HOUSE OF ASSEMBLY

Tuesday 11 April 1989

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

PETITION: PORT AUGUSTA WEST WATER MAINS

A petition signed by 145 residents of South Australia praying that the House urge the Government to give priority to the extension of water mains in Port Augusta West and Stirling North was presented by Mr Keneally.

Petition received.

PETITIONS: HOUSING INTEREST RATES

Petitions signed by 164 residents of South Australia praying that the House take action to persuade the Federal Government to amend economic policy to reduce housing interest rates were presented by Messrs Allison, Becker, Eastick, and Lewis.

Petitions received.

PETITION: LAKE BONNEY WATER QUALITY

A petition signed by 2 420 residents of South Australia praying that the House urge the Government to take appropriate action to improve water quality in Lake Bonney was presented by Mr P.B. Arnold.

Petition received.

PETITION: MARINELAND

A petition signed by 374 residents of South Australia praying that the House urge the Government to reconsider the closure of Marineland was presented by Mr Becker.

Petition received.

PETITION: BLACKWOOD PEDESTRIAN LIGHTS

A petition signed by 1 138 residents of South Australia praying that the House urge the Government to install pedestrian lights on Main Road, Blackwood, between Gulf View Road and Chapman Street, was presented by Mr S.G. Evans.

Petition received.

PETITION: RURAL INTEREST RATES

A petition signed by 44 residents of South Australia praying that the House take action to persuade the Federal Government to amend economic policy to reduce rural interest rates was presented by Mr Lewis.

Petition received.

PETITION: MOUNT GAMBIER CARE FACILITIES

A petition signed by 694 residents of South Australia praying that the House urge the Government to provide workshop, daycare and respite care facilities for the intellectually disabled in Mount Gambier and surrounding districts was presented by Mr Robertson.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

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

Planning Act 1982—Crown Development Report on Community Health Centre, Whyalla.

By the Minister of Health (Hon. Frank Blevins)—

Food Act—Report on, 1987-88.

Radiation Protection and Control Act—Report on, 1987-88.

South Australian Council on Reproductive Technology—Report to 31 March 1989.

Controlled Substances Act 1984—Regulations—Health Risk and Syringe Use.

Drugs Act 1908—Regulations—Attendance Fees.

South Australian Health Commission—submission to the Select Committee on the Roxby Downs Indenture Bill 1982.

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

Public Parks Act—Disposal of Parklands, Walkley Avenue, Warradale.

Fuel levy—Report, March 1988

—Report, May 1988.

MINISTERIAL STATEMENT: FUEL LEVY STUDY

The Hon. G.F. KENEALLY (Minister of Transport): I seek leave to make a statement.

Leave granted.

The Hon. G.F. KENEALLY: In response to a motion moved by Mr Martyn Evans, MP, member for Elizabeth, the House of Assembly resolved on 26 February 1987 that the Government should investigate the desirability and feasibility of replacing fixed State motoring charges with a fuel levy. The Centre for South Australian Economic Studies was subsequently retained to assist in the study. The centre's studies were completed in May 1988, with a report entitled 'The Implications of Replacing a System of Fixed Charges for Road Users with a Fuel Levy'. This report recommends against the fuel levy proposal.

The Department of Transport undertook further research, producing a report entitled 'Appropriateness of a Fuel Levy as an Alternative to Fixed Road User Charges', dated March 1989. It concludes that introducing a fuel levy is neither supported nor rejected on the basis of economic argument. I hereby table both reports for the information of members.

MINISTERIAL STATEMENT: RADIATION

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

Leave granted.

The Hon. FRANK BLEVINS: Towards the end of last year, a question was raised in another place about Roxby Downs and, in particular, the Health Commission's submission to the Roxby Downs select committee in May 1982. This followed an article in the *Sunday Mail* of 30 October 1988, just before the official opening of the Olympic Dam project. The article called into question the credibility of some former and present employees of the Health Commission. In the article, the Deputy Leader of the Opposition stated that he believed the Health Commission's report to the select committee was 'a deliberate attempt to sabotage the project'.

That is a very serious allegation. To claim that the report lacked scientific competence and integrity and that it was politically motivated in an attempt to sabotage the project is a very serious allegation to make about the integrity and competence of past and present employees of the Radiation Control Section of the Health Commission, who are understandably concerned about their professional reputation and the slur which has been cast upon it.

I am advised that the report intended to place before the select committee a review of the scientific evidence available at the time on the radiation hazards of uranium mining. It was compiled by competent scientists on the basis of the best scientific evidence available. The radiation protection philosophy adopted by authorities worldwide, including the Health Commission, has not changed since 1982 and must be based on the premise that any exposure to ionising radiation carries a risk.

The report was not acceptable to the Hon. Mr. Goldsworthy and was withdrawn. A revised submission was later made. I now table both the first and the final submissions of the South Australian Health Commission to the Roxby Downs (Indenture Ratification) Bill 1982 Select Committee. This will enable honourable members and the public to judge the issues for themselves. I would add that this Government is concerned about the potential for increased lung cancer incidence as a result of inhaling radon gas and its decay products. The Government's concern for all aspects of radiation safety led to it taking action in 1986 to amend the Radiation Protection and Control Act to introduce a licence to mine or mill radioactive ore and to allow conditions placed on that licence to be enforceable in a court of law.

Such a licence has been granted to the Olympic Dam project and under it the project is bound to abide by internationally recognised radiation protection standards, including, most importantly, the so-called ALARA principle. This principle, that radiation doses should be reduced to as low as reasonably achievable, economic and social factors being taken into account, applies even when dose limits are being complied with, and ensures that radiation doses and resulting risks are minimised. The Government, through the South Australian Health Commission and the Department of Mines and Energy, is active in ensuring that all radiation protection requirements are complied with at the Olympic Dam project.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 134, 180, 251 to 256, 258 to 261, 269, 272, 288, 293, 296 and 297; and I direct that the following answer to a question without notice be distributed and printed in *Hansard*.

LOCAL GOVERNMENT SUPERANNUATION BOARD REPORTS

In reply to **Mr OLSEN** (Leader of the Opposition) 5 March.

The Hon. J.C. BANNON: I refer the Leader to the ministerial statement made by the Minister of Local Government in the Legislative Council on 9 March 1989.

Mr TERRY CAMERON

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

That Standing Orders be so far suspended as to enable me to move a motion forthwith.

Motion carried.

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

That the time for the debate be until 4 p.m.

Motion carried.

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

That this House censures the Premier for his repeated failures to ensure full and truthful answers to questions asked by this Parliament about the activities of Mr T.G. Cameron.

Last Tuesday the Premier tabled two reports from the Department of Public and Consumer Affairs about the activities of the State Secretary of the ALP, Mr Terry Cameron. The Premier claimed that these reports were a complete exoneration of Mr Cameron's activities in the building industry. In fact, all of last week, in and outside Parliament, the Premier continued to support his Party's State Secretary and the findings of these reports. Mr Cameron himself said, 'I always knew I hadn't done anything wrong.'

If that is the case, then there are definitely two Mr T.G. Camerons operating as State Secretary of the ALP. The pile of documentary evidence, most of it from Government departments (which I have in front of me), describes a very different man. I have a damning dossier, none of which was revealed in the Government's reports on Mr Cameron. But, all of the material in this dossier, while never before made public, was available at the time of the investigation. It was, shall we say, ignored, lost, hidden, and covered up, and was certainly not the basis of the report to this Parliament—and we will let the public of South Australia judge that.

This dossier shows a man called Terry G. Cameron who, because he was seen by the Builders Licensing Board as not being a proper person to be a director of a licensed building company, was refused such a licence for his company. This dossier shows a man called Terry G. Cameron who had a convicted criminal illegally supervising homes he was building. This dossier describes a Mr Terry G. Cameron who initiated a great deal of other obviously illegal building work. This dossier describes a Terry G. Cameron whose company was found guilty of shoddy building practices—46 serious faults on three houses alone—but who thumbed his nose and refused to carry out the remedial work he was ordered to do on the faulty homes—on the dangerous roofs, the dangerous electrical wiring, and the many other serious faults identified.

All these facts, and many more which I will detail, should have been contained in the reports released last week. They were not. This dossier shows a very different man from the one the Premier claims is owed an apology. If there are two Mr Terry Camerons, then an apology is certainly called for because any decent, upstanding citizen would hate to be labelled with the actions the dossier in front of me lays at the feet of one, Terry G. Cameron, State Secretary of the ALP.

This man, holding one of the highest positions of his political Party in this State, deliberately and over a number of years flouted Acts and regulations put in place by his own Party to protect the people of this State against shonky builders such as he—put into place by a Party claiming a monopoly on concern and protection for consumers.

But, does our Premier now stand up and speak out on behalf of the people of South Australia who have suffered because of Mr Cameron's shonky business practices, or on

behalf of the building industry whose reputation was jeopardised by Mr cameron? No, he does not.

The Premier and his centre left faction have tried to hide behind suggestions in those reports that Mr Cameron had done nothing wrong because he had not built homes himself. The evidence I have in front of me, not used in the reports tabled last week, makes a lie of that. They have even tried to claim that Mr Cameron was grievously wronged—the innocent victim—because he, they say, merely arranged for homes to be built.

Those reports were wrong to reach that conclusion, and the question we, and the people of South Australia, want answered today, is why they were wrong, who and what caused them to reach such wrong conclusions, and why was this Parliament denied truthful answers to legitimate questions?

The documents I have in front of me show that there was a great deal of evidence that homes built by Mr Cameron were built illegally in that their construction was unsupervised. That evidence was at all times available to the Government. It is in departmental files. It is even in the decisions of the Builders Licensing Board, which I put on public record for the first time today. Why can I have all this evidence in front of me, yet investigating officers of the Department of Public and Consumer Affairs somehow could not find it or report it? Last week, the Premier called the Cameron reports 'a warts-and-all exposure of Mr Cameron's activities'. He said the reports represented one of the most thorough investigations ever undertaken by the Department of Public and Consumer Affairs. None of this is true. If it was, all the consumers of this State who rely on the Department of Public and Consumer Affairs would be wasting their time. What the Opposition exposes this afternoon is a report carried out with blindfolds on and hands tied behind backs. The department did not find the warts that were staring them in the face, and now the Premier must tell this Parliament why.

At best, the reports tabled by the Premier last Tuesday were a whitewash; at worst, they were a deliberate cover-up. The documents I have here were available to the Government, and easy for the Government to uncover. That alone must suggest a cover-up to keep the Premier's faction clean. This afternoon, the Premier has a duty to explain why these reports he tabled last week do not contain information which is very relevant to a full and truthful answer to the questions asked a year ago in this Parliament about Mr Cameron. The Opposition has, for some time, suspected attempts were being made to cover up all Mr Cameron's actions.

During the departmental investigation, an assistant departmental director, Mr Webb, had a discussion with the member for Mitcham and a member of my staff, Mr Yeeles, after I had offered to provide additional information in response to a letter from the Commissioner for Consumer Affairs. Mr Webb suggested during that discussion—in fact, at the outset—that he had been unable to find anything Mr Cameron had done wrong. In response to this comment, he was shown by Mr Yeeles the building application Mr Cameron subsequently admitted broke the law—the application for the first house Mr Cameron had built at Aldinga Beach in 1976. Why had not the Government pursued this evidence itself? The House is entitled to ask: why, with all its resources, did not the Government establish this breach after being questioned about Mr Cameron? Why did it take the Opposition to force this fact into the open almost a year after allegations were first raised against Mr Cameron?

Further, during his discussion with the Opposition, Mr Webb said that a Mr K.R. Smith, the departmental officer who prepared the first report on Mr Cameron's activities—the report which apparently remained in the departmental pigeonhole for about eight months—had made a number of serious errors. In fact, in all material respects, Mr Smith's report was spot on about Mr Cameron's improprieties. Mr Webb visited the member for Mitcham and Mr Yeeles on 28 February. He told them that he had been instructed to complete a report by the following day—only a fortnight after the investigation began. Obviously he was under some pressure from above. While information provided by the Opposition clearly was an embarrassment and caused the investigation to be expanded, it still failed to establish and present all the relevant facts, and I will prove this point.

First, there is Mr Cameron's one admitted breach of the law. As I have said, this was pursued and admitted only after the Opposition brought it to the investigator's attention. Until then, it was to be ignored, and it was ignored by the Government. It related to a house at lot No. 237 Hamilton Road, Aldinga Beach. Mr Cameron breached the Act because he nominated himself as the owner/builder, but he did not have a builder's licence and did not live in the house after its completion.

The application to the Willunga council to build this house was dated 16 October 1976. Exactly a month later, on 16 November 1976, another application was made to the Willunga council to build a home of identical value on the adjacent block (lot 236 Hamilton Road). This application nominated Mr Cameron's brother, B.J. Cameron, as the owner/builder, but in all other respects the application was identical to that submitted by Mr Terry Cameron, even to the extent of the handwriting.

In the reports tabled last week, Mr Terry Cameron's brother is described as a person who has been associated with Mr Terry Cameron in his building activities. Mr Cameron's brother never at any time held a builder's licence, and nor is there any evidence that he ever lived at that Aldinga Beach address. Therefore, the building of this house was another clear breach of the law, with Mr Cameron thinking he could hide behind the initials B.J. instead of T.G.

Obviously, Mr Cameron used his brother's name for this application because he could not apply to build two houses in his own name without a builder's licence. Under the law applying at the time, an unlicensed person could build a house only if that person intended to live in the house. There is no reference to this matter in the reports tabled last week. Yet, I have no doubt that the investigators had both of these applications. Or were they ordered not to investigate? The Premier said last week that such breaches were trivial. They carried a penalty of $1 500 at the time they were committed. Does the Premier have as much contempt for home buyers and the law as does Mr Cameron?

I shall now deal with the issue of who supervised the building work that Mr Cameron arranged. Mr Cameron has claimed that at all times his building projects were supervised by licensed builders, to conform with the Builders Licensing Act. The Commissioner for Consumer Affairs, Mr Neave, stopped short of accepting Mr Cameron's word. He concluded:

> I am unable to form a view on the extent of supervisions by those licensed builders of the work carried out.

Mr Cameron's statement is untrue. What I have in front of me certainly proves that. Mr Neave's statement, at best, is misleading by omission. It omitted a great deal of evidence available in Government files showing that Mr Cameron's projects were not properly supervised. I have the evidence here today—and it was evidence available in Government files.

To complete the record, the House first needs to be made aware of the circumstances in which one of the companies used by Mr Cameron to build houses obtained a general builder's licence. None of this information is in the reports that were tabled last week—but it should have been. Early in 1978 Tarca Investments Pty Limited applied to the Builders Licensing Board for a general builder's licence. At this time the company had three directors: they were Mr Terry Cameron, Mr Peter Keogh and Mr Walta Tarca.

Given the fact that Mr Cameron had already been found to have breached the Builders Licensing Act late in 1976, it is hardly surprising that the board did not grant his application for a licence. I refer to a letter dated 26 June 1978 which relayed this decision to Mr Cameron. The letter, signed by the board's Acting Secretary, stated:

> Section 15 (3) *(a)* of the Builders Licensing Act requires that an applicant shall satisfy the board that all directors or all members of the board of management of the company are persons of good character and repute. The board's decision to refuse this application was pursuant to that section. In particular, the board took into account that two of the directors, Messrs Terry Gordon Cameron and Peter Noel Keogh, had controlled speculative building work on behalf of a licensed builder (Mr L.G. Addison) in respect of whom a complaint has been made by the board to the Builders Appellate and Disciplinary Tribunal. The board was satisfied that the control and management exhibited by Messrs Cameron and Keogh was such as would not render them as proper persons to be directors of a licensed building company.

In other words, the same Mr Cameron who still claims he did nothing wrong in the building industry already had been found by the Builders Licensing Board not to be a proper person to hold a directorship in a company involved in this industry. This finding also refers to a Mr L.G. Addison. Thirty applications to build homes made by Mr Cameron and his associated companies to the Willunga council nominated this Mr Addison as the builder, but Mr Addison has said, according to the reports tabled last week, that he did not build one single home for Mr Cameron or properly supervise the building by others of homes for Mr Cameron.

What Mr Addison says he did was allow Mr Cameron to use his builder's licence for a fee. Mr Cameron has denied this. The report by Mr Webb of the department concluded:

> In the light of this conflict of evidence, it is unclear who built those homes for Mr Cameron.

But Mr Webb had other evidence available to him which he did not report, which would have made this conclusion much less favourable to Mr Cameron. There is the finding of the Builders Licensing Board, to which I have already referred, refusing the application by Tarca Investments because of Mr Cameron's association with Mr Addison. There is a further finding by the board in October 1978, of faulty workmanship in homes built for Tarca Investments, in which Mr Addison again was named. I refer to that finding, made on 27 October 1978, as follows:

> The board is also concerned that other buildings constructed for associates of the builder have in the past, through another builder, namely L.G. Addison, exhibited lack of supervision.

So, far from there being a conflict of evidence about Mr Addison's role in supposedly supervising Cameron homes, as the reports tabled last week concluded, here we have not one, but two findings by the Builders Licensing Board in 1978 that Mr Addison did not properly supervise Mr Cameron's projects. Why was this information not contained in the reports tabled last week? Why did the reports not refer to these findings of the Builders Licensing Board against Mr Cameron, which added weight to Mr Addison's statement that he did not supervise home building, rendering at least half of Mr Cameron's homes as having been built illegally? That is the end result of the board's finding.

There is, as well, other evidence on departmental files about Mr Addison's involvement with Mr Cameron which supports Mr Addison's admission. I refer to a note put on file by an inspector of the Licensing Board (Mr R.W. Emery), dated 23 February 1978. It states:

> Kevin Hayley from Willunga council reports that a letter has been received from Keogh and Cameron stating that Mr Lin Addison is no longer supervising their work. The new supervisor is W. Tarca, 7 Waller Street, Woodville Gardens.

But at this time Mr Tarca did not hold any form of builders licence.

So any work he supervised for Mr Cameron was illegal. There is no evidence that Mr Cameron employed any other licensed builders at this time. Nor did any of the companies with which Mr Cameron was associated hold a licence in the first half of 1978. At the same time, there is evidence that, during this period of Mr Tarca's alleged supervision, Mr Cameron was involved in a great deal of building work. That evidence comes from Mr P. Jarvis, a wall and floor tiling subcontractor, I have it here. It is contained in a record of interview with an inspector of the board.

Again, this evidence is on Government files and should have been referred to in the reports tabled last week as further evidence that Mr Cameron's work was not legally supervised as required by the Act. But it was not. The information shows that Mr Jarvis had contracts for work on 12 Cameron houses in the Willunga area between March and June 1978, the period during which, according to Mr Cameron's advice to the council, the unlicensed Mr Tarca was the supervisor.

The record of interview, however, records the following exchange. Question to Mr Jarvis—who supervised the work you did for them? Answer—Keogh and Cameron. Mr Jarvis held only a restricted licence at this time so could not have supervised Mr Cameron's projects himself, and I emphasise that neither Cameron nor Keogh held a builder's licence, so could not have been supervising this work in any lawful way. At the same time, I suspect that Mr Jarvis was revealing the situation as it really existed: that Messrs Cameron and Keogh were acting illegally, because, apart from having no licence himself to supervise such work, Mr Tarca also had a criminal conviction for larceny as a servant in 1974.

This now brings those events back to the application of Tarca Investments for a general builder's licence. After the first application was refused, Mr Cameron and Mr Keogh removed themselves as directors of the company. They had submitted an application and been knocked back, so they removed themselves as directors. Mr Cameron was then nominated as the company secretary.

The company's registered office remained, for the time being, Mr Cameron's home address. This was an attempt to get around the requirement of the Builders Licensing Act that all directors of the company had to be 'persons of good character and repute.'

As the documents here today show, Mr Cameron already had been found not to be such a person. While it covered the problem of Mr Cameron and Mr Keogh's past improprieties, it left Mr Tarca as a director, and he had a criminal conviction only three years previously. The board, apparently, was not told this at that time.

The Act also required at least one director of the company to be the holder of a general builder's licence. To cover this requirement, Mr Kodele joined the board and on 28 July 1978, Tarca Investments got its general builder's licence. However, within three months, the company was brought before the Builders Licensing Board on complaints from board inspectors that it had been responsible for faulty workmanship.

This is yet another very relevant fact not referred to in the reports tabled last week, which covered up Mr Cameron's actions. The complaints listed 46 faults in homes built

for Tarca Investments at lot 830 Reed Street, Aldinga, lot 399 Stirling Crescent, Aldinga, and lot 674 Jobson Street, Aldinga. And let the House be under no misapprehension that these complaints were trivial.

They included the following: A ceiling joist without handing beam support; undersize ceiling joints; roof trusses nailed insecurely; roof water discharging onto walls and eaves linings; loose straps holding down the roof; cracked brickwork; rusty steel causing lifting of paint; walls of insufficient height to accommodate cornice; unprotected electrical cables (this was a fault common to all three houses, incidentally) and hot water unit cantilevered over passage. The Builders Licensing Board found that in each case 'the building work has not been carried out in a proper and workmanlike manner.' It ordered remedial work to be done within 28 days. The board further concluded:

> The board is of the opinion that the three houses complained of reflect lack of supervision to a significant degree. Admitted areas concern trusses, door frames, and supervision of carpenters.

I have already mentioned that these findings extended to other building work arranged by Mr Cameron, and the board admonished him for lack of supervision.

During the hearing of these complaints, Mr Kodele was asked about the degree to which, as the only member of the company with a builder's licence, he supervised Mr Cameron's projects. Page 82 of the transcript of evidence records him being asked how often he visited Cameron homes to supervise their construction. He replied, 'Once a week, sometimes not.' Based on these findings of the board, and Mr Kodele's own admission of the lack of supervision, it is impossible to accept the conclusion in the report by Mr Webb tabled last week that:

> There is a conflict of evidence as to the extent to which Mr Kodele . . . properly supervised the building of houses on behalf of Tarca Investments Pty Ltd or on behalf of Mr Cameron.

There was no such conflict in the minds of members of the Builders Licensing Board. They found that Mr Cameron had not arranged proper supervision of his projects by Mr Kodele. Why were not these findings revealed in Parliament last week in the report? The reports also were silent on Mr Cameron's failure to have the remedial work on his houses carried out as ordered by the board. Inspections by the board in January 1979 showed that none of the work had been done. A senior inspector for the board, Mr D.J. Dunstone, in a report dated 30 January 1979, stated in relation to two of the houses in question:

> As building work has proceeded on this dwelling, further problems have become evident.

In other words, Mr Cameron had continued with shoddy building practices in flagrant defiance of the Builders Licensing Board. As a result, the board directed on 2 February 1979 that the relevant files be referred to the Crown Solicitor so that complaints could be heard by the Builders Disciplinary Tribunal on the grounds that Tarca Investments had failed to exercise proper supervision and control of building work and had failed to carry out remedial work as ordered by the board.

In the normal course of events, this action would have been pursued expeditiously to protect home buyers. But the documents in the Opposition's possession show that there was no further action on these matters until January 1980—I remind members—until after the Corcoran Labor Government had been defeated. No action until a change in government. Apparently, for the last 7½ months of that Government, no action was taken on the complaints against Mr Cameron. Of course, this was not to be the first time that his practices were to remain concealed by Government inertia. By January 1980, when there is evidence of further attention being given by Crown Law authorities to the complaints against Mr Cameron's company, the company's licence had expired. As a result, these actions were not processed, as the most severe penalty the board could have ordered was licence cancellation and it had been terminated in any event. I have little doubt that in his reply the Premier will continue to attempt to draw the distinction between work done by Mr Cameron and work done for him.

Let the House be in no doubt, therefore, that Mr Cameron was Tarca Investments. He ran the company. He bought all its land. He arranged all the subcontractors who did work for the company. Mr Cameron described his extensive role during the hearing of complaints against the company, as follows:

> My role in Tarca Investments is that I am company secretary. I am primarily involved in selecting the land. In fact, I do that usually myself. I handle all financial matters. I do all accounting and book work—legal work. I am also involved in organising for materials to be delivered to the sites.

That is from page 99 of the transcript of the complaints hearing against Tarca Investments. Mr Cameron represented the company during that hearing. In other words, Mr Cameron's resignation as a director of the company made no difference to his role in that company. It was entirely cosmetic, to get around the fact that the Builders Licensing Board had found him not to be a fit and proper person to hold a directorship in a building company.

In arranging building work, it is also clear, from the new evidence I have now put before the House, that Mr Cameron did not arrange proper supervision of home building activities, despite the conclusions of the reports tabled last week that the evidence on this point is not clear. It is clear—it is crystal clear—and it is damning and devastating for Mr Cameron.

Mr Cameron gave the names of three licensed builders who he said undertook work for him—Mr Addison, Mr Kodele and Mr Egtberts. During their association with him each was also brought before the licensing authorities for the consideration of complaints. I have referred to Mr Cameron's association with Mr Addison and the fact that here impropriety was used by the Builders Licensing Board to refuse the first application by Tarca Investments for a builder's licence. Mr Kodele was joined with Tarca Investments in the complaints heard and proven by the board in October 1978.

Mr Egtberts was disqualified for one month from holding a builder's licence for work he did in association with Mr Cameron, yet Mr Cameron continues to claim that he has done nothing wrong in the building industry. With a track record like that, he has the audacity to say that he has done nothing wrong in the building industry.

The House should not believe that these matters are in any way unimportant—that Mr Cameron was just a small-time operator. The reports tabled last week suggested that he was associated with the construction of about 60 houses. I do not know why the reports could not have given a precise numer. They nominated the council areas—Willunga, Campbelltown, Happy Valley and Noarlunga—in which Mr Cameron had arranged home construction. While the investigators interviewed officers of the Willunga and Campbelltown councils, they did not seek information from the other two. Why not?

The report provides the names of 50 individuals or companies nominated in council application forms as the owners of houses built for Mr Cameron. However, as the reports stated that about 60 houses were built, why were not the other owners nominated? Could it be that those houses in fact involved other breaches of the Act? Is that why they are not reported on to Parliament? In relation to the precise—

Members interjecting:

The SPEAKER: Order!

Mr OLSEN: —number of houses in which Mr Cameron was involved, the records that the Opposition has now seen in fact point to at least 66. They comprise 48 in the Willunga area, not the 'approximately 40' nominated in the reports last week, 15 in the Campbelltown council area, not the 13 nominated last week, and others at Happy Valley, Sheidow Park and Morphett Vale. The houses in the Campbelltown area were built by a Mr Egtberts, yet in a statutory declaration Mr Egtberts stated that he was involved with Mr Cameron in building about 40 houses between 1979 and 1984. If this is true, then Mr Cameron must have arranged to build at least 90 houses.

In 37 of the 48 applications to the Willunga council, the estimated value of the house is given. For those applications the total was about $600 000 in 1978 dollar terms. This suggests that Mr Cameron has in his time been responsible for the construction of houses worth, on today's values, approximately $2 million.

Mr Cameron has attempted to hide the real extent of his activities. In the *News* of 15 February this year he was quoted as saying that he had speculated in land and real estate with a portfolio valued at $400 000 at one stage. That is simply not true; it is a gross underestimation; just as his statement, 'All I did was the accounts and the bookwork' in the same article was a gross falsehood. On his own admission that was clearly a false statement designed to mislead. It is clear that Mr Cameron was a major player in the building industry who should have been run out of the industry long before his activities ever became so extensive.

At one stage, he even applied to the Builders Licensing Board for a resticted builders licence in his own name. He was refused this as well—on the grounds (and I quote from the board's decision of 20 October 1978) that his experience was that of a 'handyman rather than of a tradesman'. Again, this was a fact not mentioned in the reports tabled last week: this warts and all, thorough investigation is silent on all this information, and today Mr Cameron has not reformed. He has not been prepared to admit his past when confronted with it. He has continued to deceive. No person with his record could credibly say, as he did last Wednesday, 'I always knew I hadn't done anything wrong.'

In protecting Mr Cameron, last week's reports, on any fair test, were deficient—seriously deficient—in the relevant information they should have contained. I remind the House that in April last year the Opposition asked whether Mr Cameron had been involved in improper or questionable activities in the building industry. We did not use wild allegations. We did not nominate a period in which these activities were said to have occurred. We did not suggest the questions eventually could lead Mr Cameron to court.

We based our questions on statutory declarations and other statements made by people who had been affected by his activities or who believed Mr Cameron was a man with the most outrageous double standards. The Premier promised to look into the matters raised. There is no need to remind members that Mr Apap, then the Vice-President of the Labor Party, revealed that the questions were considered at a meeting of the Party's State Executive very soon after they were asked in this House. Mr Apap said he had warned the Executive that, unless it moved quickly to deal with the allegations, 'the whole issue could blow up in the Government's face' as reported in the *Advertiser* of 18 February 1989. This is one occasion when we can all agree with Mr George Apap.

Members interjecting:

The SPEAKER: Order! Members on my right will have the opportunity to participate in due course. The honourable Leader.

Mr OLSEN: Mr Apap said the Premier should have known of his warning, but what did the Premier do? It is easy to imagine what his reaction would have been had these allegations been raised against the Director of the Liberal Party. His Government would have been riding the departments for a full report. But that does not happen when it is the Premier's mate; his factional wheeler-dealer, whose credibility is on the line. No, the Premier sat on his hands. After the Oppostion revealed, at the beginning of this year's parliamentary sittings, the existence of Mr Smith's report, the Premier told the House on 15 February that he had been entitled to assume there had been no need for further follow up. This was after he had tried to claim in *Hansard,* in answer to the Opposition's first question:

> There is no basis for the allegations that were made.

This was the first defence of a Premier who hoped this issue would die. However, he quickly ran out of excuses. When we pressed the issue, the Premier and the Attorney-General tried to blame public servants for the eight month delay in pursuing the original inquiry. The Premier told this House on 21 February that there had been maladministration or neglect in the Department of Public and Consumer Affairs. The Attorney-General, on the same day, said that Mr Smith, who prepared the initial report which gathered dust for so long, should have pursued the matter.

But, as an investigating officer in the department, he prepared a report for his superiors in response to the first questions asked by the Opposition in April 1988. He reported that 'the majority' of houses built for Mr Cameron in the Willunga area were not properly supervised. He reported that Mr Cameron had used another person's licence. He asked that his initial report be classed as an 'interim' one and that a full and comprehensive further report be prepared 'on the extensive building and investigating companies and partnerships in which Mr Cameron was involved'.

But, it is only today, with this motion, that all of this information is coming before Parliament and the public. The Premier said that failure to act on Mr Smith's report was exposed; that disciplinary action would be taken against public servants. Is the Premier again going to threaten public servants following this latest inadequate investigation? Or, for a change, will he, on behalf of his Government, accept the responsibility for the report that was tabled in Parliament last week? Will he accept that, when Parliament asked for information about Mr Cameron's activities, it had a right to the truth, the full truth? Will he accept that when members ask questions they are entitled to replies which do not contain abuse but, rather, facts.

The time frame of Mr Cameron's dishonest, immoral, and illegal practices in the building industry is irrelevant. The fact that the statute of limitations means he can no longer be charged with these actions is equally irrelevant. What is relevant to every member of this Parliament, every person in South Australia, is why the Parliament sought answers to the deeds of Mr Cameron and why the Government has been involved in a cover-up. What is relevant is that a man who treated home buyers, subcontractors, the law and the Government of this State with contempt can be State Secretary of the Labor Party—with the full protection of the Premier. What is relevant is the morality of a Party that will protect such a dishonest person. What is relevant is that we have a Premier who finds it so easy to put his mate before the State. The National Secretary of the ALP has done his bit as well. Mr Hogg came to Adelaide

in March to proclaim Mr Cameron innocent, and that is reported in the *Advertiser* of 14 March this year.

Mr Hogg made the following very prophetic comment: 'I think a lot of people will be very embarrassed when the report comes down.' It is the Government and the Labor Party which face not only embarrassment but guilt, and the clearest test imaginable of their collective conscience. It is the Labor Party which has held itself out as being the protector of the home buyer and the prosecutor of shonky people in the building industry. It is the Labor Party which claims, in the preamble to its consumer affairs policy, that a State Labor Government 'will identify, expose, publicise and prohibit unfair and exploitative prices and practices'.

The Labor Party claims a monopoly of concern, compassion and protection for consumers. But how does this sit against the background and the utter contempt for the law and consumers of its State Secretary, exposed in full now for the first time? The legislation that he has flouted was introduced by a Labor Government—and for the following reasons as explained by former Premier Dunstan:

> This Bill satisfies a long-felt need in South Australia and is principally designed to improve the quality and standards of building to afford protection to the home builder and home buyer in this State and to protect the building industry and the public from exploitation by unqualified persons who, without accepting any responsibility for their negligence and incompetence, make full use of the industry to promote their own interests to the detriment, and often the financial loss, of many. We have seen an invasion of the building sphere in South Australia by persons who have no qualifications in building and who are, for the most part, building brokers. There have been many examples of extremely shoddy building as a result of the activities of such people.

Mr Terry Cameron has been one such person—and that has been clearly established here this afternoon. He personifies the sharp, sleazy and shonky manipulator that the legislation intended to run out of business.

In his reply, the Premier will have to decide whether he goes on defending this humbug, this hypocrisy and these appalling double standards. The Premier will have to decide what comes first—Party or principle? Is it Mr Cameron, his centre left power broker—

Members interjecting:

The SPEAKER: Order!

Mr OLSEN: —and the factional balance of the Labor Party which he must preserve, or is the principle of accountability to this Parliament more important? Today is the test: a vote against this motion will be a vote for dishonest government, deceitful government and disgraceful government—

Members interjecting:

The SPEAKER: Order! I call the House to order. The honourable Leader.

Mr OLSEN: —because it is this Government that has concealed all these facts. A vote against this motion will be to condone the cover-up, the conspiracy and the collusion to hide. On the other hand, those members voting for this motion will be showing that they are not prepared to see the rights of Parliament subverted to Party political imperatives. It will be a demonstration that this House no longer is prepared to put up with the arrogance of the Premier and his Government. This House demands that the Premier come clean for a change; that it be apprised of all that he knows about Mr Cameron's past in the building industry; and that it be apprised of whether he knew about the matters I have revealed today. If the Premier did know about them, why were they not revealed in the reports that he tabled last week, described by him as a 'warts and all' exposure of Mr Cameron?

Warts and all—what a joke! We demand a proper investigation into this cover-up. We want an explanation. Indeed, this House deserves an explanation before the end of the session as to why all the relevant evidence to which I have referred this afternoon was not made public last week. South Australians can have no confidence in a political Party that is run by a person who, to this day, still tries to dupe and deceive the public into believing that he has not done anything wrong when clearly he has.

Members interjecting:

The SPEAKER: Order! The honourable Leader of the Opposition will resume his seat for a moment. Members on both sides of the House owe a responsibility to the person on his or her feet to listen to that member in relative silence. Other members will have their opportunity to contribute in due course and I am sure that those members would expect the protection of the Chair. The honourable Leader of the Opposition.

Mr OLSEN: Thank you, Mr Speaker. South Australians can have no confidence in a Premier who is prepared to defend and cover-up the state of affairs to which I have referred. In addressing the issues that I have put before the House, the Premier has some simple choices this afternoon: Party or principle; cover up or confession?

The SPEAKER: Is the motion seconded?

Several honourable members: Yes, sir.

The Hon. J.C. BANNON (Premier): This is the first occasion in over 12 months on which this Government has been subjected to a no-confidence motion from the Opposition. So, for over 12 months apparently the administration of public affairs in this State, the matters of public importance and urgency to be debated in Parliament, has not been in any way attracting major censure or no confidence on the part of the Opposition or this House.

I feel pretty proud of that record and I think that that is a good assessment by Opposition members because, despite their probings, their delvings and their dippings down into the gutter and among the mud (and we have had many examples of that, and I will go into them in a minute), they have never been able to find the substance in order to put any sort of motion on the books. Indeed, it was getting a bit embarrassing. As the list gets longer and longer and as the credibility of Opposition members is stretched thinner and thinner, perhaps there is a bit of impetus to try to do something more substantial to bolster their sagging stocks amongst those to whom they are trying to sell stories.

However, aside from the gutter, smear and innuendo stuff (and we have had plenty of that tried during the Opposition's fishing expeditions undertaken in this House), I should have thought that there would be matters of major substance dealing with the economy of the State and its economic and industrial development, social services, road transport, health, community welfare and education. Have we had any of those matters raised in this Parliament? Have we had any of those matters dignified by proper and sensible debate? Not a bit of it.

Opposition members have nothing to offer in terms of alternative policies—nothing but petty, carping criticism around individuals who often cannot defend themselves in this place or who, if they are in this place, are smeared nonetheless. We have waited for over 12 months for the big moment when the Opposition would decide to take on the Government and really censure it. So today was the day and we got this censure motion.

I was to be censured for repeated failure to ensure that full and truthful answers were given to questions. Well, the Leader of the Opposition got around to that point, the whole basis of the debate, after speaking for only about an hour. The rest of it I will deal with in a minute, but this, the first

censure motion, was not about untruthful answers or whatever the Opposition had cobbled up on some matter of grave public importance. No; it was about a specific individual who happens to hold a position today that has some political significance although no public significance in that sense but whom the Opposition would like to target, and it has been working away at it.

Opposition members have been looking for aids and quoting people as authorities wherever they could find them, even people whom they have often denounced in this place as having no credibility. They target this individual in this way about events that may or may not have taken place some 10 or more years ago.

That is what they have been on about. This matter has been raised in this House by way of questions. It has been addressed and answered truthfully. Last week, Mr Speaker, seven days ago, a report was tabled by me and by the Attorney-General in relation to these matters. That report came not from some political apparatchik, not from a Minister who conducted a personal investigation, and not from some member of the staff of the Leader of the Opposition. On the contrary, it came, with an urging by the Government to clear up the matter, from the Commissioner for Consumer Affairs, using the full resources of his department for an appropriate and proper investigation; using skilled inspectors who trained in the job and who know what they are doing; and using the appropriate departmental resources without governmental interference.

That report was tabled. It followed up a series of allegations which had been made. In summary, this is what the Commissioner for Consumer Affairs says to the Minister of Consumer Affairs:

> You have asked me to conduct an investigation into the activities of Mr Terry Gordon Cameron in the building industry. That investigation is now complete. In addition, allegations made in Parliament in relation to Mr Cameron's activities on 14, 15, 16, 21 and 22 February, and allegations made to my investigating officers in the course of their inquiries have all been investigated.

The Commissioner's conclusion was, after dealing with the question of the lapse of time and so on (matters not relevant in the light of the finding):

> In any event, I have concluded, based on the advice I have received from the Senior Legal Officer of the Department of Public and Consumer Affairs [another expert officer] and the report made by the officer of the department in charge of the investigation, that it has not been established that Mr Cameron at any stage contravened the Act.

That report in turn was referred to the Crown Solicitor. If there is a witch-hunt, one could say that it is being conducted by this Government against Mr Cameron, because we have not been satisfied at any point. It has been checked and rechecked. If these allegations were being thrown around in relation to a member of the staff of the Leader of the Opposition, or Mr Minchin (the Secretary of the Liberal Party) and it was known that an investigation and report had produced this sort of result and we had gone further and referred it to the Crown Solicitor to see whether there were possible matters for prosecution, what an outcry there would be from members opposite. They would say, 'Outrageous!' 'Trampling on civil liberties', 'A witch hunt', 'Unwarranted', 'Politically motivated'. But because they are in Opposition and it is on this side, those sorts of things are not considerations at all.

That is the report this Government received from its officers. If the Leader of the Opposition is censuring Public Service procedures and the individuals within it and their integrity and ability, let him say so, because that is the fact—

Members interjecting:

The SPEAKER: Order! I call the House to order and draw attention to the fact that we were 40 minutes into the first speaker's contribution before the House had to be called to order. We are now only six or seven minutes into this speaker's contribution. The honourable Premier.

The Hon. J.C. BANNON: Let me come to the matters that form the turgid content of the Leader of the Opposition's speech. He did end on a high note, superbly. It was well written—although poorly delivered, perhaps. It has the element of sheer farce in terms of his conclusions. All the postures were struck, all the hypocrisy, all the phoniness that we have been so used to—and that came right at the end. For the rest of the time we sat back and listened to this dreary recitation of material contained in a so-called dossier. Mark that word 'dossier'—it is a good one to use. The Consumer Affairs Department produces a report, but the Leader of the Opposition has a dossier. What, in fact, is a dossier? I do not have a dictionary in front of me, I imagine that it is defined as a collection of documents all put together in a file. Listening to the material and content the Leader of the Opposition put before us, he probably has a dossier—one he has put together himself, or he and his associates have cobbled up.

I seem to remember that a number of bits and pieces have already been placed on the public record. Other bits and pieces did not have any particular relevance to the questions asked in this place or under investigation but they were all put together and given this name of 'dossier'—something of real distinction, weight and authority. It was a complete hatchet job which has marked this whole exercise. Why should we give this so-called dossier any credibility whatsoever?

On 17 February the Commissioner for Consumer Affairs wrote to the Leader of the Opposition in these terms:

> As you are aware, the Minister of Consumer Affairs has directed me to complete the above investigation as a matter of urgency. It has come to my attention that you or other members of the Opposition may have information relevant to such an investigation. I would be pleased to receive any such information.

The letter goes on:

> If it assists, I can arrange for one of my investigators to interview any person having information in order to expedite the completion of the inquiry. Please have one of your staff contact my office.

That was the invitation offered to the Leader of the Opposition in the light of the various allegations that have been thrown around. In the report that was tabled there is a list of witnesses who were interviewed by the inspecting officers, and I have looked down that list. Looking at the letter to the Leader of the Opposition, to whom might the Commissioner have been referring? He must have been referring to the Leader of the Opposition, because he asked many questions on this matter; to the Deputy Leader of the Opposition, because he joined in; the member for Mitcham, who made it something of his own; the member for Light; the member for Alexandra; and, in another place, the Hon. Mr Cameron, the Hon. Mr Griffin and the Hon. Mr Davis. They were all part of this show.

Do we see them giving information or placing evidence before the Commissioner on the basis of that invitation? Not a bit of it! The member for Mitcham was there. He fronted up and put some evidence before the inquiry. So did a certain Mr Yeeles (whose name has already been mentioned by the Leader of the Opposition), who is a member of the staff of the Leader of the Opposition. But where was the Leader himself? The man who today stood up in this place, posturing about this issue, telling us all about it, reading from his dossier and giving us this information? Where was he in assisting the Commissioner for Consumer Affairs? Absolutely nowhere! He was asked to

stand up and deliver—he did not deliver. However, that is no new experience. As one simple example, about three years ago he accused the Deputy Premier of misleading the House with respect to giving incorrect information in relation to certain drugs that the Leader of the Opposition asserted were the subject of police reports and were present in South Australia.

An honourable member: He's forgotten.

The Hon. J.C. BANNON: Yes, his brow purses. He has made so many similar allegations that he cannot remember this one. The Deputy Premier invited him to place this evidence he insisted he had before the Commissioner of Police so that something could be done. He was not able to produce any evidence whatsoever—none whatsoever—and here he goes again. It is the same situation. He is asked to do something: he sends Mr Yeeles along. He waves the dossier—

Members interjecting:

The SPEAKER: Order! I remind members on both sides that the brandishing of documents is out of order. The honourable Premier.

The Hon. J.C. BANNON: I am surprised that he did not dip into the rubbish bin beside him and shove in a few more things from there. They would have about as much relevance as most of the matters he has put on record today. It was Mr Yeeles from the staff of the Leader of the Opposition who saw the Commissioner and, supposedly, put more information before him. None of these members I mentioned, who baldly make their allegations in this House—including the Leader of the Opposition—fronted up, yet we are told today, a week after the report has been published, (therefore more than a month after the Leader of the Opposition was invited to put evidence or information before the investigation), that there is a whole new round and it is all contained in this dossier.

That has absolutely nil credibility and is symptomatic of the way in which the Opposition has handled this whole matter. One wonders why this has come at this stage. I guess it is the kind of designer motion that the Opposition puts up. Members opposite read in the newspapers that something on which they have egg on their face is not quite finished and perhaps there are new questions to ask, so they think, 'That's a good idea: perhaps we better ask new questions. We might get a few headlines in the paper 'because obviously, the media are interested in doing it'. This smacks very much of that sort of exercise.

Someone whispered to the Leader of the Opposition or some of his staff that there was more mileage in this if they were to be prepared to run with it. They probably said, 'You may get a few more lines on your little story', and the Opposition dutifully trotted along and obliged. That is about the substance of the motion today—the first no-confidence motion in over 12 months.

As to the handling of this matter, that has already been canvassed fully in this House. There is no evidence whatsoever of untruthful answers having been given to questions. On each and every occasion when the matter has been raised and questions have been directed to me or others, we have answered fully and truthfully to the best of our ability. Anyone who examines the *Hansard* record will see that that is the case. I confess, and do so clearly, that there was a failure to follow up the initial question asked back in 1988. There has been no cover-up and no attempt to hide it.

The chronology of events is very clear. While other members hide, the member for Mitcham is the one member of the Opposition who is prepared to actually put information into the public domain and try to help the inspectors. I will at least give him credit for that, although every allegation he put before the Commissioner is detailed point by point in the report as having no basis. I will leave that aside, but at least he put forward information.

On 7 April the member for Mitcham asked a question of me about these activities in the building industry. In my response to that question I undertook to look at the matter. I did not say that I would provide a report to Parliament or give some specific undertaking of that kind. I just said that I would look at the matter. In the normal course of events (and this was followed, as reference to *Hansard* shows) the appropriate Minister's office is advised of the question. The question then goes to the appropriate departmental officer through the head of the department and, in due course, a report returns detailing the situation or saying that there is no substance to the question or that further inquiries will be made. Obviously that took place. We know that it took place because an interim report was lodged on 27 May 1988 within the department by one of its inspectors.

Clearly, there was follow-up action, and the report recommended that further investigation and inquiry take place. It is just as well that it did because, if conclusions had been drawn on the basis of that report, they would have been wrong. In fact, a number of matters in Mr Smith's report were not correct, and that has been established. Be that as it may, the matter clearly warranted follow-up. The Opposition's innuendo is that, this having been done, there was some sort of ministerial or premierial directive to the affect of, 'Hold everything, do not do anything further about that report, we do not want to know about it.'

That was not the case at all. The situation is that that report simply was not acted on in the department. An investigation has found that there was severe maladministration both in the procedures and actions of at least one officer, and the Commissioner of Public Employment suggested that certain disciplinary action be taken in that case. That deals with that aspect.

Meanwhile, at the ministerial office level there was no report received in follow-up to my undertaking to look at certain matters that were raised. As I have already stated, I made the quite reasonable assumption that in fact no further report was warranted, because nothing had been fed back on this matter. As it turned out, that was wrong and there should have been a follow-up. In fact, there should have been a full investigation and there should have been a report. As soon as that matter was brought to our attention by the Opposition raising the matter—and that is its job; I am glad that it did—we immediately acted to commission a full report.

Having done that, having put the report before the House, having had it reassessed by the Crown Solicitor and having given those findings, we still get this nonsense contained in the motion regarding the lack of truthful and full answers; and we still get the ongoing attacks on this particular individual. There is no ulterior motive on the part of the Government in protecting any individual. On the contrary, that is not the way this Government works, nor shall it work, and I have made that clear on a number of occasions.

If the report had come out merely as the Opposition dearly hoped it would and it was condemnatory, suggesting that prosecutions should be lodged, they would have taken their course. I repeat that we went far further than we would have done if we were looking simply at the activities of some ordinary citizen, and, if we had investigated in respect of someone for whom the Opposition has a particular brief, we would have been abused in respect of a massive witch-hunt. The boot is on the other foot now and it does not matter what members opposite say and do.

I have given the chronology of events. The findings have been placed before this House in full. The Opposition had every opportunity to produce material to support its so-called case. The upshot is this motion and this attempt to prolong the matter. Let this House get down to more serious business and real affairs of State. We have had so many of these things, usually relating to individuals, over the past few years—all the smearing, all the innuendo, all the little allegations.

I have mentioned the Leader accusing the Deputy Premier of misleading the House. We had the famous 'Windsorgate' scandal, the Grand Prix ticket scam where unsubstantiated allegations were made of criminal activity by a Minister and, to this date, no apology has been given. The same member—the member for Bragg—made allegations about serious malpractice in the Trotting Control Board. Again, these allegations were not substantiated. There have been all sorts of wild allegations about police investigations. The member for Murray-Mallee put a question on notice trying to link, in a most disgraceful way, the Attorney-General with Italian criminals and the Mafia. Further, the member for Glenelg tried to score a point off me by suggesting that I got Housing and Construction to repair a window that was smashed at my home by a vandal. Members opposite will go anywhere and do anything and, in this case, they will not leave it alone because they know that their credibility has been so severely damaged that no-one is listening any more, and after today no-one will listen in the future, either.

Mr S.J. BAKER (Mitcham): For the past 20 minutes we heard nothing from the Premier except a lecture about how we should use censure motions, about the excellence of investigations and a lecture on who should be asking questions in this House. Let us leave the red herrings and get back to the facts. Mr Cameron is not just a shonky builder—he is also a shonky landlord and a person happy to rip off tenants. He is a person who abused another piece of so-called consumer protection legislation introduced by a former Labor Government, namely, the Residential Tenancies Act. This legislation was introduced in 1977 after many complaints from Labor members of sharks amongst South Australian landlords.

I now reveal that the present Secretary of the Labor Party, Mr Cameron, was not averse to trying to take an arm and a leg from tenants. One result of his building activities was an extension into renting his properties. He was by no means a small landlord. The Opposition has records showing that from nine of Mr Cameron's properties alone, he was taking weekly rents totalling $1 057.50 by late 1982.

However, late in 1982, Mr Cameron was also convicted of an offence under the Residential Tenancies Act. He had failed to lodge within seven days, as required by the Act, a security bond of $340 that he had taken from a tenant. The bond had been taken on 11 March 1982, but it was not paid into the Residential Tenancies Fund until 2 August 1982—almost five months late. Mr Cameron was fined $50 in the Adelaide Magistrates Court on 16 November 1982. At this time, the houses he was involved in renting were owned by B.J. Cameron Investments Proprietary Limited. Terry Cameron and his wife, Mrs Caroline Cameron, were the only directors of B.J. Cameron.

After the court appearance and conviction one would have assumed that the company would have learned its lesson. However, in 1983 Mrs Cameron was charged with seven breaches of the Act, also for failing to lodge security bonds. The bonds totalled $2 340. An investigation of these activities revealed that the bonds had not been paid up to seven months after having been taken from tenants, when they should have been paid within seven days.

A record of interview between Mrs Cameron and an investigation officer for the Department of Public and Consumer Affairs (Mr Dawson) reveals that in relation to retaining the bond money she said the following:

> Alright, Mr Dawson, I'll tell you. What about us? When do we get our money back? What about when the tenants leave our properties in a dirty mess? The trouble is when the money is paid in we have to wait months to get it back. That's why I don't pay them in.

I have no doubt that many landlords have similar frustrations, but they do not use them as an excuse to flout the law—a law hailed at the time of its introduction by the Dunstan Labor Government as pioneering consumer protection legislation.

Mrs Cameron was fined $445 in the Adelaide Magistrates Court on 2 May 1983 and was given three months to pay. But she had failed to do so by 22 August 1983, according to a note on file from the Adelaide Magistrates Court. The note sought a decision from the Department of Public and Consumer Affairs as to whether it wanted a warrant of commitment issued. There is a further note on file indicating that on 29 August the matter was completed.

Other documents that the Opposition has obtained show that another Labor Party and Australian Workers Union identity, Mr John Lewin, was involved in renting houses with the Camerons at this time. And every member opposite would know Mr John Lewin. Indeed, it appears that the offices of the Australian Workers Union, where the Premier once served as industrial officer, concentrated more on ripping off home buyers and tenants than protecting the interests of members.

The documents reveal that on 29 November 1982 Mr Lewin was convicted of seven contraventions of the Residential Tenancies Act and fined a total of $470. On 2 May 1983 he was convicted of a further three breaches and fined $130. Mr Lewin used the same post office box number as B.J. Cameron Investments to run his real estate activities.

Both Mr Lewin and Mr Cameron made it difficult for departmental officers to track down their activities. In a letter dated 4 November 1982 the Commissioner for Consumer Affairs wrote to Lewin as follows:

> Mr Dawson has informed me that in the past he has had difficulty in locating you and has since left two cards at your address which you have chosen to ignore.

These people are difficult to track down. Mr Cameron tried to be equally elusive. On 2 September 1982 he was interviewed by an officer of the Department of Public and Consumer Affairs. After the interview, the officer made the following note on the file:

> During the conversation, which lasted approximately 20 minutes, Cameron refused to divulge his residential address, refused to come into my office, warned me not to approach him at his place of business, suggested I write to him at his post office box address of 139 Glen Osmond Post Office.

A further note on file from an investigating officer dated 9 September 1982 makes the following reference:

> Mr Terry Cameron is well known to the branch as well as RTT. He is somewhat difficult to interview and is evasive about his private address, claiming that in the past RTT has indiscriminately been giving it out to his past tenants and causing him grief.

One can imagine that if he built houses like this they would cause him grief. This was the typical Cameron approach—claim victimisation and unfair treatment. He levelled similiar accusations against inspectors of the Builders Licensing Board while they were exposing his improper practices in the building industry. No mean thug!

The Premier is infected with the same persecution complex. Instead of facing up to the failures and shortcomings of his mate, he will no doubt allege smear again—like he has been doing today. But, these are facts established from Government documents. By early 1983 Mr Cameron was under investigation for another alleged breach of the Act. A note on file in the Department of Public and Consumer Affairs dated 7 January 1983 makes the following reference to the Camerons and Mr Lewin:

Investigations carried out in relation to the attached files reveal a total of 19 contraventions of the Act and regulations. Mrs Cameron has, by her own admission, breached section 32 (2) *(b)* on 15 separate occasions. Her husband, Mr Cameron, appears to have contravened the same section once himself, and Mr Lewin, another landlord for whom Mrs Cameron has acted as an agent from time to time, has contravened regulations 8 and 9 and also section 54 (1) of the Act. No good reason has been put forward to explain any of these contraventions, and I recommend that the files be forwarded to the Crown Solicitor for prosecution.

Mrs Cameron subsequently was charged with seven breaches, and Mr Lewin two, but no further action was taken against Mr Cameron.

Mr Cameron's contempt for tenants is shown in the following statements by people whose bond money was not paid into the Residential Tenancies Fund by the required time. One tenant rented a unit from Mr Cameron on 16 January 1982, He paid a bond of $300. His statement to the departmental investigators records his experience with Mr Cameron, as follows:

We paid all our rent payments by postal order to a box number Post Office Box 139 Glen Osmond. After about three months had gone by and after speaking with my neighbours who also rent their units from Terry Cameron, I found out I should have got a blue receipt back from the rent tribunal. I rang the rent tribunal and was informed the bond had not been lodged. They advised me to ring the landlord and get him to tell me the bond number if he had lodged it. I rang the landlord sometime in June 1982 and told him what the tribunal had said. He started to abuse me saying that he had so many hassles about bonds. He said it had been lodged and perhaps it had been lost in the rent tribunal office. He said he would sent out another bond form. I later signed another bond form and set it to the landlord. This would have been in July 1982, I waited about three weeks or so and rang the tribunal and they said it still hadn't been lodged. I terminated the agreement on 14 August 1982 when we moved out.

This bond was not in fact lodged with the tribunal until 23 August 1982—seven months late. Another tenant paid a $360 security bond on 14 May 1982. It should have been lodged by Mr Cameron with the Residential Tenancies Fund by 21 May. It was not finally lodged until 6 September—almost four months late. In the meantime, according to the tenant's statement to the Department of Public and Consumer Affairs, this is what happened:

After about six weeks, around the end of July, at which time I had not received the official receipt back from the Residential Tenancies Tribunal, I rang them and was told the bond was not lodged. I then rang Mrs Cameron who stated it had been paid. I waited a couple more weeks and checked with RTT again. This would have been around the beginning of September. I then contacted Mr Cameron who swore to me that it had been paid in. I checked again with RTT on 6 September 1982 and once again was told it still hadn't been paid in. On 7 September 1982 I received the receipt from RTT through the post. I then rang again the RTT and was told it had just been paid in.

Mr Cameron's contempt for the law and for tenants was demonstrated by the fact that, even after these delays, his company continued to avoid paying bond money into the Residential Tenancies Fund until departmental and court action forced him to do so.

This is the type of person whom the Premier has defended for more than a year. This is the type of person whom the Labor Party has as its Secretary—a position traditionally reserved for people with parliamentary and ministerial aspirations. This is the type of person whom members opposite must this afternoon either stand by or cast adrift.

I wonder how members opposite really feel about their friend Mr Cameron. If they vote against this motion, they will be condoning the activities of a man who has been a shonky landlord as well as a shonky builder, a man with no compunction about breaking laws introduced by his own Party to protect home buyers and tenants. More importantly, if they vote against this motion this afternoon, they will be defending the right of the Premier to deny to this Parliament any information which he knows will cause political difficulty for his Party. If Parliament has to live with this sort of behaviour, democracy and accountability in this State are dead until there is a change of government at the next election.

Members interjecting:

The SPEAKER: Order! The honourable Deputy Premier.

Members interjecting:

The SPEAKER: Order! The honourable Deputy Premier has the call.

The Hon. D.J. HOPGOOD (Deputy Premier): At the outset I should just remind the member for Mitcham that this motion, put together by his Leader or somebody advising his Leader, is not about Mr Terry Cameron at all—it is about the Premier. Let me read the motion to the House, since it has been read only once, and that was an hour and a half ago:

This House censures the Premier for his repeated failures to ensure full and truthful answers to questions asked by this Parliament about the activities of Mr T.G. Cameron.

A number of allegations have been made in this House in recent days about a Mr Terry Cameron in relation to certain business activities of that gentleman about 10 years ago. The first question that has to be asked is whether the Government, once this matter had been raised again this year, was in any way dilatory in referring these matters for a full and proper investigation. The second question that has to be asked is whether the Government sought to influence the outcome of that investigation in any way, because that is the clear imputation being made by members opposite. There is one respect in which the Government, by the way in which it has expressed itself in this Chamber, has obviously sought to influence the outcome: it has asked for an expeditious investigation. And it is clear that the officers carrying out the investigation have been fully aware of the expectation of the Government that that further investigation, the completion of the investigation which was not completed earlier, should proceed expeditiously.

I think it was the clear understanding of members on both sides of the House that a report would be made available to this House before we rose at the end of this week. I believe that, if that report had not been available on Thursday of this week, this Government would have faced a no-confidence motion on the non-availability of the report. We would have heard all the rhetoric. We would have heard questions such as: what are you covering up; why again is there delay in this matter; what is the Government afraid of; who is it trying to protect?

There is some indication from what has been said by members opposite that it was improper for the Government to have asked for an expeditious delivery of the report, that somehow that might have affected the capacity of officers to discharge effectively their obligations under the Act. That is the old game which this Opposition plays all the time of heads we win, tails you lose. Did the Opposition want a report before the Parliament rose for winter or did it not want that report? We made perfectly clear that we did look for some expedition in this matter. The question therefore

remains: what other influence has this Government had on the outcome of that report? The answer is, 'None at all.' There has not been one scintilla of evidence put up by either of the speakers for the Opposition to suggest that there has been any sort of influence—improper or otherwise—by any Minister of this Government in the outcome of this report.

It pains me to even have to mention this in this context—and I will not mention the individual's name, his Party, his electorate or anything like that—but we are well aware that one member of this Parliament some years ago was the subject of a criminal investigation. What part did the Government of the day play in that investigation at that time? Again, none whatsoever, as was perfectly proper. The role which the Government has played in this matter is no different from the role it played in that matter, because we are aware not only of the requirements of the law but also of the pure political equation of how easy it would be to be able to accuse a Government of a witch hunt because of political considerations. The Premier has reminded us of the sheer waste of time of debating this matter when there are so many issues of the day, issues which will be referred to by the Federal Treasurer in his report to the nation tomorrow evening.

A further point which is raised by the fact that we are here today discussing this matter is that people do pay, actually or potentially, a very high price for being involved in public life. It seems, on the track record that, if you are a member of the Labor Party, you pay a higher price than if you are a member of other political Parties. The Premier has just read out to us the number of times when flimsy and unsubstantiated allegations have been spread all over this Chamber so that, in turn, they can be reported outside without the individuals having the recourse of the courts that would otherwise be available. On every occasion the individual has been exonerated. Of course, the problem is that members opposite make these outrageous claims in the hope that some mud will stick, and such is our society that, irrespective of the outcome, unfortunately sometimes it does stick. Members opposite are not stupid. They may be very dishonest in the way in which they use these matters, but they are not stupid. They know that there may be some small political advantage in running a story in the hope that some mud will stick. If the mud tends to stick to the individual who happens to be associated in some way with the Labor Party or that part of the trade union movement which is affiliated with the Labor Party, that is seen as some sort of political advantage to members opposite.

I repeat the point made previously by the Premier: suppose these allegations had been standing against Mr Nick Minchin instead of Mr Cameron? Suppose that had been the case, and suppose there had been an investigation by the Commissioner for Consumer Affairs which had come to the same conclusions as this investigation has come to? Suppose the Attorney had then not been satisfied and had referred that report to the Crown Solicitor; what would we have heard? We would have heard a tremendous outcry: witch-hunt! Mr Minchin being pilloried purely because he happens to be a party apparatchik of the Liberal Party! Yet, in this case, not being prepared to accept purely at face value the conclusions drawn by the Commissioner for Consumer Affairs, the Government has referred the matter to the Crown Solicitor. That is the result.

What does all this serve to do? First, it further diminishes the respect that people have for representative institutions. I do not think there is any doubt about that. People expect that we are elected to this place not in order to have dogfights, to sling mud or to be involved in character assassinations—not in order to do any of these things—but in order to discuss and, if possible, resolve the great issues of the day, issues to do with the economy and the delivery of services to people, whether they be services to do with education, information services, law and order, or community welfare—all of these matters. But what do they get when they come here and sit in the gallery or watch the television in the evening? They get the sort of thing with which we have been confronted this afternoon. Small wonder, as I say, that representative institutions are not always held in high regard. It says little for the future capacity of Parliaments to attract people of ability to their ranks.

I was interested in the editorial of the *Advertiser* of 5 April this year. After some recitation of the matters to do with this whole affair, it concludes:

> It may well be that Mr Cameron has done no more than any other property developer. It may be that he has been unfairly hounded. It may also be that the behaviour in his past is unbecoming of a Party president. The public still does not know fully.
>
> Mr Bannon cannot dismiss the concerns arising from yesterday's report as mere 'trivialities'. They go to the heart of the integrity of South Australian politics; and the Premier should not imagine that, if he does nothing, it will all blow over. If he fails to clear up the concerns, they may well blow back in his face.

When I read that, the question I asked myself—and I continue to ask myself—was: what more could be expected of the Premier? Again, I repeat: the Government readily admits that last year, when this matter was first raised, it should have been followed through to the end—and it was not. I think in some cases people simply assumed that nothing had come back and that there in fact was no problem. Eventually, in the course of business and the number of things that we have to refer to as Ministers, the matter was forgotten—and it should not have been. But who has been the principal and really the only sufferer in this particular matter because of that omission? It has been Mr Cameron. No-one else.

Mr D.S. Baker interjecting:

The Hon. D.J. HOPGOOD: I remind the member for Victoria that the houses were built in 1978, not last year. We are talking about the outcome of the fact that last year a question was asked in this House and was not fully followed up. Again, I say that the only sufferer as a result of that omission was Mr Cameron himself. Members have shown by their action in this House today that they have so little regard for Mr Cameron that, I assume, they do not really regret the embarrassment that has been caused him because of the fact that we are here now debating this matter when we might well have disposed of it last September. So, that is exactly the situation at the moment.

Again, one asks: what more could the Premier have done, given the course of events that has occurred? Once the matter had been raised again in the House (and as the Premier has said, quite rightly so) we immediately asked for a completion of that investigation. It was followed through very thoroughly indeed, as anyone who has bothered to read the publicly tabled documents well knows and understands. Following that report, the matter was further referred to the Crown Solicitor, and the report of the Commissioner for Consumer Affairs was made public.

It must be remembered that, if our system of justice is to mean anything, Mr Cameron has to be treated like any other citizen. I have raised the matter of Mr Nick Minchin before—I could raise the matter of any other citizen, John or Jenny Smith or John West, or whoever else it might be. The Government and its officers can only assume that the person involved should have exactly that measure of justice which is afforded everyone else in our community. How does one go any further without a Government's being accused of a witch-hunt and without the proper justice that

is accorded in our law to Mr Cameron and to anybody else as being seen as really being set at nought?

What would people in the Liberal Party see as being reasonable in these circumstances? I fail to understand why those matters which are now alleged by the Leader of the Opposition as being new matters (and I fail to see that they are, incidentally) were not placed before the investigators when the Opposition had the chance. Why did the Leader of the Opposition regard this matter as being of so little moment that he sent one of his minders along to be interviewed by the officers? He was not prepared to front himself. He sent the hapless member for Mitcham, whose allegations have been dealt with properly in this document. The Leader was not prepared to front himself.

I again draw the attention of members to the contents of the document and the way in which it has properly been accounted for by Commissioner Neave, by the investigating officers, and indeed by the Crown Solicitor. I will not go through it point by point—although I think that would be a very interesting and telling excursion of its own accord—because, of course, time is short. But the answers are all here. They are point for point here. In any event, let me get back to the gravamen of this motion.

First of all, the background to it, of course, is certain allegations about a Mr Cameron. It just so happens that he is the State Secretary of the Australian Labor Party. In law, of course, that is irrelevant. What is important is the evidence that is made available. There is a Mr Ben Carslake, whose union tends to be somewhat in opposition to the union of which Mr Cameron was an official not so very long ago. Mr Carslake made a number of allegations. They have all been fully investigated. None can be substantiated whatsoever. That is perfectly clear. I said I would not go through the whole list, and I will not do so, but the following reference is interesting:

> One of Mr Carslake's allegations was that a bricklayer who took legal action after the refusal of Mr Cameron to pay was given a judgment against Mr Cameron and paid $1 200 which was outstanding. Mr Carslake was unable to name the bricklayer.

He was unable to name the bricklayer—what sort of allegations are such matters? And so this goes on. For example, I refer to No. 3, which is as follows:

> Mr Cameron told a contractor seeking payment that he could sue him for the money but he wouldn't win because he had the best solicitors in the country and had some very influential friends. This allegation emanated from the statutory declaration of Mr Ben Carslake. However, Mr Carslake is unable to name the contractor concerned, and Mr Cameron denies the allegation.

So much for the statutory declaration. There is no evidence that would lead to any prosecution being laid against Mr Cameron, even if that were possible, given the wording of the relevant legislation, and that is made perfectly clear in the report.

Given that, we come back to the gravamen of this motion: how is it that the Premier has in any way been shown by anything that has been said by members opposite to have misled the House—either misled the House or failed to make available information of which he could reasonably have had knowledge? What more can one do other than bring a report in here and table it? What more could one possibly do than take that course of action? The situation is simply not good enough. We have had 12 months of silence from the Opposition so far as the use of this sort of motion is concerned. With all the great measures of the day that are before us, what do we now get? We have the raising of this motion and an attempt to assassinate an individual, an attempt to use cowards' castle, the Parliament, to assassinate an individual. That is simply not good enough from this Opposition, or from any Opposition, and nor would it be good enough from the Government if the Government attempted the same sort of tactic in relation to any individual associated with the Liberal Party.

The Leader of the Opposition's delivery was shot through with *non sequiturs*. Our society long ago set its face against trial by Parliament. In the light of the Leader's performance today, I think that that ancient wisdom is spot on.

Mr OLSEN (Leader of the Opposition): Let me deal with one or two of the points raised by the Premier and the Deputy Premier during this debate. I go back to the first question asked of the Premier about this matter a year ago and his reply. He said that he would agree to look into the question but that he did not guarantee an answer. Those are the Premier's words in *Hansard*. On the evidence put before Parliament today it is fairly clear that we have not had truthful or satisfactory answers in relation to the activities of Mr Cameron. We have had a fudging of this issue. In fact, neither the Premier nor the Deputy Premier addressed in any detail at all one of the points that was put before the House today. They ignored the evidence that I put before the House today. They ranged over a whole area of other subjects and did not concentrate on the information put before the House—detailed and concise information obtained from Government departmental files. The Premier said that that information was not made available to the investigators when they came down.

Members interjecting:

Mr OLSEN: For the benefit of the member for Fisher who is interjecting out of his place, I will explain that. Not only the Public Service and the public at large saw this Government cover-up apply a whitewash to Mr Cameron. Since these agencies and individuals were told that the Government would bring to this Parliament the report that it brought down seven days ago, over the past few days the Opposition has been deluged in information from Government files to prove that the Government was not prepared to be truthful, open and frank in response to the questions that Opposition members were asking in this Parliament about the activities of an individual.

The truth of that statement is supported by this file. We are talking about an individual who has been prepared to break the laws of South Australia, and that has been proved. Indeed, there is clear and indisputable evidence that Mr Cameron has broken the laws of this State, but neither the Premier nor the Deputy Premier has replied to any of the Opposition's allegations or refuted the information I have given Parliament today, because both of them know that they cannot. They both know that my information is the clear and concise truth of the matter.

Members interjecting:

Mr OLSEN: Well, I can understand how members opposite do not like the truth being stated in Parliament. The Premier said that all this information should have been made available. However, when the investigators asked for information, we immediately made time available and all the information we had at that time was given to them. That information, which proved that Mr Cameron had breached the law, was based on details that the Opposition gave the investigators, not on information that the investigators themselves had sussed out. Our information clearly indicated to the investigators and to everyone else that the investigators must come up with that finding because the evidence was there and the investigators had nowhere else to turn.

This document clearly shows not only one instance but also dozens of houses that were built illegally and in breach of South Australian law by a person who happens to be the ALP State Secretary and who over the past few days has

said that he has done nothing wrong in the South Australian building industry. However, what he has done wrong in that industry is documented, and he is being treated no differently from anyone else who has breached the statutes or regulations of this State.

The Deputy Premier said, 'Let's dismiss the statute of limitations'; if we did not have that, would a prosecution be successful? Crown Law advice was that a prosecution would not be successful, and that was the Commissioner's advice. How much information was placed before the Crown Solicitor upon which that decision was made? I lay odds of 10 to 1 that none of this information went to the Crown Solicitor, so how can it be said that a prosecution would not have followed? With only half the information a judgment cannot be made whether or not to prosecute, so clearly that is a nonsense argument.

Early in his speech, the Premier criticised the Opposition for raising an issue of this nature, yet about two-thirds of the way through his speech he said that the legitimate right to raise such an issue as this was the basis on which the investigation had been followed through. Well, he cannot have it both ways. He changed his position from the first part to the second part of his speech. The Deputy Premier referred to the standing of Parliament. However, Parliament has one basic important responsibility: that is, to ensure that the law is upheld. We have here an incident where the law has not been upheld: it has been breached.

Members interjecting:

The SPEAKER: Order!

Mr OLSEN: I do not have to say it outside, because the Builders Licensing Board clearly indicates that there has been a breach of the law. That is why the board took the matter to the Crown Law Office for an opinion and for Mr Cameron to be prosecuted.

The Hon. E.R. Goldsworthy: They must have lost it.

Mr OLSEN: I am sure that all this information that would have put the whole thing in a proper perspective was ignored. Why was it ignored? This matter was first raised in 1988. The Government did not follow it through and the Government has still not followed it through. The Premier asked whether the Opposition was censuring the public servants who prepared this report, but it was the Government that censured the public servants when no action had been undertaken for 12 months. Talk about double standards! The reason why we have had double standards in the Premier's speech is that he had nowhere to go in refuting, or even rebutting, the evidence tabled in the Parliament.

The Hon. E.R. Goldsworthy interjecting:

The SPEAKER: Order! The Leader of the Opposition would be able to debate much better without the assistance of the Deputy Leader. The honourable Leader of the Opposition.

Mr OLSEN: The report tabled a week ago was not complete or thorough. We have waited 15 months for a complete and thorough investigation, but we have still not got it. It is time that we had it.

The House divided on the motion:

Ayes (17)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, and Blacker, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen (teller), and Oswald.

Noes (27)—Mr Abbott, Ms Appleby, Messrs. L.M.F. Arnold, Bannon (teller), Blevins, Crafter, De Laine, Duigan, M.J. Evans, and Ferguson, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Rann, Robertson, Slater, and Tyler.

Pair—Aye—Mr Wotton. No—Mr Plunkett.

Majority of 10 for the Noes.

Motion thus negatived.

PERSONAL EXPLANATION: ROXBY DOWNS

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): I seek leave to make a personal explanation.

Leave granted.

The Hon. E.R. GOLDSWORTHY: The honourable Minister of Health, in a strange ministerial statement today, sought, I believe, to impute to me some motives which are quite misleading and untrue. The import of what he was saying, in effect, was that I sought to have a Health Commission report to the select committee on Roxby Downs changed, which is a statement of fact, and he then implied that it was the Labor Government that instituted a series of principles in relation to the radiological controls at Roxby Downs when they were neglected by me. That is not a statement of fact: it is absolutely untrue, and it is absolutely and categorically denied. I would like briefly to put the facts before the House. A report was prepared to be sent to the select committee, and to this day I do not know who wrote the report, but it came from somewhere in the Health Commission. Among other things the report said:

> Between 2 and 11 per cent of this hypothetical mining population could be expected to die of lung cancer. This is in addition to the cumulative lung cancer risk to South Australian males generally of approximately 6.3 per cent.

That statement from the Health Commission would indicate that up to 17.3 per cent of the miners at Roxby Downs could die of lung cancer. This was in a climate where the Labor Party was desperately trying to defeat the indenture, and the left wing to this day, I think including the Minister of Health, is not happy with it; but that is by the by. That statement appeared in this report and it concerned us greatly. I do not for a moment believe that the radiological controls, which I and the negotiating team had negotiated, would lead to more than 17 per cent of the miners at Roxby Downs dying of lung cancer.

That led to my seeking out Dr Keith Wilson and suggesting that this report was unduly alarmist and that, in my judgment, it could not be justified. Dr Wilson refused to make a change. I telephoned Dr Brenton Kearney (then Acting Chairman of the Health Commission) and stated that I was concerned, and that is where it ended. I do not know what Dr Kearney did subsequently.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: Let me talk about Dr Wilson in a minute.

The SPEAKER: Order! I call the honourable Deputy Leader to order. The Chair has just been referring back to the ministerial statement in which the honourable Deputy Leader claims he has been misrepresented. He has legitimately referred to the fourth paragraph. He now seems to be introducing a lot of additional material which does not directly relate to the leave he received to explain where he has been personally misrepresented.

The Hon. E.R. GOLDSWORTHY: Thank you, Mr Speaker. I acknowlege the correctness of your ruling. The fact is that that was introduced by the Minister, and I sought to refute it, but I will take another opportunity to explain those circumstances. The Minister implies that some new principles were inserted as a result of his actions and those of his Government. The fact is that the radiological controls inserted into the indenture at our insistence included the ALARA principle. If the Minister wants to know specifically where we included them, it was in clause 10 (2) of the schedule, where we insisted that the operation be conducted

with the lowest levels of radiation achievable. The provision states:

Notwithstanding the provisions of subclause (1) of this clause, the relevant Joint Venturers shall, at all times, use their best endeavours to ensure that the radiation exposure of employees and the public shall be kept to levels that are in accordance with the principles of the system of dose limitation as recommended by the International Commission on Radiological Protection (publication number 26 of 1977) as varied or substituted from time to time.

Included in that publication—

The SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: I am pointing out that the Minister's implication that it was his Government that introduced this ALARA principle and that we were not interested in radiation control is quite false. I am pointing out that we were, and it is here in black and white.

The Hon. Frank Blevins interjecting:

The SPEAKER: Order! I warn the honourable Minister, and I warn the Deputy Leader that, if he persists in trying to conduct a free, wide-ranging debate on matters related to radiation, leave will be instantly withdrawn for him to continue his personal explanation.

The Hon. E.R. GOLDSWORTHY: I am seeking to refute the imputation the Minister made that in fact—

The SPEAKER: Order! In any case, the honourable member's time has expired.

The Hon. E.R. GOLDSWORTHY: I seek leave for an extension in order to conclude my personal explanation.

Leave granted.

The Hon. E.R. GOLDSWORTHY: In that International Commission on Radiological Protection publication three principles are espoused, the third of which is the ALARA principle. All that has happened since that time is that the Government has enthusiastically endorsed that indenture, but the Minister cannot claim credit for including the ALARA principle. All that happened was that some new penalties were—

The SPEAKER: Order! Leave is withdrawn. The honourable member for Murray-Mallee.

The Hon. E.R. GOLDSWORTHY: On a point of order Mr Speaker, I am seeking to refute the clear allegation made by the Minister which you said was legitimate that I, in fact, was not interested in these matters of radiological control and that the Government had introduced this so-called ALARA principle. That is false. I am seeking to indicate to the House that it is false.

The SPEAKER: Order! The Chair does not uphold the point of order. The honourable Deputy Leader has quite competently expressed himself in terms of his having been misrepresented, but from a very hard to identify point in the course of his explanation he gradually moved into debate and remained in the area of debate. The honourable member for Murray-Mallee.

The Hon. E.R. GOLDSWORTHY: I am simply elaborating on the point which I am seeking to indicate to the House quite conclusively—

The SPEAKER: Order! I do not uphold the point of order. In the course of a personal explanation members do not elaborate: they give simple explanations. The honourable member for Murray-Mallee.

The Hon. E.R. GOLDSWORTHY: I will take this up at a later time.

PERSONAL EXPLANATION: PREMIER'S ALLEGATIONS

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

Leave granted.

Mr LEWIS: During the course of his remarks today the Premier made a number of allegations against members of the Opposition, one of whom was me, imputing quite improper motives. He said that I attempted to link the Attorney-General to the Mafia. That is not true.

Members interjecting:

The SPEAKER: Order!

Mr LEWIS: Under Standing Order 154 the Premier had no right to do that but, more particularly, I put to the House now that what I did on Tuesday 14 February in placing a question on notice (to be found in *Hansard* on page 1988) was to ask the Minister of Education a question which would enable him and the Attorney-General to confirm or deny the rumours that were raging at the time that the Attorney-General had at some point since 1980 visited Plati in Calabria, and certain other matters related to those rumours. I gave him the opportunity to confirm or deny. At no time did I attempt to link him with the Mafia or otherwise, that is, to unlink him. I simply believed that, whilst his own Party colleagues and other members were discussing these matters in my earshot—which amazed me—and as the discussions continued, they should be nailed once and for all. The only course of action open to me was to do as I did. I resent the Premier's attributing to me, in the way that he did, the motive that I acted improperly.

SITTINGS AND BUSINESS

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

That, pursuant to section 15 of the Public Accounts Committee Act 1927, the members of this House appointed to that committee have leave to sit on that committee during the sitting of the House.

Motion carried.

POLICE REGULATION ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2, lines 10 and 11 (clause 6)—Leave out ', or any other person nominated by the Governor for the purpose,'.

No. 2. Page 8, line 2 (clause 19)—After 'District Court Judge' insert 'selected by the Senior Judge'.

Consideration in Committee.

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

That the Legislative Council's amendments be agreed to.

These amendments were moved in another place by the Attorney-General on behalf of the Government, although the gravamen of the amendments was canvassed in Committee in this place. As to the first amendment, the view was expressed here that a nomination by the Governor should be to a member of the Police Force. The amendment resolves this matter by moving to delete altogether the provision enabling the Governor to nominate another person. Instead, the power to appoint will rest with the Commissioner, who may delegate the power under the general delegation provisions. Of course, the Commissioner is well placed to determine the suitability of the delegate.

As to my advocacy of the second amendment, the Bill does not prescribe the method of selection of the judge of the District Court who will sit on the Police Appeal Board. The board has been in existence for some time and until

1981 the presiding officer, a judge of the District Court, was appointed by the Governor. In 1981 the Liberal Government of the day amended the Act to delete the requirement that the judge be appointed by the Governor. The Act simply provides that a judge will chair the board. I told the Committee when the Bill was going through this place that in practice the Senior Judge allocates the work of the court and the responsibility of who will chair the Police Appeal Board.

I must stress that the selection is not made by the Government but by the Senior Judge. However, to clarify the matter, this amendment has been moved in another place to emphasise that the procedures which applied previously will continue under this amending Bill.

The Hon. B.C. EASTICK: The Opposition is pleased that the Government has seen fit to accept the two amendments. We canvassed a third amendment which was similar to the first but, in discussions in another place, it was pointed out that circumstances may mitigate against the course of action contemplated in the best interests of forces (which are now in many cases joint forces), or circumstances where police from the Federal jurisdiction or from other States are members of a task group, particularly associated with the activities of the NCA. The command of those task groups may be different from that which normally would apply if the police personnel were in the charge of their own Commissioner. We can accept that basic information made available by the Attorney in another place. It is worth noting that, should circumstances in practice indicate that there is still a need to look at that provision, it will come forward under another Bill. Certainly, the matters canvassed in this place have been taken up diligently by the Government and I thank it for having seen the passage of these amendments in another place.

Motion carried.

LISTENING DEVICES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 April. Page 2665.)

The Hon. B.C. EASTICK (Light): The Opposition intends to support, in the main, the measure now before us. There will be some questioning which may lead to changes to the Bill being proposed in another place. It is a measure of fairly recent origin to the House and the debate which was possible among my colleagues both here and in another place occurred only earlier today, so there is still a need for feedback from some of the people in the big wide world as to the manner in which they believe it affects their circumstances.

I am pleased to indicate that I was present at the birth of this legislation when it was introduced by the then Attorney-General (Hon. L.J. King) on 21 September 1972. The record (*Hansard*, pages 1516 and 1517) shows that I even took the adjournment of the debate. Subsequently, on 3 October (commencing at page 1774), my then colleague (and present colleague of Mr King in another arena) Robin Rhodes Millhouse led the debate in this place.

It is interesting to refer to two or three of the statements made by those two persons on that occasion. In moving that the Bill be read a second time, the Hon. L.J. King had this to say:

> It is the first of a series of measures which will be introduced into this House and which are intended to protect the 'right of privacy' of the individual. The particular invasion of that right that is dealt with in this measure is that which results from the use of listening devices or, as they are more popularly known, 'bugging devices'.
>
> In substance, this Bill proposes that the use of such devices will be largely prohibited. It also imposes a total prohibition on the communication of publication of information obtained by the unlawful use of the devices.

I will refer to the last point later when responding to measures contained in this Bill. The Hon. L.J. King went on to say:

> The first exception relates to the use of listening devices by members of the Police Force in the course of their duty. The second exception relates to the use of devices by persons to record conversations to which they are a party.

That was a very narrow piece of legislation, which was intended to assist in the privacy of individuals. The then member for Mitcham (Mr Millhouse) when referring to that Bill drew attention to his very keen interest in a Bill of Rights, for which he had failed to obtain support over a period of time. In addressing this matter he referred to two quotes which he had recently read and which he believed were worth including in the debate; and I think that they are still as meaningful now as they were then. Mr Millhouse stated:

> ...Professor Zelman Cowen in the Boyer Lectures in 1969, published by the Australian Broadcasting Commission under the title *The Private Man*. In the first of those lectures Professor Cowen dealt with the concept of the right of privacy, and he included a couple of quotations in his lecture. I shall mention them now, because I believe that they sum up the matter very well. The first quotation is from an American writer, Clinton Rossiter, who says:
>
> > Privacy is a special kind of independence which can be understood as an attempt to secure autonomy in at least a few personal and spiritual concerns, if necessary in defiance of all the pressures of modern society. [It] seeks to erect an unbreakable wall of dignity and reserve against the entire world. The free man is the private man, the man who still keeps some of his thoughts and judgments entirely to himself, who feels no overriding compulsion to share everything of value with others, not even with those he loves and trusts.

He then went on to indicate that the other quotation came from a report by the St George branch of the Junior Chamber of Commerce in Sydney. Quoting the report, Mr Millhouse stated:

> Their strong and detailed report entitled *The Invasion of Privacy* presented to the National Convention of Jaycees in 1968 is a notable document. Their general conclusion is uncompromising—

and this is the general conclusion—

> . . . The right to personal privacy is being severely challenged by the demands of modern society in its never ceasing quest for efficiency and conformity... The growing awareness of a few thoughtful people is not sufficient to safeguard the right to privacy. There is a need to place before our community and business leaders the challenge of maintaining the dignity of the individual in a changing environment. There is also a need for us to realise our obligations to our fellow men. Bureaucratic zeal and the pursuit of efficiency have blinded many men to the need to preserve the basic dignities and freedom of their fellows. To maintain the role of free men in a free society we must insist on the right to be let alone.

It is worth restating those comments, because they sum up the circumstances which apply today, even though there have been some very major changes in public attitude as a result of the invasion of organised crime into society. In essence, the Bill extends the use of listening devices (not being those directly associated with the telephone) which, in many circumstances, will allow for the combatting of that criminal activity.

I draw attention to the fact that as recently as October 1988 this House passed an Act enabling the South Australian Police Force to be declared an agency for the purposes of the Telecommunications (Interception) Act of the Commonwealth. That Bill was assented to on 3 November 1988, and members will recall that it came into being as a result of joint action taken by a conference of Premiers, with the

concurrence of Attorneys-General. It was a long time in gestation, but it eventually came onto our statute book and was a vital plank in the Federal Government's drug offensive. That activity, which very markedly reflects on Commonwealth legislation, is different from the thrust of this Bill—although some of the verbiage and intent is the same.

This Bill seeks to limit the powers of the police in relation to the use of listening devices, and to allow the National Crime Authority to have access to listening devices under State law in the same way as members of the State Police Force have access. At present a member of the Police Force may use a listening device provided there is a report each month to the Minister in relation to the use of such a device. The Bill seeks to establish a procedure by which a warrant issued by a Supreme Court judge is necessary before a police officer or a member of the National Crime Authority can use a listening device in South Australia. Further, the Commissioner of Police, in due course, is to provide a report to the Minister on various aspects of the issue of warrants for the use of listening devices, in addition to providing to the Minister a copy of any warrant or instrument of revocation and a written report on the use made of information obtained from the use of a listening device pursuant to the warrant and the communication of that information to persons other than members of the Police Force.

As the second reading explanation states, the Minister may also require a report on 'any other matter specified by the Minister at a time specified by the Minister'. The Opposition has some concern about this provision. There can be no argument that, having been agreed by a judge of the Supreme Court, the Commissioner of Police will then become aware of the information that flows from the issue of the warrant, but we are concerned about its passage from that point. It does not say that this will be to the Minister exclusively, but surely that should be the real intent of any legislation. If the Commissioner of Police has knowledge of delicate information arising from the use of one of these devices on warrant and it passes to the Minister, the Minister's associates are placed in the position whereby the information is for the Minister and the Minister alone, (albeit perhaps extending to the chief law officer of the State).

It appears that the possibility exists that, in the normal course, the information could be conveyed by the Commissioner of Police to the Minister's office and could then be viewed by a number of people before it really came to the attention of the Minister. If such sensitive information were misused or were to stray into the hands of those who are not bound by the confidentiality of ministerial appointment with respect to maintaining a very close hold on detail, it could cause harm. A number of my colleagues have asked that I put this matter before the Minister while we are still taking advice as to how a form of words might be developed which would clearly indicate where the message stopped, having regard to its sensitivity.

I have previously pointed to the fact that the procedures laid down in the Bill are generally consistent with the telephone interception legislation at Federal and State levels. While it makes it more difficult for the police to use listening devices, nevertheless we are of the view that some safeguards greater than those in the present Listening Devices Act are appropriate and therefore we support that concept without hesitation. The Bill also increases penalties and, in this day and age, that is an expectation that we should not shy from. We have no difficulty with that aspect.

I will refer now to some matters that are more appropriately dealt with in Committee, but it will give the Minister a better opportunity to respond to them. Proposed new section 6 relates to warrants authorising the use of listening devices. An application may be made by a member of the staff of the National Crime Authority who is a member of the Australian Federal Police or of the Police Force of a State. We believe that this ought to extend to a member of the Police Force of a Territory, because in some circumstances I suspect that the Police Force of a Territory will have equal involvement in task forcing in the type of operation which is currently in vogue and, unfortunately, which is necessarily in vogue in the fight against crime.

In relation to proposed new section 6b, information is to be given to the Minister by the Commissioner of Police, and I have referred to that at some length. That information includes a copy of the warrant which will identify the person and the criminal conduct upon which it is based, together with a report on any other matter specified by the Minister. It appears that no penalty is provided against a Minister who discloses information otherwise than in accordance with the Act or any other law. Accordingly, the Opposition is of the view that a penalty should be included, perhaps the same penalty which applies for other unlawful disclosure by police officers, where a Minister discloses information otherwise than in accordance with the Act or some other law. In referring to 'the Minister', I include the Minister's staff who become aware of that information, and that is where the real danger lies.

I am sure the Minister will take the point that the sensitivity of issues requires that we are absolutely certain that we do not allow a circumstance to occur by virtue of the passage of that information where something will fall off the back of a truck or where information is provided by other than the Minister but by way of a document that is passed to the Minister or under circumstances where the tongue is loose.

Finally, there would appear to be some question as to whether the judge involved in the issuing of a warrant should be of the Supreme Court or the District Court, or either. On balance, we would not be unhappy if the legislation were amended so that it referred to a judge of the District Court. I flag that without seeking to debate the merits one way or the other. I merely suggest that the availability of a District Court judge may be a much simpler matter than access to a Supreme Court judge given the work loads and relatively limited number of Supreme Court judges. Other matters concerning the warrant will be discussed in Committee. With those remarks, I indicate that the Opposition supports the Bill.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its indication of support for this measure and I thank the honourable member for his contribution in which he went through some of the history of the establishment of the right of privacy in this country and, in particular, in South Australia, and the chequered history of such attempts over the years. This matter is important in the administration of criminal justice in this country and proper investigation. It touches on this matter of the right of an individual's privacy. We do not have such a right vested in our Constitutions at either State or Federal level, unlike some countries, particularly those with a civil law background. Indeed, in Roman times well established principles of privacy were entrenched in the civil law.

For example, in this State we have never had the right to take action as a result of someone reading another person's mail. A person can go along to a letterbox and read a postcard, for example, and put it back in the letterbox. Whilst that is a fairly outrageous act on the part of someone

outside that person's family, I guess no action can be taken against someone who does that. Nothing has been stolen and no established right has been broken, apart from one's being morally outraged by the act.

What was attempted by the Attorney-General in the early 1970s in this State, to which the member for Light referred, was the establishment of a right of privacy. That matter was hotly debated in this State and the proposition was vehemently opposed by the then Opposition, particularly in the other place. I well recall the then Attorney-General (now Chief Justice King) appearing on a *Monday Conference* program televised in South Australia. In fact, it was the first occasion on which the Playhouse was used for a public performance, and indeed it was a splendid public performance by the then Attorney-General in expressing his commitment to the need for that legislation.

I recall that he received many letters and messages of support and congratulations from right across Australian society and, indeed, from right across the political spectrum for his then courageous attempts to establish that right of privacy in South Australia. It was very much opposed by the media, who saw it as curtailing their right to publish information that was seen as being in the public interest. That legislation was defeated in this Parliament in the other place, and no attempts have been made since that time to try to express that right of privacy in that way, although it is now seen attached to other pieces of legislation in the form of this present Bill and with respect to the use of various administrative practices at the Federal level, for example with respect to the tax file number.

There is, I guess, by accretion the establishment in certain circumstances of a right of privacy for individuals in this country. It is a measure of any civilised society, the strength of which is based on the protection of an individual's rights, and that must always be in the forefront of the minds of legislators who seek to remedy ills in our society and, unfortunately, are all too frequently prepared to set aside some of those established rights. It is important in the passage of legislation of this type that we reflect upon that conflict that is facing us. There are checks and balances built into this legislation, as the member for Light has said. They are akin to the requirements provided in the Federal legislation (the Telecommunications Interception Bill) and are consistent with the Victorian Listening Devices Act 1969, the Listening Devices Act 1984 in New South Wales, and those other jurisdictions also dealing with this matter.

Reference was made in the second reading explanation to the annual report of the National Crime Authority, and it is interesting that, subsequent to making its report, the National Crime Authority raised with the intergovernmental committee, at its meeting on 21 May 1987, the matter of its position under the listening devices legislation of the Commonwealth and the various States. The committee agreed at that time that the authority should pursue with the Commonwealth, Queensland, South Australian and Western Australian Governments the possibility of extending the relevant legislation to enable the authority to use listening devices in its own right. Tasmania and the Northern Territory have no legislation concerning listening devices, although the National Crime Authority understands that the Northern Territory Government is considering its introduction. The Chief Minister of the Northern Territory has offered to consult with the authority on the development of such legislation.

The Chairman of the National Crime Authority has written requesting this amendment pursuant to the determination referred to in the annual report, to which I have referred. It should be noted that the authority already has the power to obtain and use listening devices in its own right, under existing legislation in Victoria and New South Wales. So, there is now this network building up across this nation which will assist those law enforcement authorities that are vested with these powers, and indeed State and Federal Governments, to deal with crime in this country, and particularly with organised criminal activity.

Built into the legislation is the very important requirement of judicial review, and indeed approval, of the processes that are outlined in the Bill in order to obtain a warrant. Administrative checks and balances are vested in the Ministers who are responsible, and, of course, there is the requirement to report finally to Parliament. So, I believe there is a very thorough, effective and efficient administrative procedure. This procedure can be established at very short notice, and the privacy and fundamental rights of law-abiding citizens in this country are protected. I shall refer in Committee to the matters raised by the member for Light during the second reading debate.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Prohibition on communication or publication.'

Mr M.J. EVANS: I want to raise a point about the section of the Act to which this clause relates. I feel that technology, as always, is encroaching on the very limits of the law, and it is important that we keep such matters in hand so that the law of the land can stay the minimum distance behind the increases in technology. It is quite clear that the Listening Devices Act, designed, as the Minister said, in the early 1970s to apply to attempts to intercept conversations between people, was a very relevant measure in its day, and, of course, remains substantially so.

However, increasingly, much is made of the way in which computers can record and transmit information. While that information is transmitted over the telephone lines, it remains subject to the Telecommunications (Interception) Act of the Commonwealth but, while it is being prepared on the computer terminal itself in the offices of businesses, private households and government, the information is not so protected, and nor is it covered by this legnislation.

It seems to me that it would be well for the Government to begin consideration of the potential application of the Listening Devices Act to attempts by people to promote industrial espionage or other overhearing of private material when it is entered into a computer, and where the emissions from the keyboard or from the monitor of the terminal itself allow someone in an adjacent area or in a car parked outside the premises to intercept the information as it appears on the screen of the computer terminal, and thereby recreate the private documents of the individual who is preparing such documents.

This kind of activity is very much akin to the use of a listening device to record private conversations. It does not fall within the telecommunciations area because it precedes that, and so, clearly, this activity is one example where technology has placed itself outside the prohibitions of the law, even though I have no doubt that had those things been available at the time the law would have embraced such activity. So I ask the Minister whether he will consider taking that kind of problem on advice and seeing whether at some future time the Act might need to again be amended to broaden its impact in this and in any other emerging areas of technology.

The Hon. G.J. CRAFTER: I thank the honourable member for raising the matter. It is very interesting and appropriate that he should raise it in the context of this Bill. To

date, there has not been a request from the police or the National Crime Authority to the Government to address this issue, but one could predict that it may well be a proper and appropriate area for further consideration in due course. Obviously, it is something that is under surveillance by the authorities.

Clause passed.

Clause 5—'Substitution of s. 6.'

The Hon. G.J. CRAFTER: During the second reading debate the member for Light raised several issues relating to this clause. The first related to a preference for Supreme Court judges to perform the functions required under this legislation. I understand that this decision was taken as a result of the requirement that the highest level of the judiciary would deal with these applications. They are of a very serious nature and it was felt that they should be dealt with by judges of the Supreme Court, who are available for prerogative writs, for example, at any time of the day or night; indeed, they are rostered to be available for such purposes.

It may be that there is some merit in the argument that District Court judges should also be included in this, but perhaps that is an argument that could be deferred until we see how many applications are made under this legislation and how the administration is working. Thus, it might be preferable to err on the side of caution rather than to transfer this responsibility across those several tiers of the judiciary. It is also consistent with the Telecommunications (Interception) Act. So, I think a good reason would need to be established as to why we should depart from the provisions of that Act in respect of the situation in South Australia.

In his second reading speech, the member for Light referred to the inclusion of officers of police forces within Territories. As I understand it, that matter has not been raised with the South Australian Government by the NCA and it could be appropriately a matter to be raised with the NCA during the time when this Bill moves from this House to the other House, in order to see whether we need consider further the broadening of the definition to include the Territories. This matter will be noted and raised expeditiously.

The Hon. B.C. EASTICK: I appreciate the information that has been provided. No doubt, the debate will follow in another place between the Attorney-General and the shadow Attorney-General. New section 6b provides:

(1) The Commissioner of Police must in relation to warrants issued to members of the Police Force, give to the Minister—

(a) as soon as practicable after the issue or revocation of a warrant, a copy of the warrant or instrument of revocation.

Referring back to the type of information that must be provided to obtain the warrant, it is possible that the warrant will identify persons who are to be listened to. It may be that some indication of the type of activity being undertaken will appear on the warrant and it could be dangerous for the name of that person who may or may not be subsequently found to be guilty to be abroad or for knowledge to be abroad that that person was under surveillance in relation to their communications or dialogue with other persons in the community.

That is the question: the vital and critical information on the warrant that might escape. The revocation of a warrant would be simple. There would be no problem in the warrant in relation to someone being withdrawn, but information might be farther afield than the hands of the NCA or the Police Commissioner other than that which is delivered directly to the Minister but which the Minister may not hand on without reference to the Commissioner or a judge. These are sensitive matters that should be further considered by the Government.

I raise this point not to forestall the measure's going onto the statute book but to ensure that no person's life or position in life should be jeopardised because of a casual release of information that could be disastrous to such a person. I foreshadow that, as a result of further discussion in another place, we may seek to remove that provision. That is how seriously the Opposition views the potential problem in that regard.

That is not meant as a reflection on a present or future Minister: it is the reality of how widely we should proceed with such sensitive issues that are important in today's world, more specifically because some of that information could conceivably have ramifications in another State and overseas and, for example, be interrelated to action being taken by Interpol or other such organisations. This is a matter of considerable moment to the Opposition and I ask the Minister to accept my statements in that context.

The Hon. G.J. CRAFTER: The honourable member and his Party are treading down a fairly difficult path if they proceed to advance a device that would eliminate the role of the will of the people as expressed through a duly elected Government and persons holding office in that Government and their right to receive information under these strict circumstances and then to ensure that a democratic process is available, in this case through reporting regularly to Parliament as required under the Act. To eliminate that process whereby there is accountability to the duly elected representatives of the people of the State and indeed for that duly elected representative, a Cabinet Minister (in this case the Attorney-General), then to deny that information being passed to the Parliament in the interests of Parliament raises fundamental issues: it would be vested only in a member of the judiciary, the Police Commissioner, and the NCA. I believe that questions would be raised in the community if that was the end result of the process referred to.

I understand the concern that there might be, and the honourable member raised this in his second reading speech. Perhaps I could respond to the concerns about the information being misused by a Minister or a member of a ministerial staff. I guess that it is possible in the case of a member of a judge's staff or of a Police Commissioner's staff. There is always the potential for such weaknesses to exist, but my experience is that such matters are treated very seriously and with great propriety by those vested with these responsibilities. First, it is true that there is no direct offence against a Minister, but obviously a Minister is responsible to this place, which is the highest court in the State.

This Parliament has powers not only to censure and to remove from office, but also to imprison and to fine. Although that is a rarity these days, that power still exists and they are strong sanctions. If the Minister breaches the criminal law, he is subject to that criminal law for acts proven to have been committed by the Minister. In respect of public servants, there is the Government management legislation which applies to public servants and which carries criminal sanctions, disciplinary action, and the like.

With respect to the practice, as I understand it, the Police Commissioner is required to provide the Minister with that information—and only the Minister. So, obviously there is a system to ensure that there is no interception of that information and it is therefore passed confidentially under a system which ensures that no third parties are passing on that information. That system is well established in other areas. It can be done and it has proved to be successful in the past.

Obviously, some of the honourable member's fears are real fears, but they can be allayed. All this is subject to human frailty, but it is my experience that these matters are taken very seriously. Further, the provisions here are those contained in the Federal Act, so it has for obvious reasons been seen by this Government as important to provide that uniformity and consistency with respect to the administration of this law across this country. For all those reasons, the honourable member's fears will not become a reality which requires the harshness of the remedy being advanced by the honourable member.

The Hon. B.C. EASTICK: The information given by the Minister helps to add to the understanding of this clause and will undoubtedly satisfy many people who accept his promise that the Minister is accountable to Parliament and that the senior officers of the department are accountable under the Government management legislation. However, there is another group which is answerable only to the Minister and the members of which do not come under the guidance of the Government Management Board; in this respect I refer to ministerial assistants and press officers. One sees that, when a Minister gets a new appointee, even if that person is from the Public Service, there immediately appears in the *Government Gazette* an article stating that whilst in the employment of so and so this person is not subject to the requirements of the Government management legislation.

I know that what I am saying could be seen as casting aspersions on ministerial appointments. It is not intended in that way, although it is easy for it to be projected thus. However, there would appear to be a flaw in the Minister's argument as to the element of accountability, of check and balance, which is so necessary a part of this sensitive area. I offer him that as acceptance of what he has said but pinpointing a chink in the armour of the totality of those who may come into the possession of information in the passage of such warrants.

The Hon. G.J. CRAFTER: I understand the Opposition's concern about so-called political appointments of ministerial staff, which are part of the course of Government in this country, but it must be remembered that they are hired on the basis of a contractual arrangement and do not have some of the protections of the GME Act. In fact, they could be dismissed at a political whim which, obviously, could be very harsh. A Minister who seeks to protect a contractual employee of that type in the circumstances would soon face the wrath of the Parliament, his colleagues and others who depend very much on the political process eliminating persons of unethical behaviour of this type.

Further, that employee and, indeed, the Minister can be subject to a wide range of criminal offences such as hindering the course of justice, if that information hinders the due process of investigation, or aiding and abetting, if information went out to someone so that that person could avoid an investigation, and so on. There are many broadly-based offences which would bring that erring person under the full force of the law. Some pretty strong deterrents exist for anyone who has thoughts of using information in an improper way. Undoubtedly, the House will benefit from the scrutiny of those measures by the Opposition.

Clause passed.

Remaining clauses (6 to 8) and title passed.

Bill read a third time and passed.

CHILDREN'S PROTECTION AND YOUNG OFFENDERS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 6 April. Page 2790.)

Mr S.J. BAKER (Mitcham): While the Opposition supports this legislation, we cannot let the opportunity pass without making some comment about the circumstances surrounding this Bill. It is quite extraordinary that at the eleventh hour the Government should be rushing this Bill through. Perhaps I should give a bit of background so that people who read *Hansard* can understand what this Bill does. Previously, when the Children's Court imposed a fine upon a young offender and the fine was not paid, a warrant could be issued for the young offender's detention under the provisions of the Justices Act.

In passing its new sentencing package the Government repealed the relevant provisions of the Justices Act and specifically provided that Act, in so far as enforcement of fines was concerned, did not apply to the Children's Court. The Government therefore wiped that section from the Justices Act and made the Children's Court exempt from the conditions which applied to other jurisdictions. In consequence, since 1 January 1989 the Children's Court has not had the power to impose imprisonment or distress in default of fines imposed by the court. In other words, there is no adequate way of enforcing the payment of fines. Where orders have been made by the court after 1 January 1989 and warrants have been issued and executed, that has been unlawful, although it is not clear what numbers have actually been affected, and I will be asking the Minister about that issue.

The Bill seeks to restore the powers of the Children's Court to enforce pecuniary orders made by it. It allows the court to award costs against the young offender. It allows the detention of young offenders in emergency situations in accommodation such as police prison or police station, watch house or lock-up approved by the Minister. Importantly, it makes the operation of the Bill retrospective to 1 January 1989, since which time we have not had an appropriate law.

Further, under the Criminal Law (Sentencing) Act the Clerk of the Court can issue a warrant for the non-payment of fines, but under this legislation that power would be exercisable only by the Children's Court and not by the Clerk thereof. The maximum period of detention has been reduced from six months to three months. The Children's Court is not empowered to issue a warrant for seizure of land, which is a change from the previous Act. The provision enabling young offenders to be detained in an emergency situation largely arises from a recent industrial dispute in the Youth Training Centre, when new detainees could not be admitted. They were held in police cells, and under the present Act that is illegal. The retrospective operation of the legislation validates the detention. In looking at the provisions generally, they seem infinitely reasonable, but one must question why it has taken the Government so long to get its act into gear.

If we are illegally detaining people in police cells and are unable to enforce penalties, what the hell has happened to the Government over the past 3½ months? The Government must have been well aware that, as from 1 January, it had a problem on its hands, yet it rushed this legislation in last Thursday for consideration by this House. That is the height of ignorance. We have been subject to similar treatment by the Attorney-General on previous occasions, where he treats the House of Assembly debate as a non-event.

He seems to believe that no-one in the House of Assembly has any interest in the law. He believes that all the law should emanate from and be properly debated in another place. His attitude to this House continues to upset me. This legislation is just another indication of the disdain,

almost, with which he treats the Lower House—the House of Government. It is not competent for the Government to bring in a measure which deserves scrutiny on a Thursday and expect it to be debated on the following Tuesday.

We are still awaiting comments from the Law Society and other people interested in this area. If the Minister believes that in the interim, by the time the Bill reaches another place all that will be done and we will be in a strong position to treat the Bill on its merits, as I have said before, it is about time the Attorney lived up to his responsibilities. It is simply not good enough to bring this Bill before the House in the chaotic last week of Parliament and expect it to be treated appropriately.

The Attorney-General is incompetent if he has had a problem since 1 January 1989 which it has taken 3½ months to fix and not allowing this House to fully scrutinise the legislation and receive as much advice on it as possible makes the situation worse. I am not a legal practitioner. I can look at laws and say whether I believe they are right or wrong, but I do not have the ability to determine whether this legislation is fully competent in all the matters that it canvasses.

The Attorney deserves censure for the way that he treats this House. He deserves severe censure for his intransigence in not taking action to resolve an area which should have been resolved probably in February when Parliament resumed its sittings. I indicate that Opposition supports the legislation. However, there will be questioning in Committee.

The Hon. G.J. CRAFTER (Minister of Children's Services): I am glad the member for Mitcham has got that off his chest. Draft copies of the Bill were given to the Opposition some 10 days ago. Bills are not introduced in these hurried circumstances unless there is a necessity to deal with them. Clearly, there is a necessity to fix up this anomaly in this way. As to other Bills that have been brought in, some will be left to lie on the table for longer scrutiny. I do not know of all the background that went into the preparation of these amendments and the form that they currently take, but I suggest that the Bill has been developed as expeditiously as was possible once the anomaly was determined and brought to the Attorney's attention.

As the honourable member said, we have before us simply a measure to overcome retrospectively the anomaly that has arisen with respect to the operation of orders made by the Children's Court and some ancillary matters which will ensure the proper administration of justice in this important area. I thank the Opposition for its support of the measure.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

Mr S.J. BAKER: When did the Attorney first discover that there was a problem? Secondly, how many illegal warrants have been issued? Thirdly, how many people have been illegally detained?

The Hon. G.J. CRAFTER: I do not know the details of when and how this matter was brought to the Attorney's attention. The honourable member's colleague can seek that information in another place.

Mr S.J. Baker interjecting:

The Hon. G.J. CRAFTER: The matter has come before Parliament within a matter of weeks.

Mr S.J. Baker: You have been asked a question.

The Hon. G.J. CRAFTER: I do not happen to know on which days or in which circumstances certain people spoke to the Attorney. As I stated in the second reading debate, this matter has been brought before the House as expeditiously as possible. About 200 processes from the Juvenile Court are involved in this legislation and about 1 000 throughout South Australia. As to persons who have been illegally detained, we do not have that information, but it is being sought. The measure refers to only one situation that occurred during an industrial dispute, as stated in the second reading explanation. The information sought is being gathered.

Mr S.J. BAKER: When the Government introduces such a measure, it should be armed with all the material that the Committee deserves to be apprised of. If we must use retrospective legislation to fix a problem, we want to know how large that problem is. The Committee is entitled to that information. I believe the problem was discovered in January which means that the Attorney has spent over three months doing nothing about it. How many warrants have been executed illegally? I understand that 1 000 are pending issue, but I presume that once this Bill is passed other warrants will be issued. How many warrants have been executed illegally?

The Hon. G.J. CRAFTER: I understand that the Attorney received advice from the Crown Solicitor in late February with respect to the appropriate course of action to be taken in this matter. The direction regarding further action was given to the courts at that time. As to enforcing warrants, the figures that I gave earlier were the processes currently outstanding. As to the number which have been dealt with prior to that time and which will be remedied by the passage of this legislation, I do not have that information, but obviously it can be obtained and given to the Opposition in another place.

Mr S.J. BAKER: I am amazed that it took until February to advise the Attorney. So my criticism about the length of time of inaction on his part may not be as valid as I though. Will the people who have been subject to illegal warrants be absolved of their penalty? If warrants were executed illegally, will penalties be absolved in cases that occurred before the Crown Solicitor made this momentous discovery?

The Hon. C.J. CRAFTER: My interpretation is opposite to that of the honourable member. The legislation will right the acts carried out by the courts erroneously in the belief that they had the authority to enforce those warrants.

Clause passed.

Clauses 3 to 7 passed.

Clause 8—'Insertion of Part IVA.'

Mr S.J. BAKER: I have a query about why land owned by juveniles cannot now be used in relation to orders against them. Previously, if a juvenile owned land, it could be confiscated or some order could be made against it. However, under this legislation that is no longer the case.

The Hon. G.J. CRAFTER: I understand that it is now thought that it is not appropriate to include that in the children's jurisdiction. The penalty provision simply does not correlate to the sale of land. Section 62 of the Criminal Law (Sentencing) Act provides:

> The power to order the sale of land is not exercisable where the amount outstanding, or the aggregate of the amounts outstanding, is less than—
> *(a)* $10 000;
> or
> *(b)* if some other amount is prescribed—that amount.

So, it is not a practical avenue to pursue with respect to the range of penalties that are available to that jurisdiction.

Clause passed.

Remaining clauses (9 to 11), schedules and title passed.

Bill read a third time and passed.

STATUTES AMENDMENT (CRIMINAL SITTINGS) BILL

Adjourned debate on second reading.
(Continued from 5 April. Page 2666.)

Mr S.G. EVANS (Davenport): This Bill amends the Justices Act 1921 and the Local and District Criminal Courts Act 1926. It seeks to achieve three objectives. In the main, the Opposition agrees to the Bill but has one or two doubts about it. At present, Bills are being introduced with only four working days set aside for their consideration. This practice is growing, with many Bills being introduced in the last week of a session. This is unfair to the public and others who wish to make a contribution. It is unfair to everyone—including *Hansard*—except the Government.

The second reading explanation indicates that the Chief Justice established a committee to look into the abolition of the outmoded concept of monthly criminal sittings when, in fact, sittings are continuous. The report of that committee has not been made available to Parliament. The second reading explanation does not indicate when the committee was set up and it could have been three months or 10 years ago. The Government has now decided to act on the recommendations of the report.

In all fairness, that report should have been made available to all members, even if we were told simply that a copy was available in the Library. I hope that, in future, the Minister will ensure that a copy is made available to the Opposition so that it can be perused before legislation goes to the other place. I am sure that the Minister would like to be better informed about this matter than we are due to the fact that we did not receive a copy of the report.

The Bill seeks, first, to abolish the concept of criminal sittings, which really only puts into practice what occurs now. The Opposition has no complaint with that, but reiterates that it would like to read the report. Secondly, the Bill seeks to simplify administrative procedures where persons have been committed for trial or sentence. Why is a person who has pleaded guilty and who has been committed for sentence given seven days to withdraw the plea of guilty and substitute it with a plea of not guilty? Frankly, I cannot see why a person who wishes to change their plea to not guilty has seven days in which to do it when they might wish to do it the previous day. If my assumption is wrong, I am quite happy for it to be corrected. In relation to simplifying administrative procedures, it is estimated that magistrates' clerks take about 45 minutes to complete all the papers relating to a committal. Most of that work is now unnecessary. It is estimated that in one year something like 680 hours work will be saved, so one can see why these old practices need to be changed. The Opposition has no great difficulty with this provision.

However, the Opposition has some difficulty with the third aspect encompassed by the Bill, and we hope that the Minister is prepared to accept that it be deferred. The criminal list, which is printed every month in the *Gazette,* details those persons committed for trial, except for those whose names have been suppressed, and then instead of the name an 'A' or 'B' is printed alongside the offence. An ALP Government (I will not say which one) presently has a Bill before Parliament to amend the Evidence Act which will tighten the criteria under which suppression orders can be made, to make it easier for the media to identify those people.

However, in this case we are doing the reverse. We are saying that the name shall not be published in the *Government Gazette* each month. I ask the Minister: why the change of heart in this case? I cannot see why we should not retain the publication of criminal lists showing the names of those who are committed for trial. The Minister's response will be considered and, when the legislation reaches another place, we will decide whether or not an amendment is necessary.

I hope the Minister understands why we believe that section 320 of the Local and District Criminal Courts Act 1926 should remain. That section provides:

> The Senior Judge shall, from time to time, as occasion requires, either personally or by the giving of proper directions . . .
>
> *(b)* after receiving the criminal lists from time to time from the Attorney-General, cause to be published in the *Gazette* and in newspapers circulating generally throughout the State and in such other publications as he deems proper and at courthouses, police stations and at such other places as he deems proper and necessary, such notices as will, as far as reasonably practicable, keep all persons concerned duly informed of the lists and the sessions of District Criminal Courts throughout the State;

That practice should continue. That aside, the Opposition has no other objections to the Bill. I will listen with interest to the Minister's response, especially to that last point. Further, will he release the report of the committee that was set up by the Chief Justice? What was the sitting program of the committee and when did it report to the Minister?

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its indication of support of this measure. It obviously improves the administration of our criminal courts and, as the honourable member has said, arises from a report prepared by a committee of officers of the courts chaired by Mr Justice Millhouse. Membership of the committee included Judge Bishop (a former Crown Prosecutor who spent a long period of his legal career in the Crown Law Department), the Crown Prosecutor, the Sheriff, the Clerk of Arraigns and other officers. The report is the property of the courts. I know that a copy was provided to the Attorney-General and maybe it is appropriate that a copy be provided to the shadow Attorney-General for his consideration. I will refer that matter to my colleague in another place. There can be little dispute with the recommendations of the report as contained in the measure before us.

With respect to the seven day period, to which the member for Davenport referred, it is sensible to allow the Crown time to gather its witnesses and prepare its case and the like. So, there needs to be some procedural period and, in fact, there is already in place a seven day rule of that type. This is just another way of approaching the current practice, given the changes to forms and precedents that now apply with respect to criminal sittings. I suggest that publication of criminal lists in the *Gazette* serves no useful purpose to anyone, let alone the general public or the accused's legal representative who, it was originally envisaged, would access that information.

The Sheriff is vested with the responsibility of ensuring that persons are aware of their impending date of hearing; and, also, he must provide proper notice for counsel to advise their clients. The list will continue to be published in the daily press. It is believed that the *Government Gazette* is no longer the appropriate vehicle for that form of publication to meet that purpose. I agree that the recommendations brought forward by the committee and which are contained in this Bill are eminently practical and sensible and do not bring about any drastic change to the current forms but certainly bring this measure up to date with current practices.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—'Withdrawal of plea and substitution of plea of not guilty.'

Mr S.G. EVANS: With reference to the provision of seven days notice, I assume that a person is still able to change a plea from guilty to not guilty on the day of the hearing (and, of course that the case would then be adjourned until some future date).

The Hon. G.J. CRAFTER: The honourable member should be aware of the circumstances of this provision. First, it is the withdrawal of a plea of guilty and the substitution of a plea of not guilty. The purport of this is to give the Crown some time—albeit minimal—to call in its witnesses from wherever they may be and prepare its case for a not guilty hearing, allowing for some fairness and proper administration of justice and the scheduling of cases. So, for those eminently practical reasons, there must be some rules about how this is done.

We cannot simply have matters being adjourned at the last moment. The cost of that to taxpayers is very substantial, with the time of the courts being used inefficiently. However, some very practical matters in relation to the administration of justice are involved. For example, the ability for rostered police officers to attend as witnesses or to undertake their duties in relation to cases in other jurisdictions in which they are involved, and all such practical matters, must be dealt with.

It is for those reasons that there is this provision for a defendant who has already pleaded guilty; he is committed for trial, it is set down for hearing, and then there is an opportunity for a defendant, by notice in writing to the Attorney-General, not less than seven clear days before the day on which the accused is to appear for sentence, to withdraw the plea of guilty and to substitute a plea of not guilty. So, as I have said, a similar provision has applied, and this is now written in this modified form.

Mr S.G. EVANS: I thank the Minister for that; I am not attacking him, but I just find it unbelievable that this should apply. In the justice system people of all mental capacities are charged with crimes. Some get legal advice early while others get it later. A person might have pleaded guilty during a committal hearing before a magistrate and then subsequently, for whatever reason, whether new evidence or due to their being better informed of their position at law, want to change their plea to not guilty. It appears now that within a period of less than seven days before appearing in court for sentencing, having previously pleaded guilty, a person will not be able, for whatever reason (something might have happened to lead a person to believe that they are not guilty—the wording of the charge might be in dispute, or some point of law might have been found) to plead not guilty and be tried in that court on that plea. I am not asking that this be changed, but, if this is the situation, I believe that something is wrong with the law and that we must look at this later.

The Hon. G.J. CRAFTER: I am sorry; I did not explain the consequences in relation to a person, even at the day of sentencing, wanting to change his or her plea. That is certainly provided for. It just means that the whole process has to be set down again. It means that there is a delay in the administration of justice. Justice delayed is justice denied for that person. Of course, any defendant appearing before a judge who says that he or she wants to plead not guilty (the person might say that he or she has had amnesia for the past three months, that they have now recovered and that they want to plead not guilty) is entitled to have their case heard before the courts. It would mean that the sequence of actions in the court and the final declaration by the court in respect of sentencing would then be aborted.

Clause passed.

Clause 9 passed.

Clause 10—'Judges to be assigned to districts.'

Mr S.G. EVANS: The Minister argues that there is no longer any need to have the criminal lists printed in the *Gazette*, because they are published in one of the daily papers. There is most probably a fault in the system in relation to the publishing of lists. In this day and age there is a great tendency by the media to try people—even before they have been committed for trial, let alone tried—and to highlight certain aspects of the case. Quite often, after a person has been found guilty the media will run a sympathy story about a person's children, wife, grandmother, or whatever, because that provides another nice headline. Why do we not have a list in the daily papers of the names of everybody who has been found guilty and convicted of a crime? Has the Government thought of this? I reiterate that at this stage the Opposition is not satisfied with the elimination of the listings in the *Gazette*, as proposed by this amendment, and I indicate that the Opposition will take up this matter in the other place. What is the Minister's response to my point about listings in the daily paper?

The Hon. G.J. CRAFTER: The measure before us this afternoon does not address the issue of the publication of names of the guilty. That was a practice we saw in the daily press many years ago in respect of those charged with drunkenness and other offences. It was seen as something which was quite counterproductive and it was not, I guess, popular reading, other than for those with some form of bizarre interest in people who had offended against the law. I think that our society has passed through that sort of reporting to, if you like, a more sensational reporting of some selected cases, and people are not interested in rote listings of all those persons who have been found guilty of various offences before the courts. I think the present situation has some degree of support in the community.

Some people would argue that the honourable member's proposition would be counterproductive and indeed impose another form of penalty on a person who has erred before the law. The matter referred to by the honourable member has not been raised in the context of the report to which I referred earlier or in relation to the measures in this Bill. The report simply looked at the merits of publishing a list in the *Government Gazette*. It is considered that that is no longer appropriate. Apart from publication of lists in the daily press, individuals and their counsel are contacted by an officer of the court to ensure that they are given proper notice of their hearing dates.

Clause passed.

Title passed.

Bill read a third time and passed.

TRUSTEE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 April. Page 2663.)

Mr MEIER (Goyder): The Opposition supports the Bill. Members may recall that at the end of last year—in the current session—we passed the Trustee Companies Bill, which regulates the operation of all trustee companies in South Australia. Three new trustee companies were approved by that legislation, namely, ANZ Executors and Trustee Company Limited, National Mutual Trustees Limited and Perpetual Trustees Australia Limited.

The common funds of the new trustee companies, which will commence operations in this State when the new Trustee Companies Act is proclaimed, should also have authorised trustee status. Section 5 of the Trustee Companies Act is amended accordingly. It appears that this matter was overlooked when the Trustee Companies Bill was passed by this House and the other place in 1988.

The three companies to which I have referred have common funds as do the other trustee companies, but unless they are given the status of trustee investments there will be special difficulties for the three companies in respect of the estates which they administer. The Bill presently before us is designed to recognise the common funds of these three companies as trustee investments, provided that they meet the criteria of the Trustee Act in respect of investments in those funds. The Opposition supports the Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Authorised investments.'

Mr MEIER: My question relates partly to the legislation passed in 1988, entitled 'an Act to consolidate and amend the law relating to trustee companies and to repeal the Australia and New Zealand Executors and Trustee Company (South Australia) Limited Act 1985; Bagot Executors Company Act 1910; Elders Executors Company Act 1910; Executors Company Act 1985; and Farmers Co-operative Executors Act 1919'. How is it that the five other trustee companies listed in the schedule to that Bill already have trustee investment status, whereas the ANZ Executors and Trustee Company (South Australia) Limited was previously operating as I indicated. I cannot see why the ANZ company should be the odd one out, even though I fully understand how National Mutual, which was not mentioned previously, and Perpetual would need the authorisation.

The Hon. G.J. CRAFTER: The simple answer is that ANZ now operates under a different company structure. Whereas previously it was ANZ Executors and Trustee Company (South Australia) Limited, it is now ANZ Executors and Trustee Company Limited, which is not a South Australian company but a national corporate structure.

Mr MEIER: I thank the Minister for his explanation. New trustee companies may wish to set up in this way in future. Under the Bill, that could be done simply by regulation, but does it also mean that we will have to amend the Act each time so that they can be given trustee investment status?

The Hon. G.J. CRAFTER: It is considered appropriate that such matters come before Parliament in this way.

Mr MEIER: Does the Minister think it would be possible to short circuit bringing in amendment Bills each time a new trustee company is set up, and could the giving of investment status to a trustee company be done by regulation at some future time?

The Hon. G.J. CRAFTER: I understand that under other provisions the establishment of companies with this status can be effected only by Act of Parliament, so this is a process akin to that. Therefore, other procedures would have to be changed in respect of the establishment of such companies and one would need to reflect seriously whether to do that by regulation was the appropriate action to take.

Clause passed.

Title passed.

Bill read a third time and passed.

STRATA TITLES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 April. Page 2663.)

The Hon. B.C. EASTICK (Light): The Opposition supports the Bill, which amends legislation that was before the House as recently as 1988. Opposition members clearly understand the problem which has arisen and which would see, under some circumstances, management meetings being called with potentially no-one attending. It was in some measure an oversight when the Bill went through the House and it has been a matter in contention for some years over the number of the committees directly associated with strata titles under the old legislation, although it did not cause the type of difficulty now apparent. With the increase in value of many of these strata title units, more difficulties will probably be experienced in the future than at present if this matter is not attended to.

In his second reading explanation, the Minister said that, once this legislation was in place, it was intended to conduct a review to determine whether fine tuning of the legislation was needed but that, as a result of inquiries made by the Government into this matter, it was deemed necessary for Parliament to correct this deficiency before it rose.

Another matter that has been drawn to the attention of the Government in relation to this legislation concerns the interpretation of section 14 (8) of the Act, in respect of which a number of eastern region councils (that is, local government bodies) require additional inspections of properties by builders with the result that the cost per unit is increased by over $2 000. In this regard, I refer to a letter dated 3 April, from Lynch and Meyer, acting on behalf of the Housing Industry Association. That letter states:

> We enclose a copy of the letter of reply from the City of Burnside dated 2 March 1989. We have perused the Strata Titles Act. We believe the council's assertion that section 14 (8) of that Act imposes a duty of care upon the council to have merit. This view has led the City of Burnside, and apparently other councils in the 'Eastern Region of Councils' to require a number of reports relating to the structural soundness and condition of new buildings. This is additional to the information required for the purposes of building approval and the discharge by the council of its duty of care independent of section 14 (8) of the Strata Titles Act. We are instructed that the likely extra cost of compliance is $2 000 per strata unit.

I believe that the Government would be as disturbed as is the Opposition that these additional costs have been forced onto the provision of units which, although basically provided for the aged, in many cases are occupied by younger people. Likewise, I believe that we should, either this session in another place or early next session, correct this anomaly. The Opposition supports the Bill.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its support of the measure.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Body corporate may act as officer, etc.'

The Hon. G.J. CRAFTER: I will ensure that the matters raised by the member for Light are attended to and responded to in another place.

Clause passed.

Title passed.

Bill read a third time and passed.

[*Sitting suspended from 6.1 to 7.30 p.m.*]

POLICE PENSIONS ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 5 April. Page 2669.)

The Hon. JENNIFER CASHMORE (Coles): The Opposition has a number of questions in regard to this Bill. On the face of it, the Bill is a straightforward and unexceptional attempt to amend the Act to bring it into line with other superannuation Acts which have been amended in order to ensure that they comply with the main State scheme. The purpose of this Bill is to curb what the Government describes as 'double-dipping' in superannuation and WorkCover benefits. The Minister's second reading explanation states that without the amendment contained in the Bill a police officer who retired due to ill health and was also entitled to a WorkCover disability pension would be able to receive an aggregate pension of up to 150 per cent of salary plus a lump sum of 150 per cent of salary.

The Bill also seeks to provide for a reduction in pension where a former contributor earns income from what is described as 'remunerative activities', and the income so earned plus the pension exceeds the salary which applies from time to time to persons holding the same position as he or she held before retirement, although that is not specifically defined in the Bill. The Opposition (more particularly the Hon. Trevor Griffin, who has responsibility for this Bill) has referred the Bill to the Police Association, and we understand that that association has no objections to it. Nevertheless, we believe there are a number of issues which need to be canvassed further, and in Committee I will ask the Minister some of these questions.

'Remunerative activities' are referred to in the Bill but not defined. We have no means of knowing whether that description means activities resulting in income from personal exertion, which may be physical work, mental work, consulting work or royalties from a book, and it is not clear whether that description also includes interest dividends or profit from partnership activity, and so on. Secondly, if the income from remunerative activities and the pension exceeds salary, then the pension is to be reduced, or, in some instances, suspended.

One aspect of this provision is that it fixes the salary level to the position that the retired officer held before retirement, and it makes no allowances for possible improvement in his or her position had that person remained in the Police Force. One key matter of principle which concerns us is that it does not take into consideration the fact that the police officer has, in effect, made some contribution to the pension scheme and is being denied access to the benefit of that contribution. Thirdly, it is not clear whether the new section is meant to extend to any award for non-economic loss under the WorkCover legislation.

Although, as I said, on the face of it this Bill appears to be consistent with other efforts to ensure that the State superannuation scheme is applied to all those employed by the Government, the questions that I have already raised, in our opinion, warrant investigation, and if we do not receive satisfactory response in Committee we will seek deferral of consideration of the Bill. We are told that there is one police officer—and we understand one only—who is 'double-dipping'. If there is only one, presumably the problem is not so great that urgent action is required this very week and that the matter cannot wait until the new session.

In any event, we would want to know that this officer (and we do not even know whether it is a man or a woman) has his or her interest protected and is not completely cut off without any benefit to which he or she may be entitled as a result of the passage of this Bill. The questions I have raised will be raised specifically during Committee. If the answers are not satisfactory, in our opinion, we will seek postponement of the Bill in another place.

The Hon. FRANK BLEVINS (Minister of Health): I thank the member for Coles for her contribution. The principles in this small Bill have been long and well established and supported by the Liberal Party members of this and another place. It seems extraordinary that we must go through the whole exercise again. However, I note that the honourable lady read out a list of questions which were quite detailed and technical. I am not critical of her reading them out, but I would appreciate her giving me a copy of those questions so I can obtain some very swift advice.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Effect of other income on pensions.'

The Hon. JENNIFER CASHMORE: This clause refers to 'remunerative activities' but those activities are not defined. Does that include the matters which I raised in the second reading debate, for example, an additional salaried job, whether as an employee or in a freelance or self-employed position, such as a consultancy? It seems unjust that someone should be denied the benefit of his or her exertions, whether physical or mental, simply because of an amendment which effectively limits income to a fixed percentage of previous salary.

It really means that police officers could not undertake consulting work which, in the case of some I am sure, is an almost logical extension of the former job. It means that if a police officer were to write a book he or she may be deprived of the benefit of the royalties of that book if those royalties meant that the pension exceeded the previous salary.

The Hon. FRANK BLEVINS: The definition of 'remunerative activity' in the principal Act provides that remunerative activity in relation to an invalid pensioner means any employment, trade, business, calling or profession from which the invalid pensioner gains an income.

Clause passed.

Clause 4—'Effect of workers compensation on payment of lump sums.'

The Hon. JENNIFER CASHMORE: Can the Minister advise whether the position of a police officer who retires relatively early through disability but who may be expected to be promoted in the Police Force has an allowance made for possible improvement in his position if that officer remained in the force? Does the Bill take into account the fact that police officers have made a contribution to the scheme and should be entitled to the benefits of that contribution?

The Hon. FRANK BLEVINS: I am advised that the benefit they receive for their contributions is the amount they are entitled to at 60 years of age when the WorkCover benefit cuts out. That is what they are being paid. It is exactly the same as in the State superannuation scheme.

The Hon. JENNIFER CASHMORE: If that is the case, is the new amendment designed to extend to any award for non-economic loss under the WorkCover legislation?

The Hon. FRANK BLEVINS: I am advised that the answer to that is 'No'.

The Hon. JENNIFER CASHMORE: Is that negative answer consistent with the conditions applying under the State superannuation scheme?

The Hon. FRANK BLEVINS: I am advised that the answer is 'Yes'.

Clause passed.
Title passed.
Bill read a third time and passed.

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 6 April. Page 2771.)

The Hon. JENNIFER CASHMORE (Coles): The Bill's purpose is to change the Parliamentary Superannuation Fund from a funded to an unfunded scheme. The reason for that is to ensure that no State money is paid in taxes to the Commonwealth under its proposed legislation for taxation of superannuation funds. It is worth noting that the Premier and the Government, on the one hand, support the Federal taxation of superannuation funds yet, on the other hand, they are introducing and enacting legislation which will avoid any State liabilities under that policy. There seems to be more than an element of hypocrisy in that attitude. However, the Opposition supports the arrangements which are being proposed and which will result in the Government's meeting its liabilities for the payment of pensions and other benefits from the Consolidated Account.

There will be no alteration whatsoever in the payment of contribution by members but the benefits payable under the Act will be paid from the Consolidated Account. The new arrangements mean that the existing trust will need to be dissolved and a new board will be established in its place. The board will consist of the President of the Legislative Council, the Speaker of the House of Assembly and a person appointed by the Governor on the nomination of the Treasurer. That matter has been extensively canvassed and agreement has been reached that this is a reasonable and practical course to take. The Opposition supports the Bill.

The Hon. FRANK BLEVINS (Minister of Health): I thank the honourable lady for her support.

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

ADJOURNMENT

The Hon. FRANK BLEVINS (Minister of Health): I move:

That the House do now adjourn.

Mr HAMILTON (Albert Park): There are a number of issues that I would like to raise in the debate concerning my district. One issue relates to an article that appeared in the recent *Neighbourhood News* (the publication of the Neighbourhood Watch), volume 2, March 1989 edition, where reference is made to the issue of property cards. The House will remember that last year I expressed the desire that other members take up the issue of assisting constituents by offering property recovery cards.

This matter gained considerable publicity, and I am pleased that many of my colleagues on both the back bench and the front bench support the scheme. Property recovery cards have also received considerable support in the community. The members for Briggs, Norwood, Fisher and Adelaide and many of my other colleagues have put out property recovery cards and indicated their willingness to assist the police and the Neighbourhood Watch people in issuing them.

Speaking on talkback programs in the metropolitan area, I have thrown out the challenge to members of Parliament to approach this matter in a bipartisan way but, to the best of my knowledge, not one member of the Opposition has picked up this issue. I believe it is important because it enables constituents to record their drivers licence number with the prefix 'S' on their video recorders, tape recorders, cassettes, radios, stereos, televisions, watches, sporting goods, bicycles, motor scooters, washing machines, dryers (indeed, any household products), and they retain a copy. We hear much from the Opposition about law and order issues in this State but, when it comes to matters such as this, where the 'challenge' has been issued for members opposite, to assist the Government, I see little response albeit a lot of carping criticism—big on mouth and little on action—and that disappoints me.

I wish that the member for Morphett was in the Chamber to hear this, because he is one of the worst critics of this Government, and information given to me indicates that he has not picked up this matter which, as I have indicated, has received very strong support from Neighbourhood Watch. The *Neighbourhood News* of March 1989 states:

> The member for Albert Park (Mr Kevin Hamilton) has shown considerable initiative in providing his constituents with comprehensive property lists to support the 'identify your property' campaign. This is a very positive and constructive way of supporting our program. Hopefully, it will encourage residents not only to record their drivers licence number (prefaced by the letter S) on their valuables but also to develop a detailed list of the articles involved.
>
> Even the most organised people mislay purchase documents which are sometimes the only other source of valuable property details once the items have been lost or stolen.
>
> In giving us permission to recognise his enterprise, Mr Hamilton said, 'With regards to the 'cards', I would love to take all the credit but I actually picked up the idea about 18 months ago from the Insurance Council of Australia campaign and adapted it to suit the needs in my electorate. Therefore, I have no hesitation in allowing you to reproduce same for the Neighbourhood Watch newsletter. I am only too happy to be of some little help to a program so worthwhile as Neighbourhood Watch'.

Mr S.J. Baker: Did you write this?

Mr HAMILTON: No. The note from the editor states:

> Several other members of Parliament are now providing this service.

And I have already indicated some of those who have done so. I heard a cynical interjection by a member of the Opposition that I wrote this article myself. The inspector in charge of Neighbourhood Watch is one of my constituents, and we keep in touch on these issues. It is easy for the Opposition to make light of this matter, but it is very quick to condemn the Government which, in the time it has been in office, has spent more on law and order issues than did the Opposition in government.

I believe that the western suburbs should have a consumer affairs office, and the member for Price would support this statement. Indeed, as I understand that considerable numbers of people in the western suburbs have made representations along these lines to the department, I appeal to the Minister in charge of this portfolio in another place to look closely at this matter. I believe there is a need for such an office at Woodville, West Lakes, or even at Port Adelaide. It is important that people living in the western suburbs be able to go to a local office of the Consumer Affairs Department rather than having to go to Adelaide. Many other Government agencies, such as the Motor Registration Division, have local offices in the western suburbs, and I believe it is essential for the Consumer Affairs Department also to have a local office there.

Many elderly people journey into the city when they wish to lodge complaints with the department, and I believe it would be advantageous if they could go to Port Adelaide, Woodville or West Lakes. Many shift workers would also welcome a branch office of that department in the western suburbs, as would, I believe, many single parents. This office would not only fix people's problems but would also provide an opportunity for the department to disseminate information in the western suburbs. People walking past could go in and inquire about entitlements in relation to consumer affairs, and this would help widen the local community's knowledge of this matter.

I appeal to the Minister to give favourable consideration to setting up such an office. This matter needs proper research and consideration and, from the number of people who come to my electorate office with inquiries about matters handled by the department, I believe it is essential that such an office be quickly opened in the western suburbs.

Mr MEIER (Goyder): Tonight I will address the matter of the Star of the Sea nursing home at Wallaroo. As members will appreciate, nursing homes are covered by Federal legislation, but I believe that the matter concerning this nursing home has reached the stage where the State has to be concerned about this issue. This 10-bed nursing home is under threat from the Federal Government, which some time ago issued guidelines stating that nursing homes should contain more than ten persons.

This nursing home, which is part and parcel of a hostel which has 21 beds, has been operating in Wallaroo for some years and, when it was originally proposed, I believe the suggestion was to make it a 25-bed nursing home. At the time the people involved thought that it would be better to keep the number of patients lower and see how it developed. The situation concerning this nursing home is grave because of the large amount of misinformation about it. Several weeks ago, officers from the Department of Community Services and Health asked Monsignor Pope, I believe, what he thought about the Wallaroo nursing home combining with the Berri nursing home.

To those of us who know South Australia, it is totally laughable. Members on this side are showing their mirth because they appreciate that it is a joke, but imagine how the people of Wallaroo felt with respect to that offer to amalgamate with Berri, which is hundreds of kilometres away. People would be expected to travel up there quickly to visit nanna, mother or whomever. It is totally incomprehensible yet, apparently, it was put forward in all seriousness. Understandably, the monsignor, on behalf of the nursing home staff and residents, declined that offer. Perhaps that saw the beginning of the fight.

My Federal colleague, Neil Andrew, has worked tirelessly on this issue. He has had meetings with the various departmental officers to identify available alternatives. In fact, several alternatives have been proposed and clearly identified in the local press. Also there have been regular meetings with members of staff. The most recent meeting was held at Wallaroo on Sunday 2 April when about 400 people attended and listened to a variety of speakers, including two from the Department of Community Services and Health, and one from Voluntary Care for the Ageing, the Mayor of Wallaroo (who convened the meeting), Neil Andrew and me.

The feeling at the meeting was one that might not be felt for many years to come. The people are disgusted with the attitude of the Federal Government in the first instance for having no sympathy for the people in the nursing home. The Federal Government does not appreciate that many people like to book into a hostel (and, as I have said, Wallaroo has a hostel) on the proviso that, if their health deteriorates, they can automatically transfer to a nearby nursing home. In this case, it is under the same roof—and that is important.

The Department of Community Services and Health suggested that some beds would be made available at the Wallaroo hospital and that residents of the Star of the Sea Hostel can go to the hospital for full-time care if their health deteriorates. That is a real slap in the face. One goes to hospital if one is sick. A hospital takes care of a person until he or she is well enough to return home. However, in this case, if people do not improve sufficiently, they could be transferred out of the area.

I do not say that in jest, because it occurred at Maitland (another town in my electorate) in respect of the equivalent of a hostel in the Maitland village, which is an excellent home that looks after senior citizens. A husband and wife became ill and were both put into the Maitland hospital for intensive care. Each remained ill for a period longer than the regulations allowed them to stay in the hospital, so a certain health officer in Adelaide indicated that, because they could not go back to the village, one would have to be transferred.

It was suggested that because there was a spare bed at the Yorketown hospital, about 70 to 80 kilometres away, one should be transferred to the Yorketown hospital. In other words, the health care authorities in this State were quite happy to separate a husband and wife for an indefinite period. Not surprisingly, members of the family approached me immediately in horror and disgust that this Government could treat people in that way. So, Wallaroo is completely unimpressed with the option of having a hospital unavailable for people who normally would be in the nursing home. It shows quite cleary how the Government does not care about rural centres. A variety of statistics was put forward by the officer of the Department of Community Services and Health at the 2 April meeting and he was laughed down. I am not here to criticise the departmental officer. Unfortunately, he has to try to put into operation the Hawke Labor Government's policies, aided and abetted by this State Government, but he was unable to defend the position of the Government and its policies, and the people saw through it.

As a result of that meeting, an action committee has been formed of Wallaroo residents, and its aim is to see that the Star of the Sea Nursing Home continues. If one looks to history—and some members of that committee also served in earlier years on the Wallaroo hospital committee that sought to retain that hospital—the success rating in this area is high. At least the committee has some history on its side. I personally wish it the very best.

As I indicated at the meeting to which I have referred, I am happy to assist the committee in whatever way it would seek assistance, as is the State Opposition, because we appreciate what the Labor Governments, both Federal and State, are doing to so many of our services. That has been clearly illustrated on Yorke Peninsula with the reduction in the level of services provided by the Department for Community Welfare and the Department of Agriculture, and in the provision of music in schools, let alone other services to our schools. So the record shows that during the life of this Government things have gone from bad to worse in so many areas. It is disgraceful when one remembers that the Government came to office on a promise to increase services—

The Hon. Frank Blevins: What about the Wallaroo hospital?

Mr MEIER: As the Minister interjects, certainly the hospital is a great addition to that area, and we acknowledge that. However, it is a tragedy when that is put there and the Government seeks to take away beds right next door. So, with respect to the hospital, there was a matter that deceived many people.

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

Ms GAYLER (Newland): I want to bring before Parliament this evening a health issue affecting the northern and north-eastern suburbs of the metropolitan area, namely, the need for hospice services. At present, the availability of hospice services in the Tea Tree Gully area and the northern suburbs is extremely limited. At Modbury Hospital there are two hospice beds located in general wards. These hospice beds are devoted to terminally ill patients, but the beds are not set aside in a specifically designated hospice ward with nursing and medical staffs specially trained to care for the terminally ill.

Tea Tree Gully, Salisbury and other suburbs to the north of Adelaide are growth areas where there is a need for facilities for elderly people suffering from fatal diseases, and others stricken with cancer. At present the services available are indeed inadequate. The provision of beds in ordinary wards, rather than in separate hospice units, and serviced by general hospital staff unaccustomed to dealing with patients in the final stages of their lives, is not the appropriate service that we look for in the 1980s and into the 1990s.

I am happy to say that the need for these new services has recently been drawn to the attention of the State Government and the Minister of Health (Hon. Frank Blevins) and, thankfully, the newly appointed Dr Ian Maddocks (Professor of Palliative Care at Flinders University) has recently visited both Lyell McEwin and Modbury Hospitals and examined the present arrangements for terminally ill patients, the provision of palliative care services at Lyell McEwin, and the two beds to which I have referred at Modbury Hospital.

Professor Maddocks, having talked with the staff at each hospital, including the administrators, has come up with what I believe to be a workable, practical and readily implementable proposition. He proposes that two small hospice units be established, one at Lyell McEwin and the other at Modbury, and that the service would need a medical coordinator and additional medical sessions beyond the three at present provided at each hospital. His proposal would also need the coordination of a team of trained and skilled staff familiar with care of the dying and their families. This would provide an opportunity also to coordinate and link in with such hospice units the provision of domiciliary care services, Royal District Nursing services, and other home support for those people until they come into the hospice unit and when they return to their homes at various stages of their illness.

In the case of Modbury, Professor Maddocks has suggested that a six bed hospice unit be designated within the existing hospital building, at least initially. There are plenty of spaces at Modbury Hospital, where a special hospice unit could be established until a nearby house might be set up in more of a community setting as a hospice unit. The Professor therefore recommends that in the interim a unit be established and specially fitted out in a ward area of Modbury Hospital. Although such a unit needs to be cosy and homely so as to give the patients and their families the privacy required for the terminally ill, its fitting out would not be hugely expensive.

The more expensive part of the proposal would be the provision of appropriately trained and experienced staff to operate the hospice unit, as well as probably the services of a coordinating person for the related home care services. I believe that Professor Maddocks' idea is sensible. He states:

> Hospice needs an intimacy and an accessibility. Families of clients often include elderly persons with limited ability to travel. Home visiting is a key part of the service and personal knowledge of clients as they move through the various facets of the service is essential.

In that statement, Professor Maddocks there encapsulates very well the style of operation needed for a hospice facility. My information from Modbury is that, since Professor Maddocks submitted his report, the hospital staff have discussed with him his recommendations and the staff of both Lyell McEwin and Modbury have met together to discuss how these recommendations can be pursued at the earliest opportunity.

A couple of weeks ago, in late March, together with the Minister of Health I had a chance to inspect the facilities at Modbury hospital. We saw the existing hospice beds at Modbury Hospital and the space that we think would be suitable for the establishment on a proper footing of a hospice unit. One of the points raised with me by the Modbury Hospital administration concerned the staffing of the unit. I understand that it would need three shifts of two specially trained nurses to provide an around the clock service and that it would also need to have medical staff on call and able to do home visits, in order to provide a reliable service and one that people can be confident is there at those difficult times when they really need it.

I am very pleased that in his reply to me concerning this very important matter on 20 March 1989 the Minister of Health expressed his support for improving hospice services in the north-eastern suburbs, via Modbury Hospital, and also in the northern suburbs, via Lyell McEwin Health Service. I hope that in the near future we will find a means of funding these services. As I have mentioned, I am advised that the actual setting up, the physical establishment, of a hospice unit is not such an expensive proposition but that the appropriate nursing staff, medical sessions and support staff for a unit can amount to a recurrent cost of some $300 000 to $400 000 for each year of operation.

I hope that in forthcoming discussions between the Federal Minister for Health (Dr Neal Blewett) and the State Minister attention can be given to finding the necessary funds to have these very important services established. Many of my elderly constituents have told me that they worry about whether these services will be available when they or other elderly members of their families become seriously ill.

Motion carried.

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

At 8.18 p.m. the House adjourned until Wednesday 12 March at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 11 April 1989

QUESTIONS ON NOTICE

HOUSING COOPERATIVES

134. **Mr M.J. EVANS (Elizabeth)**, on notice, asked the Minister of Housing and Construction:

1. In respect to each housing cooperative that receives funding either directly or indirectly through the Government or the South Australian Housing Trust or has a guarantee in respect of any borrowings, what is—
   (a) the name of the cooperative;
   (b) the common 'bond' or link between its members;
   (c) the number of dwellings involved;
   (d) the extent of total borrowings of the number of the cooperative;
   (e) the amount of any guarantee;
   (f) the amount of any loan or grant from the Government or a statutory authority; and
   (g) the value of the total assets of the cooperative?

2. Does each such cooperative have a provision in any relevant constitution or agreement with the Government or a statutory authority to provide for regular audits of its financial affairs by the Auditor-General or by a private registered company auditor and, if so, are such reports provided to the trust or the Minister?

3. Does any such cooperative have on its managing body any person nominated to that office by or at the request of the trust or the Minister and, if so, what are the relevant details including the name of the person and of the cooperative?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. *(a)* Refer addendum A.
(b) Refer addendum A.
(c) Refer addendum A.
(d) The total borrowings of cooperatives as at 30 June 1988, was $50.247 million.
(e) There is an assurance by the South Australian Housing Trust that all loans will be repaid.
(f) Up to 30 June 1988, the total subsidy was $15.526 million.
(g) As each property is not re-valued annually it is difficult to accurately state the value of the total assets held by cooperatives. A useful guide is the total borrowings which to 30 June 1988, was $50.247 million. The value of these dwellings would have appreciated since acquisition but the actual extent is not readily available.

2. Each Housing Association is required under a Financial Agreement with the trust to provide to the trust by 30 September each year a copy of the audited annual financial statements. These statements comprise a balance sheet showing assets and liabilities, a profit and loss account and accompanying notices. These statements are subject to scrutiny by the Auditor-General.

As all cooperatives are incorporated under the Associations Incorporation Act, 1985 there is also a requirement that financial reports be maintained for examination by the Corporate Affairs Commission as and when required.

3. Each Incorporated Housing Association has on its Board of Management the General Manager of the Trust or his nominated representative as a requirement of each Association's Constitution. These representatives are Trust Officers carrying out additional duties on a voluntary basis, generally after hours and sometimes at weekends.

ADDENDUM A

Housing Association	Target Group	Number of Dwellings at 30.6.88
The Adelaide Aboriginal Students Housing Association	Aboriginal students	10
S.A. Aboriginal Housing Association	Aboriginals	28
Access Housing Association	Intellectually disabled	4
Advance Housing Association	Intellectually disabled	12
J.H. Angas Housing Association	Deaf	30
Bedford Industries Co-operative Housing Association	Intellectually disabled	7
Bert Adcock Housing Association	Low income families	9
C.A.S.A. Australiana Housing Association	Spanish	26
C.H.O.W. Housing Association	Older women	—
The Copper Triangle Housing Association	Low income	14
The Ecumenical Housing Association	Indo Chinese Refugees and low income families	34
Elizabeth and District Aged Housing Association	Aged	5
Frederic Ozanam Housing Association	Aged and invalid and single parents	40
Gawler Housing Association	Low income	15
Hills Housing Association	Low income	1
Hindmarsh Housing Association	Low income	39
Inner Southern Housing Association	Low income	8
ISIS Housing Association	Low income	5
Kensington and Norwood Housing Association	Low income	27
Latamer Housing Association	Spanish	7
Manchester Unity Housing Association	Physically handicapped	34
Marion Community Housing Association	Low income	—
Mile End Housing Association	Low income	15
Northern Suburbs Housing Association	Aged housing	120
Parqua Housing Association	Physically handicapped	11
P.E.A.C.H. Prospect and Enfield Co-op Housing	Low income	30
Port Housing Association	Low income	20
Portway Housing Association	Low income	23
Red Shield Housing Association	Low income	25
Riverland Housing Association	Low income	15
Someone Cares Housing Association	Ex-offenders	30
Southern Housing Support Association Inc.	Single parents and low income	27

Housing Association	Target Group	Number of Dwellings at 30.6.88
Southern Vales Community Housing	Low income	30
S.P.A.R.K. Housing	Single mothers	15
S.P.L.I.T. Housing Association	Single mothers and low income	5
S.W.I.C.H. Housing Association	Single women	—
Tyntyndyer Housing Association	Intellectually disabled	—
Urrbrae Housing Association	Low income	18
Westside Housing Association	Low income	13
Women's Shelter Housing	Single parent	122
	TOTAL	874

TEACHER RATING REVIEW PANEL

180. **Mr BECKER (Hanson),** on notice asked the Minister of Education:

1. Has the Teacher Ratings Review Panel reported its findings and made recommendations to the Minister and, if so, what changes to the ratings system were recommended and which of these will occur, and when, and, if no changes will be made, why not?

2. Have any contract teachers been disadvantaged pending this review and, if so, to what extent and what action is the Minister prepared to take to assist them to obtain proper recognition?

The Hon. G.J. CRAFTER: The replies are as follows:

1. There is no Teacher Ratings Review Panel. Each year, following the annual teacher recruitment exercise, policies and processes are reviewed by Education Department Officers with the aim of recommending any necessary improvement or other changes for the following year.

Any proposed changes are discussed with the South Australian Institute of Teachers prior to their implementation. These discussions took place on 13 March 1989.

There has not been any change in principle to the ratings system. Applications are rated by a panel of departmental officers including classroom teachers, who together have a wide range of experiences in the subject fields nominated by the applicant.

Applications are rated on merit against the Criteria for Teacher Selection as stated in the brochure 'Teaching in South Australia'. After assessment, the application is given a rating on a scale of 0 to 3. The following changes which affect the rating scale given to applicants have now been approved by the Director of Personnel.

Applications submitted from applicants who are not able to be registered as teachers with the Teachers Registration Board will not be rated. Applicants who are able to be registered, but do not meet basic requirements as assessed against the Criteria for Teacher Selection, will be rated as '0'.

In the past, applicants were given a rating of '0' if they were unable to be registered as teachers. Those who could be registered but did not meet the basic Criteria for Teacher Selection could have been allocated a rating of '1'. The change to the rating scale will allow the merit principle to be applied in a more effective way at the basic level. This change will be implemented for the 1989-90 recruitment exercise and be published in the new teaching booklet. There have been no other changes to the teacher recruitment rating system.

2. The Director-General of Education has advised that he is not aware of any contract teachers who have been disadvantaged pending this review. All inquiries and concerns have been forwarded to and answered by the central teacher recruitment unit of the Education Department.

MOUNT LOFTY REPORT

251. **The Hon. D.C. WOTTON (Heysen),** on notice, asked the Minister for Environment and Planning: Does the Minister support the recommendations contained in the Mount Lofty Ranges Review Consultative Management Report in its present form and, if not, why not?

The Hon D.J. HOPGOOD: As the Mount Lofty Ranges Review Consultative Management Report is currently in draft form and has been released for public comment, the Government has not considered its position on the plan.

This will be determined following assessment of public comment received.

252. **The Hon. D.C. WOTTON (Heysen),** on notice, asked the Minister of Water Resources: Does the Minister support the recommendations contained in the Mount Lofty Ranges Review Consultative Management Report in its present form and, if not, why not?

The Hon. S.M. LENEHAN: As the Mount Lofty Ranges Review Consultative Management Report is currently in draft form and has been released for public comment, the Government has not considered its position on the plan. This will be determined following assessment of public comment received.

253. **The Hon. D.C. WOTTON (Heysen),** on notice, asked the Minister of Agriculture: Does the Minister support the recommendations contained in the Mount Lofty Ranges Review Consultative Management Report in its present form and, if not, why not?

The Hon. K.M. MAYES: As the Mount Lofty Ranges Review Consultative Management Report is currently in draft form and has been released for public comment, the Government has not considered its position on the plan. This will be determined following assessment of public comment received.

254. **The Hon. D.C. WOTTON (Heysen),** on notice, asked the Minister of Transport, representing the Minister of Local Government: Does the Minister support the recommendations contained in the Mount Lofty Ranges Review Consultative Management Report in its present form, and, if not, why not?

The Hon. G.F. KENEALLY: As the Mount Lofty Ranges Review Consultative Management Report is currently in draft form and has been released for public comment, the Government has not considered its position on the plan. This will be determined following assessment of public comment received.

255. **The Hon. D.C. WOTTON (Heysen),** on notice, asked the Minister of Transport, representing the Minister of Tourism: Does the Minister support the recommendations contained in the Mount Lofty Ranges Review Consultative Management Report in its present form and, if not, why not?

The Hon. G.F. KENEALLY: As the Mount Lofty Ranges Review Consultative Management Report is currently in draft form and has been released for public comment, the Government has not considered its position on the plan. This will be determined following assessment of public comment received.

256. **The Hon. D.C. WOTTON (Heysen),** on notice, asked the Minister of Recreation and Sport: Does the Minister

support the recommendations contained in the Mount Lofty Ranges Review Consultative Management Report in its present form and, if not, why not?

The Hon. M.K. MAYES: As the Mount Lofty Ranges Review Consultative Management Report is currently in draft form and has been released for public comment, the Government has not considered its position on the plan. This will be determined following assessment of public comment received.

INTELLECTUALLY DISABLED

258. **Mr BECKER (Hanson)**, on notice, asked the Minister of Employment and Further Education:

1. To whom and why did the Minister suggest that Minda Incorporated apply for funding and run desired courses previously provided for the intellectually disabled by Kingston College when such requirement would be in conflict with the normalisation principle and contrary to the intent of the Disability Services Program?

2. Why is it necessary for a TAFE College to apply for funding from the Office of Tertiary Education for courses designed to meet the needs of intellectually disabled when such office is the responsibility of the Minister?

The Hon. LYNN ARNOLD: The replies are as follows:

1. The suggestion that Minda Incorporated could apply for funding from the Department of Community Services and Health to provide independent living skills training was made to Mrs Aileen Dawson in response to correspondence from Mrs Dawson and on the advice of the Department of TAFE. The advice was given for the following reasons:

Minda Incorporated is an eligible body for funding for independent living skills training under the Commonwealth Government Disability Services program.

The disability services program provides subsidies of up to $6 000 per student per year to incorporated bodies providing such training.

TAFE endeavours to discharge its responsibilities to provide equality of educational opportunity to persons with disabilities by attempting to play a more significant role in the vocational education of persons with disabilities, consistent with its major role in the State education system. New courses are being developed in TAFE to this end as a matter of priority. The proposed new course in community bridging being developed as an initiative within the TAFE Social Justice Strategy, will offer independent living skills designed with a greater emphasis on helping people with disabilities to move more confidently into community life and utilise community resources.

These developments are not in conflict with the principles of normalisation. The re-evaluation of TAFE educational offerings to people with disabilities is being done in the context of the new TAFE policy on equal opportunity for persons with disabilities which particularly supports the principles of normalisation.

2. The Office of Tertiary Education administers funds provided by both State and Commonwealth Governments to encourage adult education provision throughout the community. Some of the activities formally offered by TAFE on the basis of requests from community groups, including those agencies supporting the intellectually disabled are eligible for funding through the program administered by OTE. A TAFE college may receive these funds for a course requested by a community group where it is clear that TAFE is the most appropriate provider.

259. **Mr BECKER (Hanson)**, on notice, asked the Minister of Employment and Further Education:

1. How many courses for the intellectually disabled were available in 1988 at Panorama, Croydon, Marleston and Gilles Plains Colleges, respectively?

2. Are these courses operating in 1989 and, if so, who funds them and how many are there and, if any are not operating, why not?

The Hon. LYNN ARNOLD: The information requested about courses for the intellectually disabled in 1988 and 1989 is set out below. It should be noted that the courses vary widely from a part-time course of a few hours over 4 or 5 weeks to courses that are full-time for 12 weeks. Provision for disabled persons at the colleges of TAFE listed below is largely directed towards those with intellectual disability although many students are also physically disabled. The TAFE Equal Opportunity Policy for Persons with Disabilities has adopted the principal of non categorisation. That is the department will offer courses which are preparatory in nature, as bridges to community living or as bridges to further study in TAFE's vocational courses or to employment, but offers the courses generally on the basis of interest of intended outcome, rather than the nature of the disability. It offers it special courses to people with disabilities in the context of its commitment to providing equal opportunities and to increase the access of disabled people to the full range of TAFE's education provision.

Panorama College: Some 90 short offerings were available in 1988 in areas including literacy and numeracy, basic English, typing, food preparation, pottery, woodwork and community living. The semester one 1989 program is somewhat reduced from the semester one 1988 program. The planned semester two program will be of approximately the same size as the semester two, 1988 program. Total student enrolments in 1988 were semester one, 515, semester two, 455. Semester one enrolments for 1989 are expected to reach 442.

The existing program has some quite large class sizes where the subject and student abilities allow. Volunteers are used to assist with these programs. The average class size is eight, the largest 16. The main reductions have been in the craft classes with an occupational therapy emphasis. This enabled vocational preparation type classes to have greater emphasis in the programs. Some of the craft classes are still operating with the use of volunteers. The courses are funded by the State budget.

Croydon: In 1988 31 courses were offered by Croydon College varying in length and nature from a part-time course over 10 weeks of 2-3 hours per week to the Introduction to Vocational Education Course offered over 12 weeks full-time.

Student Places—155. In 1989 courses will be offered with courses involving a varying time commitment. The college expects to increase actual student hours. Expected Student Places—214. The majority of funds is drawn direct from the college budget—with some funds allocated under State equity and funds gained by the college through DEET or through contracted educational offerings to the Spastic Centre.

Marleston: In 1988 Marleston offered three furnishing courses involving 21 students. The courses were funded by college funds. One course was contracted to Ashford Centre which reimbursed the college. In 1989 two courses have been planned between January and June and one more is anticipated in the period July to December 1989. Expected numbers are 21.

Gilles Plains: In 1988 the college offered courses in braille, living skills and literacy, numeracy to 277 students. Only a proportion of these are intellectually disabled. Living skills have been offered to Hillcrest Hospital patients. All courses

were funded from the State budget. The extent of the provision for 1989 is not yet determined.

260. **Mr BECKER (Hanson)**, on notice, asked the Minister of Employment and Further Education:

1. How many courses for the intellectually disabled at Kingston College in social interaction skill, literacy, numeracy and home management (cooking), respectively, have ceased, when did each cease, for what reason, and, how many students have been denied these courses?

2. What courses are available this year to intellectually disabled persons at Kingston College?

3. What is the estimated cost of providing courses, such as provided in 1988 for the intellectually disabled at Kingston College and which State or Federal Government departments fund these courses?

4. Is the new equity policy discriminating against the intellectually disabled and, if so, why, and, if not, why were so many courses closed at Kingston College?

The Hon. LYNN ARNOLD: The replies are as follow:

1. Three classes in social interaction skills, two classes in literacy/numeracy, and two classes in home management for the intellectually disabled ceased in June 1988. The decision to terminate these classes was taken in the context of the new Commonwealth initiatives, the resources and priorities of TAFE and a revised approach in TAFE to assisting people with disabilities.

The classes in question had been conducted on behalf of Minda. Minda receives funds for educational purposes but had not applied these resources to the areas covered by the TAFE classes. The Kingston College of TAFE offered to continue the classes if Minda contributed towards their cost, but this was not acceptable to Minda. Although 40 individuals were affected by the termination of the classes, approximately 30 of these students are catered for in other current TAFE programs.

2. Kingston College of TAFE subsequently developed programs for the intellectually disabled living in the community. Individuals able to benefit from classes were given learning opportunities in classes provided from the start of 1989. A social interaction skills class and literacy/numeracy class are still available at Kingston College for the intellectually disabled.

The college has cooperated with community groups in developing submissions to the Office of Tertiary Education for adult education funds which may allow for some community based delivery of the education activities no longer offered by TAFE.

3. Program cost for 1989 for PTI expenditure is $10 806. In addition, the college has allocated .2 of a senior lecturer and .2 of a lecturer to this area for teaching and coordination.

4. The Department of TAFE's equal opportunity policy on education provision for people with disabilities provides a framework for the more effective, consistent and appropriate provision of educational courses and services to the wide range of people with disabilities, including the intellectually disabled.

As new courses are developed to maximise the vocational outcomes from participation in TAFE many of the older courses will cease to be offered. The redirection of resources in this way does not represent a withdrawal of services, but a necessary part of maintaining relevance and excellence.

TAFE still pursues the objective of increasing the participation in education and training of all people with disabilities, including those with intellectual disabilities and will be monitoring the implementation of its policy with this in mind.

MINISTERIAL CORRESPONDENCE

261. **Mr BECKER (Hanson)**, on notice, asked the Minister of Employment and Further Education: What action is the Minister taking to speed up replies to correspondence from members of the public and what is the acceptable time a correspondent should wait for a reply?

The Hon. LYNN ARNOLD: Apart from correspondence which requires immediate attention for a variety of reasons, 53 per cent of correspondence is answered in five weeks or less and 78 per cent in less than eight weeks. Only 2.6 per cent of correspondence takes longer than 12 weeks to answer. Having regard for the need for the departments to advise the Minister on representations received and for the Minister to consider each response, the response times are considered acceptable.

In view of the Questions on Notice numbered 258, 259 and 260, it is presumed that these questions may relate to representations made by Mrs A. Dawson. Mrs Dawson first wrote in June 1988 and the response was made by the Minister in January 1989. Written advice to the Minister from the Director-General of Technical and Further Education was provided on three occasions in 1988 in August, October and December. The delay in responding was due to the Minister asking further questions to ensure that the department was taking steps in the best interests of people with disabilities. Prior to the response from the Minister, and since the response, telephone contact has been maintained with Mrs Dawson.

HEALTH COMMISSION MOTOR VEHICLES

269. **Mr M.J. EVANS (Elizabeth)**, on notice, asked the Minister of Health: How many motor vehicles are operated by the South Australian Health Commission? Are they insured and, if so, against what, with which insurance company and at what total annual cost?

The Hon. FRANK BLEVINS: The Central Office of the South Australian Health Commission operates 26 motor vehicles, and all operate under the Government's knock-for-knock arrangements.

CENTRAL LINEN SERVICE

272. **Mr S.J. BAKER (Mitcham),** on notice, asked the Minister of Health: Further to the answer to Queston No. 166, will the Minister confirm that the General Manager of the Central Linen Service has been reprimanded for personnel management irregularities?

The Hon. FRANK BLEVINS: Yes.

ANZAC HIGHWAY

293. **Mr BECKER (Hanson),** on notice, asked the Minister of Transport: Will turn right arrows be installed in the traffic lights at the intersections of Anzac Highway and—

(a) South Road;

(b) Marion Road; and

(c) Morphett Road;

and, if so, when and, if not, why not?

The Hon. G.F. KENEALLY: The reply is as follows:

(a) and *(b)* During periods of peak traffic flow, traffic volumes are too high to permit a separate phase in the traffic signals to cater for vehicles turning right from Anzac Highway into South Road and

Marion Road. No problems are evident for vehicles executing the filter right turn movement during the green signal phase in the off-peak period. An analysis of accident data does not indicate any significant problems.

(c) The Highways Department proposes to install a separate phase for vehicles turning right from Anzac Highway into Morphett Road before the end of the current financial year.

TEACHERS FREE DAY

296. **The Hon. D.C. WOTTON (Heysen),** on notice, asked the Minister of Education: On whose recommendation was the decision made not to allow 24 April to be a teachers free day in all Government schools, on what advice was the decison made and what where the reasons for the decision?

The Hon. G.J. CRAFTER: There has not been a decision not to allow a teachers' free day on Monday, 24 April. 24 April was never designated as a teachers' free day and so the issue of disallowing it does not arise. The decision to make Monday, 24 April a pupil free day was taken on the recommendation of the Director-General of Education. In 1989 the second school term was scheduled to begin on Monday 24 April. The following day is a public holiday for the observance of Anzac Day. Some concern had been expressed that this situation could lead to a large number of student absences and a suggestion was made by principals that State-wide action be taken to introduce some consistency. Consultation took place in August 1988 with parent organisations, principals' associations and the South Australian Institute of Teachers with a proposal that the day be made a pupil free day. There was general agreement, and the recommendation was subsequently approved by the Minister and published in the *Education Gazette* for 4 November 1988 and 17 February 1989 in accordance with the requirements of Regulation 173 under the Education Act, 1972 (as amended).

YATALA VIDEO TAPES

297. **Mr BECKER (Hanson),** on notice, asked the Minister of Correctional Services:

1. From where are video tapes ordered by offenders at Yatala Labour Prison obtained?

2. Were tenders from various local video rental stores obtained and, if not, why not?

The Hon. FRANK BLEVINS: The replies are as follows:

Video rentals at Yatala Labour Prison are obtained by the Activities Officer, Yatala Labour Prison from Fox Field Video, 330 Gorge Road, Athelstone.

2. Quotations were obtained from three video libraries, namely Focus Video, Ian Morse Electronics and Fox Field Videos.