HOUSE OF ASSEMBLY

Wednesday 21 February 1990

The SPEAKER (Hon. N.T. Peterson) took the Chair at 2 p.m. and read prayers.

DEFAMATION PROCEEDINGS

The SPEAKER: I wish to inform the House of a letter addressed to my predecessor from the honourable Attorney-General. It relates to defamation proceedings currently before the Supreme Court. The letter states:

Dear Mr Trainer,

Peter Lewis, MP v
Steven Wright and Advertiser Newspapers Limited

I have written to you previously respecting these proceedings by letters dated 17 October 1989 and 18 December 1989.

The proceedings involve the nature and extent of the privileges of the House of Assembly.

The Full Court appeal has been further adjourned and is now expected to be heard in the March sittings of the court.

When the appeal came before the Chief Justice on 21 November 1989, the Chief Justice adjourned the matter to enable me to consider whether I should intervene. The Chief Justice expressed the view that the court should have the benefit of any argument I would wish to put.

In view of the comments by the Chief Justice, and subject to any instructions or views that you or the House may wish to put to me, I have instructed the Crown Solicitor to intervene in the Full Court and to put argument on the nature and extent of the privileges of the House.

Again, subject to any instructions or views that you or the House may wish to put to me, I have instructed the Crown Solicitor to put the following argument to the Full Court:

(1) *Hansard* and parliamentary debates may be referred to in order to prove, as a fact, what was said in Parliament.

(2) Debates may not be referred to for the purpose of any 'submission, or inference'. The truthfulness or otherwise of a parliamentary statement may not be questioned in a court; the motives or intentions of a parliamentarian in respect of a parliamentary statement may not be considered by a court.

(3) In the circumstances of the case before the court, the defendants could not plead that the statements made by them were truthful; those statements alleged that the parliamentary statements were untruthful and improper. If the court were to inquire into whether the defendants' statements were truthful, the court would necessarily embark on an inquiry into the truth of, and motives behind, the parliamentary statements. Such an inquiry would be a breach of privilege.

(4) On the other hand, the defendants could refer to the published statement in *Hansard* to show that the issue was one where the defendants had an interest in communicating the defence to the public allegations. In these circumstances the defendants would have a qualified privilege to answer the allegation; the qualified privilege would not apply if the defendants were actuated by malice.

The effect of this approach is that persons who are attacked under the shield of parliamentary privilege have the right to publicly defend themselves. Assuming that the defence is a fair response to the attack, those persons will not be liable in defamation. The courts cannot determine the truth or otherwise of either the parliamentary attack or the defence; these matters must be resolved in the political arena.

In my view the argument as outlined is both in accord with recent decisions and is a fair and equitable approach to the problem.

If you or the House of Assembly have any views or instructions for me respecting my intervention in the case or the argument I should put to the Full Court, I would be pleased to receive them. In the absence of such views or instructions, I intend to intervene when the matter comes before the Full Court and put the above argument.

If I can assist in any explanation or clarification of the above, please do not hesitate to contact me.

Yours sincerely (signed)
C.J. SUMNER,
Attorney-General

Mr GROOM (Hartley): Mr Speaker, at the end of Question Time, I shall seek leave to move a motion on the matter to which you have just adverted.

The SPEAKER: As it is a matter of privilege and to give members time to consider the matter, I will give you the call at the end of Question Time.

MINISTERIAL STATEMENT: MARINELAND

The Hon. LYNN ARNOLD (Minister of Industry, Trade and Technology): I seek leave to make a statement.

Leave granted.

The Hon. LYNN ARNOLD: Further to my ministerial statement of yesterday I have to correct a minor matter. Before making the earlier statement, I was advised that all members of the House were invited to attend a briefing from the West Beach Trust on the Marineland issues and that only one member turned up. Following the personal explanations from members opposite, I have had the situation checked and it transpires that I was incorrectly advised and I am now informed that, while there had been a proposal to do so, the trust did not offer a general briefing.

I now understand that some offers of briefing were made to individual members and that one of those was accepted. It was that member who was referred to in my ministerial statement. In consequence, I will ask my colleague the Minister of Local Government to request that the trust extend the same offer of briefing to other members.

In conclusion, I point out that the substantive matter referred to in my comments, namely, that both the Opposition Leader and the Australian Democrats were offered briefings and rejected them, still stands.

MINISTERIAL STATEMENT: WEST BEACH SEAWALL

The Hon. S.M. LENEHAN (Minister for Environment and Planning): I seek leave to make a statement.

Leave granted.

The Hon. S.M. LENEHAN: Yesterday in the House I was accused of authorising 'the suppression of bungled negotiations for the financing of a seawall associated with the proposed Zhen Yun development at West Beach'. Members of the House should be aware that, far from being bungled, negotiations for financing the seawall were successfully carried out to ensure implementation of Coast Protection Board policy which ensures that all new development should provide its own protection against marine erosion. This is the first major agreement of its kind based on this 'beneficiary pays' principle.

The agreement reached with Zhen Yun is that the developer will pay the full cost of any seawall protection that may become necessary in the first 20 years of the lease. I would like to point out that our sand replenishment program is successfully protecting the area and, in addition, any development at Glenelg would also be likely to minimise the need for a seawall in the future. While the Coast Protection Board and the Department of the Premier and Cabinet were responsible for the financial negotiations, I personally did not have any direct involvement. The House can rest assured that negotiations on the provision of the seawall adjacent to the Zhen Yun development, should it be necessary, were most successful and the agreement reached between Zhen Yun and the South Australian Government has been on most favourable terms.

In his question yesterday, the Member for Bragg inferred that negotiations with Zhen Yun had been 'suppressed', and, whilst it is acknowledged that commercial negotiations were not broadcast far and wide, the West Beach Trust was in fact made aware of negotiations on the cost of future protection against marine incursion. In a letter from my department to the Manager of the West Beach Trust in March 1989 notice was given that the issue was to be addressed between the Government and Zhen Yun.

MINISTERIAL STATEMENT: TRUCK DRIVERS DISPUTE

The Hon. R.J. GREGORY (Minister of Labour): I seek leave to make a statement.

Leave granted.

The Hon. R.J. GREGORY: In the House yesterday, in a question to the Minister of Agriculture and later in a personal statement, the member for Chaffey made references to truckloads of wine grapes being stopped at the border by blockading truck drivers, with the produce being damaged as a result of being held for too long in the trucks.

It was stated that South Australian Riverland grapes normally processed at Mildara Winery in Victoria were being halted at the border. The honourable member also spoke of contact from Hardy's Wines of Reynella who reportedly said that South Australian fruit was perishing in the sun. In an effort to set the record straight on this matter and end the gainsaying that occurred yesterday, I am making this statement. First, on the issue of Riverland grapes heading for Mildara Winery allegedly being stopped at the border, I point out that contact with the purchasing officer at Mildara Winery in Victoria revealed that, in fact, the company was not taking grapes from South Australia at this time and would not be for perhaps three weeks.

Secondly, in relation to the report from Hardy's, yesterday my office made contact with the Stanley Wine Company at Buronga in New South Wales, just across the river from Mildura, and with that company's Riverland coordinator. Stanley's, of course, is part of the Hardy's group. Both of these contacts revealed that no truckload of grapes from their growers was prevented from crossing the border yesterday or Monday night. Truckloads of grapes had crossed the border on Monday night, but growers had been told that grapes would be stopped after midnight that night. Growers were alerted and no picking was done; consequently no truckloads of wine grapes headed interstate.

I understand that yesterday afternoon growers learned that fresh vegetables and perishables were exempt from the Transport Workers' Union and would not be stopped and picking could recommence. Incidentally, Lindemann's Winery at Karadoc in Victoria says that it has experienced no problems with deliveries of South Australian fruit over the past two days. Further contact today with Stanley's at Buronga indicates that the blockaders left the area late last night and since then there have been no problems with vehicles going either way. Hardy's group Managing Director indicated to my staff this morning that he knew of no truckload of grapes being stopped at the border. He also did not believe a one-day delay in picking fruit would cause a major problem.

I am not suggesting that the member for Chaffey deliberately misled this House, but certainly some inaccurate information has been passed on to the House. No doubt the blockade was of serious concern and inconvenience to grape growers, the wine companies and others, but it seems that, fortunately, no truckloads of South Australian grapes were rotting in the sun.

It is also important to remember how this dispute came about. The Greiner Liberal Government of New South Wales clearly has a lot to learn about industrial relations. Perhaps if it was not so willing to sacrifice successful labour relations on the altar of ideology no-one would face these problems.

QUESTION TIME

MINISTER FOR ENVIRONMENT AND PLANNING

The Hon. B.C. EASTICK (Light): Having demonstrated today by ministerial statement that the Parliament was misled yesterday, has the Minister for Environment and Planning offered her resignation to the Premier and, if not, why not?

The Hon. S.M. LENEHAN: It is a good try by the member for Light. No, I have not tendered my resignation to the Premier because I have not misled the House. My ministerial statement clearly spelt out the situation. I was asked whether I had authorised the covering up of bungling. Quite clearly I certainly did not do that. If the member for Light somehow feels that I have misled the Parliament, I am sorry, but that is his interpretation. I certainly have not misled the Parliament and have not handed my resignation to the Premier.

HOMESTART

The Hon. J.P. TRAINER (Walsh): Will the Minister of Housing and Construction advise whether HomeStart achieved the stated target of loan referrals by Christmas 1989?

The Hon. M.K. MAYES: I thank the member for Walsh for his question. It is important for me to have the opportunity to pass on information to members about the success of HomeStart, contrary to criticisms that have been levelled by the Opposition, particularly members in another place, with regard to the initiatives taken by the Bannon Government, and particularly by my predecessor (the member for Napier and former Minister of Housing and Construction), to assist South Australian families to achieve home ownership. I refer to comments made by a member in another place publicly and in the other place with regard to the Government's achievements in this area. This member has been very critical and made various disparaging remarks about the achievements of HomeStart. He suggested that only 200—

The Hon. TED CHAPMAN: On a point of order, Sir, we are well aware of the tradition in this House of refraining from referring to members of another place.

The SPEAKER: Order! There is no point of order. The reference was to the other place, and that is within Standing Orders.

The Hon. TED CHAPMAN: On a further point of order, Sir. The last reference made by the Minister was to a member of the other place. His first reference was to something that occurred in another place. His reference to a member of another place in the critical way that his comments were made in my view is straying from the Standing Orders of this House. I agree with you, Sir, as to the first reference but the second comment was definitely in relation to a member in another place.

The SPEAKER: Order! I did not hear the Minister say it. I take the point raised and will certainly listen very closely from now on.

The Hon. J.P. TRAINER: On a point of order, Sir, I was listening closely to the answer. The Minister clearly referred to a member in another place in terms of his public comment.

The Hon. M.K. MAYES: Let me clarify what the Opposition has been saying about HomeStart and the criticisms that have been levelled by members of the Opposition against this very successful scheme, which offers to many South Australian families—

Members interjecting:

The Hon. M.K. MAYES: The Leader of the Opposition laughs. I am sure that the people who read the article and the Leader's comments in today's *Advertiser* with regard to his defence of his position as a millionaire grazier will realise he has not had the problem of struggling to purchase a home and would not appreciate his dealing with this matter with levity. The Leader did not have to struggle to purchase his first home. Had he been through such a struggle, he would appreciate the plight of first home buyers and the benefits that this scheme offers South Australian families. The Opposition through the media has stated that, to this point, only 200 families have been offered assistance. That is completely misleading and in fact is not the truth. Some 2 500 families are in the process of purchasing a home through HomeStart this financial year or at least early in the new financial year.

I will break down the figures to put to rest once and for all the misleading comments that have been made by Opposition spokespersons with regard to HomeStart. The HomeStart scheme, which was launched by the Premier in September 1989, predicted 1 000 to 1 500 successful applications in a financial year. The aim is for about 1 500 loan settlements this financial year. To date, we have achieved 200 settled loans, that is, people actually living in their own home. In addition, 500 loans have been approved, that is, people who are about to finalise living in their own home. Another 1 800 people have been given referral letters and they have up to six months in which to find a home package—a financial structure—by which they can purchase the land or the house.

Adding those figures together, it can be seen that approximately 2 500 families are involved. However, the Opposition is peddling around the community that only 200 families have received assistance through HomeStart to purchase their own home. I hope that this is going on the record for the public to understand that HomeStart has been extraordinarily successful, and will continue to be so. The program was developed with advice from experts within the private and public sectors, and it is important to note the successful way in which HomeStart is proceeding.

The Opposition is attempting to undermine what is a very successful scheme, one which is offering many South Australian families (2 500) the opportunity of owning their own home. Our prediction was for 1 500 families to be assisted this financial year. However, through the work of the Premier and the former Minister, this scheme will put 2 500 families in their own home. That in itself is a great success and a credit to this Government and, particularly, to the Minister who administered the scheme at its commencement. I am delighted to have taken over this scheme and I will pursue it with as much enthusiasm as did the former Minister despite the Opposition's criticism.

Mr GUNN: On a point of order, Mr Speaker, I suggest that the Minister's answer has been unduly lengthy and he has repeated himself on a number of occasions. I ask you, Sir, to rule him out of order because he is setting out to abuse Question Time.

The SPEAKER: If the honourable member wants to be Speaker of this Chamber and make the decisions, he should stand for the position. If not, I will make the decisions. If the honourable member does not agree, there is a procedure by which he can take action. I call the Minister.

The Hon. M.K. MAYES: Thank you, Mr Speaker.

The Hon. H. ALLISON: On a point of order, Mr Speaker, I suggest that the member for Eyre was simply referring to the Minister's prolixity, and there is no doubt that that is covered by a Standing Order.

The SPEAKER: The decision is the Chair's, not the member's. I call the Minister.

The Hon. M.K. MAYES: Thank you, Mr Speaker. I have one final point. We have received 8 000 registrations of interest from the community. Obviously, Opposition members did not want this situation and that is why they are so sensitive about it and are objecting to my giving a full answer.

WEST BEACH SEAWALL

Mr S.J. BAKER (Deputy Leader of the Opposition): Why did the Minister for Environment and Planning deliberately mislead the House yesterday in response to a question about a seawall proposal associated with the Zhen Yun development at West Beach by saying, 'I am not aware of any seawall proposal and it is certainly not my responsibility as Minister for Environment and Planning to be involved in such financial negotiations', when, first, she received a memorandum from the Coastal Management Branch of her department dated 16 August 1989 seeking her direction on how the seawall should be funded; secondly, she received a further memorandum dated 25 August 1989 recommending she note actions under way in relation to the seawall proposal; thirdly, she signed a memorandum to the Minister of Local Government dated 2 October to keep that Minister informed of negotiations in which she was involved to fund the seawall; and, fourthly, on 28 October she signed her approval of a recommendation that she agree to the State Government's accepting all maintenance and repair costs of the future seawall.

The Hon. S.M. LENEHAN: First, Mr Speaker—

Members interjecting:

The Hon. S.M. LENEHAN: I am interested in giving an answer to this but, obviously, the Opposition is not prepared to allow me to give one. Yesterday, when I was asked the question, I most certainly did not deliberately mislead the House. I made it very clear, and I remind the honourable member of what the member for Bragg asked me. He asked me why I had authorised the suppression of bungled negotiations for the financing of a seawall. I answered that question yesterday quite honestly. I did not at that time recall the relationship to the seawall because, first, there was no bungling and, secondly, I had not been involved in any suppression. Thirdly, I was not directly involved in negotiating with the proponents of the Zhen Yun project. When I got back to my office and called for the relevant documentation—

Members interjecting:

The Hon. S.M. LENEHAN: I will continue with my answer, irrespective of the rudeness and interjections of the Opposition. I listened to the honourable member's question in silence but, obviously, that courtesy is not to be extended to members on this side of the Chamber by members of the Opposition. Having done that, and having recognised that in something like 25 000 dockets and letters that pass through my ministerial office, I have not—

Members interjecting:

The SPEAKER: Order! There is far too much interjection from the Opposition benches. The Minister cannot answer with that noise.

The Hon. S.M. LENEHAN: Thank you, Mr Speaker. Having realised that I had not recognised the normal procedures that I had followed as the Minister with respect to what was a normal practice, if you like, through the Coast Protection Board, and I had sent a memo to my ministerial colleague in another place, I then recognised from the documentation that, in fact, this was the same seawall. I believe that any reasonable person—

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: I remind members that the question that was asked by the member for Bragg was whether I had suppressed information about bungling. I had not done that; I stand by my word and members opposite know that I do stand by my word. As many members of the Opposition will know, I have not misled the Parliament: I have come in here today with a ministerial statement which I believe clarifies the situation. While we are on the question of the seawall, it is interesting and disappointing to note that the Opposition is not remotely interested in the fact that this negotiation has secured for the people of South Australia a very positive financial situation indeed, where the Zhen Yun development—

Members interjecting:

The Hon. S.M. LENEHAN: If members listened to what I am saying, they might learn something. The Zhen Yun development has accepted full responsibility for the building of a seawall within the next 20 years, should that be required. It will pay the full amount of that structure. It is interesting that members of the Opposition do not care that this is a very positive situation for the people of South Australia. They will stop at nothing to try to destroy development in South Australia. They will stop at nothing, and I am delighted to tell this House that they will not be successful.

ABORIGINAL RENTAL HOUSING

Mr HERON (Peake): Will the Minister of Housing and Construction advise the House of the details of funding to South Australia in 1989-90 from the Commonwealth Government under the Aboriginal rental housing program?

The Hon. M.K. MAYES: I am delighted to have the opportunity to bring this information to the attention of members of the House, and I thank the honourable member for his question. I am sure that the community, in addition to members of this House, are rightly concerned about this announcement. I am delighted to have had the opportunity of announcing this matter jointly with the Federal Minister (Hon. Peter Staples), especially as it involves a very significant funding boost to the Aboriginal rental housing program.

With my colleague the Minister of Aboriginal Affairs, I am sure that these moneys will be very effectively used for the Aboriginal communities throughout South Australia. I congratulate the Federal Government on allocating this 30 per cent increase in funding, the figure available to us over the coming year amounting to $8.341 million, which is a 30.5 per cent increase on the original 1988-89 figure. That in itself will provide very significant help for our community. It will be broken down into various areas throughout South Australia, but before I come to that I should like to acknowledge the work of the Aboriginal Housing Board of South Australia which played such an important part in establishing this funding package, in consultation with Aboriginal communities throughout South Australia and with other bodies directly concerned. I know that my predecessor and my colleague the Minister of Aboriginal Affairs are also vitally interested in this area.

The package will be broken down as follows: $4.4 million will be allocated for the purchase of 49 homes across the State to increase our stock of homes for rental to almost 1 400. These homes will be rented exclusively to Aboriginal people. In terms of the tribal lands, there will be two distinct areas: the Pitjantjatjara lands and the southern regions. In 1989-90 more than $2 million will be spent on providing homes and shelters in both areas.

Of the other funding, a total of $250 000 will be spent on providing additional accommodation for aged Aboriginal people, and I am sure that everyone supports the State and Federal Government's efforts and commitment in that respect. Further, $200 000 will be allocated for the Calperum area development, involving the farm outside Murray Bridge incorporating the Orana Hostel, which has been used for many years as a rehabilitation centre for people of both Aboriginal and European descent and considered by everyone in the community as being a very worthwhile scheme.

In addition, $140 000 has been allocated for a building training program which includes 10 homes, mainly in the northern suburbs. The scheme will involve up to six Aboriginal building apprentices, who will be engaged at any one time to work on these homes, under the supervision of skilled tradespeople. In the past we have found that these homes have been constructed with a good deal of skill, and this has been a very successful program resulting in a very high quality product.

The program provides apprentices within community service not only with job opportunities and skills development but also with a sense of self-fulfilment and self-esteem. In the Housing Trust we have seen a very clear development resulting from the moneys being spent in this area. The State is benefiting significantly from the Federal Government's funding package of nearly $8.5 million.

I believe that a 30 per cent increase this year is very significant, and it comes at a time when we are concentrating our State resources in this area. I pass on to the Federal Minister our congratulations and thanks for his support in this area.

MINISTERIAL RESPONSIBILITY

The Hon. D.C. WOTTON (Heysen): Bearing in mind the answer given by the Minister for Environment and Planning to the question asked yesterday by the member for Bragg, does the Premier accept the Minister's explanation given today and, if so, what standards of ministerial responsibility and accountability to the Parliament does he now apply to his Ministers?

The Hon. J.C. BANNON: The answer to the first question is 'Yes', and to the second 'The highest'. I find the pursuit of this issue quite childish, in light of the Minister's statement, and epitomised by the childish behaviour of members opposite as the Minister answered the questions. There is no other word for it. The honourable member who asked the question has a prepared question—prepared in anticipation of anything the Minister might say. That shows how seriously the Opposition is taking this issue and how seriously the Parliament should take it.

HENLEY AND GRANGE JETTIES

Mr FERGUSON (Henley Beach): Will the Minister of Marine inform the House whether he would be prepared to seek a readjustment of the policy relating to the day-to-day maintenance of jetties? I have been approached by several constituents in relation to problems associated with the cleaning and maintenance of the Grange jetty. I am aware that 10 years ago Cabinet approved a policy for the repair and maintenance of recreational jetties that includes, among other aspects, a proviso that all jetties remain under the responsibility of the Minister of Marine and that leases of recreational jetties and associated reserves be offered to local councils, which would be wholly responsible for day-to-day minor maintenance and repairs, etc.

The Henley and Grange council has not been prepared to accept the lease of the Henley and Grange jetties in accordance with the policy of the department, and this means that cleaning of the jetties has left much to be desired. It has become a usual practice, for reasons unknown to me, for people using the jetties to leave behind on them their unused bait. Activity starts as early as 4.30 a.m. on the Grange jetty and crabbing, for example, is usually finished by 8 a.m. The people engaged in crabbing tend to believe that, if they throw their unused bait into the water, their chances of catching more crabs on the next day will be jeopardised. From time to time this leaves the jetty in a poor state of cleanliness, and the Henley and Grange council has not been prepared to accept the responsibility of cleaning, emptying bins, etc. There is no pun intended, Mr Speaker, but I point out that the situation has not been tackled by anyone.

The Hon. R.J. GREGORY: I thank the member for Henley Beach for his question. The problem that the honourable member has raised is a longstanding one and one that he has pursued with some vigour. In 1980 the then Cabinet decided that the repair and management of recreational jetties and their day-to-day maintenance and cleaning should rest with councils. In February 1981 the Department of Marine and Harbors wrote to Henley and Grange council seeking to establish a lease agreement in which council would take up that cleaning responsibility. The council replied that it was prepared to negotiate a lease but DMH would have to bear all costs. The lease was never secured. The recently prepared DMH business plan contains a specific objective for establishing a timetable of review of all the recreational jetties to assess funding management benefits. A senior officer of the department has met with the seaside councils and raised this issue with them. When I have the information from that meeting I will advise the member for Henley Beach accordingly.

MINISTERIAL RESPONSIBILITY

Mr D.S. BAKER (Leader of the Opposition): Does the Premier's acceptance of the explanation by the Minister for Environment and Planning mean that in future all his Ministers can deny responsibility for misleading this House by claiming that it was done inadvertently, or is the Premier prepared to uphold the principle of full ministerial responsibility and accountability to this House by declaring here and now that the next Minister who misleads the House, inadvertently or otherwise, must resign or be sacked?

The Hon. J.C. BANNON: The Leader of the Opposition has a very peculiar concept of the principle or doctrine of ministerial responsibility. If that is his interpretation—

Members interjecting:

The Hon. J.C. BANNON: No, nothing new. I suppose, of course, that he is an adherent to the code of conduct issued by the previous Leader which laid down all these things. I say 'I suppose' because there is a suggestion that perhaps that has been eliminated in terms of the Opposition, but I would suggest—

Members interjecting:

The Hon. J.C. BANNON: I see. There is one rule for the Government and one for the Opposition. The Opposition can mislead Parliament, it can say what it likes, it can ignore codes of conduct, but, somehow or other, the Government cannot. That is a ridiculous assertion as well. I refer to that because I do not think even that very strange document went as far as the Leader is suggesting in relation to this principle. The fact is that quite often, under Westminster jurisdictions all over the world, Ministers may not have before them particular information or may, indeed, have what is essentially misleading information at the time a question without notice is asked. We could take the totally safe way, which would be to respond to every question by saying, 'I will take that on notice and provide a considered reply.' How much would that assist the Opposition or the public in terms of the scrutiny of public performance?

If the Leader of the Opposition is imposing this quite extraordinary principle on us, then the instruction that I shall give to my Ministers is just that: 'Do not answer anything without notice because, if for some reason you may have made an inadvertent error in your response, you must instantly resign.' Clearly, that is nonsense, and it is not contemplated in the doctrine. The principle is that if some error of that kind takes place, it should be corrected in the appropriate way at the earliest opportunity. That, indeed, is what has been done in this case, and it was done immediately.

Members interjecting:

The Hon. J.C. BANNON: Is the Leader of the Opposition suggesting that, and why is he focusing on the Minister for Environment and Planning? Under his code, the Minister of Industry, Trade and Technology made just such a grievous misleading of the House. He actually asserted yesterday that members had been offered briefings by the West Beach Trust. He ascertained something that was not right and he corrected it in a ministerial statement. The Minister for Environment and Planning did exactly the same thing by way of a ministerial statement.

I affirm very strongly a belief in the principle of ministerial responsibility, but I do not think that that doctrine imposes unreasonable constraints on the way in which consequences must be wreaked on Ministers who are seen to have strayed. In other words, if it is clearly inadvertent or based on wrong information, that can be explained and made clear to the House, and the House ought to have the grace and dignity to accept it in that tone. If, on the other hand, it is wilful misleading of this Chamber, then, of course, the doctrine applies.

I repeat: if the Leader of the Opposition wants to close up Question Time—and that is virtually what he is suggesting should be done—so be it. I do not believe that is helpful either to him or to the Opposition in their legitimate pursuit of information in this place. At this stage I intend to adhere to the doctrine as properly enunciated and not as redefined by those opposite.

HOSPITAL WAITING LISTS

Mrs HUTCHISON (Stuart): My question is directed to the Minister of Health. The Leader of the Opposition claims

that waiting lists in public hospitals could be reduced by using private hospitals and urges the Government to do so. Is this feasible?

Mr S.J. BAKER: On a point of order, Sir, the honourable member's question contains comment and should not be allowed.

The SPEAKER: I would advise the honourable member to ask her question first, and then seek leave to explain the question and not to comment while asking the question.

Mrs HUTCHISON: The Leader of the Opposition claims that waiting lists in public hospitals—

The SPEAKER: Order! Would the honourable member bring her question to the Chair and we will try to straighten it out for her.

MINISTER FOR ENVIRONMENT AND PLANNING

Dr ARMITAGE (Adelaide): Does the Minister for Environment and Planning have an estimate of how many other documents she signed being totally ignorant of the contents?

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: This question makes an absolute mockery of Question Time which, in the past—particularly during the past two Parliaments of which I have been a member—has been taken very seriously. It is interesting that the member for Adelaide—and I think this is his maiden question or at least one of the first questions he has asked—has been given this question to read out in some kind of smug and derogatory way.

Let me assure the honourable member that some of the members on both sides of this House who have been in this Parliament for a long time know that in my job, both as Minister and as a backbencher, I have at all times tried to pursue the rules of debate and be as open and honest as is humanly possible.

Members interjecting:

The Hon. S.M. LENEHAN: It is interesting to note that the Deputy Leader is calling across the Chamber. One can read in *Hansard* about his magnificent performance and his ability to tell the truth and to have the courage to admit to his actions! I will take on the Deputy Leader in the public arena about this matter at any time he likes. I assure the honourable member that I do not intend to make a mockery of the Parliament by answering the frivolous and time-wasting questions that are being asked by the Opposition.

CHILD-CARE FACILITIES

The Hon. T.H. HEMMINGS (Napier): Will the Minister of Children's Services inform the House of progress on the provision of child-care facilities in the Smithfield East and Angle Vale areas? In May of last year, the Minister opened the redeveloped Angle Vale Primary School. He will recall that after the opening he joined me and other community members in planting trees in the school grounds. At the opening, the Minister drew attention to the rapidly growing local community and announced plans to build a preschool adjacent to the primary school in 1990. At that stage, final approval for the proposed preschool had not yet been given. I understand that the project was approved, and I ask the Minister what progress has been made towards completing it, and what other child-care facilities have been provided or are planned for the area?

The Hon. G.J. CRAFTER: I thank the honourable member for his question and his interest in this area of children's services. I well recall on that pleasant occasion being involved in the opening of the refurbished and redeveloped Angle Vale Primary School in company with the honourable member, the members for Light and Goyder and other distinguished guests including the noted South Australian author and journalist Max Fatchen, who was a former student of that school.

On that occasion there was a great deal of discussion about the need for a preschool facility in this location. I am able to advise members that the anticipated completion date for this facility is July of this year. The project will cost some $300 000 and the preschool will cater for up to 30 children per session. In addition, the new Smithfield East preschool in Adams Road will cater for 45 children per session and provide occasional care for up to 12 children. I am advised that this $458 000 project is likely to be completed by May this year.

The significance of the Angle Vale preschool is that it reflects current moves to co-locate and integrate services such as health, welfare, education and child-care into centres with a neighbourhood focus. Two major projects were undertaken in 1988 to cater for the growing demand for child-care places. In March 1988, a new extension was added to the Craigmore Children's Centre at a cost of $50 000. This project created 24 extra preschool places. In May of that year, the Munno Para Child-Care Centre was established within the Smithfield civic precinct. This $480 000 project provides a 40 place long day-care service and was part of the 1985-88 joint Commonwealth-State child-care funding program.

Members will be aware that the current round of the joint Commonwealth-State funding program will provide many extra child-care places throughout South Australia. By 1992, the program will provide five new long day-care centres and extensions to 11 existing centres, giving a total of 247 new places; 1700 new out-of-school-hours care places (most of which are already operating); 160 occasional care places in local preschools and neighbourhood facilities; and 330 additional family day-care places. The new package will involve a capital works expenditure of over $5 million, and both Governments will contribute $5 million towards operating costs over the next three years.

TRUCK DRIVERS DISPUTE

Mr INGERSON (Bragg): Has the Premier consulted with the Prime Minister yet to seek his intervention in the national truck dispute in the interests of producers and consumers in South Australia? Will the Premier take up the suggestion of the New South Wales Labor Leader, Mr Carr, and take Federal Court action under section 45 D of the Trade Practices Act to end the blockades? Yesterday in Question Time the Premier responded to the question by the Leader of the Opposition seeking the intervention of the Prime Minister in the truck drivers dispute and proposing an approach similar to that taken during the pilots dispute. The Premier blamed the dispute on the policies of the New South Wales Liberal Government.

Today's *Australian* makes clear that the New South Wales Labor Party supports the Greiner Government decision to reduce the speed limit for trucks to 90 km/h and that the Labor Leader of the Opposition, Mr Carr, has rebuffed the Prime Minister for trying to blame a national dispute on the New South Wales Premier. I have been informed that Mr Carr not only calls for the Prime Minister to intervene to attempt to resolve the dispute, but also advocates that State Premiers, including Premier Bannon, take the initia-

tive of using the type of approach employed in the pilots dispute, that is a court action under section 45 D, which prohibits secondary boycotts.

The Hon. J.C. BANNON: I am Premier of the State with the best industrial relations record in this country by far.

Members interjecting:

The Hon. J.C. BANNON: This is the honourable member who tells us what a great employer he is and how grateful people are to work for him. The Leader of the Opposition has also advocated cutting out penalty rates and making various other major changes to the position of our workers. I repeat that the State of South Australia has by far—by a monumental extent—the best industrial relations record of any State in Australia. I suggest that my criticism of the New South Wales Government which, at the moment, has the worst record, is very appropriate in this instance. Perhaps if Mr Carr is ignorant about this also, I might advise him about our respective industrial relations records. That is the perspective from which we begin in our approach.

What I said yesterday about the handling of this matter by the New South Wales Government, given the background and context of the New South Wales Government's handling of a series of other industrial disputes, stands, and stands firmly. It is a disgrace to this nation with its confrontationist policies, the very policies that the Leader of the Opposition here said that he would pick up. By those policies it effectively continues from time to time to paralyse commerce and industry in this country. It is about time the New South Wales Government got its act together.

In responding to the question yesterday, what I said about the Prime Minister was that he perhaps could do something constructive in this area, because certainly the New South Wales Government was not going to be able to do so: it has lost all faith and confidence in the work force. Secondly, I addressed our problems, which are being handled very well indeed by the Minister of Labour, who is in constant contact with the Transport Workers' Union here. Members will recall that yesterday we were informed that certain bans were in process but, upon investigation, that proved not to be the case. They were an anticipation of problems which had caused certain action. That is not the case. The ban on movement of freight does not include fresh vegetables, perishables, livestock or medical supplies in South Australia. It will not affect the grape industry. Secondly, the Minister has been able to secure special exemption for the Adelaide Festival Centre production equipment that is necessary for the coming Adelaide Festival. So, far from being slack in this area, the South Australian Government has been extremely active in protecting our interests.

It must also be borne in mind that we have no control over the industrial scene in New South Wales or the national scene. We will continue in our efforts to ensure that South Australia is protected to the greatest extent possible and I suggest that, if the same way in which we conduct industrial relations in this State could be translated into States such as New South Wales, this country would be far better off in consequence.

It in interesting that part of the problem in this dispute lies in the fact that a number of those involved are not members of their appropriate industrial organisation, through which negotiations can be held and certain undertakings and agreements can be thrashed out. Those things have been done and what happens? Rebel non-unionists, of the type that the Leader of the Opposition condones and supports, take their own action and make the situation even worse. If ever we could see a better example of the reason why those in the work force should be in well conducted, properly registered industrial organisations, it is in this case. I suggest that that is one of the big lessons from this dispute.

The Hon. T.H. Hemmings: Go and cut some flowers.

The SPEAKER: Order! The member for Napier is clearly out of order.

HOSPITAL PATIENTS

Mrs HUTCHISON (Stuart): Will the Minister of Health say whether it is feasible to treat public patients in private hospitals as advocated by the Leader of the Opposition in a speech at Memorial Hospital yesterday?

The Hon. D.J. HOPGOOD: In view of the somewhat fractious nature of this Question Time until now, it is a delight to me to be able to bring some sweetness and light into this place by congratulating the Leader of the Opposition on a visionary and far sighted statement and to hope that, in fact, this means that the Liberal Party will be prepared to cooperate fully with the Government in something that it has been trying to achieve for some years against the intransigence of certain doctors who operate in this State.

Let me explain to the Leader and the House what has been happening. Let me also correct one or two misapprehensions that he has about the system, because part of his assumption is that masses of private hospitals are just about empty and public hospitals are overflowing and if, somehow or other, a lot of those patients went from one to the other, that would solve the problem. Admissions to private hospitals in South Australia increased by 26 per cent between 1981-82 and 1987-88. That compares with an increase of 13 per cent to public hospitals over the same period. Nationally, admissions to private hospitals in Australia rose by 29 per cent in the same period compared with an 11 per cent rise in public hospital use.

There is also somewhat of a misapprehension about the way in which health insurance impacts on this matter. The proportion of the South Australian population with supplementary health insurance—private hospital cover—was 41.4 per cent in December 1988, only marginally above the pre-Medicare figure of 41 per cent. It is the people with basic hospital cover—private patient cover in a public hospital—not those with supplementary insurance, who dropped out of health insurance post-Medicare. The consequence of this is that the number of private patients admitted to public hospitals has declined by 31 per cent in the six year period and continues to decline.

I put clearly on the record that, in 1987 and 1988, the South Australian Health Commission, with the full approval of the Government, attempted to have public patients undergo their elective surgery in private hospitals. That was unsuccessful because of the refusal of surgeons to participate. An article in the *Advertiser* of 2 April 1988 headed 'Surgeons blamed for hospital waiting list' stated:

> Surgeons defended their stand yesterday saying they would not operate on public patients in private hospitals because it was the 'thin edge of the wedge'. The Chairman of the South Australian Branch of the Australian Association of Orthopaedic Surgeons, Mr David Marshall, said his members and members of the Australian Association of Surgeons had made it known that surgeons would not operate on public patients in private hospitals because the move was seen by doctors as another way . . . to make inroads into private hospitals and private medicine.

I am sure that is not what the Leader of the Opposition has in mind; nor did we. Yet we were faced with this sort of intransigence. Private hospitals (Ashford, St Andrews, Central Districts Private, Salisbury Private, The Vales and Western Community) were also offered the opportunity to contract with the South Australian Health Commission to

provide a package of surgical and hospital services for public patients requiring elective surgery. No hospital was able to persuade visiting surgeons to participate, even though the Health Commission offered to restrict the program to social security card holders.

What about country hospitals, which would be of particular interest to the Leader? Attempts in mid-1988 to offer patients on the booking lists for elective surgery at RAH, QEH and FMC the opportunity to have their surgery at either Mount Barker or Southern Districts War Memorial Hospitals met with limited success. Approximately 70 patients accepted the opportunity, mainly in the disciplines of general surgery and ophthalmology. Despite the willingness of some surgeons to participate, the scheme ceased, due to opposition from the AMA.

That is it. No doubt the Leader was extremely well treated by the people at Memorial Hospital the other day; I know I always have been. It may well be that they put this suggestion to him; all I can say is that the answer really lies with the AMA and its membership. I think it is worthwhile continuing to push this proposition. It has limited use, because the private hospitals are not empty: they do not have a lot of capacity. It has some use: it would be a usefulful adjunct to what we now do. If we can achieve a bipartisan approach and if the Leader is prepared to use whatever influence he has with the AMA and its membership, we may get somewhere.

MARINELAND

The Hon. H. ALLISON (Mount Gambier): Why did the Minister of Industry, Trade and Technology mislead the Parliamentary Estimates Committee on 20 September last year when he said his department had 'not been involved in discussions with unions as to any alleged bans' on the Marineland redevelopment, and that the department had 'not been aware of formal bans being in place' when a number of the documents he tabled yesterday show that from August 1988 his department was aware of such bans, had discussed them with union officials and had urged the Minister and the Premier to take action to have them lifted?

The fact that the Minister has misled the Parliament in confirming the Government's failure to confront union officials over their bans is revealed, in particular, by two documents: one, a confidential memorandum dated 5 December 1988, which the Director of State Development, Mr Hartley, sent to the Premier, referring to discussions with Mr Lesses of the Trades and Labor Council; and, secondly, a memorandum to the Minister, dated 26 January last year, from the Deputy Director of his department, Ms Eccles, advising him that 'it is now paramount that a strategy plan is now developed in an endeavour to convince the builders federation that their bans be lifted'. Further documents tabled yesterday show that the Government's failure to follow this advice led to the project being scrapped.

The Hon. LYNN ARNOLD: I wish to reiterate the answers I have given in this place before to the Estimates Committee and also the contributions I have made in this place on the occasion of the no-confidence vote that took place. The advice I have given, to the best of my knowledge, was correct. Members may recall that one of the questions I was asked in the Estimates Committee was about advice given to the Director of State Development by Tribond Corporation with respect to union bans, and I think the letter quoted was dated 16 August. I told the Estimates Committee that I did not have that letter on file, and members who were present at that Estimates Committee may recall that I said I did not have the letter in my possession. Subsequently it has been found in the files and is included in the information I tabled yesterday. That letter did indicate that the Tribond Corporation had made assertions about union bans to the Department of State Development and Technology, as it then was.

I also indicated I had had no formal advice of a ban being imposed, and I indicated that I was not sure that there was a formal mechanism for bans to be announced. The other point I made was that I had not had any discussions with unions on this matter and that it was more properly the role of my colleague the Minister of Labour. As is identified in the documents I have tabled, there were informal discussions by an officer of the then Minister of Labour with some unions.

Those are the discussions referred to in the documentation I have identified here. The memo referred to by the honourable member, talking about informal discussions with John Lesses, does not refer to those discussions taking place with an officer of the Department of State Development and Technology. One other very important point that must come out of this is the question of formal bans. It is correct that a number of those documents could give the impression that the Government had been in receipt of advice of a formal ban. I had this matter checked again yesterday and there are a few points worth reiterating at this time.

First, I did say before that I was not certain whether there was a mechanism for the placing of a formal ban, but there apparently is such a mechanism. The UTLC advises that when a ban is put on by a union it is obliged to advise formally all the parties involved, and that includes the UTLC. The UTLC advised, as late as yesterday, that a formal ban has never been advised on the Marineland redevelopment.

The other point was that press reports indicated that there was a ban—and I indicated that I was aware of press reports although I had had no formal advice of a ban. Indeed, if one looks at the press reports, which are quoted in the papers I have tabled, we see reference to the Building Trades Federation (BTF), an association of building unions, having applied a formal ban. Inquiries made, again as late as yesterday, by my office with an official of one of the member unions of the BTF which the media alleged had placed formal bans on the project, revealed that no formal bans had been placed on the Marineland project—quite correctly, since no work was actually under way.

Mr Becker: You're playing on words.

The Hon. LYNN ARNOLD: The member for Hanson says that I am playing on words. I was asked whether I knew of formal bans, and I am telling the House that there was no formal ban. Therefore, how could I have known about that which did not exist?'

An honourable member interjecting:

The Hon. LYNN ARNOLD: It seems that the Opposition wants to change how one defines these things in normal industrial relations. I have given the answers to the best of my ability, according to the knowledge that I have and the facts as they exist.

GRIT BLASTING

Mr De LAINE (Price): Can the Minister for Environment and Planning give the House details of the current situation of and the future for grit blasting of ships' hulls in Port Adelaide? Several months ago an officer of the Air Quality Branch of the Department of Environment and Planning inspected a ship being blasted on the Adelaide Steamship

slip and said that the practice would have to stop unless certain conditions were met. Grit blasting has been carried out at Port Adelaide for the past 30 years and sand blasting was used before that. It has been put to me that considerable work would be lost to South Australia if grit blasting were disallowed.

The Hon. S.M. LENEHAN: Grit blasting and sand abrasive blast cleaning are prescribed activities under the Clean Air Act 1984 and ensuing regulations. Licensed operators are required to undertake the activity in a blast room of an approved design and with emission controls which reduce emissions from what is essentially a very dusty operation to below what is required as a statutory limit. In the Port Adelaide council area there are currently 10 licensed premises, and I understand that the Australian Submarine Corporation will also shortly become licensed premises. Blast cleaning in the open is discouraged and operators are encouraged only to quote for work which can be accommodated within their blast cleaning rooms.

It is, however, recognised that large or fixed structures cannot be accommodated in any available blast cleaning rooms. When this occurs, any licensed operator may apply to the Minister for Environment and Planning to blast clean in the open air. I should like to delineate some of the conditions which apply, which might help the honourable member in terms of the future of this particular operation. When approval is given to blast clean in the area, the following standard conditions are applied: first, notification must be submitted in writing a minimum of five working days prior to the intended commencement of any open dry blast cleaning.

Secondly, silica-free abrasives will have to be used in these cases, enclosures will be used where practicable to minimisie dust and paint over-spray drift from the blasting and painting area, blast cleaning and spray painting is to be undertaken in conditions of wind less than 5 metres a second (and for those of us who think in terms of knots, that is about 10 knots). I guess, to the layperson, that really means a very gentle breeze. Blast cleaning and spray painting is to be undertaken when air movement is away from adjacent residences. That is the very important and critical point. Finally, signs are to be erected at the entrance of the property, warning of the dangers of airborne dust and overspray.

Of course, the reason for having these conditions is to protect the health and safety of residents and workers in a particular area—in this case, of course, in the Port Adelaide area. We believe it is important to protect the property of adjoining land and berth users. Additionally, all licence holders are provided with a copy of technical bulletin TB 9, which is entitled 'Abrasive Blast Cleaning'. This bulletin was produced by the department at the time of the introduction of the Clean Air Act and after extensive discussions with the industry and, indeed, with the Department of Labour.

As members would be aware the Department of Labour also has responsibility for abrasive blast cleaning as it affects, as I have already stressed, the protection of employees. As a matter of courtesy, my department always advises the Department of Labour of any approvals given for open blast cleaning. Quite obviously, there must be a sense of balance between the protection of jobs in this industry and the protection of health and safety of residents and workers in the Port Adelaide area.

MARINELAND

Mr BECKER (Hanson): In view of the Minister of Industry, Trade and Technology's consistent claim that no pressure was put upon Zhen Yun to withdraw from the Marineland redevelopment, why did the Chairman of the West Beach Trust (Mr Virgo), as revealed in the documents tabled yesterday, tell Zhen Yun in January last year that it should consider building only a hotel and not Marineland? The revelation of Mr Virgo's involvement is contained in a confidential memorandum that the Minister received on 26 January last year from the Deputy Director of his department, Ms Eccles, in which she states:

> Mr Virgo raised the issue of union problems and indicated that Zhen Yun should consider only building the hotel and not Marineland. This discussion has caused considerable confusion in the minds of the Chinese.

Ms Eccles also reveals in that memorandum that, arising from Mr Virgo's approach, Zhen Yun would no longer deal with him. Mr Virgo's advice in the documents tabled yesterday is the first reference to any suggestion that Zhen Yun withdraw from the project because of union bans and contradicts previous claims by the Minister that no pressure was put on the company.

The Hon. LYNN ARNOLD: The honourable member is saying that this is proof of pressure being put on Zhen Yun. If one considers the actual words quoted from the confidential memorandum by the honourable member—of course they are not confidential any more because we tabled them yesterday—one wonders what are the words suggesting pressure? What are the words suggesting thuggery that are alleged to have been used by the Hon. Mr Virgo? They are, 'should consider'. I would like to know exactly what happens in the mind of the member for Hanson when there is pressuring or bully boy tactics. One can almost see what happens in his version of a mugging in New York: the gangster comes up and says, 'You should consider giving me something'!

The point that has been made on many occasions is that there has been a public debate about the merits or otherwise of having an oceanarium, having performing cetacea, pimnipeds and other things. That has never been hidden by the Government or anyone. We acknowledge that there has been a community debate on these matters. That debate has involved many individuals in the community and some groups, amongst whom have been unions. Indeed, in January last year some press reports about that matter quote me as saying that I believe that the reactions of some of those groups might be premature because they have not yet seen the development.

The point that I made in my conversation with representatives of Zhen Yun on 2 February was to identify that they need to know that there is a variety of views in the community on the issue of having an oceanarium within a Marineland development. It was no more than what Geoff Virgo expressed to Zhen Yun when he suggested that perhaps it should consider whether it should proceed with that plan. Its worthwhile noting that, elsewhere in that self-same minute from which the honourable member has not quoted, there is reference to the fact that Zhen Yun's lawyers had already advised it about the extent of community concern in relation to the keeping of dolphins. I think that is about three paragraphs further down from the quote read out by the member for Hanson. That clearly indicates that Zhen Yun was receiving advice from a number of sources and that there is a diversity of opinion within this community. Anyone who denies that there is a diversity of opinion within this community about the keeping of dolphins for performances is naive. It was in no more than that context that the Hon. Geoff Virgo said that Zhen Yun 'should consider'. That is not pressuring and it is not heavying; it is precisely what he said, that is, 'we suggest you should consider'.

MATTER OF PRIVILEGE

The SPEAKER: On the matter of privilege that I raised previously, I now call on the member for Hartley.

Mr GROOM (Hartley): I move:

That the House of Assembly resolve that in relation to the Supreme Court case of *Peter Lewis, MP v. Steven Wright and Advertiser Newspapers Ltd:*

1. The House does not authorise the Attorney-General to instruct counsel to intervene for the House in that suit.

2. The House believes that the Attorney-General should appear in that suit as *amicus curiae* to put the following propositions in relation to the privileges of the House:

2.1 *Hansard* and parliamentary debates may be referred to in court in order to prove, as a fact, what was said in Parliament.

2.2 Debates may not be referred to in court for the purpose of any 'submission or inference'. The truthfulness or otherwise of a parliamentary statement may not be questioned in a court; the motives or intentions of a parliamentarian in respect of a parliamentary statement may not be considered by a court.

2.3 In the circumstances of the suit referred to above, the defendants could not plead that the statements made by them were truthful; those statements alleged that the parliamentary statements were untruthful and improper. If the court were to inquire into whether the defendants' statements were untruthful, the court would necessarily embark on an inquiry into the truth of, and motives behind, the parliamentary statements. Such an inquiry would be a breach of privilege.

2.4 On the other hand, the defendants could refer to the published statement in *Hansard* to show that the issue was one where the defendants had an interest in communicating the defence to the public allegations. In these circumstances the defendants would have a qualified privilege to answer the allegation but not to do so in a way which in itself is defamatory; the qualified privilege would not apply if the defendants were actuated by malice.

Tracing the boundary between the competence of the courts and the jurisdiction of either House on matters of privilege is a difficult question of constitutional law. However, in the course of what has been a centuries long controversy much light has been thrown on the nature of privilege and the relationship between the judiciary and the legislature. The issue before the House can be reduced simply to a question of reconciling the law of privilege, as it relates to Parliament with the general law of this State.

This motion can properly be described as reconciling the need to preserve the privileges of this House with the general law and is a fair and equitable approach. However, I want to make a few points on the matter. First the Attorney-General, in any event, has *locus standi* in his own right to appear in any such case without any instruction or opinion from Parliament or any House. Any suggestion that the courts do not have jurisdiction to determine the extent or ambit of parliamentary privilege is not in accord with precedent. However, despite this dualism on privilege, in practice there is a wide field of agreement on the nature and principles of privilege. Some of these areas of agreement are contained in part two of my motion.

Paragraph 2.1 asserts that 'Hansard and Parliamentary debates may be referred to in court in order to prove, as a fact, what was said in Parliament'—just the fact that it was said. Paragraph 2.2 follows: 'that the motives or intentions of a parliamentarian in respect of a parliamentary statement may not be considered by a court'. That is a clear assertion of privilege. Paragraph 2.3: 'If the court were to inquire into whether the defendants' statements were truthful, the court would necessarily embark on an inquiry into the truth of, and motives behind, the parliamentary statements'. The conclusion of that subclause is an assertion of privilege that 'Such an inquiry would be a breach of privilege'.

In relation to paragraph 2.4, the sentiments expressed in this paragraph follow the general law of the land and recognise a citizen's right to defend. So, in conclusion, no waiver of privilege is in any way involved. The motion is a balance between the need to maintain and preserve the privileges of this House, yet at the same time enabling a citizen a right to defend.

Mr S.J. BAKER (Deputy Leader of the Opposition): The Opposition supports the motion before the House. Privilege is one of our sacred rights that we wish to preserve. Due to circumstances that no-one may have been able to predict, that matter has been brought into question in relation to a case before the court. We believe that the statements, thoroughly outlined by the member for Hartley, adequately express the opinion of this House as to where it stands on privilege. We have our rights protected to retain that privilege—and God save us if it ever goes.

Importantly, a person who feels that the Parliament has done him wrong also has a right, and is seen to have that right, to have the circumstances of the matter brought before the court if that is where the conflict is taking place. The Opposition believes that this is an adequate statement of where the House should stand on this matter. I take up the point mentioned by the member for Hartley about the Attorney-General having the right to put his opinion. However, he does not have the right to put the opinion of the House of Assembly. We support the motion.

The Hon. E.R. GOLDSWORTHY (Kavel): Briefly, I support the motion, because it goes to the very heart of the successful operation of Parliament as based on the Westminster system of long standing. The question of privilege first came pointedly to my notice when a former Minister of the Crown, Chatterton, sued Chapman and the ABC for alleged libel. It was a watershed case, because the judgment of the lower court found for Chatterton. Chapman (the member for Alexandra), who is still in the House, took the case to appeal.

The case was of such importance that I made my only visit to the Supreme Court to hear the summation of the Court of Appeal, consisting of their honours Justices Zelling, Jacobs and Prior. It was an interesting experience. I suggest that anybody who is interested in a clear enunciation of privilege in this place should read that judgment. I was impressed that the Chairman of the Appeal Court, Judge Zelling, did not mince his words. He made it perfectly clear that the judge in the inferior court was wrong and grossly in error in his interpretation of what privilege was all about. In brief, members have absolute privilege in this place and qualified privilege outside to speak as they will.

I simply put that on record because that case was, in my judgment, a watershed. In my view, it summed up, as clearly as has been summed up in recent years, the question of parliamentary privilege in an important way. I suggest that the comments of those appeal judges should be studied by anybody who is interested in the privileges of this place. There are those who would seek to undermine the privilege of Parliament, and the whole community would be the poorer if they were successful.

Motion carried.

The SPEAKER: I assure honourable members that the message from this House will be conveyed to the Attorney-General.

MAGISTRATES ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 20 February. Page 275).

The Hon. P.B. ARNOLD (Chaffey): I support the motion for the adoption of the Address in Reply, and, in so doing, I add my sincere congratulations to all new members of the House of Assembly. The new members have been mentioned at length by name by their supporters on each side of the House, and I will not go into that. Suffice to say, I welcome them to this Chamber and I hope that they enjoy their involvement in this place as much as I have during the period that I have been here.

There are a number of matters that I wish to draw to the attention of the House in the time available to me this afternoon. First, I should like to refer to the funding of roads in South Australia. There has been publicity on whether or not the Federal Government should provide additional funds for road construction in view of the disastrous road accidents that have occurred in recent times. When we consider that about 30c per litre is collected by the Federal Government and only about 5c is returned to roads, it is a disastrous situation for the road building program in Australia. It clearly indicates that the Federal Government has no real concern for what is happening on our roads.

Not only do we have this situation as far as the Federal Government is concerned, but, going back to 1979 when the fuel franchise tax was brought in, the funds derived from that tax in South Australia were paid into the highways fund for the construction and upgrading of roads in this State. At that time, approximately $25 million per annum was collected by the Tonkin Government, and every cent that was collected went into the highways fund. Since 1982, when the Tonkin Government left office, the incoming Labor Government has not increased the contribution to the highways fund by 1 cent; it still remains at approximately $25 million. That means that the amount of money available to the highways fund today is probably more in the vicinity of $15 million in real terms. About $60 million to $70 million is now collected by the Bannon Government in the fuel franchise tax in South Australia and only $25 million of that is going into our highways fund.

I have raised this issue in the House on previous occasions, particularly in relation to the Sturt Highway, which carries an enormous amount of interstate traffic in South Australia. There is no doubt that the Sturt Highway is a major highway carrying transport from Western Australia through to New South Wales and Queensland. It is beyond belief that the Sturt Highway should be classified a major arterial road. I understand that the Mildura corporation is considering lending its weight to a call by the Riverland Local Government Association to have the Sturt Highway upgraded to the status of a national highway. I trust that other shires in Victoria and New South Wales will take the same action and I hope that sufficient pressure will be brought to bear on the Federal Government so that the Sturt Highway will be classified a national highway and will be funded largely from Federal sources.

Last year I received a letter from a constituent at Loxton who outlined the problems he has faced after being injured under WorkCover and his present financial predicament. In that letter he states:

> Previous to my injury I was earning $246.10 clear per week, however I needed to supplement this income by fruit picking in order to maintain a satisfactory standard of living for my family. For the past 15 months I have been receiving my basic wage of $246.10 clear as I am totally incapacitated for work.
>
> With careful budgeting I have been able to make ends meet on this amount. However on 29 January 1990 according to section 35 (1) (B) of the Workers Rehabilitation and Compensation Act 1986 my income will drop to 80 per cent of this amount which will create an impossible financial situation for my family.
>
> Please find enclosed a summary of my expenses for your perusal. I have collated the following points to support my predicament. I consider myself to be a hard working Australian who is fully prepared to work for my standard of living which was lower than what it would have been if I was claiming unemployment benefits.

Thus a person injured under WorkCover would be better off collecting unemployment benefits or the dole. There is something radically wrong with the Government's WorkCover legislation when such a situation can occur: a person who has been injured and is totally incapitated finds himself in a worse position than a person receiving the dole.

I draw this serious matter to the attention of the Minister of Labour. It has been recognised in Victoria, and the Victorian Government, no matter what problems and financial trouble it has with its WorkCare legislation, has acknowledged, at least, the injustice of such a situation where a person who is injured and receiving WorkCare benefits is worse off financially than a person receiving the dole.

In His Excellency's opening speech to Parliament, reference was made to electoral boundaries. That is a major issue for members on this side, because the situation in South Australia is as bad as that which occurred in Queensland. I remember well in this place listening to the then Premier of South Australia, Don Dunstan, who spoke at great length about the injustice of the electoral system in South Australia. I can still hear him saying when his one vote one value argument was accepted that gone were the days when any Party would be able to govern with less than 50 per cent of the vote. Yet our friend the Premier sits in government after gaining only 48 per cent of the vote while the Opposition after gaining 52 per cent sits on this side of the House.

I trust that members of the Labor Party will discuss this matter with Don Dunstan; I am sure that he will remind them of his attitude at that time. I would be surprised if it has changed. He firmly believed that any Party in South Australia that received more than 50 per cent of the vote should be in government. If the Premier has any thoughts of going to another election in South Australia without there being a redistribution of boundaries based on the fact that any Party that receives more than 50 per cent of the vote should govern, I assure the Labor Party that the weight of public opinion will mean it is slaughtered, especially if it endeavours to preserve the unfair advantage it has in South Australia at present.

Last week, questions were asked in this Chamber about the duck shooting season, the gazettal by the Minister of game reserves and the implications that that would have on protesters entering game reserves while duck hunting was in progress. It is totally irresponsible of the Minister to deliberately make it easier for protesters to create confrontations with duck shooters. It is hard to imagine that any person would deliberately create a situation where people could be seriously injured as a result of such confrontations.

It is immaterial whether or not the Minister supports duck shooting; no-one is asking the Minister to participate. Duck shooting is legal in South Australia and anyone opposed to it does not have to participate. Everyone in this State either supports or opposes various actions by other people. For example, I am not interested in throwing away thousands of dollars at the gambling tables at the casino. What is more, I refrain from doing so. However, I have no objection to anyone else doing so; that is their affair. If they

receive a benefit from that activity, so be it; they are welcome to do so as far as I am concerned.

However, a minority group of protesters believes that it has the right to rule out duck shooting activity in South Australia. There are a great number of hypocrites amongst this group of protesters. If they were all vegetarians, I would say, 'Fine, you have the right to stand up and adopt that stance', but I venture to say that probably 90 per cent of them sit down every night, or every second night, of the week and consume roast beef, lamb, pork, chicken or turkey. Each one of the animals that they consume has as much right to survive as does a wild duck, a quail or a member of any other species that protesters say should be totally protected with hunting seasons being banned.

From an early age I was taught by my father how to use a firearm efficiently and safely. I was brought up in the country and it is part and parcel of life on the land to be taught to use a firearm safely. I was brought up with the attitude that we shoot and destroy vermin and only take animals that are to be dressed and put on the table, for example, chicken, lamb, beef or whatever. I was taught that to shoot indiscriminately with no purpose whatever is outrageous and there is absolutely no need for it. In this country there are a number of undesirable species such as feral cats and wild goats, which do an enormous amount of damage to the environment and which should be destroyed wherever possible. That ought to be done by responsible people who have been brought up with firearms and know how to use them safely. By the same token, I see nothing wrong with a hunter carefully preparing a duck and placing it on the dining table.

Some of the protesters who are not vegetarians but are meat eaters should look through Samcor or one of the major abattoirs. If they believe that the animals they are eating do not go through trauma in an abattoir, they are not facing up to reality. Any animal can sense death and in the main the animals at abattoirs are terrified prior to being slaughtered. They know what will happen, whereas at least a wild duck has a sporting chance; in fact, with most of us it has a darn good chance, unlike animals bred in captivity purely for the purpose of finishing up in the butcher shop. In that case the mortality rate is approximately 99 to 100 per cent.

We have seen enough of minority groups being able to dictate to other people in the community how they will live. In about 1974 or 1975 I moved an amendment to the National Parks and Wildlife Act to provide that all hunting moneys collected from people involved in any form of hunting would go into the wildlife conservation fund. The Labor Government was not prepared to accept that amendment and, because we had the numbers in the Upper House to get it through, the Government would not proceed with it. For about 18 months hunting permit moneys were not collected in South Australia and revenue was lost.

In the end the then Minister accepted my amendment and hunting permit moneys were collected. The Government paid the revenue from hunting permits into the National Parks and Wildlife conservation fund, but in the next budget it reduced the line to that department by the same amount that had been collected from hunting permits. In reality, the Government negated the intent of that amendment, which was to put back into wildlife conservation for the purpose of wildlife habitat and to enhance the wildlife in this country all moneys collected from hunters.

Wild ducks, kangaroos or any other native species in Australia have an enormous capacity to multiply in good years, probably as a result of the enormous extremes in this country. The wildlife die by the millions in bad years and multiply by the millions in good years. That is a fact of life, whether we are talking about birds, animals or fish. In the good years a crop should be so harvested under the management of the National Parks and Wildlife Service; in bad years when numbers are low, seasons should not be open and existing stocks should be preserved. The greatest mortality factor in Australia is seasonal conditions and not hunters.

Wild ducks, or water fowl, have a large number of natural predators, such as foxes, hawks, eagles, snakes and feral cats. Those natural predators kill many more water fowl that do hunters and their shotguns. The species has an enormous capacity to recover.

The Minister and her department, when there are poor seasonal conditions, should close the season completely; in good years the season should be open: that is proper management. The same applies to kangaroos. The kangaroo is the obvious animal to be farmed in this country. It is ideally suited to this country and produces one of the best hides in the world. Kangaroo leather will wear indefinitely. Anyone who has a pair of shoes made from kangaroo hide will know that they are virtually indestructible. The kangaroo is suited to Australian conditions; it breeds profusely when seasonal conditions are good and the crop ought to be harvested. There are more kangaroos in Australia today than ever in the history of our country because pastoralists have provided permanent water throughout the pastoral lands.

One only has to go into the north-west, into the Unnamed Conservation Park or into the Maralinga lands to witness what I am saying. Since the Maralinga atomic tests, when the Aborigines were moved from the area, the natural water holes that they maintained throughout that country have filled in with sand and there is now no permanent water in that area. One can drive for hundreds of kilometres and not see a bird, kangaroo, emu or anything because there is no permanent water.

In the pastoral lands the kangaroos number tens of thousands. That is a valuable crop, which should be harvested under the strict supervision of the National Parks and Wildlife Service under permit. That animal produces a high protein, lean meat that is in demand throughout the world. It produces an extremely high quality skin for leather, which could be in a great demand. However, protesters who know nothing about the subject whatsoever have created an illusion overseas that kangaroos in this country are almost extinct. That is sheer absurdity and one only has to spend some time in the pastoral country to see that the population of kangaroos is extremely high.

If the Minister tries to use protesters to create a confrontation between them and duck shooters for the purpose of banning duck shooting, she will set a very dangerous precedent. No individual group in the community has the right to determine what others will do. The Government is reacting to the opinion of a minority group. As I said, the people who oppose that activity do not have to participate in it. There is a crop to be harvested, and if a percentage of it is not taken by duck shooters it will be taken by natural predators or it will die of starvation, as most of the wildlife in this country does from time to time as a result of poor seasonal conditions. I hope that the Minister will take that on board because of the opinion of the strong, silent majority compared with the noisy minority of protesters.

In the Riverland, which is a wetlands area of South Australia, duck hunting is carried out fairly extensively and is largely understood by the people who live there. Most of the protesters live in the metropolitan area, whether it be Adelaide, Melbourne or Sydney, and they have had little

contact with what really goes on in the country. They also have little knowledge of Australian wildlife.

I direct my attention to another issue of concern: the Premier's announcement just prior to the State election about free bus services for primary and secondary students. I deplore as discriminatory the Government's decision to confine the benefits of the 24-hour free transport scheme to primary and secondary students living in the metropolitan area of Adelaide and in the six regional cities of Port Lincoln, Port Augusta, Port Pirie, Mount Gambier, Murray Bridge and Whyalla. I also deplore the Government's decision to deny private bus operators who previously carried student concession travellers the right to participate in the free travel scheme.

In line with its stated support for the social justice principles of access and equity, I call on the Government to extend the benefits of the scheme to all primary and secondary students irrespective of geographical location and place of learning. In line with its stated support for the small business sector, the Government should extend the scheme to permit participation by private bus operators who previously carried student concession travellers.

I have had enough of the attitude of taking country people for granted. If a concession is to be handed out it is handed out in the metropolitan area. Obviously, most of the country areas do not have STA services: there is no free transport system; students must make their own way to school. It is true that the Education Department provides a bus service in country areas for students living outside a certain radius from the nearest school, but that does not provide for those students who are within that radius. Many parents are distinctly disadvantaged in getting their children to school.

The Sturt Highway runs right through the middle of the Barmera district and many students live on the opposite side of the highway from the school. There being no bus service, young children have to make their own way to school or their parents have to transport them there for safety reasons. They suffer an enormous disadvantage. What I am saying is that, if the Government is to provide a free bus service, it should provide that service to all students, not just to the selected few in the marginal seats that the Government wants to retain. It did not do the Government a great deal of good anyway. A lot of fair-minded people in the metropolitan area believe that, if it is good for one, it is good for all. I hope that the Government will re-think its stance and regard all people in South Australia as equal, and not class some as second-rate citizens just because they live in country areas.

Mr OLSEN (Custance): At the outset, I congratulate you, Mr Deputy Speaker, and the Speaker on your election to high office. To you both, I hope that your time is rewarding and challenging but also enjoyable. In supporting the Address in Reply, I concur with the remarks made by previous speakers about the way in which the Governor and Lady Dunstan have discharged their duties. They have ensured that the office of Governor is looked up to and respected, and their period in office has been remarkably successful. They can look back on their achievements with personal pride and satisfaction. They have ensured that the office of Governor of this State is held in the high esteem that has been the custom over many decades.

I congratulate all the new members on both sides who were elected to Parliament on 25 November. I wish them an interesting and challenging career in the parliamentary arena. All too often, unfortunately, the public does not understand the pressures that are applied to members of Parliament in the discharge of their duties. If there were better public understanding and recognition of the role and function of members of Parliament, perhaps our esteem and standing in the community might be a little higher than we currently enjoy. It is that lack of understanding that contributes to our standing in the community.

In any democracy, a politician's function is basic and fundamental and it is an important facet of life in this State because Parliament and its members have the capacity to directly affect the way in which we live. Members of Parliament direct the issues that affect our daily lives. Unfortunately, that is not accurately understood by the public at large. I particularly welcome the five new Liberal Party members and acknowledge that they will bring an infusion of talent to the parliamentary Liberal Party, and that will stand it in good stead over the ensuing few years to the next State election campaign. They are people from a diverse background whose capacity and ability have certainly shown up in the course of the debates and discussions that have occurred so far. I have no doubt that their term will be long and productive for them and for the electorates that they represent.

That infusion of new talent is pleasing because of the electoral odds—the boundaries—which discriminated unfairly against the Liberal Party during the last campaign. It makes a little clearer why the Attorney-General and the Government ignored the letter that the Government and I received from the Senior Puisne Judge drawing our attention to the anomalies in the boundaries and the number of constituents in the electorates well before the 1989 election.

That letter clearly highlighted the difficulties that had occurred with growth in some electorates and the reduction in the number of constituents in other electorates. It was fairly clear that that matter being drawn to our attention was tantamount to our being invited to do something about it, rather than allowing the unfair and unjust boundaries to continue in existence until the 1989 and subsequent elections.

The Liberal Party and I responded to that by indicating that it was our wish that the matter be adjusted forthwith, that is, during 1987-88, so that new and fairer boundaries would have been in place at the last election on 25 November last year. However, the Government ignored that matter drawn to its attention, and it is clear why it ignored it: simply because it recognised the electoral advantage inherent in the system—52 per cent versus 48 per cent. That proportion is well documented and has been referred to by many members in the course of the debate. Yesterday, the Leader acknowledged that the Liberal Party received some 35 000 votes more than the Labor Party. That is almost equivalent to two seats, and yet our Party still is not in a position to form a Government in South Australia.

The Hon. B.C. Eastick: It is two seats?

Mr OLSEN: Yes, equal to two seats. Well, that was yesterday's problem. The fact is that it is no good concerning ourselves about it now, except to ensure that this Parliament recognises the injustice and unfairness of the system and does something about it constructively and objectively during the next three to four years so that, when this House next goes to the people, it will be on the basis of fairer boundaries than the present ones.

At the last election, the Liberal Party received the fourth highest vote since 1944. That clearly indicates that the system is awry and needs a review and adjustment. It is incumbent upon all members of this Parliament to ensure that there is a change of boundaries in this State in order to allow a political Party obtaining 50 per cent of the vote an even chance of forming a government, unlike the present situation.

There is no doubt that the Liberal Party in this State is resilient; it is enthusiastic; it is determined to win government; it has a task ahead of it; and it is clearly meeting the challenge full on. That is evidenced by the aggressive and objective way in which the Liberal Party and its new Leader, Dale Baker, have performed over the course of the past month or so. It is my view that the election campaign prior to the election on 25 November last has set the Liberal Party in a position to gain government next time around. I contrast the Liberals' performance with that of the Labor Party, where one may see the arrogance (which was a characteristic of the Bannon Administration over the past four years) continuing. That tends to indicate a Government that is out of touch with the people.

It was not just a good election campaign that turned the tide towards the Liberal Party and away from the Labor Party in November last year; it was the developing degree of resentment in the community towards a Government that was ignoring the plight of individuals in the community. A few weeks after the election a prominent member of the Labor Party and current Minister said at a function, 'Well, we ran close this time, but it will be all right next time, because history repeats itself. In 1975, Bruce Eastick, then Leader of the Opposition, went within 300 votes of winning, in 1977 it turned around—it was a landslide—and we walked back in. So, it was close this time but next time around it will be a landslide, we'll walk back in again, and we'll open up the gap.' Members of the Labor Party and ministerial assistants who are of that view and continue to hold that view over the next four years are in for a rude awakening come the next State election campaign. If this Government continues on its course of arrogance and indifference to the plight of individuals in the community, the resentment building up in the community against the Labor Party generally and against the way it is governing, not only in this State but federally, will be reflected at the ballot box. With a reasonable and fair electoral system in South Australia by then, we will be assured of a change of Government in this State the next time around.

The Hon. Ted Chapman interjecting:

The DEPUTY SPEAKER: Order!

Mr OLSEN: All interjections are out of order. I usually accept helpful ones, but I do not consider that one necessarily to be in the category of being helpful.

The Hon. Ted Chapman: Tell us about the arrangements with Tony Messner?

Mr OLSEN: The media have been inviting me to do that for about three weeks and, with great patience, I have declined that invitation, and I will continue to do so.

Members interjecting:

The DEPUTY SPEAKER: Order! I remind members not to distract the member for Custance from his speech.

Mr OLSEN: Thank you, Mr Deputy Speaker. Over recent years, I have expressed in various debates my concern about the economy of South Australia. This State's economy is faltering and, unfortunately, the people who are bearing the brunt are those in the community who cannot insulate themselves and do not have access to finance in order to protect themselves against high interest rates and the policies implemented by the Labor Party, particularly at the Federal level.

Here in South Australia, we have seen the escalation of land tax and workers compensation premiums. Despite repeated denials by the Government and Minister that there would be no excessive increases in workers compensation premiums, numerous small businesses, including manufacturing undertakings and people involved in the hospitality industry, have experienced excessive increases in premiums. Those costs being applied to the business community—in particular, the small business community—have caused cash flow and liquidity problems, which bring about a reduction in employment opportunities for South Australians. South Australia has one of the highest levels of unemployment in mainland Australia.

Over the course of the next nine to 12 months South Australia will see a significant increase in the number of small business failings, simply because they cannot afford the continuation of high interest rates. They have struggled and have kept their heads above water over the past 12 to 15 months, but the day of reckoning is coming. During the period when income tax instalments should be paid, other pressures will be applied to small business. From about March this year one will see the small business sector really beginning to bear the brunt of high interest rates and the escalation of a whole range of taxes and charges. The result will be failings and a reduction in the number of job opportunities. Whilst we have paid lip service to this matter, we have not put in place effective policies that would recognise that small business is this State's and country's largest employer.

The small business sector needs support and encouragement to prosper and survive, and to continue employing at existing levels without having to reduce those currently in the workforce. That means that the Government must tackle the task of costs being passed on across the board. It has been all too easy simply to pass on the costs, and it is about time that all levels of Government looked at how they can contain costs so that we can gain breathing space for the business community.

There are a number of ways in which that can be achieved, and I will run through two or three options that I think are open to this and other Governments throughout this country in order to halt the escalation in taxes and charges and, therefore, give some breathing space to what is a very vital component of the business community. First, there is the area of Commonwealth-State duplication. There is significant potential for cost savings through the removal of unnecessary duplication between Federal and State Governments, and we see this in education, health and housing, where there is massive duplication. For over a decade we have had Governments of various persuasion and political leaders talking about the need to tackle the task, but that is where it finishes. We do not actually do it, and it seems to me that the time has come for Governments to grasp that particular nettle.

I suppose that one of the reasons why Governments have talked about it but not acted is the simple fact that, in most marginal electorates, 30 to 35 per cent of the people are public servants, whether local, State or Commonwealth, and there is a reluctance to tackle that task based on the premise that, if one tackles the task in the marginal seats, one will create a climate of disenchantment for the Government prepared to bite the bullet. Of course, we must bite the bullet at some time.

The former Premier of Western Australia (Mr Dowding) estimated last year that a crackdown on duplication would save some $200 million in Western Australia alone. He nominated health and education programs as offering particular opportunities to reduce this overlapping of functions, which would, therefore, reduce costs. In 1986 the Premier (Mr Bannon) said that Federal and State Governments would save scores of millions of dollars each year by cutting out administrative doubling up. Mr Bannon put the issue on the agenda for the 1987 Premiers Conference, and the Prime Minister told the conference that the Commonwealth would

be prepared to consider any specific areas of rationalisation suggested by the States.

However, I understand that not much response was received from the States on how to tackle that task. In the 1989-90 budget papers the Premier tabled in Parliament, he admitted that limited progress only had been made in the two areas since the issue was first raised. That is included in the financial statement tabled in this Parliament. I am pleased that (going into this election campaign) the Federal Coalition has a policy of tackling the task of costly duplication between the States and the Commonwealth.

The 1980-81 annual report of the Advisory Council on Intergovernmental Relations identified some 200 arrangements involving overlap between the Commonwealth and the States. One of the major areas of cost is the imposition by the Commonwealth of unnecessary accountability measures on programs funded by the Commonwealth but implemented by the States.

The Hon. Jennifer Cashmore: Insisting on their own guidelines.

Mr OLSEN: Insisting on their own guidelines, which put enormous administrative costs on the State that are unnecessary and unreasonable—

The Hon. Jennifer Cashmore: And reduce flexibility.

Mr OLSEN: Of course, they reduce flexibility. They take away the rights of the States to make determinations on how they see the need, locally based, and they are in a better position, locally based, to identify that need than are some bureaucracies based interstate; otherwise the criterion set applies to New South Wales, Victoria and South Australia when, in fact, the circumstances applying in South Australia might be totally different from those applying in New South Wales or in Victoria. In areas such as education—

An honourable member interjecting:

Mr OLSEN: No, it is not the traditional way! He doesn't want me to wind up—

An honourable member interjecting:

The DEPUTY SPEAKER: Order! I ask the member for Alexandra not to assist the Chair in the running of the House.

Mr OLSEN: In areas such as health, education and housing the Commonwealth has been seeking increased control and much more detailed information on the implementation of those programs. That, of course, adds unreasonably to the costs of the States. It is not only the States duplicating the Commonwealth, it is also the unfair and unreasonable requirements of the Commonwealth on the States. Therefore, it is a two-way process of duplication and overlap.

Another point is asset sales. If the State has assets that are not serving a useful or productive purpose for the benefit of the State, we ought not to hold those assets. They ought to be sold, the debt reduced and, therefore, an ongoing saving is identified for taxpayers in the reduction of the interest bill levied upon us. That is an area we need to tackle, and I speak with some degree of passion on the subject of asset sales, since it is under the umbrella of privatisation.

In 1985 the Labor Party (and the Premier, in particular) took a fairly big stick to me in relation to a policy direction of privatisation. The only problem with that policy was that it was about five years before its time. What we have now is Labor Governments, both Federal and State, implementing exactly that policy.

Mr Groom interjecting:

Mr OLSEN: Once again, a play on words. We cannot use the word 'privatisation' since the Labor Government put a big question mark over it—it made it the Thatcher question mark—so the Government calls it commercialisation and it becomes respectable all of a sudden, and acceptable to the community and the electorate at large. After the 1985 election and the stick the Government gave the Liberal Party on that policy, it was interesting that in the succeeding four years the Government implemented that policy lock, stock and barrel—and more.

The Government sold off more assets than we had identified in our privatisation policy in 1985—and I have no argument with that at all, because it is right and proper, and it is acting in the right way as custodian of the assets of the people of South Australia. The only thing I take issue with the Government about is the way in which it spends the funds obtained from that asset sale. There is no other legitimate alternative but to reduce debt. Putting it into general revenue and just spending it is merely putting off the day of reckoning. It is just holding the line, and that is not in the long-term interests of South Australia.

Another area in which considerable savings can be made is that of competitive tendering. It has been identified by interstate assessment that substantial savings can be made in competitive tendering through Government agencies and departments. That research (in Australia and overseas) suggests that an average saving of 20 per cent on a range of services can be achieved through competitive tendering and contracting out where appropriate.

In a 1988 survey of local government services in South Australia and Tasmania, the Australian Chamber of Commerce identified savings of up to 17 per cent in road construction and maintenance and 15 per cent in garbage collection from competitive tendering and contracting out. The recent publication 'Budgetary Stress', which the Premier endorsed selectively prior to the election campaign, refers to the potential to save the Engineering and Water Supply Department more than $13 million per year and the State Transport Authority between $16 million and $37 million a year through competitive tendering and contracting out.

Mr Ingerson interjecting:

Mr OLSEN: And we would have done it, yes. These are areas in which substantial savings can be made which can, on the other side of the ledger, halt the escalation in taxes and charges across the board. Other issues that should be identified by the Government in a more meaningful way than it has done at this stage are in the area of productivity improvements that allow the Government to reduce recurrent spending without reducing services. For example, in 1985 the Victorian Labor Government introduced a productivity savings program to save initially 1 per cent per annum in recurrent spending. It had an objective target and budget. For the 1986-87 financial year and subsequent financial years, including the present year, the annual target had been 1.5 per cent. So, it started off with 1 per cent and that was increased to 1.5 per cent of discretionary recurrent spending.

These savings have been achieved in addition to productivity trade-offs for the 4 per cent second tier wage increase. The New South Wales Government also has a productivity improvement program based on similar targets to Victoria which, in 1988-89, saved $110 million. Opportunities for productivity improvement include changes to work practices, redeployment of resources and technological change such as the introduction of improved computer information systems, and the like—areas that we should be tackling here in South Australia. However, the Government has been silent on these issues. We need a long-term plan for South Australia to ensure that we give the business community more breathing space and, instead of a faltering, stagnating economy, we have an economy with some drive.

If we look back at South Australia's history, in the early 1950s and 1960s this State's manufacturing base and the broadening of the industrial base from a basically agricultural one was built on the premise that the cost of production in South Australia was less than that which applied in the Eastern States. Because we were able to produce an item—whether it be a washing machine, a motor vehicle, or whatever—at a cheaper cost than manufacturers in the Eastern States, we were able to compensate for transport costs to the Eastern States, which have the major consumer markets of Australia. This also gave us access to the international markets.

While transport costs to the Eastern States are not the factor that they were in the 1950s and 1960s, the simple fact is that, if we want to establish and maintain a manufacturing base in South Australia, we must have a competitive advantage and edge over the Eastern States. If we do not, when a factory comes to the end of its useful life, what will the management decide to do in relation to the replacement of that factory and those assets? Will it, for convenience, relocate near the consumer market or will it continue to build here? If it looks at historical factors and sees the erosion of the advantage of building in South Australia—the escalating taxes and charges in this State compared to other States—it is likely, and we have seen this on occasions in recent times, those factories and plants will relocate and jobs will be exported out of South Australia to other States of Australia. That is not in the long-term interests of this State or for job opportunities for South Australians.

I wish to address briefly one other issue, that is, crime. A number of members have spoken about the escalation of crime in South Australia. It is an area that deserves the active consideration of this Parliament. The statistics are revealing. The rate of violent crime has increased by 107 per cent over the past eight years; property crime is up 42 per cent—there are now 317 property crimes per day; the break-in rate is 102 per cent—there is a break-in every 13 minutes in this State; robbery rates are up 70 per cent; and serious assaults have increased by 123 per cent. However, effective resource allocation to the Police Department, both in legislation and in terms of personnel, is not being adequately addressed by the Government. For example, the introduction of the shorter working week has resulted in the effective reduction of the number of police officers on the streets of South Australia. This is an area that needs to be addressed. It is an area that cannot be ignored.

We require some 210 additional police officers simply to address the introduction of the 38-hour week in South Australia. However, the Government has not acted; it has remained silent on that factor. It quotes statistics on the number of police officers per head of population in South Australia compared to the numbers in other States. That is irrelevant if one looks at operational police officers in South Australia and does not include the band, mechanics, and so on. The number of operational police officers is the important statistic to consider. I hope that that matter will be addressed during the life of this Parliament.

In supporting the Address in Reply, I believe that the next three to four years will be important for South Australia because this State is at the crossroads. South Australia can take corrective action to halt the decline in the economy and in the living standards of South Australians. In that, the Government has a basic and fundamental responsibility. If it ignores that responsibility, as it has over the past three to four years, there is absolutely no doubt that we will have a new Government in South Australia after the next election.

Mr OSWALD (Morphett): I support the motion for the Address in Reply. In doing so I place on record my appreciation and the appreciation of those I seek to represent for the work of Sir Donald and Lady Dunstan in the governorship of this State. We appreciate the effort that they have put into this role and what they have done for the State.

This afternoon I will address the urgent need to improve the provision of community services in South Australia. It should be remembered that never before in the history of our nation have we seen such high levels of poverty, unemployment, bankruptcies, business failures, taxation, interest rates, family break-up, crime rates, gambling receipts, and the list goes on. One would have to go back to the days of the Great Depression to compare the impact that this is having on our low-income and disadvantaged residents. The low income earners may well ask, 'Where is the essential safety net for the poor?' They may well ask, 'Where is the equitable growth of development in our State that will generate wealth and resources to help the poor?' They may well ask, 'Why is not the Government sector more effectively using its resources to assist both the Government and non-government sectors that provides assistance to those in genuine need?'

It is interesting, when we hear people talk about carving up the welfare cake, that they keep referring to budget allocations to the Department for Community Welfare. People must remember that all sectors of our community—business, unions, rural industry, tourism and recreation and sport—are in receipt of 'welfare' in the form of taxpayer-provided dollars. Measures such as direct and indirect industry subsidies, tariffs, incentive schemes, Government services and charges forgone are not usually called 'welfare', but they are all paid from tax collections. As such, they are just as much welfare as are payments to families in need and other basic commodity services.

There have been many political arguments over the years on how the welfare cake should be divided up. I submit that in times of plenty the Government can afford to be generous but, in times of record poverty and bankruptcies and when large sections of the community are finding it impossible to cope with the cost of living, we must look seriously at how the wealth is generated and distributed to ensure that the genuine poor and the needy are provided with a safety net. We are not living in times of plenty—that must be freely acknowledged. Thanks to the Hawke/Keating Government our national economy is on the brink of collapse. Therefore, this Government should be redirecting greater resources to the non-government agencies that look after the deprived and low income households in this State.

There are also those exploited groups that can no longer afford to fend for themselves. Those are all questions of priorities. The Australian community is a great one for the 'I'm all right' syndrome. The fact is that, over the past eight years or so, tens of thousands of our fellow Australians have not been all right. It is about time that the Government did something in the way of community education to try to change entrenched community attitudes that also help to perpetuate the structural poverty that exists in our community. In the Liberal Party, I intend to work to bring that about. I hope that members of the ALP will do the same so that the genuine battlers in the State are the winners. There is this inbuilt tendency to perpetuate the structural causes of poverty. If we do not, on a bipartisan level, come together and change those attitudes, so that we do not have a community which says, 'I'm all right; let us not worry about other people', and turn it around so that, as a com-

munity, we can start to say that there are people who are disadvantaged and that we all have a responsibility, we will not break down the structural causes which are inherent in the community.

If we are to achieve these aims, the Government must have a greater commitment to community participation and consultation in Government decision making with the non-government sector. The input should commence at the idea conception stage and proceed through the planning stages to the implementation stage. I am talking about constant consultation with the non-government sector at every stage along the way.

The Liberal Party freely admits that, in times of national economic crisis, a safety net must be in place. I know for a fact that the wealth of knowledge and experience in the non-government sector is being under-utilised at present. These organisations must be involved in the planning of new programs and they must receive appropriate funding so that they can be effective in their communities. For example, if programs to handle youth and parent conflicts are to be effective, they must be properly funded. We have these organisations and they have the right ideas, but if one talks to the professionals in the field one finds that they cannot implement their programs because they are insufficiently funded. If we are to have those professionals involved in marriage guidance and if they are to be effective in saving marriages and keeping families together, they must be properly funded. If we are to have professions involved in support in the area of family violence and if they are to be more effective, they must be properly funded.

I thought it was interesting that, just prior to the 1989 election campaign, the Government added the word 'family' to the DCW title of its Minister. The emphasis on the word 'family' followed statements by the Liberal Party, which had just brought out its own excellent policy in the whole area of family and family care. Because the Liberal Party incorporated the word 'family', it did not take long for the Labor Government to add the word 'family' to the Minister's title. The Government did much the same when it added the word 'aged'. That was as a result of the Liberal Party's coming out with its excellent age policy and its promise to have a Minister for the Aged. It did not take the Government long to step in and have a Minister for the Aged as well.

The Government should be on notice that we will watch with vigour to see that it transmits these changes of name into positive policies so that the direction changes and the family becomes an emphasis in the Government's community welfare and family policies. We want to make sure that, as the Government has determined to use the word 'family', the policies that it brings in have been properly planned and funded. One of the great tragedies at the moment is that, whilst the non-government and government sectors are working hard in a time of complete financial stringency, the non-government sector is having difficulty in implementing those programs because of lack of funding.

I turn now to the subject of government—non-government relations, which is the key to service delivery. One worrying aspect is the impending changes to the awards and the future wages and working conditions that will apply in the non-government sector. The fear is that the cost of providing services in the non-government sector will eventually rise to that of the government sector. Unless the Government increases its subsidy support to the non-government sector, two things will happen. First, the agencies will either have to charge, or charge more than at present, for their services; or, secondly, they will have to start reducing services at a time when the demand has never been greater from the genuine poor in our community.

I understand that there has been no increase in Government grants to non-government community organisations for over three years and that any new initiatives that have been brought about have related to a shift of funding from one program to another. Unless the Government is prepared to reallocate funds from elsewhere, the future of many non-government care providers looks quite bleak. That is a very serious situation, which has been quietly and slowly developing in the community. I can assure honourable members that that is occurring and it has to be addressed if we are to see the non-government sector rise and be successful in its role.

This raises five interesting questions, which have been put to the State Government by the South Australian Council of Social Services. I should like to read them to the House because I think they are important and sum up the whole concern. First, what plans is the Government making to respond to the changed funding needs of community organisations which will result from the introduction of the various community awards? Secondly, what additional funds will be made available to allow new initiatives to be implemented in the non-government community sector? Thirdly, what plans are being made to allow additional funding to recognise the true cost of substitute care? Fourthly, how will the Government involve the non-government sector in planning to ensure a greater coordination between the two sectors in service delivery and development? Fifthly, are there plans for a review of the non-government community sector as it has been seen in other States? Are there plans for review of the funding formula? I also place the State Government on notice that I shall be seeking answers to questions in these important policy areas over the next year.

I turn now to another subject of particular interest to me, and that is the failure of the Federal and State Governments to solve the critical shortages of places in hostels and nursing homes. This is an area that received some prominence prior to Christmas. While the issue seems, for some unknown reason, to have slipped off the agenda, it is certainly of concern to those who have friends, relatives and loved ones who are seeking places in nursing homes.

There is no doubt that under Federal and State Labor administration, an aged care crisis has developed in South Australia. It has been building up like a slowly ticking time bomb for some time and there is certainly a crisis at present. Let anyone on the Government benches or in this Parliament deny that we have an acute shortage of hostel and nursing home places.

I shall state a few facts. Many old people are held in hospital beds because there is nowhere else for them to go. That is fact number one. At the same time, domiciliary care services for people who are still fortunate enough to be living in their own homes are now very restricted in some districts. The Royal District Nursing Society is unable to meet the demands in some districts. In recent months it has been forced to close its books to new clients. So much, I guess one could say, for Labor's social policies that allow this sort of thing to happen.

Accommodation in hostels and nursing homes is so short that social workers have to compete to find places for their patients. I thought five years ago that we would reach this situation and, sadly, Mr Yates, the Executive Director of the South Australian Council on the Ageing (SACOTA) has stated, 'Entry into nursing homes is now very difficult.' I add that the situation is absolutely critical; I think Mr Yates is being quite kind in that statement. He is also on record in the press as saying that there are severe problems with

people suffering from dementia, a condition in which people suffer from a short or complete loss of memory. Mr Yates has stated, 'Facilities for these people are just not there'.

Many people caring for their aged parents or loved ones who suffer from dementia desperately need respite care. Respite is needed for the carers so that they can be given some sort of relief from the constant attention that must be given to dementia patients. This State does not provide emergency relief for carers of dementia patients. So much for Labor's social justice policies and the alleged use of taxpayers' funds to help the under-privileged. There is a crisis in this State; we cannot get away from that.

Mr Yates also made the point that, although the Hawke Government announced a policy of increasing respite care to give relatives or friends of elderly people an occasional rest, the fact is that funding resources are inadequate. Whilst the Federal Government has paid lip service to this matter and made great play of providing extra resources, the reality is that the resources for care givers are insufficient. Mr Yates hit the nail on the head when he said in the press, 'The whole situation in the nursing homes is tight and it is getting worse instead of better.' He is absolutely right.

I predict that the Minister will respond to the allegations made by the Executive Director of SACOTA by saying that he has increased funding to the RDNS, for domicillary care, for respite care and to Meals on Wheels. This is true in part; there has been an increase in funds, and we are pleased to see that, but by no means has this increase kept up with the demand. We have reached the stage where the Government must start to shift its priorities and determine a different way to break up the cake. We do not live in a time of plenty: we live in a time of financial crisis in a country where the wheels are starting to fall off the economy. We have a growing pool of disadvantaged people and now is the time to make sure that the safety net is in place. The only way to save Australia, to save this State and to do anything for the poor and under-privileged of this country is to change completely our economic structure, and that means acknowledging that Labor's economic strategy for the development and growth of this State does not work in a mixed economy. The strategy has not worked in this State and it has not worked nationally, and this fact should be acknowledged.

The ALP generally, and some militant trade union leaders in particular, must accept full responsibility for this country's record level of poverty. Such poverty does not exist in developed nations overseas, but it does exist in Australia. These people must also accept responsibility for the acceptable level of aged care, the record level of bankruptcies, the failure of small business and the inability of ordinary families to make ends meet. They must also accept responsibility for the escalating cost of living, record interest rates and wages bills that flow down through WorkCover and insurance levels which eventually will cause a domino effect of rising costs. This means that small businesses and companies will start to fold. When that happens there is a growing queue of people genuinely seeking welfare from the State.

I have never forgotten a statement made some years ago by Sir Charles Court. The words are not verbatim, but he made a statement along the lines that one man's pay rise could mean another man's job. This fact can be demonstrated in this State; it has happened over the past two or three years and is building to a head. Everyone likes a pay rise. People are not normal if they do not. But what I say is fundamentally true: at times of stringency, flow-on pay rises eventually put people out of work, because the cost of labour reaches a point where people cannot be employed. Pay rises must be tempered, because the bottom line at the end of the day is that the queues of people seeking welfare payments begin to grow. It is a vicious treadmill.

In the early days, as can be seen from history books, the unions set out to obtain fair wages and conditions for all workers. I applaud them for their efforts, but the matter is now out of control. This mad grab for wages which are passed down the line will eventually cripple this nation.

I now turn briefly to a couple of areas of concern to me. First, I refer to the new Government funding guidelines combined with new administrative rules which relate to the care of the frail aged in nursing homes. This has led to an unacceptable cut in services and has undermined rehabilitation programs in hospitals and nursing homes. Prior to Christmas I spoke at length on this subject and I do not have time today to develop it further other than to say that, because of present funding arrangements, the time allocated for rehabilitative care in nursing homes—and one must bear in mind that rehabilitation and physiotherapy are time consuming—is reduced. On occasions, when staff commit themselves to additional time with patients, that time is taken away from other patients. This is an area of concern which must be addressed.

The second matter to which I refer is the cut in funding for the Home and Community Care Program (HAC) in the last Federal budget. That reduction is forcing organisations to close their books to new clients and to restrict the hours and range of services available to the aged and the disabled. This point should be taken on board and rectified by the Government.

Thirdly, the new Commonwealth-State housing agreement threatens to slash funds for public housing in this State and to increase the waiting time for trust accommodation at a time when a record number of people are on waiting lists and record levels of interest rates are discouraging home ownership and forcing up rentals in the private market.

In the few minutes remaining to me I would like to refer to the academic standards of social workers. At some time or another we have all been involved in discussions with members of the public who have put forward a case that a social worker, under certain circumstances, has probably caused more harm than good. It might have been alleged that the social worker was not qualified or should not have been involved and we are told that there should be some standards or bench marks by which social workers are registered. This is a fairly vexed subject and I have sympathy for both sides. I was brought up in a profession where there was an endeavour to provide highly qualified professionals. I have been concerned for some time to hear these criticisms; people say that in many cases social workers are not qualified to intervene in a crisis situation.

The problem is that levels of qualification vary; some are gained in months and others in two or four years. I understand that the State Department of Family and Community Services employs graduates of two year courses, offering them a six week orientation course. Let me say that as a Minister I would take advice from both sides of the profession in regard to implementing common standards. It is my personal view that we should aim for as high a qualification as is practicable—and I underline the word 'practicable'.

I have already received one letter which states the case for this argument and I bring to the attention of the House the SACOSS newsletter of a couple of years ago which published an argument for and against this argument. If time permits I will also mention some of the arguments against.

I will read the submission on the case 'for' as follows:

In recent years a number of the welfare services in this State have received a great deal of criticism about the quality of their work. Certainly some of this has been unjustified, but much of it has had varying degrees of validity. In particular, the Department of Family and Community Services, formerly the Department for Community Welfare, has had its fair share, especially in relation to its handling of child abuse cases. It is recognised that the areas of welfare addressed by this department are among the most difficult and therefore require the best possible staff. The lack of professional social work staff within the department is a very serious problem that was pointed out in the Cooper Report some time ago, but as yet it has not really been attended to. Western Australia seems to have set the example by seeking a fully professionalised service—even to the point of actively recruiting in South Australia—something our own department fails to do. We desperately need a fully professional service for this State.

A key issue related to the above is the lack of registration of social workers within this State. Whilst it is deemed too dangerous for anyone to 'play' with electricity without being licensed, anyone can call themselves a social worker with no qualifications and literally 'play' with people's lives! In this case it is the Northern Territory that has set the example. It is imperative that registration is instituted in South Australia in order to ensure that social work services are provided by properly trained staff who, through a board, can be made to be publicly accountable for the services that they provide to the public.

The case for social workers is the subject that will have to be addressed by Governments at some time in the future. The case against is something which I regret time will not permit me to put on the record, but is contained in a newsletter by SACOSS. If any readers of *Hansard* would like me to send them a copy, I will be happy to do so.

In my concluding remarks (and I am pleased that the Minister of Recreation and Sport is in the Chamber) I would use this opportunity to place on record the Opposition's support for the Government's efforts to obtain the Commonwealth Games for Adelaide in 1998. As an Opposition we guarantee the Government 100 per cent cooperation and support. There is absolutely no doubt that through the Grand Prix we have demonstrated as a city that we are capable of staging a highly complex international event. The Commonwealth Games need be no hindrance to our demonstrating to the international community our ability to sponsor such an event. There is enormous potential for the State to come out of it with the construction of the games venues, the village, and the availability of the facilities afterwards along with the upgrading of sporting facilities around the State. The Opposition applauds the Government for its efforts in trying to obtain the games. Anything that the Opposition can do to assist the Government in this endeavour will be done.

It was also announced that the Government has offered the Opposition a position on the committee to look at the project. I am pleased to indicate that Heini Becker (the member for Hanson and a member of my policy subcommittee on recreation and sport) will represent the Leader, Dale Baker, on that committee. We are very happy to be involved with it and every opportunity we have to help promote the State in our chance to get the games will be taken.

To sum up, the thrust of my speech was in the community welfare area and on the need for Governments to recognise that we are in a state of economic crisis. We are in a position where the list of disadvantaged and poor is growing. We have to acknowledge it and do something about that safety net. It is in the hands of Government, and certainly as an Opposition we fully acknowledge and recognise the difficulties faced by Government in providing that safety net. We are not talking about 1975, 1980 or 1985: we are talking about 1990, wherein we have a national economic crisis. We have a growing list of disadvantaged who need assistance from the State. There used to be times when we had people claiming benefits to which they were not entitled, but that list is shrinking. The genuinely needy and unemployed are seeking help from the Government, and the Opposition will do what it can to make sure that the Government delivers.

The Hon. J.P. TRAINER (Walsh): I join in the Address in Reply debate for the first time since 1985 and in support of His Excellency's wonderful address. On the occasion of an election, the successful candidate normally has a function at their home or somewhere nearby, on a Saturday night. I have made it the practice over the past few years of, instead, having a function on the Sunday morning when there is a more relaxed atmosphere. Following the 25 November election last year my celebrations were at a local Chinese restaurant. I was one of the first to arrive at the Canton Village where the proprietor is a personal friend of mine. He presented me with a fortune cookie which I opened to discover inside the proverbial Confucian curse: 'May you live in interesting times'. All of us have certainly had some interesting times since 25 November!

I wind up the Address in Reply debate as the last person from either side to make a contribution—a practice which has developed into a tradition in recent years for the person in the role of Government Whip. I congratulate you, Mr Speaker, once again, on assuming the Chair, and I also congratulate the Deputy Speaker (the member for Elizabeth) on attaining the position he now occupies. Indeed, I congratulate all people on assuming their respective roles in the Chamber, including the new Leader of the Opposition.

Mr Lewis interjecting:

The Hon. J.P. TRAINER: The member for Murray-Mallee may expect me to extend congratulations to him for his finding himself on the front bench. If that is so, I can only comment that his appointment to the front bench is one of the most bizarre political appointments since the mad Emperor Caligula appointed his horse a pro-consul of Rome.

The Hon. E.R. Goldsworthy: Nearly as bizarre as your appointment as Speaker.

The Hon. J.P. TRAINER: The member for Kavel is making derogatory remarks about a former occupant of the Chair: I suggest he adopt an air of caution, because the person upon whom he has individually reflected is now in a position to be able to respond. In other words, for four years I was handcuffed and unable to respond to the abuse heaped upon me by the member for Kavel, whose behaviour has regularly been extremely disgraceful.

Members interjecting:

The Hon. J.P. TRAINER: The member for Kavel often comments that members flock in to hear his speeches, and we do—the same way that people flock in to see a two-headed calf in a freak show. We sit here spellbound with horror at his remarks, transfixed with amazement that over the past few years someone whose contributions are so bad should hold the Australian record for remaining Deputy Leader of an Opposition.

Members interjecting:

The Hon. J.P. TRAINER: I suppose I should be appreciative that at present he is upgrading the language he uses. Only a short while ago he was reprimanded for using the word 'bastard' in reference to this Government. On previous occasions he has tossed in such delightful examples of his vocabulary as 'smart arse', and so on. On many occasions on which I was the occupant of the Chair I turned a deaf ear to the disgraceful interjections and remarks coming from the Deputy Leader of the Opposition, as he was then, because I believed that to draw attention to his disgraceful behaviour would draw public opprobrium upon this Parliament. I frequently turned a deaf ear and a blind eye to the then

Deputy Leader, such as on one occasion which I remember when he indulged in this sort of personal abuse of the Chair: 'Sir, it is as plain as the nose on your face. It is as plain as a pike staff, although your nose is not quite that long.' In other circumstances, without the tolerance that was shown to the honourable member by me, I am pretty sure that he would have been named, as he has been, of course, on more than one occasion. In fact, except for a now Supreme Court judge, the honourable member holds the record for the number of namings in this Chamber: a total of nine namings leading to five suspensions.

I congratulate all new members of Parliament, five of whom have gained places on the Opposition benches as a result of defeating Government members and six Government members who have taken their places by replacing retired members. I am pretty sure that the five new Liberal members will not find themselves to have the durable qualities that the members on this side have and that our six members will be here a lot longer than the five new members on the other side.

The choice that the Liberal Party made in selecting my opponent in the electorate of Walsh was rather a strange one. Once again, the Liberal Party continued its discourtesy to the people of my constituency by nominating someone who was not a resident of the area and had no links with it. At least one earlier candidate was reasonably well qualified, and I refer to Mrs Triplow. She was my opponent on a previous occasion and was a little more qualified than some of my other opponents to be a member of Parliament, although, like other Liberal candidates in the past, and unlike my predecessor Geoff Virgo and me, she did not live in the area.

It was of interest to me in 1985 that, with a name right down at the far end of the alphabet, had we not changed the legislation so that the ballot-paper positions were drawn by lot, for the first time I would have had the benefit of the donkey vote because 'Trainer' comes before 'Triplow'.

Mr Atkinson interjecting:

The Hon. J.P. TRAINER: Obviously with a name like Atkinson the member for Spence feels that the legislation was even more disastrous for him in 1989 than I felt on that occasion. Nevertheless, in spite of a minor difficulty for me in 1985, I felt it was good legislation because it removed the element of lexicographical bias that has existed in the past so far as the composition of this Chamber is concerned. Until recently, the list of members in this place showed a disproportionate number of people were elected whose names started with the first half dozen or so letters of the alphabet.

My opponent at the most recent election was an absolute lulu. For some reason or another the Liberal Party picked a used car dealer whose licence had been taken away, and it is not very often that the Department of Consumer Affairs goes to that length. Nevertheless, neither he nor the Liberal Party saw any irony in the fact that he conducted his campaign in my electorate predominantly on the basis of law and order, including the restoration of hanging. However, the nearest we came to a lynching was when he door-knocked the parents of a very dissatisfied former customer.

It is interesting to note that, since the election, apostles of electoral reform have developed on the other side. They seem unable to pick the difference between discrepancies that have resulted from statistical variations and a deliberate gerrymander. A gerrymander implies a deliberate distortion of boundaries to present a particular political result. That has not occurred in this case and to imply that in some way it did is a reflection upon the Electoral Commissioner. What we have is very different from the system that was introduced by Playford in about 1939, when two elements of gerrymander were involved in the sense of deliberate distortions of boundaries.

The most widely known—the one that is better known—is that relating to the disproportionate representation of country and city electorates. At the time, this was a 39-member House, it having been reduced by Playford from 42 members. Of the 39 members, 13 represented the metropolitan area and 26 represented the rural area, a bias of 2:1 in favour of representation from the country. In actual fact, the bias was far worse than that because the majority of the population was represented in the 13 metropolitan seats—nearly three-quarters of the population. That is the better known of the two aspects of the Playford gerrymander.

What people are not aware of is that, in introducing single-member electorates (which I personally favour), one of Playford's prime motives was to remove what little country representation ALP voters had. With 42 multi-member electorates, some of which had two members, and some of which had three members, there was always the possibility that the Labor Party would get close to enough of a quota to get one out of two elected in a two-member electorate. By switching over to single member electorates and redrawing them with that rural bias, Playford guaranteed that there would be a large number of single-member country electorates that would lock up the Labor vote in the country. With multi-member electorates achieving, by a quota, the Labor Party could win a handful and add to their metropolitan total. Playford made that absolutely impossible. Yet, after all those decades of that gerrymander, members opposite are preaching as apostles of electoral reform.

Mr S.J. Baker interjecting:

The Hon. J.P. TRAINER: The organ grinder's monkey has just spoken. The Leader of the Opposition, apparently, is very much influenced in his philosophy by the Hon. Mr DeGaris, who was a member of another place for so long. Those of us with long political memories can recall the political debates of the 1960s and how the Hon. Mr DeGaris talked about the transient will of the people expressed in these occasional whims and spasms at elections that were reflected in the House of Assembly. That had to be counterbalanced by another institution which represented the permanent will of the people which, I suspect, actually meant the will of the permanent people. That was arranged in the Upper House on rigged boundaries and a limited franchise, so that it was impossible for half a century for the Labor Party to get more than four out of 20 seats. That was the result, election after election after election: four Labor, 16 Liberal.

An honourable member interjecting:

The Hon. J.P. TRAINER: Well, it is certainly very interesting if Mr DeGaris is responsible for the major part of the speeches that are being written for the current Leader of the Opposition. If he does have a role in the Leader's position on electoral reform, his conversion must be the greatest conversion since Paul was hit by a bolt of lightning on the road to Damascus. We do have an imbalance in the current electorates, a situation that the Government will address. Some electorates have larger numbers than others because the changeover from a three-year term to a four-year term threw out of balance the finetuning of the Electoral Commission.

The Opposition has made a lot of the fact that it claimed 52 per cent to our 48 per cent of the vote. What that represents is an error on its part in the placement of its campaign resources. The Liberals succeeded in building up disproportionately large majorities in safe Liberal seats and

carving away at Labor's majorities in safe Labor seats, but not having the same impact on the marginal seats. A certain proportion of those were gained but, simply because they misdirected their efforts, they are now turning to blaming the system.

What the Liberals must accept is that, even though the Labor Party lost a large number of marginal seats, our marginal seat campaign was much more effective. It is the total number of seats that are won, seats that are arranged on fair boundaries without gerrymanders, that determines a Party's representation in this place. It is the same as saying that the number of games won in a football season determines a team's position on the premiership table. It is no good a team building up massive wins in half the games of the year and losing others by one, two or three points and then whingeing because the team does not make the final five.

Regardless of the result of the election, I congratulate the former Leader of the Opposition, who campaigned very well indeed. His impact amongst the community was not always that good during the four preceding years or, should I say, the seven preceding years. At times the media took it upon itself to act the role of Opposition, so weak did it believe the Liberal Opposition to be from 1982 to 1989. I remember on one social occasion when I noticed the Editor of the *Advertiser* and the member for Custance standing together and I thought, 'Goodness, there is the Leader of the Opposition and he has John Olsen with him.'

However, like most members I regret the way in which he has been treated. It has been a sad sight to see the member for Custance here for two weeks, all dressed up and nowhere to go. Not long ago, in the course of the Address in Reply debate, he made his contribution. Whether or not that proves to be his swansong remains to be seen. It is obvious that the Liberal Party had his goose cooked straight after the election. Although he was re-elected as Leader by the Party room in December, it was clear that he was a dead duck and, as a result of the Dame Nellie Melba stance of Senator Messner, he cannot fly this coop to the Senate. He is left floundering as the lame duck member for Custance. Indeed, this period at the moment could be defined as Custance's last stand.

In view of the way in which the Liberal Party has been behaving to its leadership and to other people in significant positions—I have in mind the example of the member for Bragg—I believe it is considering dropping its large 'L' logo for future elections and that it will run, under the new flag, the double cross. In December, for example, the member for Mitcham found that he had been double-crossed in something he had expected to get, after he told everybody on the *7.30 Report* that he was a great numbers man. Somehow it did not eventuate. Similarly, the member for Bragg seems to have suffered a bit in December from the double-cross, one in which, apparently, the member for Murray-Mallee played a significant role, as well as the way in which other events have taken place on the other side of the House. I understand that the member for Eyre remonstrated rather heavily with the member for Murray-Mallee following one of those ballots. It seems that his was the crucial vote and that the member for Murray-Mallee held the future of the Liberal Party in the hollow of his head.

The member for Bragg has twice suffered both in December and again in January—and so, more recently, has the member for Hanson. However, I must praise the member for Custance who was one of those who suffered on the other side when the knives were out—and, indeed, they tell me, in some cases it got so confused that people were being stabbed in the front. The member for Custance at least accepted in good grace the despicable treatment that has been given to him. I believe his good grace has been praiseworthy. I cannot say that that was always the case, for I cannot compare favourably his leadership style to that of his successor, in so far as his parliamentary behaviour is concerned.

Once again I congratulate the new members on both sides for the contributions they have made as part of the Address in Reply debate. Their contributions were well delivered and demonstrated a serious attitude to the responsibilities they have as members. As has been the case for the past few years, the Address in Reply has been restricted to 30 minutes for most members, but with 60 minutes being made available to the Leader, to the mover and seconder of the debate and to those making maiden speeches. That was a vast improvement on the old arrangement for the Address in Reply, where everybody felt obliged to use their full entitlement of 60 minutes because that was allocated by the old Standing Orders until 1985 or 1986.

On reflection, I wonder whether we should still have 60 minutes for new members. Occasionally, there may be a few who wish to use the full 60 minutes, and I am not reflecting in any way on the quality of the contributions made, because all 11 new members spoke well but if making one's maiden speech is an ordeal, to have to do so for double the length of what the more experienced members are expected to do is even more of an ordeal. Perhaps in due course, depending on the opinion of members—my opinion on this may be quite isolated—the Standing Orders Committee could consider that new members should not be in a position to feel obliged to speak for the full 60 minutes.

One speech on which I will comment is that of the member for Playford, which was an excellent contribution, particularly in view of the circumstances leading up to the honourable member being sworn in and taking his place here. He was the subject of a great deal of press criticism that was very harsh. It is true that, as a new member, the timing of his study tour indicated that he was somewhat green in his understanding of the procedures to be followed but, nevertheless, even his harshest critic in the media, Randall Ashbourne, conceded in last week-end's press that the people of Playford would have got good value from the member for Playford's exploratory trip to East Asia, and that there certainly was some intrinsic worth in his investigating and learning experience in respect of economic development and trade.

I suggest to the member for Playford that if he has not already considered doing so he should circulate copies of his speech quite widely within his electorate, and I am sure that his constituents would be more appreciative of what was being attempted on their behalf, even if it was not fully understood by persons involved in the media.

The member for Newland is not here at the moment, and I am not saying that in any derogatory sense. In 10 years I have never reflected on any member not having been present; not all members must be here at any one time, but I always dislike saying something in someone's absence. I was very sorry that the member for Newland wheeled out that hoary old chestnut about Abraham Lincoln and the quote that is attributed to him. I have noticed this appearing in the media from time to time. It turns up in Liberal Party advertisements and it turns up in Liberal Party speeches. It turns up with the New Right, and it turns up with the AMA. It seems that this set of quotes is used simply because it happens to mesh in with the prejudices of particular individuals. It has no basis in fact whatsoever. Every time I come across it in *Hansard* or in the media I try to knock

it on the head as the forgery that it is. The fact that this fake quotation is continually recycled and repeated by the Liberal Party seems to suggest that the Liberals are not terribly fussy if they adopt an approach that is based on falsehood.

There was one other aspect of the member for Newland's speech on which I would like to remark, although overall it was quite good, except for introducing Abraham Lincoln rather incorrectly. I refer to her comment about the way in which her electorate office was left by her predecessor. She complained that there were no records of constituent inquiries and that the electoral roll in the computer and the word processor program had been erased. That point was also repeated by the member for Bright, who referred to deliberate acts of sabotage. I ask the member for Bright and the member for Newland to be very careful in reflecting on individuals whom they name and who are unable to respond to accusations of that nature. It is pretty rugged stuff to use the coward's castle of the Parliament for misuse of parliamentary privilege.

I will not dwell on that matter because I do not want to imply that a couple of new members were acting outrageously. I am sure they were not aware of the ramifications of commenting in the way they did. I will also not dwell on it because it is a general subject area before the House at the moment. What they will have to accept is that, in respect of the technology that is provided to electorate offices—computers, electoral rolls and word processors—there has been a very haphazard process of introduction which still has some terrible teething problems.

The computer in my office did not come with any manuals, we had inadequate training for it and its introduction was very chaotic. When our first disk came with the updates for the electoral roll that had been programmed in, it was necessary to stop after only a few, because it had been discovered elsewhere that, in updating the electoral roll, the computer randomly chewed up names that were already in there. I was unable to determine in my own mind who was responsible; whether it was Sacon, the Government Computing Centre or the Electoral Commission; I just wanted them to improve it. There was no street order roll in those computers' programmes, either. After a while, I was told that I could extract a street list which would give me Hawker Avenue, for example, but all the names were in no order whatsoever—not alphabetical, not numerical but just random order.

After I protested about this, somebody worked on the machine for a while and said, 'We have got it. It is in order now'. I had a look and the houses were in approximate order in each street inasmuch as it showed 21, 22, through to 29 on the screen for one section. But, the next house was not 30. Instead, after 29 would come number 2, because it started with a 2; then that number 2 was followed by each flat with the number 2 in the street, because they also started with a 2. That was not much of an improvement. However, I draw this to the attention of the Minister, who is sitting in front of me. I would appreciate having a visit from his officers to sort this out with my machine.

The Hon M.K. Mayes interjecting:

The Hon. J.P. TRAINER: The honourable Minister has suggested that I should do what he did personally out of frustration—that is, to throw it over the fence. I am sure that he really would not do that with community property. We here in South Australia, no matter which political Party we belong to, would not adopt the approach taken by some of the defeated National Party candidates in Queensland. What we find in Queensland is that, instead of a computer being provided by the Government to the electoral office, or a budget line, as in Victoria, for the electoral office to be equipped with a computer, they provided a $7 900 cash grant called, I think, an electronic equipment allowance and, as a result, all those defeated candidates in Queensland took the computers home with them, since they were considered to be their own property.

The defeated members in four of five marginal electorates did take part of a program out of the computer, but it was that part of the program that they and the Labor Party had paid for. In the crude state of our understanding of computer technology, it seems very difficult although not impossible, I am assured by the member for Elizabeth, to extract that particular program and leave behind the electoral roll that has been integrated with it.

The members for Newland and Bright, in effect, implied larceny on the part of those defeated members, but I draw their attention to the fact that what was taken out of the computer is analogous to what is taken out of the filing cabinets when an office is cleared out by a previous occupant who takes the files with him. The correspondence in those filing cabinets is not the correspondence to the Bright electorate office or to the Newland electorate office, but correspondence to Derek Robertson and Di Gayler as the members. Information in the computer has a similar status.

Certainly, if the boot were on the other foot and the two people in Newland and Bright who are now the members had been defeated, we would not expect Mr W. Matthew, defeated Liberal candidate for Bright, to hand over all his campaign correspondence dealing with all those constituents having contacted him on matters of dissatisfaction, and say, 'Mr Robertson, I have lost to you; here is all my correspondence,' because that is his correspondence and is not something to be handed over as somehow associated with the electorate office. The electorate office is not an ongoing entity. The staff do not continue when an honourable member is defeated. There is a change in personnel and a new member is expected to start with a clean slate.

I referred earlier to the improved conduct of the current Leader of the Opposition compared to his predecessor during Question Time. I note that Question Time this year is a vast improvement on the previous four years. I am not saying that necessarily to imply any qualities or otherwise on your part, Sir, because one can in one sense reflect on the Chair unfairly in making positive comment as much as in making negative comment. However, there have been improvements.

Ministers have been making briefer replies, and I hope that members opposite would appreciate that and not interject. I probably hope too much in the case of the member for Murray-Mallee, who does not seem to have a great deal of sensitivity in anything. In fact, his sensitivity is on a par with that of the drama critic in Washington who approached the President's widow to say, 'Apart from that, Mrs Lincoln, what did you think of the play?'

In this particular Parliament we have seen better behaviour displayed by the current Leader of the Opposition during Question Time, and I ask him to ignore the gratuitous advice given to him by Rex Jory in last Saturday's article, which seemed to suggest that the media are disappointed because the current Leader of the Opposition, unlike his predecessor, does not come into Question Time determined to thump the table and shout for the majority of that hour. He has shown much better parliamentary manners. One thing the Opposition seems to have picked up is that members can actually have a better Question Time if they do not give long, rambling speeches as explanations for their questions. We are getting through far more questions now, and that should be particularly appreciated by

the backbench opposite. One thing that backbenchers opposite will soon learn is that when one is in opposition one does not get that many opportunities for questions, because the frontbench hogs the day. On the other hand, particularly with the rather depleted backbench we have on this side—in terms of quantity, if not quality—the 12 backbenchers will have the opportunity to put their questions more frequently.

As one who holds the Parliament very dear, I look forward to a productive four years for this Parliament, which I hope will be free of some of the disgraceful parliamentary conduct of its predecessor. I hope that the leadership opposite, despite the gratuitous advice of the press, will continue its constructive approach, and that it will help the Government to deliver the legislative action that has been outlined in His Excellency's speech.

Motion carried.

ROAD TRAFFIC ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 February. Page 29.)

Mr INGERSON (Bragg): I rise to support the Bill for the second time. We believe that the Government's argument is reasonable in that, whilst the fine increase is of the order of 80 per cent, there has been no increase in this area for some considerable period, so the Opposition will support it. We support it not because it is an automatic increase of 80 per cent to bring it in line with a CPI increase if it occurred in the same progressions over the eight year period, but because we believe that it is essential that all fines in this road traffic area act not only as fines in their own right but as a deterrent to people drinking and driving.

There is no question that the random breath test system has been excellent. It was introduced some time ago and has had a very significant effect in reducing accidents on the road. As the Minister said during his second reading explanation, there is no doubt that, after questioning a large number of people, the current fines were not seen to have that deterrent effect. So, we have no hesitation in supporting the change. We have no difficulty, either, in supporting the argument that, for anyone caught driving with over the prescribed level of alcohol in their blood, the same fines should be increased significantly.

We also support the concept of ensuring that the legislation recognises second and third offences and all other offences relevant to this Bill should flow on and be recognised by the courts. There is no question that previously there was a difficulty with second and third offences, and the change has been made in this Bill to clarify that position. In respect of the requirement for alcohol tests and breath analysis and compulsory blood tests, as an Opposition we support the Government in increasing fines in this area. It is with pleasure that I support this Bill on behalf of the Opposition.

Mr FERGUSON (Henley Beach): I support this proposition and believe that everyone in the House will also support it. In view of the evidence produced in the second reading explanation, there is no doubt that random breath tests and the fact that people are deterred by the possibility of receiving large fines have had a downward effect on the road toll. Random breath tests, together with the other measures taken by the Government and with the increasing advertising about this matter, with the assistance of the SGIC, must have had some effect on the declining road toll we are now experiencing.

I can understand why the fines have been increased by such substantial amounts. The member for Bragg referred to increases of 80 per cent and, if one looks at the Bill and section 47 of the principal Act, one sees increases ranging from $400 to $700 and from $700 to $1 200. There are also increases from $600 to $1 000 and from $1 500 to $2 500. These fines are substantial indeed. There is an element of unfairness when we contrast an impoverished person who is fined $2 500—maximum fine, and not a small sum—with, say, a company director, who drives around in a Rolls Royce and who may be able to have a driver to drive him if his licence is suspended. I stress that I support this legislation, but we must consider the findings of the Australian Law Reform Committee which suggested that the fines should be appropriate to the means of the person who is fined. Some of these penalties are heavy, and a whole range of circumstances may relate to the offence.

I know of a working class boy who took the advice, published in a police pamphlet, that a person should have no more than six schooners of beer in an hour. He is of small stature—about the same size as me. He drank six schooners, was tested by a random breath testing unit and the test showed that he was over the limit. Of course, the circumstances range from that scenario to the very bad. I do not support anyone who is caught driving a vehicle with a blood alcohol content over the limit. However, the penalties are now such that we should, in future legislation, consider the means of the person caught, as other countries do.

Mr LEWIS (Murray-Mallee): I will not delay the House for any length of time. Unquestionably, however, it is necessary to put on the record a grievance that a number of people living in rural areas of South Australia have in relation to the way in which the legislation is administered. Justice has not been tempered with compassion or, at least, not in the policing process. At the outset, it is necessary for me to say, with emphasis, that one should not drink and drive. No matter who one is, if one is a responsible person, one would need to know that one cannot drink any quantity of alcohol and expect to be able to exercise reasonable control of a motor vehicle.

However, I believe that when the Police Department makes a decision about where and when it will place random breath testing units, it needs to take into account the reason why we introduced this measure in this State in the first place. That reason has been outlined not only during the initial debate on the legislation but also by the Minister in his second reading explanation and by my colleague the member for Bragg. We wished to see a reduction in the number of people who are injuring themselves and others and, indeed, killing themselves and others as a consequence of their over indulgence in alcohol, 'over indulgence' being defined as the degree or extent that makes it impossible for them to exercise responsible control of a motor vehicle in motion. That being the case, we need to look at where those offences against society are occurring, not driving, as it were, with a blood alcohol level of .08, I am referring to where the offences—the injuries, the property damage and the deaths—are occurring in greater propensity. Any one of those three criterion can be used and applied quite sensibly, in my judgment, in determining where to locate the units at the disposal of the South Australian Police Force, by the people charged with the responsibility of so placing them.

Therefore, I put on the record my concern that it is not appropriate to go out and sprinkle the tests, as it were,

around the countryside in the areas of small population where there is no history of a drink driving problem, as evidenced by the statistics collected by the Police Department and other agencies. It is not fair to them—there are fewer of them—and, what is more, unlike most of the people who live within the metropolitan area of this State, where the majority of the population lives, there is no public transport in much of rural South Australia—the vast areas outside Adelaide. There are no taxis; there is no other means of transport available to these people. I am not saying that in the context of people getting drunk and deciding to drive home when they should otherwise sleep over; I am saying it in the context that, if people lose their licence as a consequence, it is hardly just, fair and compassionate to expect them to then forgo the capacity they otherwise had to earn a living. Somehow or other it must be possible to provide the means for those people who have been affected by the legislation to get from their place of residence to their place of work.

Where their work requires them to move from one place to another along a public thoroughfare, an assessment should be made as to whether or not it is appropriate to exercise some compassion and give them a restricted capacity to move from their dwelling to their place of employment. Moreover, for someone to go vindictively into a small rural community with the deliberate intention and forethought of trapping as many people as possible who are attending some public function or other and who may be at or just above the limit is, to my mind, an inappropriate way in which to enforce the law, especially where there has been no significant history of injury or damage to personal property or of death resulting from abuse of alcohol.

I have no qualms whatever in supporting the severity of the fines and I also place on the record, for the benefit of members who may not otherwise have realised, that the poor, if they cannot pay, or are otherwise in default and are sentenced. In the past, that sentence might have been a term of imprisonment, but in future it will be possible to sentence them to some community service under the community service orders arrangements that are now available. That has to be a substitute for heavy fines imposed on people of limited means. I thank the House for its attention to what I have had to say on this matter and I trust that people outside this place will pay heed to my comments.

Mr GUNN (Eyre): I share the concerns expressed by the member for Henley Beach and the member for Murray-Mallee. As members know, I represent a large number of isolated communities. An unfortunate trait is becoming evident in Government circles and in those people behind government, that is, to plunder the pockets of the community at all costs. Recently a spate of on-the-spot fines were issued against people. In my view, that is quite contrary to the spirit of the original legislation. It appears to me that certain elements in the hierarchy of the Police Department want to ping every person they can. That is deplorable; it is undemocratic and it is unfair. At an appropriate time, I could cite examples and, if necessary, name the police officers concerned.

It is never Parliament's intention to pass harsh, unreasonable or unfair provisions. When some people are given a little authority, they race around the country, stop people for the most minor things and, instead of telling them not to do it again, write out one of these dreadful tickets. That is disgraceful and unfair. Those who administer these laws have a heavy responsibility, because they are doing what the member for Henley Beach referred to. In many cases, the underprivileged and people of limited means are placed in the most terrible situations because of actions by some inexperienced, arrogant young officers. We have now gone even further in issuing these disgraceful things. It is time that Parliament carefully addressed some of these matters, because the public can be pushed only so far.

These fines which we are going to agree to—and we are all concerned about reducing the road toll—are well and good. However, I ask all members: how would they deal with a situation when a person who is just over the limit gets whacked for a fine of $2 500 and has not the ability to pay? What will the Minister do? Will he put them in gaol? That will serve no purpose whatsoever. We probably have too many people in gaol already. I know of a few people who are improved by being put into prison. However, the cost to the community is outrageous. The only ones who should be put in gaol are hardened criminals who are a danger to the community. Otherwise, gaol does not serve any purpose whatsoever.

I probably spend more time on the roads than anyone else. I am concerned that we shall make it even more difficult for people in small isolated communities to have any sort of social contact and enjoy themselves. This is something that they have been doing for a very long time. As the member for Murray-Mallee pointed out, in some small, isolated areas there is not even a taxi. There is no public transport of any kind to get people home after they have been out. What alternative means will the Government provide? What is the alternative to those who are enforcing the law and who are setting out to trap these people? I agree with the member for Murray-Mallee. In my judgment, there are two ways of administering these sorts of things: with commonsense and an understanding of what goes on in the community or by setting out to trap the maximum number of people. I believe that this matter should be administered with commonsense.

If people deliberately get themselves intoxicated and then drive, they deserve to have the full force of the law descend upon them. However, people who are entertaining themselves and engaging in very moderate drinking deserve to have some degree of latitude, commonsense and caution applied to them.

One result of this sort of legislation—people may say that it is a good thing—is that we shall destroy many of these small, isolated country hotels. There is nothing surer than that they will be run out of business, because they will not be able to continue.

I know that the Minister will get up and go through a great spiel about how important it is to reduce the road toll. The Minister knows as well as I do that, as long as people drive motor cars, unfortunately there will be accidents. As long as people do not display commonsense, there will always be accidents. Every time I drive a motor car, I am conscious of the fact that if I am not cautious I shall be run off the road. There are people who do the most stupid things. Passing legislation of this nature will not resolve the problem of people not using commonsense.

My concern is that people do not fully understand the implications of the law. I urge the Minister, the police and others who are responsible to engage in an extensive educational program to advise people who may be in breach of the law what the penalties are. That is absolutely essential. The penalties should be displayed not only in hotels and clubs but by media advertising to advise people fully. Only a small section of the community will be aware that this law has been changed. People will not have a clue until they have been arrested because they are in breach of the law. Suddenly, they will have explained to them that they are facing a very serious charge.

The cost of legal representation in this State, or in this country, is beyond the means of most people. Because of the way in which summonses are issued, people are virtually told that they have no alternative but to plead guilty. That is a disgrace in itself. However, unless one is very poor or very wealthy, the ability to obtain legal representation and go to court is beyond the resources of most people. In my judgment, that is quite wrong because, in a free and democratic society, people should be entitled and have the ability to get proper legal assistance. Also, a very aggressive attitude is taken by many people involved in prosecutions: they want to ping people for the maximum. That is very bad and unfortunate. Most of these people are young and arrogant. They have no commonsense. In my judgment, that is very bad in itself.

I have some real concerns and this debate has given me the opportunity to raise some of them today. Most people in society are reasonable. Parliaments in this country have to be very careful. They pass laws but they rarely come back to see how they are being administered or they do not go out and see what is happening in the community. Is it the desire of this Parliament to have as many people as possible dragged before the courts? I do not believe it is. Is it the desire of this Parliament to raise the maximum amount of revenue from those who drive vehicles? Who would want to be a poor truck driver today? He is held up by all sorts of people from the time he gets into his vehicle until the time he gets out. I know that there are some hillbillies on the road and there are some who are necessarily hounded, but I will go into that on another occasion.

The Hon. Ted Chapman interjecting:

Mr GUNN: The member for Alexandra would like me to go on tonight, but I do not think that is the will of the House. That, in itself, is a very bad thing. This debate has been brought on but Parliament just wants to get up and go. We are going to agree to a law which will inflict serious penalties on people and Parliament is in a hurry to have it passed. I do not think that is a good legislative principle. What other chance do people have to have their views heard or protections put in place so that they have some rights when this legislation is put into effect?

I fully appreciate the need for road safety and for deterring people from driving while affected by alcohol, but I have seen the ridiculous situation in this Parliament where, on the one day, one Minister has increased penalties for driving under the influence of alcohol and another Minister has amended the Licensing Act to increase trading hours. The Government will get it both ways. It will get more licence fees and more money in fines from people who are booked for speeding.

I sincerely hope that the Government will go down the track of more education and advice to make people aware of their responsibilities. More time should be spent in educating people about the dangers of driving under the influence of alcohol and the need to be responsible when they get into a motor car.

As the member for Murray-Mallee said, hardship is certainly created for people in isolated country areas, because their problems are not always understood by many people who put these suggestions before the Government. That is because most of them come from the bureaucracy, and Ministers, with all the best motives in the world, are convinced that they should take this course of action. Of course, many of them do not have to deal with some of the difficulties which are created. I support the legislation, but I sincerely hope that the Government will take account of some of the concerns which have been expressed by members on both sides.

Dr ARMITAGE (Adelaide): I rise with great pleasure to support this Bill because I believe that anything that acts as a deterrent to road trauma should be supported by this House. I also support this Bill because of my personal experience over many years in the casualty section of the Royal Adelaide Hospital. If any members doubt the effect of alcohol on road trauma today I would be pleased to have them accompany me on a visit to that hospital for two or three hours early one Sunday morning.

Obviously, it is sad when people die on our roads. Many constituents have written to me seeking greater penalties because their relatives have died. However, I am more concerned about the maimed and injured, which I think is a much sadder statistic of the road trauma picture today. Any Government must be concerned about the huge costs involved in supporting the long-term maimed and injured. As well as the dollar costs involved, there is the huge cost of social readjustment when the member of a family is maimed or injured, whether it be a young child or an adult.

The random breath testing system is a well proven deterrent, the only difficulty being that not enough units are on the road. When random breath testing was first brought in people were much more conscious of possibly being picked up, and their behaviour altered consequently. The whole aim of deterrents is, of course, to alter the behaviour of society. The member for Henley Beach mentioned the large fines and the problems in impoverished areas, and we have heard from members on this side of the House of problems in country areas. I confess to having no sympathy for people caught with greater than the prescribed amount of alcohol in their blood because the people they kill are just as dead, whether or not they are from an impoverished area.

I also address the member for Henley Beach's argument about the person who followed the pamphlet issued by the police, being of short stature and drinking only six beers but registering over the legal limit: as far as I am concerned that is a marvellous argument for altering the pamphlet not for altering the penalties or the legal limit.

I have noted an encouraging tendency in the youth of today, in that most groups of young people who go out ensure that one member of the group does not drink and that person is the driver for the night. This is a direct effect of the RBT system and it ought to be noted in the House that the youth—the generic group—have worked their way around this problem, and I cannot see why all other groups in the community cannot do likewise.

The Coroner's office has informed me that over 50 per cent of all road accident fatalities are directly attributable to alcohol. As I have mentioned, because of the huge dollar and social costs involved with deaths and maiming, anything that can be done to deter people in this respect is very positive for our community. It gives me great pleasure to support this Bill.

Mr BLACKER (Flinders): I support the Bill, and I commend to any reader of this debate the remarks of the member for Adelaide. On many occasions when I have been on the road at one or two o'clock in the morning returning home from a country meeting, I have experienced numerous cars not properly under control coming towards me, and it is a frightening experience. Any move by this House to make our roads safer must be supported. I sympathise with some of the other comments made but, first and foremost, the safety of road users must be considered—and that includes all members of this House and their families.

Dr EASTICK (Light): There might be degrees of intoxication but there are no degrees of death, unless it involves paraplegics and quadriplegics. What is proposed in this Bill

is essential. People should not be placed in the position of being responsible for any lesser degree of evil because they cannot pay when these are others who can pay. This problem in society cannot be tolerated, and I agree with the proposed measures.

The Hon. FRANK BLEVINS (Minister of Transport): I thank all members who have contributed to this debate, particularly the member for Adelaide, whose contribution was a thoughtful one. The question of whether there should be one law for the rich and one for the poor is the subject of ongoing debate which I am not sure has been resolved satisfactorily in the type of system under which we live, but nevertheless community service orders are provided for those people who cannot afford to pay fines. We are discussing third and subsequent offences, the maximum fine for which is $2 500, which translates into 25 days of community service. For someone who has attracted the maximum fine of $2 500, a 25 day community service order is not a harsh penalty and they should think themselves lucky.

On the question of lifestyles being changed by legislation of this nature, I am sure the member for Adelaide agrees that we do not want to change lifestyles to any significant degree, whether in the country or the city, so that people are afraid of having a drink in case they go over the limit. Nevertheless, the consequences of people drinking too much are too severe for us not to accept some limitation on what we may choose to do to ourselves.

Whilst I appreciate the points made by the member for Murray-Mallee, and the member for Eyre in particular, we must accept a degree of change in our lifestyles for the greater good of all. That may sound a bit pompous, but I am not sure that I can put it in any other way. I point out to the member for Eyre, who railed against these traffic infringement notices and called them dreadful things, that it was a Government he supported which brought them in. I thank the House for its support and commend the second reading.

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

SITTINGS AND BUSINESS

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

That the sitting of the House be extended beyond 6 p.m.

Motion carried.

ADJOURNMENT

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

That the House do now adjourn.

Mr HAMILTON (Albert Park): Many years ago when I attended my first union meeting in Adelaide I found that I was lacking in communications skills. Through an official of the Australian Railways Union, Nick Alexandrides, I was given the opportunity to become involved in that union. I was then fortunate enough to attend the Australian National University in 1972, where I met Mr Tom Roper who, we all know, is now a Minister in the Victorian Government. Whilst talking with him he provided me with a book entitled *The Myth of Equality of Opportunity in Education*, which has had a profound effect on me. That book raised many issues about opportunities for education, particularly for those people from a poor background, and at another time I would like to elaborate on it. Prior to and following my entry into this Parliament, including the time when I stood for preselection in the Labor Party, I have spoken on equality of opportunity in all walks of life.

That leads me to what I want to talk about tonight. Most members in this place would be aware that the United Nations General Assembly has declared 1990 International Literacy Year. When we look at the social cost of illiteracy or of obtaining literacy skills in this country, we find they are enormous. Invariably it is the disadvantaged who suffer, and they suffer badly. If one cannot read or read properly, how does one obtain access to services and facilities available in the community? I remember one woman living in Seaton who, after losing her husband, was very distressed as to how she would gain assistance. It was only through Des Corcoran—a former member of this place, who was well known to the woman—that she came to me, knowing I was a member of the Labor Party. Subsequently, whenever she had a problem that woman came to me. My staff and I were able to provide her with information about special allowances and the support services available. Where she had problems with financial planning, I was able to steer her in the right direction.

Illiteracy goes even further than that. Many people who do not have literacy skills cannot read about how they can acquire those skills, and have a major problem in communicating with other people in the community. Nothing is worse than going to a function and feeling like the proverbial fish out of water because people do not communicate with you or because you do not know what they are on about. One may not be familiar with the sport in question at a particular sporting function, nor had an opportunity to read about art at an art show. I suggest that those frustrations build up over time. Is it any wonder that the poorer sections of our community often lash out in anger because they cannot express themselves any other way? How can these people who do not have literacy skills get the opportunity in many cases to participate in what others take for granted?

Sporting clubs, hobbies, and a multiplicity of other interests are things which you and I take for granted. When these people marry, in many cases they marry people on a similar plain. The book that Tom Roper wrote and which I commend to the House, *The Myth of Equality of Opportunity in Education*, illustrates that adequately. My father was a railway man, my eldest brother was a railway man, my elder brother was a railway man, I was a railway man and my youngest brother was a railway man. People who do not have literacy skills in many cases pass it on to their children. It is a perpetuating problem with which the community has to come to grips.

When I have spoken to people in my electorate, some of whom for many reasons end up in gaol, I have often found that they have poor literacy skills. The people of South Australia and we as a Parliament should be addressing this matter more than has been the case of late, as evidenced in the media. It is very easy for people like us to address ourselves to other matters, but if we do not address this matter the disadvantaged in the community will suffer a lot more than they do today in terms of not only literacy but also their health and their rights, or knowledge of their rights.

Anyone unaware of his or her rights can be taken down by the many shonks in the community. If one cannot read a contract, what happens if one is purchasing a house, a car or, if one has the money, life assurance? How does one sit for a driver's licence examination? How does one obtain

entitlements? What happens if a person receives a summons, not really understanding it but being too proud to talk about it with the neighbours? These people can be easily intimidated and cheated, which is one of the reasons why I have raised the matter tonight. In many cases these people with poor literacy skills are unemployed. How can they be retrained? It is difficult for them to be retrained as they do not have the opportunity. Many have become involved in criminal activities. An uncle of mine, who could hardly read or write, was given the opportunity to be a mechanic, and during the first three months he had to show his skills.

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

Mr SUCH (Fisher): I will address an issue of concern within my electorate but one with wider application than my electorate. I refer to the Darlington bottleneck and traffic problems associated with the intersection of Main South Road and Flagstaff Road at Darlington. It has been a long-standing problem, but it is becoming increasingly worse. This week the problem has come to a head as I understand the light sequence has changed at that intersection, which prompted 15 people to call my office yesterday and at least 30 people to call the Highways Department. In that area that intersection is totally inadequate. Traffic banks up from that intersection in peak hour in the morning the full length of Flagstaff Road up to the Black Road roundabout and beyond. The people of the forgotten south are getting very angry about this, and that was reflected to a large extent at the last State election when they elected me.

I am not prepared to sit back and allow this situation to continue. I notice that the Minister of Transport comes from Whyalla and I know that Whyalla boys do not cry, but I assure the House that he would have been crying had he seen the situation on Flagstaff Road this week. The reverse tidal flow scheme, which was introduced on that road, has helped. It was promoted by the previous member for Fisher, although the real credit for the scheme should go to Mrs Stone of Aberfoyle Park, who actually drew up the scheme and submitted it to the local member several years ago.

The situation has reached a stage at which more action is required. Members will recall that, in the lead up to the State election last year, the Liberal Party put forward a positive program to deal with the bottleneck by grade separation at the intersection and, to accompany that, widening South Road from that intersection to Ayliffes Road. I urge the Government to move quickly to address that problem by looking at those suggestions.

In the Happy Valley area, which forms a large part of the Fisher electorate, over 92 per cent of households have at least one motor car. Some people would take that as an indication of affluence; others would take it as an indication of necessity that the public transport system is in such a state that households must have at least one car. There are many other aspects to this problem and it is indicative of the fact that the arterial road system in the south is in the horse and buggy era. Problems are occurring not only at the intersection of Darlington and Flagstaff Roads but at Panalatinga Road, South Road, Chandlers Hill Road, Bishops Hill Road and Kenihans Road. All the arterial roads are inadequate for the population growth in the south.

At times, the Government perceives that the population of metropolitan Adelaide ceases somewhere around the Victoria Hotel. It has forgotten that there is a large and growing population to the south beyond the Victoria Hotel. In the Woodcroft Estate, which is just south of my electorate, 6 000 homes will be built and it can be reasonably assumed that there will be at least one motor car per household. That sort of growth, linked with other growth in the area, will compound the problem at Darlington and on all the arterial roads. Flagstaff Road carries in excess of 15 000 vehicles per day. It was originally a residential street but it has become an arterial road, and the residents who live along the road suffer the discomfort of having an arterial road pass through their residential area. There are speeding vehicles, it lacks safe pedestrian access, it is noisy and residents are unable to access the road themselves. Many of them travel south to the Black Road roundabout to get back on to the road.

I suggest that the Government should consider, at the earliest possible opportunity, the upgrading of the public transport system in the area. That will not solve the problems with the road system, but it would help. Despite the best public transport system, people will still use private cars but, to the area in Happy Valley to the south-east of the reservoir, there is an urgent need for an O-Bahn, a light rail system or some equivalent. I know that these schemes are not cheap but, in the long term, something must be done to provide a decent road system and a complementary public transport system.

The people of the south are getting very angry about the lack of action. The Government has not done anything in respect of the third arterial road other than to draw up plans. There is no evidence of any real action in relation to the Darlington bottleneck or to Flagstaff Road. On behalf of my constituents, I take this opportunity to express their deep concern.

The Hon. M.K. Mayes interjecting:

Mr SUCH: In reply to the honourable member's interjection, I point out that I would be happy to see some form of tram system, O-Bahn or equivalent, but we also need a decent arterial road system. To a large extent, the people of the south are prisoners in their own suburbs. Much is said about access and equity, but people in the south do not have ready access to the city for employment, recreation or entertainment purposes. Constituents have indicated to me, and I believe them, that it has been taking from 20 minutes to 30 minutes to travel from the Black Road roundabout to Flinders Medical Centre and Flinders University, which are only a couple of kilometres away. That is outrageous.

I realise that none of these problems can be solved overnight but I would be pleased to see some action take place. I understand that this issue will be featured on at least two television channels tonight at the instigation of my constituents, who have had enough. I invite the Minister and his officers to come down and look first-hand at this problem and to get cracking on this long-standing issue, which is of great concern to the residents of the area.

Mr FERGUSON: Mr Speaker, I ask for your ruling. The previous speaker did not use all his time and I wonder whether I would be allowed to take up the two minutes remaining.

The SPEAKER: The honourable member has used up most of it in making this application. Apart from that, if he were to speak, it would create an imbalance in the debate. I call the member for Gilles.

Mr McKEE (Gilles): I intended to use the time allotted to me to speak about the Federal Liberal Party's health policy, but it does not have one. I have looked everywhere and my office staff have looked for it but we cannot find one.

An honourable member: Will you send me one?

Mr McKEE: I will certainly send the honourable member one if I find one. About four weeks ago, the Federal Liberal spokesman (Peter Shack) appeared on national television and said exactly that, that the Liberals do not have a health policy. He went further and said that the Liberal Party has a terrible record in the area of health.

The Hon. T.H. Hemmings: At least he is honest.

Mr McKEE: He was honest for the people of Australia. It is amazing that probably the most singularly important thing for people in this country is their health; yet, a Party busting to get into Federal Government does not even have a health policy. Therefore, I will address my remarks to the Liberal Party's industrial relations policy, as has been put forward by Mr Ian McLachlan, the Federal Liberal candidate for Barker.

An honourable member interjecting:

Mr McKEE: That is the problem. We all know that Mr McLachlan is a representative of the squattocracy from the South-East of the State. We also remember that another squatter left his stamp on Federal politics: Mr Malcolm Fraser. There are some remarkable similarities between the two gentlemen.

The Hon. T.H. Hemmings: At least Mr McLachlan still has his trousers on.

Mr McKEE: We will see how long that lasts. Both of them were born on the land, a rather big piece of it. Both of them went to private colleges and both of them studied overseas: Malcolm Fraser went to Oxford and Ian McLachlan went to Cambridge. I suppose it has a strong relevance to the workers who live in Hillcrest in my electorate. With that background, Mr McLachlan wants to talk about industrial relations for the good of the workers of this country. The cornerstone of the Liberal policy is direct negotiations between employer and employee. Mr McLachlan has been fair enough to say that it is not his idea; he has copied it from America. I have been to the United States, too.

In 1983 I was fortunate enough to be in a delegation on the political exchange program from this country as a guest of the United States Government. We travelled all over the United States as guests of the Government and private enterprise. We were able to study this aspect of industrial relations in the United States. It is based on what is known as the Taft-Hartley Act of 1949, which was passed in the US Congress. Basically, what that means is that there are no unions. In the United States, that has led to several States being known as 'right to work' States—also a misnomer. It means that there are no unions in those States.

One of the States we visited was Texas. We travelled all over Texas and visited many factories and businesses and it was important to note the direct employer-employee industrial relations that they have over there. One example was amongst the oil and gas workers in the southern part of Texas, along the Galveston coast. They were being paid $3.10 an hour for a 10-hour day, and that was the result of direct negotiations between employer and employee. It happened to be a depressed area with a large number of unemployed, so they were in no position to negotiate or bargain fairly with their employer. One either took the job or one did not and one took it under conditions decided by the employer.

Another example, in the northern part of the State, was a Levi factory which turned cotton into blue denim. We were met by the managing director, who showed us over the modern and efficient plant. Later, in the boardroom, we were discussing the conditions for the workers and I asked the managing director what the workers were being paid. He said they were being paid $6.10 an hour for a 12-hour shift. I asked him whether there was a union on the premises with whom they had negotiated that figure, and at the word 'union' he became highly indignant. I quote him because I have never forgotten what he said: 'I do not want to sound like a smart-arse, but they get paid what I want to pay them.'

That is exactly what direct employee-employer relationships are all about and that is exactly what the industrial relations policy of the Federal Liberal Party is espousing, particularly through one of its spokesmen, Ian McLachlan. I would warn every wage and salary earner, particularly in this State that, if they vote for the Liberal Party and Armageddon happens and the Liberal Party happens to get into office, this is what they have to look forward to.

While we are on the subject of Mr McLachlan, he probably bases the fact that he can talk on industrial relations on his being past President of the National Farmers Federation. In fact, the National Farmers Federation is the union for farmers. Members may recall that there was a dispute a couple of years ago in the Northern Territory at the meat works, a place called Mudginberri.

An honourable member: Who could forget that?

Mr McKEE: That's right—who could forget it? The National Farmers Federation, under the baton of Mr McLachlan, was prompted to run around the country to see all the farmers and say, 'We cannot have this bunch of 200 workers holding the stick on us; we need to raise money so we can fight them in the courts and beat them.' They ran around the country and raised $15 million to knock over 200 workers in a meat factory in the Northern Territory. They were successful.

We ought to consider the downfall of the National Farmers Federation in looking after its own members; the union of the farmers neglected its own members. We heard in this place the other night from the member for Flinders in his Address in Reply contribution of the problems being faced by farmers in this State, particularly in his electorate on the West Coast, who were forced off their farms by a drought that lasted a couple of years. They were further pushed off their property by the traditional banks, who foreclosed on their outstanding mortgages, thereby tossing farmers off the land that they had worked for 25 and 30 years.

It gave them no future; it gave their children and their sons no future on the land. What did Mr McLachlan and the National Farmers Federation do? They did nothing. They had $15 million in the bank, probably earning 16 per cent to 18 per cent interest. They could have used some of the interest from the $15 million to bail out some of the members of their own union who are now broke, destitute and do not have anywhere to go. I researched this matter of the $15 million to find out exactly what they did with it if they could not help out their own members.

I obtained a very recent copy of the *Australian Rural Times*, dated 15 to 21 February 1990. The article to which I refer is by a guest columnist, Ian McLachlan, former Chairman, Fighting Fund Trustees. In the article he points out that some of the $15 million was actually spent. Money was spent on a challenge to the laws of hire purchase in Western Australia and a sum was spent on something to do with the *Washington Listening Post*, whatever that is. He names the Global Trade Study, the Grains Council submission and several other operations, and in this article Ian McLachlan says:

> At this stage [now] the fund still totals close to the amount subscribed in 1987.

That was $15 million. So, here is a union with members who are in trouble and a leader who aspires to politics and, in particular, to talking about industrial relations and the protection of people, and what does that leader do? He lets

members of his own union walk off the land without any support from the union, when it had enough money to assist them.

An honourable member interjecting:

Mr McKEE: It is disgusting. A constituent came to my office a couple of weeks ago. He was only a young fellow and he had to have a knee operation, so he went to a private hospital—and I emphasise that it was a private hospital—to have the knee operation and came out with hepatitis. He had to have a subsequent liver operation as a result of a problem with the anaesthetist. This man is only a worker: he is a member of his union, the Storemen and Packers Union.

Motion carried.

At 6.27 p.m. the House adjourned until Thursday 22 February at 11 a.m.