporary measure?

The Hon. G.F. Keneally: The Legislative Council said that, if this measure was not effective, they would reconsider their position.

Mr GUNN: All I want the Minister to say is that he will get his officers in the industry to sit down and try to improve this measure in a more practical and realistic way. Contrary to what he said about having minimum penalties on the Statute Book, let me say that every time the Parliament puts in a minimum penalty I believe in most cases we are doing a grave disservice to South Australia: I firmly believe that. The longer I stay in this place, the more concern I have about the effect of minimum penalties in reversing the onus of proof. We are really going down a thorougly reprehensible track. I do not care who is responsible for it.

Mr Tyler interjecting:

Mr GUNN: Hang on a minute. There are other sensible ways. You can find excuses to do anything, but members must realise that the greatest thing in a democracy is that people are able to be treated fairly. The honourable member, having worked in Government, ought to know better than anyone that the average individual who receives a summons for an offence is at a great disadvantage. Unless he has the financial resources to engage a QC when fighting the Government, he is at a tremendous disadvantage. He knows that as well as I and everyone else. That is why I am standing here complaining. I have people coming into my electorate office each week, and I bet other members have also, and I think it is outrageous. As long as I am a member of this House, and I do not care if I am the only one, I will protest most vigorously. I will take other courses of action if these provisions are misused. I will have correspondence with the Minister and the Attorney-General in the next week or so over these matters because I believe that the legislation should not be proclaimed with provisions that are so draconian. I will not divide the House. We want to get on to matters which are important, so I will not proceed further.

Motion carried.

METROPOLITAN MILK SUPPLY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 November. Page 1736.)

Mr GUNN (Eyre): If there was ever an industry which had problems and to which the descriptions of controversy and confusion could apply, it would be the milk industry. We have an industry which has one section paying compensation to another section. In the south of this State we have a severe difference between the Labor Ministers in Victoria and New South Wales over the Kerin plan, and so we could go on. This legislation is designed to solve the problem which would occur if discounting took place and milk were dumped in South Australia from Victoria and New South Wales. The Opposition does not object to that particular proposal. Some time ago we put our position very strongly that we supported the concept of orderly marketing of primary products, which included milk. We supported the continuation of the fixed price of the milk which had served Adelaide and the metropolitan area so well, a program which had created a situation of the cheapest milk and a reliable delivery system.

I think that we had over 430 home deliverers operating, and they are concerned that this proposal could be the thin end of the wedge. However, they spoke to me and I discussed it with the South Australian dairy farmers, and we came up with a form of words which we hope will resolve the matter. I am very happy to give way to the Minister of Agriculture and allow him to move that amendment; I am pleased that he has agreed to it. These proposals can only operate for a maximum of 30 days. I wonder whether there is anything in the legislation to say that after one 30-day period another notice can be placed in the *Gazette* and we can go for 60, 90 or 120 days. I wonder whether the Minister, when he responds, could indicate whether that course of action will take place.

If there is a matter which fills the columns of agricultural newspapers across Australia it is the controversy raging about milk prices and the Kerin plan. In the course of my duties as a member of Parliament and as Opposition spokesman, I read a number of interstate publications. On 9 September 1987, the *Weekly Times* had an article which stated:

On the Federal scene, the Australian Agricultural Council will hold a special meeting on 2 October to decide the future of the dairy industry marketing arrangements. The meeting had to be held by mid-October, when the so-called 60-day comfort clause ends, to consider the request by NSW Agriculture Minister, Jack Hallam, to suspend the market support levy.

Unless a council majority votes against proceeding with the NSW request, Primary Industries and Energy Minister, Mr Kerin, will be forced to suspend the levy. Mr Kerin has urged the states and the dairy industry should make every effort to resolve the problems before the October deadline.

However, there are some in the industry who believe it would be a tactically sound decision to allow the levy to be suspended, so that pressure could be applied to resolve the market milk issue once and for all. Farm leaders are not expected to discuss the issues facing the Agricultural Council until the week after next.

There are understood to be several proposals to solve the dispute although none of them are perfect. Most observers say there is unlikely to be any new radical plan evolved between now and 2 October. Last week the head of the dairy industry's delegation and Australian Dairy Industry Conference chairman, Pat Rowley, met with Mr Kerin and asked that Commonwealth legislation be implemented to protect the market milk premium. But Mr Kerin stuck to his claim that such legislation could prove to be constitutionally unsound.

I think we are all agreed on that. I quoted that article to prove the difficulties the dairy industry faces, particularly when there are people who have designs on deliberately disrupting our system of orderly marketing—and we are all aware of the desires of the Bi-Lo chain, now owned by Coles, which has attempted to torpedo orderly marketing in this State, a course of action which I believe is not only undesirable but most unwise because, in my view, the moment that organisation was successful it would turn its attention to some other line to attract people into its supermarkets.

I am all for seeing that the consumer gets a reasonably priced and high quality product, but I believe that commonsense should prevail. I hope it prevails in the administration of this proposal. We give it our support. We realise that the Government is facing a difficult situation, that the industry is facing an extremely difficult situation, and that the Commonwealth Minister has been placed in a difficult position. For as long as I can recall there has been controversy in the dairy industry. It is not an industry of which I claim to have great knowledge although I have attempted to bring myself up to date by having discussions with members of the industry.

In conclusion, I hope that this provision will not be used to allow discounting by such people as Mr Bi-Lo to wreck the orderly system that we have in the metropolitan area, and I sincerely hope that every effort will be made by the industry and by the Governments concerned to resolve these disputes so that commonsense can prevail, the dairy industry can continue on a viable basis, and the consumer can continue to receive a high quality product at a reasonable cost.

Mr LEWIS (Murray-Mallee): I, regrettably, cannot support the proposition and I want the House to understand the reason why. I well recognise that there would be no point in my attempting to divide the House to win support for my case and to get the numbers accordingly to defeat the measure. My reasons are as follows. In the first instance, the days of honour and respect for the wisdom and benefits to be derived from orderly marketing and of people in positions of responsibility who have goodwill and take sensible decisions within that framework have long since departed.

I refer to such personalities who could be trusted by the industry to do what is needed within the framework of the industry—people such as Mr Robin Steed, say, and Mr Bob Barker and others. They well understood how best to proceed in a cooperative way to ensure that regular, reliable supplies of wholesome milk were available to people in the metropolitan area of Adelaide and throughout the whole of South Australia. They respected agreements that were made and did not seek to exploit the positions of responsibility and power which their respective commercial organisations could have exploited under the arrangements that used to exist.

However, as with anything, where men conspire with each other to create and control a market, sooner or later, no matter how long it takes, market forces will catch up with that organisation arrangement. It has happened in this instance and has happened in a good many other instances. Now we find ourselves in this mess for reasons of technology as much as personality. It would not have been possible 20 or more years ago for any interstate milk producers to contemplate mass invasion of our market; there were no adequate storage facilities at the point of sale (the retailing outlets) to hold the milk obtained from interstate sources for any reasonable shelf life, in safety and security, in terms of its healthiness and wholesomeness for the public; nor were there treatment mechanisms available that would have ensured the same wholesomeness of the product. Therefore, other interstate producers and processors never attempted the exercise.

They also recognised, of course, that under the wider arrangements in the Australian dairy industry they would have destroyed the orderliness with which excess fresh milk production was taken off the market as fresh milk on a seasonal basis (indeed, around the whole year with seasonal variations over a period of many years) and processed for sale overseas. Such products were in fact, in today's GATT terms, literally dumped on overseas markets. They were sold at prices less than the price being asked for the same commodity on the Australian market.

That is the trade scene of yesteryear, decades gone by. Leading in to the 1980s we have had a shift in the development of technologies and a shift in the power of retailing away from a lot of small individual retailers, small shopkeepers and the like, into huge corporate owned supermarket chains. We have had a development in the technology with which we can treat foodstuffs, in general, and milk in particular, to enable us to virtually eliminate what was certain deterioration to a point where it would be unfit for human consumption in a matter of a few days—not many beyond a week—in the past, to where it is possible to give a shelf life of three or more months with UHT treatment.

Bearing all that in mind, the greed and avarice of certain commercial interests have clearly dealt the death knell to the gentlemen's agreement, as it used to be known, particularly in the dairy industry, for marketing that particular primary product. This measure, therefore, is doomed to failure from the outset. It is a mere device and it simply seeks to create, or attempts to build, another feather bed on a feather bed, if you like, and that is why it will fail. I do not want to be associated with this in any context other than that I am sympathetic to the consequences for the dairy producers of South Australia.

It was ill advised, for instance, of John Kerin to have ever put that plan, which has been widely dubbed by Labor Administrations, federally and in all States of the Commonwealth, as the Kerin plan, into effect. It was never going to work. It failed to take into account the technological changes that occurred in the treatment of foodstuffs, speed of transport and sophisticated storage equipment at point of sale. It could not possibly have survived. The other thing that complicates the whole mess that we have before us now is that if treated milk is mixed with derivatives of soya

bean, for instance, and sold as a product not referred to on the package anywhere as being milk, then whatever price is asked by the retailer or the wholesaler is completely outside the control of any Government agency, State or Federal.

Accordingly, if the nefarious influences, which are now entering the market to take advantage of the feather bed situation that has existed, wish to defeat the intention of this legislation they will do so simply by, if you and I like to put it that way, Mr Deputy Speaker, adulterating the product. It is not really adulterating it; it is no less wholesome, indeed it may even be enhanced in nutritional value. I do not know. There is certainly no detraction from it. However, the fact remains that it will not be milk and anybody can sell that fake milk for whatever price they choose and it is outside the ambit of the legislation.

I am quite sure that, in one way or another, that is the way in which ultimately the market forces will prevail in the milk industry and it will not be long before they do so. I do not believe that we are really putting our finger in the dyke by passing this legislation. I think that this will only compound the problems confronting the industry which will have to be sorted out when it ultimately faces market realities. It is not even buying them time. It is only buying some people, through ignorance, a false sense of hope. I regret that, but the realities are what they are. That is why I cannot support the measure.

The Hon. H. ALLISON (Mount Gambier): A few months ago I visited the dairying industry areas of Victoria and looked at what was happening in East Gippsland, the Goulburn Valley, and the Murray Valley. I was highly impressed with the efficiency and the apparent wealth that existed in the dairy farming communities of Victoria. It also frightened me that the industry there was so efficient and capable of producing massive quantities of milk all the year round. I realised that, if the Victorians wished to do so, they could literally swamp South Australia, flood our markets with milk and this could present a massive threat to the long-term viability of the South Australian dairying industry.

Hitherto, interstate and Australia-wide agreements have prevented that sort of competition from taking place, but over the past two or three years the scene has become increasingly violent to the extent that we have had dairymen lining the roads and literally picketing factories and farms. That is a situation that could arise at any time. To my way of thinking, this legislation does not provide a solution to that threat: it merely gives the Metropolitan Milk Board the power to declare a maximum price for milk, but then to allow all branches of the industry to sell one to the other until finally the householder buys it at a discounted price. So, they are able to sell at prices which can be well below viability level.

The industry in other States is far more capable of mounting a prolonged campaign underselling milk than is South Australia, which is just on the verge of viability already. We have our problems. The Bill provides only for the metropolitan area, and in the South-East I have already had cases which I have brought to the attention of the Minister by way of letter, pointing out that South-Eastern milk retailers (that is, the chaps who have bought milk rounds and supply milk to customers each night) had been confronted with heavily discounted prices in local supermarkets in Mount Gambier and Millicent. Indeed, it was more profitable for Mount Gambier milk vendors to go to the Millicent supermarket outlets to buy milk at 10c and 20c less than the factory cost and bring it back to Mount Gambier. Obviously, the economics of that can be only short term, but I know of milk vendors who literally left the factory and purchased milk in Millicent, bringing it back for retail sale in Mount Gambier.

Those people, either the milk vendors or the dairy factories across South Australia, cannot keep discounting for any great length of time. That is all this Bill enables them to do. This is an enabling Bill and I fear that, in enabling South Australian industry to meet competition, it might also have the immediate result of encouraging supermarkets that have interstate dairies of their own simply to start bringing in milk, not on a short-term basis to compete with the South Australian dairying industry, but to engage in it on a long-term basis.

Although I recognise the Minister's good intentions in providing for the metropolitan area and saying, 'Right, you can meet competition when it comes in,' I sincerely hope that this is not simply the beginning of the end for the South Australian dairying industry which over the longer term is incapable of competing with the massive all-year round production from those splendid dairy farms in Victoria and New South Wales. Can the Minister explain precisely how this legislation is aimed at preventing both the short-term and the longer-term problems?

Alternatively, is it simply a hope by saying 'In the short term we can confront you with lower prices from local producers, therefore we bluff interstate producers into not coming into South Australia'? Is the Minister hoping that this measure is merely a stopgap measure with the hope that the interstate and Australia-wide agreements that are being negotiated by Ministers will be successful in the long term?

The Hon. M.K. MAYES (Minister of Agriculture): Those members who have spoken have raised important questions about this industry, which is one of the most complex rural industries that we have in this country. Certainly, its marketing arrangements are the most convoluted if not the most complex. Our Principal Dairy Officer (Mr Rice), in preparing these amendments and working with the industry, has done an excellent job and I publicly record my thanks to him for his work and efforts in conveying these provisions around the industry and negotiating with all the many industry representatives.

The members for Eyre, Murray-Mallee, and Mount Gambier have raised important points. We want to see this industry protected in South Australia: we want it to survive. Irrespective of what we do with our State legislation, it is realistic to concede that, if East Gippsland producers decided to move over the border, nothing could be done because section 92 of the Australian Constitution protects them and they are free to engage in that activity. However, such interstate producers must realise the repercussions from such action for their industry in that State in relation to export incentives and manufactured products, and the impact that it would have nationally for the whole industry.

In my days as a student of agricultural economics, I did some work on the milk industry. Students would regard that industry as one of the most fascinating areas of marketing organisation. As one of the most complex and difficult areas, it poses significant headaches to any Government, whether State or Federal, because of its history and structure and because of the perceived attitudes, both State and national, within the industry. I acknowledge that some of the points made by the member for Murray-Mallee have some truth and that we must address certain structural issues.

At the next meeting of the Agricultural Council I hope that some of these issues may be addressed so that we may know where we are going with the Kerin plan. I thought

that the member for Murray-Mallee was a little harsh on Mr Kerin in his comments, because John Kerin would be the first to admit that his plan was not meant to be a panacea for all the problems in the dairying industry. Indeed, if the honourable member wrote to the Federal Minister, he might find that the Minister agreed with that comment. In fact, the whole thing was about to collapse recently like a deck of cards and, when the motion of the New South Wales Minister (Mr Jack Hallam) was before the Agricultural Council, we saw an indication of the degree of exhaustion suffered by John Kerin in trying to hold this package together, and we realised the amount of work that he had done over the years to keep it together.

The so-called Kerin plan has to some degree been successful, and therefore it is worth acknowledging that. However, we must address some of the long-term structural problems in the industry and there are moves afoot to do so. We have had discussions among ourselves as Ministers, and I hope that the Federal Minister will come back to us at the next meeting of the Agricultural Council with proposals for a review of the overall application of his plan. It is important that we, as Governments, have that in order to address the long-term needs of the industry.

Other factors affect this matter, such as closer negotiations with New Zealand. I wish to air those matters publicly, and I have told the industry that we have here a major issue with which to deal, especially with CER coming into operation. It will not be too hard for New Zealand dairy products to be here on our shelves in greater quantities than hitherto, processed and packaged in either New Zealand or Australia.

We must come to grips with that as we contemplate our economic relationship with New Zealand. It is important that I address this issue particularly in relation to the comments of the member for Mount Gambier who has a real interest in this measure given the dairy industry in his area, which is probably one of the most efficient dairy producing areas in Australia. Although it is probably not as efficient as East Gippsland, the South-East is probably the most viable dairy area in Australia. If I was the member for Mount Gambier, I would not be worried about producers in the area; I would be worried about producers in the Adelaide Hills and in the upper north, because they will feel the impact of any marketing approach from interstate. The producers of the South-East will probably survive and be much more efficient than producers in some other areas.

We must address this question on a long-term basis. I hope that we come to grips with the problem because I am interested in coming up with a long-term strategy. Irrespective of this Bill and the amendment to be put during the Committee stage as agreed between the member for Eyre and me, the East Gippsland producers, as they did with the New South Wales market—and we have come to an agreement with the New South Wales and Victorian Governments—could decide to invade South Australia and market their goods through Bi-lo or Coles. However, certain mechanisms are available to us, and the industry also has certain plans. But, as I say, irrespective of what we do, the East Gippsland producers could still take that action.

I was worried because under the Act there was no mechanism to allow the metropolitan area in particular to respond, and in a legal sense the Milk Board's hands were tied. I think the industry misunderstood what I meant when I first raised this question. I am delighted that we now have agreement with the industry in this regard following Mr Rice's extensive discussions and consultation with it. I have no intention of undermining the recommendation and agreement reached with the Metropolitan Milk Board in relation to the future pricing structure. There is agreement on the way that we want this measure to proceed—anything outside of that would cause distress. The matter has been settled in the industry and I think people have come to understand what it means. It is not, as people originally thought, a major shakeup or restructuring of the pricing mechanism, and that is an important factor.

I will make three further points to clarify the Bill from my point of view. First, it is an emergency provision. Secondly, the Metropolitan Milk Board will consult all sectors of the industry about reactions caused by factors affecting the price to suit the amendment that will be moved during the Committee stage. Thirdly, all sectors of the industry will be expected to contribute and make up the losses associated with any discounting. It is a temporary measure designed for a market reaction. I am sure that honourable members opposite would appreciate that, if the board could not react during an emergency, we could have a situation where interstate milk was being sold for 40c. The member for Mount Gambier has already indicated what has happened in Millicent—I am aware of that situation. In Whyalla milk is being sold for 65c a litre. In Adelaide the price of milk is fixed at 75c, so the Milk Board's hands are tied. Therefore, Victorian milk could be sold here for 40c. Interstate milk, from East Gippsland, could be dumped in this city.

How could a local retailer, a local manufacturer, and a local producer respond to interstate milk being sold for 40c a litre? Of course, they could do certain things but, faced with such low priced competition, the hip-pocket nerve of consumers will respond accordingly, and we would be faced with a major shakeout of the industry. It would not take long before some producers would be in a bad financial situation. Therefore, we must be able to respond effectively. I anticipate that people interstate will see what we are doing as an opportunity for the Metropolitan Milk Board to respond (bearing in mind that interstate milk boards already have this mechanism) with some flexibility in the pricing structure so that we are not caught out by interstate producers.

I think that this measure will add to the Milk Board's already extensive legislative powers in relation to price setting and maintaining the market structure of the industry. I hope I have answered all the questions put during the debate. I am pleased that the industry supports the Bill. I think that this measure will give the Metropolitan Milk Board the necessary powers to operate effectively if there is a threat from interstate milk producers (although I hope that that does not occur).

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Fixing of prices.'

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

Page 2, lines 4 to 10—Leave out paragraphs *(c)* and *(d)* and insert new paragraph as follows:

(c) vary the prices to be paid to retail vendors for the various grades, qualities, descriptions or quantities of milk or cream sold or offered for sale in the metropolitan area, so that maximum prices only apply, and vary all or any of the other prices and charges to such extent as is necessary to avert or minimise the loss;.

Mr GUNN: I support the amendment, which has resulted from discussions between interested and concerned sections of the industry. I hope that it will improve the legislation. In view of the fact that it was requested by industry, we do not object to it.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

LEGAL PRACTITIONERS ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

It makes four amendments to the Legal Practitioners Act 1981. The first amendment is to section 52 which deals with the professional indemnity insurance scheme. Section 52 of the Act authorises the Law Society to enter into an arrangement with authorised insurers to provide professional indemnity insurance to legal practitioners. A compulsory professional indemnity insurance scheme came into operation on 1 March 1982. The present scheme has now operated for nearly three years and is due to expire on 31 December 1987.

Since the terms of the scheme were last negotiated with insurers in 1984 the market for professional indemnity insurance has changed dramatically in that it has become difficult to obtain and increasingly expensive. The Law Society has examined a number of options for renewal of the scheme and now proposes a scheme whereby the Society will self insure against claims up to a specified limit with back up insurance to the limit of the indemnity. The amendment to section 52 will allow such a scheme to be put in place. The section is an enabling section—the details of the scheme will be spelt out in the regulations. As far as the public is concerned the level of protection under the proposed scheme will be the same as under the existing scheme.

The second amendment is to section 53 which deals with the combined trust account. Under section 53, practitioners are required to deposit with the Law Society a specified proportion of the money held in their trust accounts. Interest from the moneys so deposited is paid into the Legal Practitioners Guarantee Fund and is used, *inter alia*, to pay the costs of investigating complaints against legal practitioners, the costs of disciplinary proceedings against legal pracitioners, and compensating persons who have suffered loss as a result of a fiduciary or professional default by a practitioner.

The section requires practitioners to deposit the money with the Society on or before 1 January and 1 July each year. In the event that a practitioner fails to comply with the section he must pay interest on the outstanding moneys for the period he was in default. Practitioners are frequently in default without deliberately intending to be. Problems are caused by the adjustment date of 1 January. Most legal practices are closed over the Christmas/New Year period, or operating on skeleton staff.

Proper reconciliation of trust accounts is difficult under these circumstances. In addition not all banks will deliver trust account statements to solicitors on the mornings of 1 January and 1 July. Further, the trust account ledger itself has to be balanced and if there are significant numbers of unpresented cheques the provisions of section 53 (4) need to be considered.

There is no magic in the two adjustment dates originally incorporated into the Act. Altering the dates to 31 May and 30 November will be more convenient for practitioners and providing a seven day grace period before the money must be deposited will overcome the present problems being experienced by practitioners.

The third amendment is to section 56 (6) of the Act. That section provides that where the amount in the guarantee fund exceeds an amount calculated by multiplying $5 000 by the number of legal practitioners the Society shall hold the excess to be paid or applied by the Society to the Legal Services Commission, or for any purpose approved by the Attorney-General and the Society.

The society adopts the view that, at the very least, the guarantee fund should be able to meet a defalcation of $500 000 without exceeding the 5 per cent limit established by regulation pursuant to section 64 (2). To satisfy this there would need to be at least 2 000 practitioners, a number not expected to be attained until about 1993. Further with the change in the value of money it is reasonable to expect the size of any major defalcation to be significantly greater than has been the case in the past. By increasing the amount from $5 000 to $7 500 the amount in the guarantee fund will be held at an appropriate level.

The fourth amendment is to section 86. This section provides that a legal practitioner has a right of appeal against an order of the Legal Practitioners Disciplinary Tribunal. The Supreme Court has recently held that a complainant has no right of appeal where the tribunal has made no order or reprimand and has simply dismissed the charges. The amendment will give a complainant a right of appeal against any decision of the tribunal, whether it be a formal order or a dismissal of a charge.

Clauses 1 and 2 are formal. Clause 3 inserts a new provision enabling the society to establish the new professional indemnity insurance scheme. Clause 4 alters the dates on which deposits are required for the combined trust account from 1 January and 1 July to 31 May and 30 November. It also allows for a seven day grace period within which a deposit may be made without penalty. Clause 5 provides for the guarantee fund to accumulate to a balance 50 per cent higher than the limit presently fixed in section 56. Clause 6 will permit an appeal against a decision by the disciplinary tribunal not to take disciplinary action against a practitioner.

Mr S.J. BAKER (Mitcham): I preface my remarks by saying that the Opposition is unhappy but accommodating in this matter. We are unhappy because this House has not been overburdened with legislation in past weeks. In fact, it is probably one of the slackest legislative sessions on record. That is good for the people of South Australia, because they are not burdened by more laws. In terms of the management of the House it leaves a lot to be desired that we have before us a Bill for which we are making special provision to allow its debate.

This Bill has not seen the light of day until now. Members of this House have not had an opportunity to look at the legislation and judge it on its merits. It is contemptuous of the Government to allow this situation. If the Government has an urgent Bill which it says must be passed within a certain time frame, the least it can do is supply all members with a copy. Such copies should be provided in sufficient time so that everyone has a chance to read and absorb the material contained therein. A number of members in this House take legislation seriously and spend much time analysing legislation, and they make a worthwhile contribution.

A number of times the member for Elizabeth has brought up material matters on Bills before the House that have not been considered by either side, and there are a number of my colleagues on this side who always want to make a contribution at the appropriate time. In this case it has been denied them, because the Bill has only surfaced now. I had the privilege of being provided with a copy about two hours ago, but that has not left enough time for me to look at the Act and determine in my own right, and in the Opposition's

right, whether the legislation has been put together effectively.

There are occasions when Bills come down from the Upper House when we find fault with them, and it should never be assumed that the Lower House is going to be a rubber stamp. While the Opposition may not have the numbers on the floor, we see ourselves as vigorous participants in the parliamentary debating process. Indeed, we have a God given right to express a point of view, and that right should never be taken away. Certainly, for the Independent members, they have not even had the opportunity to look at the legislation before it has been brought forward. I understand that the situation with this Bill is that it needs to be passed through the House today. I question that, but I have been told on good authority that it needs to pass today so that its provisions can come into operation on 1 January 1988. I question whether that is the case, because there are still six sitting days left and we are still 1½ months away from 1 January 1988.

If there are difficulties with the legislation, it will not matter whether we have passed the legislation or not, because those regulations could be formulated in the interim in any event. I question whether the Attorney should be trying to thrust this Bill through Parliament as he is doing, given the time frame about which I have been talking. However, on the advice that I have received, that it is critical—and at some stage the Attorney is going to have to tell me why it is critical, given the events that I have just outlined—the Opposition will proceed to debate the Bill.

The Opposition supports the Bill and supports it warmly in principle because it allows the Law Society to provide professional indemnity insurance for the legal fraternity on its own behalf. The Bill provides that for sums of less than $50 000 the society will carry its own insurance, and there will be some form of reinsurance. I understand that Lloyds of London will be the insurer in cases where civil action results in damages over $50 000. The bonus of such a system is that it will not only provide for cheaper premiums for people in the legal profession, and hopefully that will flow through to their clients, but it may improve the accountability of the profession. Members on both sides of the House have had occasion to be very critical of the profession. There have been times when I have believed the legal profession, like many other professions, has not done the right thing for the people for whom it has been responsible.

Mr Lewis: Certain individual practitioners.

Mr S.J. BAKER: Yes, there is more than one practitioner in this town who does not deserve to front the bench. However, that is something that has to be sorted out by the profession and eventually by the law itself. I perceive the benefit of this proposal being that, if they do indeed have one or two practitioners who are subject to law suits on a continuum, they might take some action against them.

I have been to the Law Society about a number of cases when I believed justice had not been done or where the right advice had not been given. I cannot say that I have received justice in any of those situations. I admit that it may be difficult, but if a profession is going to regulate itself and say that it is going to be whiter than white, that it is going to provide this State with the best legal advice available in the country, it has to be accountable to the public and to themselves. Dollars and cents are an effective way of bringing to the attention of the profession exactly where some of the legal practitioners are simply not performing.

There are other changes in the Bill. There is a change to the date of adjustment to the combined practitioner's trust account to line up with current banking arrangements. There is an increase in the amount to be accumulated in the guaranteed trust fund from $5 000 to $7 500 per practitioner before any excess can be distributed. There are about 2 000 legal practitioners in this State and, from my calculation, the fund is supposed to accumulate to a level of about $15 million, which is estimated to be reached by 1993. That should cover all cases where lawyers are being sued for alleged incompetence. The final provision relates to the right of appeal against decisions of the tribunal to the Supreme Court. Those rights of appeal were fairly limited in the past and they are now available on any matter whatsoever determined by the tribunal. That principle is supported by the Opposition. As I said, we have tremendous reservations about the way in which the Bill has been introduced into the House, but we support the proposition.

Mr M.J. EVANS (Elizabeth): The member for Mitcham has reservations—I am totally opposed. I believe that it is absolutely outrageous for the Government to introduce without notice to this House a Bill to make significant amendments to important legislation, with no warning whatsoever to individual members of the House who are not party to the normal affiliations in this place, and without any introduction of courtesy or prior notice or a copy of the Bill or any explanation of the Bill. There has been no explanation in the speech as to why the measure is so urgent; no indication as to what processes are to take place at all, especially given that the legislation was introduced only yesterday in the Legislative Council.

The copy of the Bill circulated just five minutes ago in this House is a photocopy of the Legislative Council measure, clearly indicating that it was introduced, read a first time, that Standing Orders were suspended for the remaining stages and presumably approved on 11 November 1987, which, as I understand it, was yesterday. That means that the Bill was in that House for one day, obviously debated today, I assume, and approved and forwarded to this House on the same day. No warning was given to members at all, quite contrary to the understanding which I and the member for Semaphore and other members of this place had with the Deputy Premier some many months ago when the Standing Orders in this place were changed to introduce fixed time limits on speeches and provisions to guarantee that certain measures would be put through the House in a specified period. That agreement clearly contemplated that we would be consulted where issues of this kind were to be brought in and where the program was to be changed.

This Bill is not to be found on the weekly or daily program, nor was any prior warning whatsoever given of its introduction today. Nor is there anywhere in the second reading explanation, so far as I have been able to ascertain in the five minutes that I have had to read it, any indication as to why the Bill must go through both Houses in two days and, in particular, why it must go through this House in less than an hour.

I have had no indication as to where that urgency lies. Certainly, I would have opposed the Minister's moving of Contingent Notice of Motion No. 1 had I had the opportunity to understand exactly what its implications were before he had got it through the House without opposition. It certainly would not have got through without opposition had I not been attempting to read the Bill at the time that he moved it. I believe that it is grossly improper for the Government to perform in this way and that it is quite without precedent. While I would accept such things in relation to urgent measures concerning motor fuel distribution or some State emergency, so far as I am concerned no such emergency exists in relation to this Bill.

No attempt has been made to explain the nature of that urgency and I—and I would think other members in my position—have been denied the courtesy of advance warning of its introduction. Even if that had been given today, some arrangement, I am sure, could have been made. I would normally have taken a significant interest in this Bill, relating as it does to the protection of the consumers of legal services in this State. Normally, I would have expected to be able to study such matters in depth and to obtain some additional information on the type of insurance provided. Now I am denied that opportunity completely. The House is to meet again within 10 days and the Government has just set it off for another week. However, that is not acceptable.

If, as the member for Mitcham has said—and this is not contained in the second reading explanation and has not been advanced by the Minister—it is true that these regulations are not to come into effect until 1 January 1988 (two months away yet) I cannot see why it could not wait until the week when this House resumes in some 10 days time. On that basis I record my complete opposition to the procedure that has been adopted today and were I to have had time to study the Bill I might well have had some objection to its provisions. I do not know, and that, I believe, is the biggest danger in this whole process. No doubt we will be forced to agree to it simply by sheer effluxion of time and weight of numbers. That is not the right way to run the Parliament and it is not the right way to advance legislation in this State. Whether or not it is for the benefit of this State, I am not sure, and I would like the opportunity to find out. I will be denied that opportunity by sheer force of numbers. I place on record that that does not seem to me to be a reasonable way to conduct business in this place, and it is not conducive to effective and reasoned legislation.

Mr S.G. EVANS (Davenport): I oppose this proposition, and I do not see the urgency for this procedure. I do not know whether or not the member for Elizabeth intends to call 'divide', but I will oppose it in every way. I have had only 15 minutes to quickly read this Bill. I missed the motion moved by the Minister that the Bill should be dealt with straightaway. When the member for Mitcham stood I thought that he was going to adjourn the debate. When he started to address the matter I expected him to be pulled up, and when he was not it dawned on me that, while I was having a quick glance at the document, the Minister had moved Contingent Notice of Motion No. 1.

There was a chance for a grievance debate today, and I was to have been the first speaker, so I am going to lose that right. We changed Standing Orders so that Ministers could insert second reading explanations and not read them, so that members could take away the second reading explanations and consider them. When the Minister moved that the second reading explanation be inserted without reading it, I, for one, did not know of any arrangement. I was not told that the Bill was going to go through today. I was not told of any urgency. The Minister had the Bill inserted and members had to try to read it while the official Opposition spokesperson—and I can understand that person's problems with it—is saying that they do not like what has happened but that it will be agreed to because they think that there is some urgency, but that they are not sure.

What does the second reading explanation say? On my reading, it concerns the legal profession having difficulty in getting protection as a group against any malpractice or non-professional conduct. Many professional people in this State do not have that protection and have to carry responsibility as individuals. If that is what it says, and I am not sure it does, bad luck. Parliament was programmed to sit next week, and this Government must have known that this matter was urgent. The Attorney-General—and I put him second in line to the Premier—must have known that this Bill was important. He is a lawyer, and the Bill is under his control. He failed to inform his colleagues, it appears, that we needed to sit next week.

We could sit next week. We could have sat at night this week; we had that opportunity. Why was it not brought before the Parliament earlier? Was there a drafting problem? If that is so, then the Government needs to get its act in order and get it down earlier. It is grossly improper for the Minister to say to the Parliament that it is urgent, bring it into the other place yesterday and say that this place will front up today.

I have respect for the legal profession. They can insure individually, the same as any other profession. It might be expensive for one year—bad luck! For the Minister to come into this place and say that we must put it through under these conditions is grossly improper. Why did this Minister not read the explanation and tell us the urgency? From my quick reading of the three pages in 15 minutes I cannot see it. There is no comment or explanation given. The process of the Parliament is just as important as the legal profession having insurance. Why do we not sit next week? There is no reason why we cannot sit on Tuesday if it is an important issue. Is it not important enough to do that? I think it is.

The legal profession advocates caution in every way that it operates. It slows the courts down and asks for caution. Yet in dealing with this Bill concerning the legal profession there is no caution. It is a rush job, and we are expected to rush it through. The Minister in charge of it in another place is a lawyer. The Minister handling it in this place is a lawyer. They may be *au fait* with it and know what is happening, but lawyers in my area maybe do not. I have had no chance to ask them about the problems and whether they agree with it. What is Parliament about if we cannot take that sort of action as members of it? No member of Parliament knows everything about every profession.

No person alive knows that, and we have to go out to seek advice and at least examine the measures ourselves to make an assessment. I may have no strong objection in the end to what is intended. As I read it, it appears that it has to be set up by the end of December; if I am wrong, I am happy to be corrected. It is a long time between now and December and it has been given 48 hours to get through Parliament, yet it cannot be set up in six weeks. Who is kidding whom? There is something wrong there—there has to be. So, it is wrong for the Government to throw this sort of proposition to the Opposition and say, 'Accept it; like it or lump it; we will use our numbers. We got it through the other place in one day; we will crush you'.

I have a right to represent those who elect me. I had no knowledge of this Bill until the documents were handed to me. I thought it would be the same as any other Bill, that it would take the normal few days to come up, but suddenly I find that the official Opposition is speaking to it because it has virtually been stonewalled into doing it today. I will divide on it if nobody else does, and that will not achieve very much, but it is the only way in real terms to show my objection to it. I believe that any lawyer in the community, if elected to this Parliament and asked to make the same decision, would also oppose it, because the principle of the way in which it has been done is wrong. I will be opposing it.

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

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

Mr LEWIS (Murray-Mallee): I felt that yet again the Labor Party was simply going to put this measure straight through before 5 o'clock, with the Minister standing up, again saying nothing, and ramming it through. At the time that we as a House agreed to changes to our Standing Orders and our daily programs, we were given assurances by the Government of which I was sceptical. My scepticism was met by hails of abuse and rails of derision from Government backbenchers and Ministers alike. I now find scepticism and cynicism of the Government's sincerity entirely justified. Members who belong to the ALP have no more principles than their personal convenience. That has been demonstrated over and over again. They have a complete contempt for this place, for any other role than to rubber stamp decisions that are made, not just in the caucus room but behind the locked doors of the factions.

Neither the public nor members of this place know how those members feel about any of the matters upon which they vote when they come in here, and this matter is no exception. Like me, I dare say all but one, if that many, members of the Government (including the Ministry and the backbench together) know nothing of what this Bill is about. I would challenge any one of them to get up and explain it. I include in that the strength of numbers that the Government is supposed to have as qualified lawyers, and this legislation before us today is about their profession. It makes me angry; it makes me despair.

I do not see why on earth members of the ALP should believe themselves to have whatever right, God-given or otherwise, to take for granted the fact that the Parliament will do its bidding when it snaps its fingers, especially in this cavalier fashion. I cannot for the life of me accept that any member's or Minister's word of honour as a gentleman or a lady will ever be valid again. That even includes such men as the Deputy Premier in making the sorts of remarks that he has from time to time.

Mr BLACKER secured the adjournment of the debate.

ARCHITECTS ACT AMENDMENT BILL

Returned from the Legislative Council with an amendment.

CANNED FRUITS MARKETING ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT

At 5.3 p.m. the House adjourned until Tuesday 24 November at 2 p.m.