HOUSE OF ASSEMBLY

Thursday 30 April 1992

The DEPUTY SPEAKER (Mr M.J. Evans) took the Chair at 10.30 a.m. and read prayers.

STATUTES AMENDMENT (ILLEGAL USE OF MOTOR VEHICLES) BILL

Consideration in Committee.

Mr BRINDAL: I move:

That the disagreement to amendment No. 3 and the alternative amendments made in lieu thereof be insisted upon.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs Brindal, Crafter, Groom and Holloway and Mrs Kotz.

EMPLOYMENT AND TRAINING

Adjourned debate on motion of Mrs Hutchison:

That this House resolves to refer the following matters to the Social Development Committee—

(a) the causes of long-term unemployment in regional rural and urban communities of South Australia;

(b) the adequacy of Commonwealth income support measures including Austudy and Abstudy;

(c) the impact of proposed tariff changes on future employment prospects; and

(d) positive long-term strategies at Commonwealth, State and local government levels to improve employment and training prospects for disadvantaged groups.

(Continued from 29 April. Page 4569.)

Mrs HUTCHISON (Stuart): Last evening I was speaking about the motion to be forwarded to the Social Development Committee. That motion is very important to my electorate. At the time I was speaking about the Austudy and Abstudy provisions of the Federal Government and their importance to the people who live in electorates such as mine. One of the problems that we have found relates to the independent status of students from country areas. I refer to young students whose parents are on limited incomes but who are still living at home in country areas and are not able to get independent Austudy or Abstudy status when they come to schooling in Adelaide.

The situation needs to be reviewed by the Federal Government and perhaps the Social Development Committee can look at a suggestion to the Federal Government to broaden the provisions of both Austudy and Abstudy so that they are more realistic for students in country areas and so that they can do the job that they are meant to do; that is, to encourage more students to come to the city to study if that is necessary. I do not believe that country students should be in any way disadvantaged with regard to study requirements. They should have the same access to education facilities as those in metropolitan areas.

Paragraph *(c)* of my motion refers to the impact of the proposed tariff changes on future employment prospects. I must congratulate both the Minister for Industry, Trade and Technology and the Premier on the very strong stand that they have taken with the Federal Government in regard to the tariff position, namely, realising that these tariffs were to be phased out, they made a strong stand for the phasing-out period to be extended so that the impact, particularly on South Australia and also, I believe, on Victoria, would be minimised to some degree. It would not be minimised completely, but certainly it could have been minimised to some degree.

The stand taken by the Premier and the Minister of Industry, Trade and Technology must be applauded because they were looking after the welfare of the textile and manufacturing industries of this State. One of the major causes of increased unemployment in this State has been that that phasing-out period could not be extended in order to overcome the problems we were going to face, particularly in this State, in removing those tariffs. I believe that there is still work to be done but the whole thing has to be considered with regard to the unemployment situation and what we are going to do to take up the positions that will be lost in those areas—if, indeed, we have to lose positions or whether we can help the industries that will be affected by tariffs, and so keep employment going.

Paragraph *(d)* of my motion refers to the positive long-term strategies at Commonwealth, State and local government levels, that will improve employment and training prospects for disadvantaged groups, and I mean groups such as women's groups, ethnic groups and, particularly in my electorate, Aboriginal groups. One of the real problems that my electorate faces—and, indeed, electorates close to it—is the extremely high proportion of Aboriginal unemployment. In fact, the unemployment rate for Aborigines in my electorate is in the high 90 per cent range. That is an indictment and we should be working more positively to increase employment for Aborigines across the board, not only in the Government departments, which is basically where Aborigines are employed, but also in private enterprise. It has always been a source of concern to me that private enterprise is not participating in the State Government's 1 per cent challenge and working positively towards the employment of Aborigines.

Some very qualified Aboriginal people could take up those positions. I applaud the work that has been done by the Minister at the bench, the Minister of Aboriginal Affairs and of Employment and Further Education. He has actively promoted Aboriginal employment. He has also been active in programs such as 'Give a mate a job', which is designed to assist in the creation of employment for Australians by buying Australian, or particularly South Australian, produce. Some positive training programs have been put forward by the State Government, and I am pleased to say that some money was allocated from the Federal Government to increase some of those training programs. I still do not believe that sufficient money is allocated in that area, particularly for prevocational training.

Young people do a year of prevocational training after they leave school and, if they do not immediately get an apprenticeship or job of some sort, their training is lost. However, I am pleased to say that some money was allocated in the last round of Federal Government funding to finance a second year of that training—a second tier of training, if you like—so that the skills gained in the first year of training are not lost, and that has been one of the problems. We need to do a lot more in the area of retraining, and that is something that can be looked at in some of the long-term, positive strategies of the Government. Not only that, in the rural areas, where there has been such a downturn in employment, there needs to be some sort of diversification, if I can put it in those terms, to open up employment avenues. One of the employment avenues about which I have spoken previously in this House is the area of tourism, and we need to promote that actively, particularly in the far-flung areas in the north of the State, so that we can provide further jobs for those who have lost jobs

on the farms and in the small business enterprises which rely heavily on the farms.

Tourism is labour intensive. It is one of the areas that we should promote more heavily, particularly in regional and rural areas. One of the ways that can be done is through the regional development committees, and I am pleased to say that the Minister of Industry, Trade and Technology is looking at increased funding for the regional development committees. However, it cannot stop there: a whole range of measures must be put into place to ensure that we do not stand still in this State. We must look after the hundreds of thousands of people who are unemployed. We cannot continue to have the level of unemployment as high as it is in this State, I am quite sure that members on both sides of the House would agree with that, and that is something upon which we can all have a bipartisan approach.

I hope that this motion will gain the support of all members, because I am quite sure that my electorate is not the only one that faces these problems of unemployment. In fact, in my electorate at least two rallies have been held because of the concern of people in Port Augusta and in Port Pirie who face unemployment to a large degree and who continue, through restructuring, to face unemployment problems. Even though they do get what is called the 'golden handshake' some of those people in their late 30s and 40s still have a great contribution to make to the State of South Australia in terms of the work that they can do to promote this State. All those who want to work should be able to work. That is the reason why I formulated this motion and why I wanted something done in this area. We need to tackle the problem of unemployment and the promotion of employment to see what programs are in place and what programs we need to put in place. I urge all members of the House to offer their support in a bipartisan manner to this motion.

Mr OSWALD (Morphett): I will support this motion, which refers matters to the Social Development Committee. I will talk about referral of matters to that committee by this House and also by members in another place. As everyone would know, the Social Development Committee is a bipartisan committee with a staff of two: there is a full-time research officer, who is due to start in the middle of June, and there is the Secretary, who has research capabilities and who will be able to assist the committee.

However, the legislation that set up the standing committee is such that the committee is obliged to investigate certain resolutions that are referred to it by either Chamber. It has other priorities and, as the priorities reduce, eventually any member will be able to write to the committee and ask it, through one of its members, to investigate any subject relevant to its terms of reference. There is a problem in referring to that committee subjects such as this motion which have a very far-ranging brief. The committee will attempt to take this matter on in good faith and put much time and effort into it to produce a result which I hope all members will be pleased to receive, but our ability to do that is also determined by another place that will also be referring major issues to that committee

For example, we have already received what has the potential to be a very far-ranging inquiry into HIV and AIDS, and its terms of reference are wide-ranging. We could put an enormous amount of time into that matter. Also, we are in the process of looking at a social demographic study of the State. We have had many expert witnesses appear before the committee already. We are in the process of collating the evidence and eventually our research staff will prepare a paper which will go to various Government departments for comment. When it comes back, it will form the basis of data for our future work. That will be very time consuming.

The Prostitution Bill—heaven forbid—has also been referred to that committee. Whether that has been referred as a holding motion for the benefit of certain tacticians in politics, only time will tell. That also has the potential to tie up the research staff of the committee for great lengths of time. Members should realise that a committee with a small research staff has only limited ability, but we are happy to look at this motion. All of us have a concern about the causes of long-term unemployment and the adequacy of income support measures in this State. Austudy has been mentioned, and we are all acutely aware that Austudy has some problems. However, the committee will tackle this matter with some energy.

Perhaps the Party rooms, Caucuses and various individual members could have due regard to what I am saying this morning and be careful about the types of resolutions that are put forward. Perhaps they could discuss with their Party representatives on that committee the texts of the subjects to be considered for referral. It is no good members going to a great deal of trouble putting forward motions in this House if there is such a backlog in the Social Development Committee that it may not be considered. By the very nature of the committee, it is a marvellous venue to refer a subject in which one has an interest and to know it is being considered by that committee. However, at the end of the day, many subjects will be referred to that committee. I hope that members will have due regard to my comments and consider them carefully when they exercise their right to refer subjects to it. This motion has value and is worth the committee's consideration, and I am happy to support it.

Mr FERGUSON (Henley Beach): It gives me great pleasure to support this motion, so ably moved by my colleague, concerning the problem of long-term unemployment in regional, rural and urban communities. I have had the pleasure of travelling the State as the Presiding Member of the Rural Finance Select Committee—

The Hon. T.H. Hemmings interjecting:

Mr FERGUSON: —together with my colleague the member for Napier, and we have heard some really heartrending stories of what is happening with respect to employment opportunities of people in the rural constituencies. The problem of the banks and their sometimes cavalier treatment of people in the rural industries has been one of the things that has distressed us. When this matter is referred to the Social Development Committee, I hope that committee will take into consideration the influence that the financial institutions are having on the farming community.

I will not reveal the evidence that has been presented to the Rural Finance Select Committee, suffice to say that between 18 per cent and 30 per cent of people in the rural community have been described as 'non-viable'. At this stage, I do not quite understand, without there being more Commonwealth help, how these people will ever get into a situation where they will be viable.

I listened with great interest to the member for Morphett's contribution to this debate and one must say that it was certainly laced with commonsense. I can understand the problem to which he referred about the Social Development Committee, because as you, Mr Deputy Speaker, would well know we are coming up against the same problem with the Economic and Finance Committee. A huge reference load has now been put to that committee for which the resources are not being made available, to enable us to tackle the

number of propositions that we have so far as the references are concerned. I can understand what is going to happen with the Social Development Committee with this particular item being put to it. Not a day goes by when the Chairman of the Economic and Finance Committee does not announce in the press that there will be another investigation so far as that committee is concerned. Members might be surprised to know that very few of these things have actually been referred to the committee itself. I think the committee itself should give its imprimatur to those matters before any reference is agreed to and then it should be publicly announced.

The problem is that we get our Chairman standing on the steps of Parliament House making announcements that he will take references to the Economic and Finance Committee, on a whole variety of things, when in fact the Economic and Finance Committee has never even heard of those references. I have raised this problem in a bipartisan way with members of our committee, and I can indicate that I have actually achieved agreement with other members of the committee about announcements being made about investigations by the Economic and Finance Committee when in fact those matters have not actually been referred to the committee. It was a pleasure to see that one member—not a member of the Party that I represent—was prepared to confer with the committee about a reference to be made to the committee before a public announcement was made. I do not think he has made a public announcement about it to this point in time. I was certainly pleased to see that sort of cooperation on the part of the members of the committee.

I can understand the problems that have been referred to by the member for Morphett and his trepidation about this matter being referred to the Social Development Committee because, as I say, the Economic and Finance Committee is in exactly the same position. There are so many references being made to the Economic and Finance Committee that I can foresee the program stretching three years into the future, if all those things are properly investigated. Any further references made by the Parliament to the Economic and Finance Committee would take precedence over everything else; all the other references that we have would go to one side. We simply will not have the time or the resources, and in some instances, I fear, the will, to go ahead with investigating the propositions that have been put to that committee.

Nonetheless, it makes a good headline. Every time an announcement is being made that a proposition needs to be put to the Economic and Finance Committee, it strikes the headlines and gives a false impression to the public that these matters will be thoroughly and absolutely investigated because that committee does not have the resources to be able to go ahead and do it. I feel that this proposition in front of us ought to be supported by everybody here. It is a very worthwhile proposition and I would be extremely surprised if the Social Development Committee would have as big a workload as has the Economic and Finance Committee.

If this Parliament is fair dinkum about the committee work, it will have to increase the resources to these committees to a very large degree, and that means spending money. It means that this Parliament will have to vote more money to provide the resources that are necessary properly to investigate all the propositions that are being referred to them. In some ways, it is a good way of getting rid of a problem on which Parliament does not want to make a decision. If we cannot make a decision on it, we send it to a committee and hope that the committee will quietly bury it or that it will drop off the Notice Paper.

The Hon. B.C. Eastick interjecting:

Mr FERGUSON: I agree; I am not allowed to refer to debates in another place, and I know that you, Sir, would not allow me to do that but, as a general principle, the procedure of the other place referring on a decision on the prostitution issue was a good way of getting rid of the problem. I will be looking with great interest at how long it takes—after all, we have already had a select committee that went on for years—

The DEPUTY SPEAKER: Order! For the final two minutes of the honourable member's speech, would he care to come back to the topic.

Mr FERGUSON: I accept the point you are making, Sir: it is a very good one. I support the proposition before us. My question relates to whether the matter should be sent to the Social Development Committee, for the very reasons given by the member for Morphett. Those reasons are valid, because I know that this is the same problem as is occurring in the Economic and Finance Committee. I thank the House for its indulgence in letting me stray slightly from the subject, but I do support the proposition before us.

The Hon. B.C. EASTICK (Light): I was very interested to hear your admonition of the member for Henley Beach, Sir, drawing attention to the content of the motion, because I have read the content of the motion very quickly and nowhere do I see that it mentions the 'Get Terry Groom campaign', and that was obviously what was the intention of the honourable member's comments. I make mention of this, and I am quite interested to note that my colleague the member for Morphett has recommended support for this motion, as I believe any member would make contributions or give support to a motion which would assist in a better understanding of the parliamentary system in the community and which will address real community needs. Imagine, then, my concerns when reading the Messenger Press *News Review* of this current week circulating in the Munno Para, Elizabeth, Salisbury and Gawler areas: very prominently displayed, I saw that the same committee has organised a meeting at Munno Para, but who has been invited? It is a very interesting piece of information, which states that we are going into the Elizabeth-Munno Para area, and to that I add Gawler, because Gawler is right on the edge of it, and is part of the integral activity, albeit not part of the electoral arrangements. It is interesting to note that no recognition has been made of the member for Light being invited.

The Hon. T.H. Hemmings: Or of me.

The Hon. B.C. EASTICK: We are both has-beens, in the sense that we have indicated we will not be going on, but I will be the representative of that area for at least the next 18 months, unless the Premier—or the Premier-elect—pulls stumps. I believe that, in recognition of the fact that this matter is going to the Social Development Committee, we could take a leaf out of the book of yet another select committee of this Parliament, the Select Committee on Juvenile Justice. On every occasion on which that committee has gone into any area, it has specifically invited those members who have an impact in that area.

As the member for Stuart will recognise, it has gone one step further. It has also offered an invitation to those members who have shown an interest in representing the area in the future. So, when we went to Port Augusta the current member for Eyre as well as the member for Stuart were able to give evidence. When we went to the electorate of Hartley at Campbelltown, not only did the current member

have the opportunity to be in the Chair but an invitation was sent to the member for Hayward, who seeks to represent that area, to be present and make a contribution.

I am heartened by the fact that the Social Development Committee will look at a need in the community at present, but I hope that, by virtue of those who chair the committee or those on the other side of the House who might be manipulating it, it will not be used for the purpose of cheap political expediency. It is important, if we are to have a committee of this House, that it be representative of the thoughts of this House and it give proper opportunity to those members who represent a particular area to be advised, so that they are able to take up the invitation to make a presentation or, at least, to listen to the affairs of that area.

The article that I read in the *News Review* this week does not give any clear indication that that is the intent. It makes one wonder how or why the decision to go into that area has been arrived at. How much of it is to promote someone who is running last in the battle for the membership of Napier?

Mr S.G. Evans: What's her name?

The Hon. B.C. EASTICK: We do not mention the names of people in here: it might be hurtful. The important issue always is that, because there is a major unemployment problem throughout that area and because there are issues that are important to social development in this State, the investigation and the meetings should be as wide as possible.

Mr S.G. Evans interjecting:

The Hon. B.C. EASTICK: I am indicating that the Labor Party candidate, as my colleague the member for Davenport notes, has been seen attacking issues in a council area other than the one that is the heart of Napier. In the very recent press, there was an attack on the Salisbury council.

The Hon. M.D. Rann: Salisbury Heights is in Napier.

The Hon. B.C. EASTICK: Just a very little bit. Would there be 800 people down there?

The Hon. M.D. Rann: Many more than that.

The Hon. B.C. EASTICK: I am glad that the Minister who currently represents the area has come into the fray and advised us of the connection. Might I say that it has not been easy to identify as a very real connection. I will give credit where credit is due.

The DEPUTY SPEAKER: Order! The member for Light will address his remarks through the Chair.

The Hon. B.C. EASTICK: Yes, Sir, by all means. I will give credit where it is due and indicate that it has been drawn to my attention by the member for Briggs—the Minister in the Chamber—that there is a connection, but it was a very tenuous connection relative to the heartland of the area which will be won by the current member for Hartley.

Mr QUIRKE (Playford): I welcome this motion of reference to the Social Development Committee and, as one of the first speakers to get down to the central issue of this reference, I wish to make a couple of comments that may be pertinent to the debate. The Social Development Committee is one of four new parliamentary committees feeling its way. It is the committee that is determined to go out there and deal with a particular problem, one that is well and truly known to members of this House representing the northern suburbs. In fact, the agenda is not finished yet. The full program for the meeting in question, as late as 11 a.m. yesterday, was still in the melting pot, and no invitations have gone out yet to any member of this House, because the program has not been finished. We were assured yesterday at the meeting that notices were to go to the relevant sitting members.

I am pleased that the member for Light, who represents the squattocracy to the north of that area, wants to come along. I will personally write him an invitation as it would do him good to come to one of these meetings in Elizabeth Downs, Elizabeth Field and a few other places; he would see a few things there which may modify some of the comments that he and some of his colleagues opposite make in this place. It would be an eye opener for the member for Light and a number of other members opposite to go to one of these sessions and see the impact of poverty out in some of the areas rather than hanging around in the areas they represent where they have no knowledge of these issues. I not only welcome him but hope that he brings the rest of his colleagues with him. I will write to him personally as a committee member and invite him to that meeting. I would support any member of this Parliament coming to that meeting.

On the central issue before us, the honourable member has put down a reference to the new Social Development Committee. Despite the fact that this reference is fairly broad and many of the issues have Federal and local government implications, the reality is that it is a worthy menu for the committee. It will test the mettle of the committee. The member for Bragg interjected previously, 'Are they up to the task?' That is a very pertinent and important question. In about three or four months time when we have dealt with this issue, we will have an answer to that. One of the dangers in the new parliamentary committee system as it applies to the Social Development Committee is that references would be put to it that would be beyond its scope or competence, many of the issues being of a Federal nature and involving irrelevant inquiries. It will be an interesting test for members of the committee. I am confident that it will come through on this issue. One of the other dangers (and I agree with the member for Morphett on this point) relates to the way that a committee such as this may have a backlog of work created by parking Bills which cannot be dealt with by either side or by either House of the Parliament.

I know that I am not supposed to mention that other matter that we all know is being referred to the Social Development Committee, but I believe it is fundamentally different (and here I disagree with my colleague the member for Henley Beach) from the Economic and Finance Committee. In this instance a matter may well be parked with the Social Development Committee, with no hope of future parliamentary support in either House. It is a waste of the committee's time, of research time, parliamentary time, resources and all of the other things that go with it. One of the things that go with it is this reference we are debating and, to give proper justice to this reference, there will need to be numerous meetings in the community, numerous debates and deliberations by the committee.

Much evidence will need to be sought and unfortunately I believe that, for this agenda to be fully taken into account by the committee, it will require a great deal of work by every individual connected with it. If we are to have matters referred to it by either House of Parliament, matters which at the end of the day are simply being parked because they are too difficult to deal with, it is my view that that will see a lessening of the committee's impact. It will slow down any potential good works and tie up resources which at the end of the day will be simply frittered away.

I support the member for Stuart's motion. These issues need to be addressed and it is appropriate that we in South Australia address them. It is also appropriate that the issues be addressed at the Federal level, because I am sure that I am not different from any other member in this House: a

large number of potential Austudy recipients have come to my office and I believe that there are many Austudy problems. Certainly, many people who 10 or 15 years ago would have received Austudy benefits are not receiving them today, and that makes life extremely difficult for many of the children of middle and lower income earners. The reality is that the assets test used to determine Austudy has not moved ahead in the past 15 years in the way that it should have. The number of Austudy recipients today is much lower than the level which in my view is socially necessary.

I would like to conclude by saying that the Presiding Member of the committee would be more than happy to see all members with an interest in this area attend our public meetings. One member has come to see me, and I have happily given as much information as I have about where we will be meeting. I have given a commitment to try to ascertain the final program today and provide him with it. I give a further commitment to the House that I will do the same for the member for Light and any other members who would like to know when and where we are meeting, and they are welcome to attend. I would especially welcome those members opposite who do not need to lecture us about poverty, because we meet it every day, and we do not sit in the eastern suburbs of Adelaide or in some of the squatter areas.

Mr INGERSON (Bragg): I am always fascinated by some of the newcomers from the north when they talk about members on this side not understanding the northern suburbs, particularly Salisbury and Elizabeth. Having spent about 25 years in—

The Hon. T.H. HEMMINGS: Mr Deputy Speaker, I rise on a point of order. In his remarks about newcomers coming from the north, I believe the member for Bragg reflected on me.

The DEPUTY SPEAKER: I have not heard any reference to the member for Napier. I overrule the point of order.

Mr INGERSON: Mr Deputy Speaker, there is no way I would reflect on the member for Napier, because I know that he has been a long-serving member for the north and would understand, unlike some of the newcomers and/or potential newcomers.

The Hon. M.D. Rann interjecting:

Mr INGERSON: I have not included you, Minister. I am fascinated that the red herring is always thrown up that, just because one happens to be a Liberal, one does not understand the problems of the unemployed or those who live in poverty. I spent 25 years of my working life in probably one of the most deprived areas of Salisbury as a pharmacist at Salisbury North, so I clearly understand the difficulties that many families have, particularly in relation to the medical health of their young children. When one looks at the way that some of those families cope, it is quite heroic how they get through.

I hope that the committee, in picking up this motion (and I refer particularly to paragraphs *(a)*, *(b)* and *(c)* which talk about the causes of long-term unemployment) will look not only at the structural causes but also at the Government causes of long-term unemployment. There is no doubt that Government policy has a very significant bearing on long-term unemployment in regional, rural and urban communities. Also, there is no doubt that the current tariff policies of the Government are causing significant problems in employment generally in this State.

I hope that the committee, in looking at this very important issue, will in a bipartisan way look at Government policies, whether Liberal or Labor. In the next 10 years in this country we need to make sure that we have policies that will work and are not just ideological claptrap. As a consequence of the contributions of members today, I hope that the committee will recognise that Government policy is a very important part of it. I wish the committee well. I hope that it has the facilities that the members of the Economic and Finance Committee, of which I am a member, wish for to ensure that we get through the large number of matters we have to address. I want to finish on this point: I find it objectionable that every single time members opposite stand up and talk about a social issue they believe they have a mortgage on it, that they are the only ones who understand it, because that is not so.

The Hon. T.H. HEMMINGS (Napier): I support the motion. It is a pity that a motion such as this has been used as a hanger in relation to all these petty jibes that have occurred since the member for Morphett stood up and ostensibly supported it, and then spent something like 12 hath30/11aminutes bleating about the lack of facilities that were available to the standing committee to which he belongs. We all know that it was mainly thanks to you, Mr Deputy Speaker, that we restructured the parliamentary committee system. You will be well aware, Sir, that in the early stages I had personal misgivings about the new parliamentary committee structure. Your commonsense attitude in our discussions changed that view, but, Sir, you also shared my view that the Parliament had to make a decision on the resources. The Parliament did make a decision on the resources, went to the Treasurer and was denied those extra resources. Some members accept that and get on with the job. We do not stand up and say, 'We think this is a good motion to support but we need extra resources.'

Mr Ferguson: It's the Churchill spirit.

The Hon. T.H. HEMMINGS: My colleague the member for Henley Beach says that it is the Churchill spirit coming out in this, Sir, and I suppose it is. But, we are here to do a job. My colleague the member for Henley Beach, who is a great friend of mine, uses, in effect, the same argument about the Economic and Finance Committee. The fact that the Chairman of the Economic and Finance Committee wants to keep referring matters to that committee has nothing to do with this motion.

An honourable member interjecting:

The Hon. T.H. HEMMINGS: That's right, but a lot of debate has occurred on both sides, and I am trying to bring it back to what this motion is all about. There are problems in the rural urban community about which this Parliament may well think it knows it all, that it has crossed the Ts, dotted the Is, got it all in the databank, but one can never stop saying, 'I've got all the information.'

An honourable member interjecting:

The Hon. T.H. HEMMINGS: I find it rather distressing that, two minutes into my speech, when I am talking about what this motion is all about, I get stifled. My colleague the member for Light was, in effect, slandered by my friend the member for Playford, who said that he is a member of the squattocracy and does not know what it is like in the other parts of the electorate of Napier. Mr Deputy Speaker, have you noticed how everyone wants to talk about the electorate of Napier? They all want to be the member for Napier. I might have to stand again as an Independent—that would put the kybosh on the whole thing.

Mr Ingerson: You wouldn't get in.

The Hon. T.H. HEMMINGS: I would. The member for Bragg said that I wouldn't win, but you know, Sir, I would.

The DEPUTY SPEAKER: Order! The Chair asks the member for Napier to return to the subject of the motion.

The Hon. T.H. HEMMINGS: I digressed, and I should not have done that. I want to place on record, with respect to any issue in my electorate concerning the Munno Para council, that the member for Light has always been present. He is always present at functions, whether it be to launch something or to discuss problems. I can always be assured that, when I leave my home to go to a function, one member of Parliament will be waiting there to greet me, and he always meets me with great friendship. I implore the Parliament that, when we pass this motion, which we obviously will, we forget the back-biting, the people who are trying to transplant themselves from Hartley to Napier and start looking after the people in our community to which this motion is directed.

Mr BRINDAL (Hayward): I will be very brief. For many years I worked with the country areas program and built up some expertise under a succession of Labor Administrations at Federal level. I commend the honourable member for introducing this motion. I inform the member for Playford publicly that, if he lets me know when evidence is being presented, I will have great pleasure in presenting evidence. Austudy is an absolute disgrace, a disgrace perpetrated on rural people by a succession of Labor Federal Governments.

The Hon. M.D. Rann: And I have been leading the charge for reform.

Mr BRINDAL: If the Minister has been leading the charge for reform, he has been singularly lacking in success, and I hope he will do better. However, it is a pity that in the context of this motion the member who moved it did not think to include the horrendous effect which the new HomeStart provisions will have on country people. It is all right to pick out those motes in the eye of the Federal Government and to complain about them but, when Ministers opposite have absolutely discriminated against country people in the amount of equity they can borrow in their home, that reeks of hypocrisy. I would like to conclude by suggesting that the Government may be bipartisan but, like the member for Bragg, I get a bit sick and tired of the idiocy and puerile politics played by Government members when they assert that every member on this side of the House is a silvertail and represents an eastern suburbs electorate. It is blatantly and patently not true, and anybody who asserts otherwise is a fool. I conclude by saying that I seek to represent Hartley, not an eastern suburbs electorate.

Mr GROOM (Hartley): I, too, want to indicate my support for the motion and also my disappointment that some contributions on the Government side have reduced the debate to almost triviality. It is a particularly important motion and it is a particularly important function for a parliamentary committee to undertake. I believe that a visit to the northern areas is a most important aspect of the motion. I understand that there is a meeting scheduled for 13 May. There is an imbalance in relation to resources for the northern suburbs. I trust that the committee will make recommendations that are favourable to the north, to redress the imbalance that has been long suffered. I, too, want to support the remarks made by the member for Light. I only found out about the meeting of 13 May as a consequence of the member for Light's informing me.

On the Juvenile Justice Select Committee we have been with great sensitivity at pains to notify all members of Parliament, as a matter of basic courtesy, of a visit to a particular area where they have a legitimate interest, and we have been very careful to wield a very fair hand in relation to that matter. My preliminary inquiry was to the effect that only certain people were to be invited. I understand, thanks to the member for Playford, that he has ensured that all members with a legitimate interest will be properly apprised of the agenda and notified of the public meetings, and I thank him for that. Because of the time restrictions, I conclude by saying that this is the way in which parliamentary committees should function. The Economic and Finance Committee will be able to undertake the tasks that it has on its list, and I am sure that the Social Development Committee will be able to likewise do the same.

Mrs HUTCHISON (Stuart): I thank all members for their contributions. Whilst they might not always have addressed the point of my motion, I accept the sympathy and the sentiments expressed by honourable members. I hope that the Social Development Committee takes up this issue and I look forward to seeing the committee visit all our electorates at various times during its deliberations, and I look forward to some good recommendations.

Motion carried.

SELECT COMMITTEE ON RURAL FINANCE

Mr FERGUSON (Henley Beach): I move:

That the time for bringing up the committee's report be extended until the first day of the next session and that the committee have leave to sit during the recess.

Motion carried.

SELECT COMMITTEE ON PRIMARY AND SECONDARY EDUCATION

The Hon. M.D. RANN (Minister of Employment and Further Education): I move:

That the time for bringing up the committee's report be extended until the first day of the next session and that the committee have leave to sit during the recess.

Motion carried.

SELECT COMMITTEE ON THE LAW AND PRACTICE RELATING TO DEATH AND DYING

The Hon. B.C. EASTICK (Light): I move:

That the time for bringing up the committee's report be extended until Wednesday 6 May.

Motion carried.

SELECT COMMITTEE ON BUSHFIRE PROTECTION AND SUPPRESSION MEASURES

The Hon. T.H. HEMMINGS (Napier): I move:

That the time for bringing up the committee's report be extended until the first day of the next session and that the committee have leave to sit during the recess.

Motion carried.

LEGISLATIVE REVIEW COMMITTEE

Mr McKEE (Gilles): I bring up the ninth and tenth reports of the Legislative Review Committee and I move:

That the reports be received.

Motion carried.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The Hon. T.H. HEMMINGS (Napier): As Presiding Member, I bring up the first report of the Environment, Resources and Development Committee on supplementary development plans and I move:

That the report be received.

Motion carried.

KAVEL BY-ELECTION

The Hon. T.H. HEMMINGS (Napier): As events have overtaken the motion that I originally placed on the Notice Paper, I seek leave to amend my proposed motion as follows:

Delete the words 'a possible' and insert in lieu thereof the word 'the'.

Leave granted; proposed motion amended.

The Hon. T.H. HEMMINGS: I move:

That this House notes the potential cost to the community of by-elections, particularly in relation to the by-election for Kavel.

I, like many other members of Parliament and, I suppose, members of the South Australian community, was shocked at the sudden resignation of the Hon. Roger Goldsworthy, God bless him, from this Chamber for no apparent reason. I was talking with him the day before he made his shock announcement, when we were looking forward with pleasure to travelling through the Adelaide Hills in relation to the Select Committee on Bushfire Protection and Suppression Measures.

In fact, I said to him, 'Roger, old friend, are you up to this extensive series of public hearings we have to go through?' (We were talking about four meetings.) Roger said to me, 'Terry, I feel fine. In fact, I have never enjoyed myself as much as I have over the past couple of years. My health is good, everything is fine. I'm enjoying life as the CPA delegate, travelling all over the country and around the world, so life is good for me.' That was the way we ended the conversation.

I picked up the *Advertiser* the following morning to find that the member for Kavel, good old Roger, had decided to throw in the *Hansard* and urged Senator Olsen, in effect, to take his place. That in itself is an insult to the people of South Australia, because we had to endure—if the Minister will listen to me—the resignation from the seat of Custance of the then Mr John Olsen because, in his own words, he had no choice, if he wanted to remain in politics, other than to leave the State and go to the Senate.

Mr Quirke: And we got Ivan the Horrible!

The Hon. T.H. HEMMINGS: I will not talk about the present member for Custance, because he holds a dear place in my heart. I am saying that Mr Olsen's decision to vacate that seat after the 1989 election to go to the Senate cost the taxpayers of this State something like $100 000. Because members opposite do not want Dean Brown back, the whole exercise will cost the taxpayers of this State a further $100 000. If it were for any other reason, if someone were sick, as happened with the Hon. Ted Chapman (who served his State valiantly but had to give it away through illness), I would have said, 'Hard luck, Roger. Good-bye. Take your $500 000 superannuation, and I hope you enjoy it.'

But it was not done for that reason: it was a cynical exercise to bring back John Olsen, because members opposite knew that the present incumbent (the Leader of the Opposition) and his deputy had no chance of knocking this Government off its perch. And let us face it, Madam Acting Speaker: to put it bluntly, this Government is on the nose out there in the community yet, according to two successive *Bulletin* polls—and I must admit that I almost choked on my muesli—we were going to win. We would have won in March, because the present incumbent and his deputy—and that abysmal group opposite—just cannot get their act together. So, they decided to play this clever trick. But they were beaten by the Hon. Ted Chapman, who actually put up Dean Brown.

Not only will this exercise cost the taxpayers of South Australia about $200 000 but look at what has been said. Can we ever believe Senator Olsen again after what he has said in the past? In the *Advertiser* of 29 December 1989, under the by-line of a certain Rex Jory (who is no great lover of this Government—in fact, one could say that he is a running mate of the Liberal Party, although he might disagree), Mr John Olsen, then Leader of the Opposition, was quoted. The article stated:

> The Opposition Leader, Mr Olsen, said yesterday his decision to run for the Senate was the toughest of his political career. In the end he had no choice, if he wanted to remain in politics. After the 25 November election, Mr Olsen virtually lost control of the Liberal Party, which re-elected him leader for a third term. Mr Olsen wanted the member for Mitcham, Mr Stephen Baker, as his deputy and got the member for Victoria, Mr Dale Baker. He wanted Mr Martin Cameron as Opposition Leader in the Legislative Council and got Mr Robert Lucas. He wanted the member for Morphett, Mr John Oswald, as Whip and got the member for Davenport, Mr Stan Evans.
>
> Mr Olsen said three weeks ago, after being re-elected, that he intended holding the job until the next election in four years. In his heart he knew that was impossible. The Liberal Party hates losers. In announcing his decision to run for the Senate, Mr Olsen as much as admits he would have been toppled from the leadership in a year or so. 'The political reality is that it is rare indeed for one person to serve up to 11 years as Leader of the Opposition,' he said. 'It is inevitable that speculation about the leadership would continue while I hold the position. Indeed there has already been some of that speculation since the election.'

And so it goes on. In effect, Mr Olsen said that his career in State politics was over; no-one trusted him; he was not given anything he wanted; and therefore he would run away and hide in a lucrative job in the Senate on a casual vacancy. In fact, the casual vacancy had to be created to let John Olsen in. And now, suddenly, things have changed.

I happen to have a lot of time for the present Leader. I do not respect him for his politics, but I respect him as a man. He is a larrikin; in effect, he is a man's man, Madam Acting Speaker, if you know what I mean by that, and he is a person after my own heart. He is a bit of the old shonk—a bit of the old discount bit, as far as selling cut flowers is concerned. But he is a man's man. He made the supreme sacrifice to ensure that John Olsen got back in.

However, if we look at today's paper, we see that it now looks as though we have wasted another $100 000 of taxpayers' money. Already, we are not sure whether John Olsen will become the Leader of the Opposition. Already, Dean Brown is making inroads. Already, up to eight members opposite have started having misgivings. They do not want John Olsen. They resent the manipulation that is being thrust upon them by senior parliamentary members of that Party—although I am sure that does not include the member for Bragg, who is as desperate as anything to get either the top position or that of deputy. And he deserves it. Already there is resentment, because those outside the Liberal Party are putting pressure on members opposite. The article in today's paper states:

> Members re reluctant to say how they will vote, but it now seems Senator Olsen can no longer be assured of an absolute majority. Some members have said they resented the pressure they say is being exerted by senior members of the parliamentary and administrative party to ensure Senator Olsen wins the readership.

There are also concerns that Senator Olsen will insist his current press secretary, Ms Alex Kennedy, join his staff if he becomes leader.

I can well remember when Alex Kennedy gave the member for Hayward a real bath when he introduced changes to the abortion legislation, designed only to upset my colleague the member for Spence. Alex Kennedy—

Mr BRINDAL: On a point of order, Madam Acting Speaker, I believe that my reputation is being impugned when it is suggested by a member opposite that I have been given a bath by Mrs Kennedy. I have never had a bath with Mrs Kennedy.

The ACTING SPEAKER (Mrs Hutchison): The Chair does not uphold the point of order.

The Hon. T.H. HEMMINGS: Alex Kennedy gave the member for Hayward a bath, and quite correctly, because the member for Hayward in his motion denied women of this State the right to have an abortion. There was also the member for Hanson, but we will not worry about him, because he is going. Alex Kennedy has gone through the lot of them with her vitriolic pen: she has gone through the lot of them and shown them up for what they are. If John Olsen wins the by-election and comes back, he will have Alex Kennedy as his chief staffer. Will members opposite cop that? No!

The other hypocrisy is that John Olsen stood for pre-selection for the Senate for a second term, knowing full well that the deal was being stitched up for poor old Roger to go out with his fat super and for John Olsen to come back in. He knew that, yet he stood for pre-selection and won the second position. If the member for Bragg says that he will do something, he does it. With Senator Olsen, from the day he was denied the leadership of the Party in 1989, he has told a series of untruths. He cannot be trusted one inch, yet members opposite, like sheep until yesterday, were prepared to let him in to take over the role of Leader. They were prepared to dump the member for Victoria. Although, you, Madam Acting Speaker, were not in the Parliament then, you may remember the stories about tombstone Olsen and the Milky Bar kid. He is Mr Negative: he has never said one positive word about this State. He was against daylight saving because he thought that it would cost him more. Then he voted for it because he thought that he would save on his electricity bill.

He is completely hopeless, yet members opposite are clutching with despair. They have this Government on the ropes—in fact, they do not have this Government on the ropes: the media has the Government on the ropes, yet the *Bulletin* poll shows month after month that we would win. I can understand members opposite wanting to ditch the member for Victoria, but what a replacement. If I were a Government Minister and had to face the possibility of Dean Brown or the members for Bragg or Coles being Leader, I would have to lift my game, but not with tombstone: he does not know what it is all about. He will go to a by-election with his own Party split on tariffs and will expect those dear people of Kavel—

Mr Quirke: And those from the woollen mills up there.

The Hon. T.H. HEMMINGS: That is right—to vote for him. I sincerely hope that the National Party puts up a very fine candidate, as we may well have a situation where Senator Olsen is rebuffed. He is being clever: he will not actually resign until he takes his position. If anyone should be rebuffed, it is Senator Olsen, as he has misled this State, his Party and those genuine people out there in the Liberal Party who thought that he was the best choice in 1989. He botched his chance then and he botched his chance in 1985. He has botched it all the way through: he is a disaster.

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

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

EDUCATION DEPARTMENT PROPERTY

Mrs KOTZ (Newland): I move:

That this House calls on the Government to immediately amend regulation 14 of the Education Act 1972 under the heading 'Trespassing on Departmental Property' by removing the curfew between the hours of 12 midnight and 7 a.m. and inserting a provision that a person who is on school grounds without permission is guilty of an offence.

When I first spoke on this subject, it was my intention to move a motion to extend the curfew period that currently exists. Having had further discussion with school communities on the matter, I believe it would be more pertinent to abolish the curfew hours and restrict entry to school grounds to those who have permission only. I will refer to that point shortly. The concerns expressed through this motion were raised with me by schools and school council members in my electorate on the basis that vandalism of school property had increased and because of the inability of school communities and the Education Department actively to repair the damage that had been done.

I think it is recognised by the majority of my colleagues that the incidence of graffiti vandalism and arson on school premises has increased alarmingly over the past 18 months to two years. There is a strong indication that a great deal of damage is still continuing on weekends. The letter that first suggested this change to regulations came from a school within my area. It is important that I cite the contents of that letter, as it sets out the reasons for my being approached:

As we see it, one of the obvious problems with current security in schools is that only between midnight and 6 a.m. are trespassers liable to prosecution for being on school grounds without permission. However, it is a fact that much of our vandalism and graffiti takes place well before midnight and at least some school fires around the State and lit before midnight.

We believe the curfew times are inadequate and need to be increased to cover the time between 10 p.m. and 6 a.m. The few times when people are legitimately still on the school grounds after 10 p.m. are insigificant and a legitimate right to be there, for example, the school council meeting or class sleepover, can readily be explained to an investigating police officer.

While no other action against such anti-social behaviour appears likely, surely the Parliament can be convinced that something must be done to curb the growing tide of crime against schools after hours. One of the simplest, cheapest and most effective deterrents is to change the curfew hours and erect signs on school boundaries advising would-be offenders of the increased risk they face.

We appeal to you to please investigate this suggestion fully and take action to see it raised in Parliament as a necessary step towards saving some of the State's precious education dollars and reducing crime and wastage.

I suggest that that is an admirable and imperative action that we must examine. The reason I changed the condition in the motion, instead of looking to decrease or extend the curfew hours, stems mainly from discussing the matter further with schools. Some concerns were raised with me by my colleagues here when I first spoke on the subject, concerning the fact that, if permission was to be the only credence for allowing people on school grounds, school assets and recreational facilities would possibly be restricted to the community.

On that basis I agreed totally with that concern and again contacted schools and had further discussions with them. I know that I am restricted in the amount of time available to me in the debate, but I would like to give a general idea of what those survey results revealed when I spoke to the

11 schools in my area. It appears that even at this stage students are discouraged from being on school premises, except for organised activities, and that is an inherent comment made loud and clear by each of the schools surveyed and asked their opinion on this subject.

It was also made clear in answers to questions that school facilities in our communities are used to a great degree in after school hour activities, but all those activities are undertaken with permission. Some of the activities undertaken in each of our areas include after school hour care sessions, karate sessions, Brownie organised meetings in some facilities, Neighbourhood Watch meetings, and activities involving Lions, CFS, St John, calisthenics and disabled groups. The list goes on and on.

School facilities are used constantly but on a permission basis at this time. One school has an unfenced area and it is difficult for the school to make the same sort of statement other schools have made about restricting people on school grounds but, in its own way, the school tries to apply a certain degree of permission in respect of people using the school grounds. It has stated that anyone can use the grounds except for archery, golf and horse riding, and it does not encourage night use.

One way in which the school has moved to permission only is to issue its own licences to people who wish to use the grounds to walk their dogs or for recreational activities after school hours. My point is that, although it has been suggested that the curfew hours be removed in favour of use on a purely permission only basis, it seems from the discussions I have had and based on the conclusions inherent in the response to those discussions, that the schools at this time have moved towards a permission only basis. Standing regulation 14 of the Education Act 1982 under the heading 'Trespassing on departmental property', provides that 'a person on school premises between the hours of 12 midnight and 7 a.m. is guilty of an offence unless that person—' and goes on to list three areas where permission and exemptions are clear. A $200 penalty is indicated for such trespass.

I would like to commend the school council that considered this responsible suggestion because the concern in the community in respect of all aspects of law and order is continually being brought to the attention of members of this House. Having received such a well thought out and responsible suggestion from one of my local school councils, I am pleased to take this opportunity to present the proposal to the House with a view to implementing this positive measure to assist, as a deterrent to vandalism, graffiti and arson attacks on our schools after dark.

It is also to be noted that the schools in question realise that this will not be the total answer, but it certainly could be a large step towards assisting even areas where the State Government itself has launched such things as School Watch, launched in March 1991, as a means of bringing students, teachers, police and the local community together to prevent arson, theft and vandalism against South Australian schools.

I am sure that members of the House can relate to the areas to which I have referred and the problems arising within schools, because the same problems exist in all other areas, I am sure. School councils do battle constantly, and they are supported by parents, to contain the effects of vandalism and graffiti, but this is a great cost to our school communities, not only because of the individual time and energy expended by parents to clean up after attacks but because of the drain on school council and Education Department finances. I therefore commend the motion to the House and ask members for their support.

Mr QUIRKE secured the adjournment of the debate.

VEGETATION AND WATER MANAGEMENT

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

That this House congratulates and expresses its support to the city of Salisbury on their integration of stormwater management and urban open space design in such projects as the Para Hills Paddocks and the Greenfields wetlands which have environmentally enhanced the city of Salisbury and this State.

I am pleased to move the motion, and the reason I was keen to do so is that a short time ago I had the pleasurable opportunity to attend a conference, called 'Catchment of green: a national conference on vegetation and water management', hosted by Greening Australia and supported by the Murray Darling Commission. This excellent meeting was attended by more than 400 delegates in Adelaide from throughout Australia. During the conference excellent papers were presented on a wide cross-section of subjects all relating to water and vegetation management.

One of the papers that impressed me considerably was presented by Mr Ormsby, of the city of Salisbury, and I want to refer to some of the matters that Mr Ormsby raised in his paper. We are all aware of the significant problems in the metropolitan area resulting from stormwater, and it seems incredible to me when water is such a precious commodity in this State that so much of it becomes a problem through stormwater, that so much of it is wasted and that so little incentive is provided to encourage people to retain water themselves. It staggers me that more incentives are not provided by the Government to encourage more people to use rainwater tanks as a valuable resource instead of wasting water which results in the provisions of water becoming such a major problem to the State. I assure the House that a future Liberal Government will do a considerable amount to encourage people, through incentives, to have their own water collection facilities.

The Hon. M.D. Rann: You said that in 1979.

The Hon. D.C. WOTTON: And we did quite a considerable amount in 1979, a lot more than the present Government has done over 10 years. The Minister is a bit upset, because I am talking about something that relates to an area close to his electorate. I find it incredible that the Minister himself has not moved this motion.

The Hon. M.D. Rann: In private members' time?

The Hon. D.C. WOTTON: There is plenty of opportunity. A Minister has a lot more opportunity in this House than the Opposition has to bring forward such matters. However, I do not want to talk about that and take up the valuable time that I have. This paper refers to the integration of on-surface drainage systems with the design and development of the urban open space landscape and points out that that integration can result in considerable benefit to the landscape, the environment and the community. The landscape and landform of much of Adelaide, particularly in the areas to the north and south of the city where major urban development is occurring, is generally lacking in aesthetic amenity and visual and landscape diversity. Particularly lacking is water-related landform and water features of any kind.

The speaker at that conference pointed out that, by appropriate utilisation of the resource of urban stormwater incorporated into the design of urban open space landscape, it is possible to provide the essential drainage infrastructure, usually at a cost equivalent to or less than that of a conventional piped system, while at the same time achieving substantial landscape and environmental enhancement. That has certainly been achieved at Salisbury.

The speaker then went on to refer to the existing situation and pointed out that, to date, stormwater has been regarded, as I said earlier, as a waste product of our cities and suburbs;

that it has been regarded at best as a nuisance and at worst as a threat to our convenience, property and life. It is put underground as quickly as possible, sped on its way to the ocean in pipes and drains provided at considerable cost, with scant regard for the impact of this polluted water on the marine environment, and we all know how extensive the problems are in regard to that issue. He went on to say that there is now a growing realisation and acceptance that stormwater is a resource that can be used to improve the amenity of the urban landscape and enhance the environment in a positive way and is a possible source of usable water, and that the adverse impacts of untreated, polluted stormwater are no longer to be tolerated without question.

The speaker estimated that the average yield of stormwater from the Adelaide metropolitan area is 185 000 megalitres per annum. This water is seasonally distributed with the main run-off occurring during winter. The physical and chemical quality of stormwater is generally poor, the biological quality is highly variable and, under the worst conditions, may be similar to raw sewage or worse. However, salinity is generally very low. Mr Ormsby went into great detail about this, but I do not have the time to go into such detail at this stage.

He then referred to urban open space and surface drainage systems and indicated that urban open space provides a range of benefits to the community. It provides recreation opportunities and settings (in the widest sense of the definition of recreation), habitat for flora and fauna, visual amenity, mitigation of the extremes of our climate and the impacts of urban activity and visual relief and distraction from the urban built form.

The speaker went on to refer to the number of issues and concerns which are often raised in discussion of surface drainage systems relating, in particular, to ponds and wetlands. Some of the concerns frequently raised involve the hazard of open water bodies and drains, water quality, the smell associated with wetlands, mosquitoes (which can be a problem in the metropolitan area, although experience has shown that a properly functioning wetland does not contribute significantly to this problem), and land availability/cost. He particularly referred to the cost of maintenance of open space which is a concern to local government authorities. In general, apart from the issue of land availability/cost, these concerns are not sufficient to deter adoption of such schemes in urban areas.

Mr Ormsby referred to 'storm-watered' landscape developments in the City of Salisbury in particular, and I want to refer to those briefly. He indicated, as we all know, that within the Adelaide metropolitan area the City of Salisbury has been to the forefront in implementing projects which have integrated landscape development and drainage infrastructure, to the benefit of all the people as well as both the landscape and the drainage system generally. Council's first such major project was the Para Hills paddocks. The project was designed and constructed in 1974-75 and consists of a large area with natural creeks and grassed swales and various ponds, lakes, wetlands and floodplain areas. Most elements of the scheme can be seen in this development.

The speaker went to some lengths to tell us about that particular development, and if I had the time I would refer to it in more detail. He also indicated the success of the Greenfields wetlands, which is a project in a 40-hectare site, the first stage of which, involving 25 hectares, was completed in 1990. Again, as well as providing flood storage for low-lying local catchment, the development has created a freshwater wetland habitat in what is a highly salinised and degraded environment. The resulting landscape, with extensive water views and tree/shrub planting, will eventually provide a striking gateway to Salisbury and, in addition, will provide opportunities for unstructured recreation and a facility for environmental education and research.

The Hon. T.H. Hemmings interjecting:

The Hon. D.C. WOTTON: I am delighted to see the support that is coming from members on the other side of the House for this motion. Mr Ormsby, in his summary, indicates that the comments and recommendations made in the paper are based principally on his experiences and observations of surface drainage system landscape projects in the City of Salisbury. These various projects, carried out over a period, have demonstrated the very real benefits that result from this kind of development and the practical application that they have in urban settings and as part of urban drainage systems. He concludes:

> In an era where 'ecologically sustainable urban development' is one of the general principles in the Commonwealth Government's Better Cities program, and general environmental responsibility, the integration of stormwater management and urban open space design, as discussed in this paper, must be one of the basic advances that need to be implemented.

I commend Mr Ormsby on the initiative that has been shown in Salisbury and the part that he has played in regard to those projects. I commend the motion to the House.

Mr QUIRKE (Playford): On behalf of the Government I congratulate the member for Heysen for placing this motion before the House and I would like to add a few remarks in agreeing to it. My electorate constitutes part of the area that is mentioned in the motion and is adjacent to the other areas named in it.

City of Salisbury Mayor, St Clair-Dixon, the elected representatives and the staff of the City of Salisbury are to be congratulated for taking a difficult problem—namely the disposal of vast amounts of stormwater that falls in the area—and turning it into an environmental plus. Wetlands management at Salisbury is still in its infancy, but the projects to date have been very good. They have been expensive and quite a burden on the City of Salisbury, but they have been well managed. In fact, some other adjacent council districts are happy to dispose of their stormwater into the Salisbury area, and then leave Salisbury with the problem of what to do with it.

If it were simply a case of rainwater going into the Salisbury area, that would be one thing. Salisbury, in effect, has become the council area at the end of a long chain. It is well aware of the problem and the expense of the proper disposal of stormwater. The paddocks which are in my electorate and the other wetlands area of which the second stage is now being worked on receive considerable amounts of council moneys. As a local member for the area, I have discussed a number of associated projects in that area with the city council, upon which assistance has been sought. Although those discussions are at an early stage, there a number of areas, particularly in Pooraka, where Dry Creek winds its way through Pooraka before it goes into stages 1 and 2 of the new wetlands, where considerable erosion has occurred and Government money from Canberra, this State or local government will be needed to address those environmental issues. The city is to be congratulated on doing something about a very difficult problem.

I was not at the conference that the honourable member mentioned. I am sure that it would have been very interesting. It would have been interesting to see what some of the other cities and councils are doing in various parts of Australia. My assessment is that Salisbury is well ahead in South Australia in terms of this issue. The member alludes to that fact in his motion. It gives me great pleasure as a Government member to support the motion and to say to

the Salisbury council that it has done a good job. The Mayor and the elected staff out there are to be congratulated for making this matter one of their environmental priorities, and one hopes that stage 2 will be as successful as stage 1 in the wetlands area and that they will lead the way for other councils to deal with this difficult issue.

Motion carried.

CONSUMER PRICE INDEX

Mr LEWIS (Murray-Mallee): I move:

That this House opposes the continued inclusion of—

(a) alcoholic beverages and tobacco products; and

(b) imported goods which are otherwise produced and/or manufactured in Australia,

in any price index used for the determination of adjustments to welfare payments; and further opposes any proposal to include the *per capita* outlay on gambling in that index.

Quite clearly, this motion provides us with a means by which we can signal to the Federal Government that it is crazy for it to continue to include certain products in the CPI basket of goods and services in determining movements in welfare. This country is in grave debt. It has a bad balance of payments position, and it has been in this parlous state for several years. The only way we can get out of it is simply to stop the ratchet in the welfare area constantly jacking up the amount of money that is paid out of the public purse to people who are on pensions where that money is not in consideration of any price moves that have occurred for the essentials of life and those things which can be and are produced in Australia.

Alcoholic beverages and tobacco ought not to be included in determining welfare price indices, nor should, for that matter, any imported goods where they are otherwise produced or manufactured in Australia at a price that is at least as good as if not better than those that can be obtained locally. We really do not need Italian suits or anything of that order. Nor do we need overseas produced liquor to be included in the basket of commodities. What is more, for bureaucrats to now be contemplating including gambling in that index, because a lot of pensioners participate in it and because a lot of money is spent on it, is crazy. I commend the motion to the House.

The Hon. T.H. HEMMINGS secured the adjournment of the debate.

MINISTERS' ATTENDANCE

Adjourned debate on motion of Mr Oswald:

That this House expresses its concern at the failure of Ministers to come into the House during private members' time to respond to motions which affect their portfolios and who delegate their responses to junior backbenchers who have no responsibility for the subjects raised.

(Continued from 9 April. Page 4134.)

Mr HAMILTON (Albert Park): This motion, which is moved by the member for Morphett, is crazy and stupid. It is designed to frustrate the will of Government and to frustrate Ministers in the carrying out of their duties. It is well known by senior members in both Opposition and Government circles—and, if they do not know, they should know—that most members of the ministry are rostered on the front bench from time to time to ensure that a Minister is present on the front bench. We are aware that in private members' time there is at least one Minister on the front bench, as would have applied when the Liberal Party was in Government.

An honourable member: When was that?

Mr HAMILTON: Many years ago. If my memory serves me correctly, I remember on two occasions leading up to the 1985 election that the Opposition could not have at least one member in the House. So much for its interest about what happens in this Parliament. After Question Time, we all know that Ministers, on just about every sitting day of Parliament, are organised in their respective ministerial offices in the Parliament. They wait upon deputations, they wait on business people in the community and on a large cross-section of those people who make representations to them. That applies from the Premier down through the Ministry. We are also aware that Ministers sign and read correspondence and go through speeches for Bills that are before the House. This has not changed in the 13 years that I have been in this place, and I do not believe it should change.

The motion also ignores the fact that Ministers have ministerial assistants, whose responsibility quite clearly is to assist the Minister in the carrying out of his or her duties, to look at the correspondence in some instances and to point out to Ministers those matters that are of particular importance and urgency that should be attended to straightaway.

The Hon. M.D. Rann interjecting:

Mr HAMILTON: Indeed, as the Minister says, to look for policy advice on a whole range of issues. I believe this is very basic and fundamental. In addition, the ministerial assistants go through *Hansard* after private members' time to see what members on both sides of the House have had to say.

The Hon. M.D. Rann: Rigorously.

Mr HAMILTON: Indeed, and it is their responsibility to assist the Minister and to ensure that problems that are raised by members of the Opposition or backbenchers like myself are brought to the attention of the Minister concerned. How can a Minister address those problems if he or she has to read every debate in the House? It would be physically impossible for a Minister to attend to all those issues. I do not think this is one of the better motions put forward by the member opposite. In my opinion it is clearly designed not to assist the community at large. It is an attempt to have the Ministers all along the front bench, sitting here like Jacky, and probably doing nothing—well, some of them may be. But they certainly cannot simply wait for representations that are made in this Chamber—and nor should they have to. Clearly, a Minister's time should be spent on addressing those very important matters that are brought to the attention of the House. Having regard to some of the propositions that are put to the House—for example this one—Ministers attending to such issues in this Chamber would be a waste of time.

I am certainly not prepared to accept this motion at all. I have been both in Opposition and in Government. I understand the tactics that are employed by all major political Parties in their attempts to frustrate the Government of the day. It is no good saying one thing and meaning another, though. The fact of the matter is that this has been an attempt to waste the time of the Government and of the Ministers. Often we hear members opposite criticising Ministers for not responding to correspondence or to a particular question that relates to the electorate. We hear these gripes and grizzles, but we know that members want two bob each way and that a Minister is damned if he does and damned if he does not.

I can see members opposite wryly smiling, and they and I certainly know that this is the tactic that has been employed in relation to this motion. The time we spend in Parliament should be productive. People could well question whether some of the contributions made here are productive or not; nevertheless, we should be seen to be trying to be productive, and not be making these statements that Ministers simply delegate their responses to junior backbenchers. How else can members of this place be proficient in their trade if they are not given a chance to stand up and speak on these issues? Indeed, I suggest that it gives the Premier and his colleagues an opportunity to assess the relative abilities of those backbenchers and to decide whether they might be worthwhile or not some time in the future. I oppose this motion, as it is a nonsense proposition. It is designed to deliberately frustrate the will of the Government, and in my opinion it is a dishonest proposition.

Mr S.G. EVANS (Davenport): I support the motion. Members who have been here for as long as I have know that this relates to the modern practice of Ministers avoiding responsibility. Originally, when I first came here, in the majority of cases the matters brought up during private members' time were responded to by the Minister responsible for that portfolio. That is what Parliament is about. To use a backbencher, for some political reason as an adviser or a helper to the Minister to put over a ploy, with the public being unaware whether that member has the responsibility or not, is wrong. It is wrong in principle, and we should change the Standing Orders to make it wrong in practice. A matter that might seem frivolous to one member may certainly not seem frivolous to the member who raises it or to the electors in the area that he or she represents. The Minister with responsibility for the portfolio involved should respond.

The member for Albert Park misconstrued the wording of the motion. Whether he did it deliberately or whether he did not understand the language, I will not pre-judge. I will leave that to others. However, the motion does not say that all Ministers should be here all the time. It states:

> That this House expresses its concern at the failure of Ministers to come into the House during private members' time to respond to motions which affect their portfolios and who delegate their responses to junior backbenchers who have no responsibility for the subjects raised.

What it is saying is quite specific. All of us in this Parliament are paid a reasonable sum of money—although the public thinks it is too much and our bank managers think it is too little—and we are paid that to represent the electorate, and the Ministers are paid extra to take responsibility for a portfolio. So, why should the Ministers not be here when issues are to be raised that relate to their portfolios. I am the Opposition Whip and there is a Government Whip on the other side and it is our job to go and find the person whose duty it is to speak next. We have had instances in this present session of Parliament where Ministers have failed to show up, even when they have indicated previously that they would like to speak. However, they have not organised themselves to be here and they have put up someone else, who does not have a responsibility to speak. I believe we owe something to those who elect us. If we are given a task as a Minister then that is what the Minister should undertake and he should respond when matters are raised in debate. That is what Parliament is all about.

If a member of Parliament—either in Opposition or on the Government side—has a concern or wants a particular subject aired, and wants to get an opinion from the Government, the person to give the response is the Minister responsible for the portfolio involved. In that way the public is better informed and they know exactly what the Government is thinking about the matter. We all know that any given Minister cannot have his or her mind applied to all aspects of various portfolios at any particular time and some things are overlooked, or forgotten deliberately, or avoided. I believe the Parliament has a responsibility, through all members of Parliament, to seek out information from the Ministry.

For the member for Albert Park to suggest that the motion is out to frustrate or annoy the Government or to slow down the processes, or to stop Ministers from signing papers is absolute hogwash. The number of times that each Minister would have to appear in the House on any given day when we are dealing with private members' business would be minimal. There would be plenty of time for Ministers to go off to functions and so on—although I doubt whether they are as important nowadays—or to seek pairs, and there would be plenty of time for Ministers to sign papers and undertake their other responsibilities. That is what Ministers are paid extra for and that is what the extra allowances are for. Ministers have a lot more resources than does the ordinary member.

Question Time to me is a farce nowadays and we were given this opportunity to have private members' time extended in the hope that we would get more information. However, we do not. On one motion—and I cannot refer to it in much detail—honourable members talked out the cost of by-elections, but I suggest that that cost is minimal as compared with what is wasted in this place because we cannot get information. The Government runs scared. No matter whether it is this Government, a past Government or a future Government, of whatever philosophy, unless we can get the Ministers fronting up in Parliament we will have problems.

I hope that, one day, the days on which Parliament sits or does not sit are not decided by the Government of the day but by the Parliament. I hope that Standing Orders are changed from the one hour stops and starts, so that there is greater opportunity for Parliament and not the Government of the day to decide. The member for Morphett raises a very important issue with this motion. If members go back and look at *Hansard*, they will find that I am right about this. In the past, Minsters had the determination and belief in democracy and in the community's being informed to stand up and respond to motions from members of the Opposition and from their own backbench, even though at times I know that they amended them.

They amended them substantially to suit the Government of the day, but that does not matter because they had to give a reason for doing so. I hope that we can go back in that direction. I commend the motion—even though, in the end result, it will possibly be defeated—because it raises an important issue, that is, that one day, a group of politicians in this Parliament more dedicated than we have seen in the immediate past will make the changes, because they will think more about the public than about the convenience of the Government of the day.

The Hon. J.P. TRAINER (Walsh): I totally reject this attack on the rights of individual members. Private members time should not be dominated by the Executive. It belongs to the individual private members here, yet this motion has been moved by an honourable member opposite trying to take those rights away from us; in particular, to take away the rights of Government backbenchers, to denigrate us and to deny our having any role whatever in this Parliament. We on this side totally reject that proposition.

When alterations were made to Standing Orders to introduce an 11 o'clock start on Thursdays with a two hour

private members' time from 11 o'clock until 1 o'clock in place of the occasional private members' time, which came up on some weeks only and at about 4 o'clock to 6 o'clock on Wednesdays, it was understood that the role of Minsters would be reduced in private members' time. At the time, members opposite thought that that was a good thing, but now they are changing tack. They want this whole place crawling with Ministers during private members' time, a time when the Executive has a minimal role to play in this Parliament.

The member for Davenport says, 'Ministers are present in the building. They can leave whatever they are doing, break away from whatever interviews they are conducting in their room; hang up the phone on people and throw away their correspondence; they can ignore the delegation that is being taken to them and come running into this Chamber to respond.' For them to do that would be an insult to the procedures of debate.

If a Minister is not able to be present to listen to what is being said, how can the Minister give an honest and complete response to the debate? Instead, because my Party speaks with one voice, we delegate that responsibility to members of the backbench because, unlike members opposite, we have people capable of doing that. That is what is behind this: members opposite are embarrassed. They are ashamed of the backbenchers they have and jealous of the backbench on the Government side, which is capable of taking up the cudgels on behalf of the Government.

The Hon. D.C. Wotton interjecting:

The Hon. J.P. TRAINER: They are jealous of our capability, and the member opposite who just made an inane interjection has a lot to be jealous about. In significant cases where it is necessary that a Minister respond, members on this side arrange for a Minister to do just that. Where it is necessary, it is done. But each of us as a member of Parliament has the right to speak on behalf of our 20 000 constituents, to put forward our own individual views that members opposite would deny us and to speak on behalf of not only our individual districts but the South Australian electorate at large.

We try to be present and participate, and members opposite denigrate us for participating, yet we look at members opposite and the very person who moved this motion is not even in the Chamber! He has the gall to comment about the lack of participation of Ministers at a time when Minsters are not expected to participate, and he is not even here. That is doubling the insult being extended to private members on this side.

We are not just dumb cardboard cut-outs to be division fodder, as are members opposite. Members opposite may see their role as being along those lines, but backbenchers on this side do not. We see ourselves as having a very vital role in private members time: one that we intend to carry out. We will not just sit here silently, like the people opposite. For too long, much of this Parliament—and I am sure that I have the support of the member for Murray-Mallee in this, even if he does not agree with me on a lot of things—

Mr Ferguson: If he nods his head, you'll be able to hear it.

The Hon. J.P. TRAINER: I cannot hear him nodding his head but, nevertheless, I am sure I have his agreement on this: that too much of the Parliament is dominated by the Executive. It is always the Executive that sets the political agenda, that dominates the Parliament and controls its finances.

Mr Ferguson: And the Independents.

The Hon. J.P. TRAINER: I am very tempted to respond to the very helpful interjection I just received from the member for Henley Beach but, in view of the circumstances, I will resist the temptation. For far too long, Parliament has been dominated by the Executive, yet we have these craven cowards opposite wanting to extend that Executive domination further; wanting Minsters here all the time, stifling debate—because, while a Minister is participating, the rights of the backbench are denied, since other backbenchers are then not able to take up that issue. This is a disgraceful attack on backbenchers' rights by members opposite, and I ask the House to reject it.

Dr ARMITAGE (Adelaide): I am disappointed that the member for Walsh has done himself and his reputation as a champion of Parliament and parliamentary functions such an injustice by that outburst. There is no doubt that we are first and foremost elected to this place as private members. Some of us go on to great things, such as ministerial positions; some of us go on to even greater things, such as the Speaker's position; and some of us go on to perhaps the greatest of all, that of Government Whip.

I am surprised that the Government Whip does not realise that the most important function we as individuals can perform is that of private members. We sit on green chairs as a constant reminder that we are private members performing the function of representatives of people meeting on the village green. This House has a fine tradition of private members.

Here we have the Government saying that private members are not able to get a proper response from Ministers because Ministers are too busy, despite all their staff, answering telephone calls. I find that absolutely appalling because it is the responsibility of Ministers to respond to private members. It is unfortunate that sometimes Government or Party responsibilities take over and the only opportunity we have to perform our primary function—that of a private member—is during private members' time. All Ministers have amplifiers in their rooms and can be here within the space of seconds. They have no trouble getting here within seconds if there is an opportunity to embarrass the Opposition or to be obstructionist in terms of what we believe as private members is a constructive suggestion for the better government of South Australia. Ministers have absolutely no trouble getting here quickly on such occasions but, ask them to come here and give a responsible and reasoned reply to what our constituents are saying is a vital concern to them, and they are too busy answering the telephone.

The honourable member who moved this motion is not present in the Chamber because, as shadow Minister, he is performing an official function at the Swimming Centre. The reason he is performing this official function is that the Minister is not in Australia and was unable, or did not care, to get one of his backbenchers to do the job for him. The shadow Minister is out there doing the work of the Minister. I am surprised indeed that the Government Whip—our Opposition Whip had not realised that, as surely he would have been consulted by the Minister, given that there was an official invitation; surely he would have been able to get someone to do the Minister's job. But no, he did not know about it.

The Hon. J.P. TRAINER: On a point of order, Madam Acting Speaker, the honourable member opposite is reflecting on me by implying that I am not carrying out my duties when that is not one of my duties.

The ACTING SPEAKER: I do not uphold the point of order.

Dr ARMITAGE: My final point in support of this motion is that I wish clearly to deny, as is obvious to anyone who has no vested interest in opposing the motion, that under this motion backbenchers are being denied the ability to contribute. Of course they are not. We are happy to have private members opposite put a view in private members' time. This motion has nothing to do with stopping Government backbenchers contributing: this motion has everything to do with asking the people responsible for the purse strings—such as they are with this Government—and for the decision-making of the Government of South Australia to pay the constituency of South Australia the courtesy of coming in here and responding to the legitimate concerns of members who are elected to serve those constituents.

The Hon. M.D. RANN (Minister of Employment and Further Education): I am rarely drawn into these debates for one simple reason: I enjoy talking about the Opposition and responding to it, but the clear message to every Minister, including me, from backbenchers on both sides of the Parliament, was that this private members' time, just as on Wednesday afternoons and this now extended period, was an opportunity for backbenchers to air their concerns. Quite frankly, we are all aware that over the years the Executive or Ministers have played a dominant role in this Parliament. Thus, with the member for Elizabeth and others we have worked to try to ensure that backbenchers get a fairer go.

If members want me or other Ministers, if I am not enough (and we will see that in the August session), to play a more dominant role in this Chamber, so be it: we will dish it out every day. I had hoped today to be given the opportunity to participate in a valedictory address regarding the Leader and Deputy Leader of the Opposition. We saw one concocted for Roger Goldsworthy, and rightly so, but they left out the member for Alexandra. I had hoped to be given the chance today to give a valedictory address regarding the Leader and Deputy Leader of the Opposition, but I could not, as not one member opposite was prepared to second it. That is the dilemma we have in this Parliament. The divisions on that side of the House have reached the point where, quite frankly, they want us to come in here and dominate them.

We have the Leader and Deputy Leader outside now haggling over who will get the white car after either Dean or John get the top job. That is how pathetic is this Opposition. If members opposite want Ministers in the next session, in this 2½ hour period (and I find it most enlightening—I actually make a point of having *Hansard* delivered so that I can go through the whole 2½ hours at my leisure on the weekend), to play a dominant role, we will kick your heads from here to Brazil.

Mr LEWIS (Murray-Mallee): Now that the member for Morphett has concluded the duties he was performing on behalf of the Minister and has returned to the House, the first point, specious though it be, made by humoured but witless members opposite, is seen to be no longer valid and is hollow. Members opposite, indeed all members, recognise that Parliament is more important than publicity, surely.

The Hon. T.H. HEMMINGS: Mr Deputy Speaker, I rise on a point of order. The member for Murray-Mallee has reflected upon me personally.

The DEPUTY SPEAKER: The Chair does not uphold the point of order.

The Hon. T.H. HEMMINGS: I was called stupid and witless.

The DEPUTY SPEAKER: The Chair does not uphold the point of order. I caution the member for Napier on his second frivolous point of order in today's private members' time. The member for Murray-Mallee.

Mr Gunn interjecting:

The DEPUTY SPEAKER: Order! The member for Murray-Mallee.

Mr LEWIS: We understand the difficulties of the member for Napier. But this is an important motion. Parliament is more important than the publicity that Ministers can get for the things they are doing and not doing as Ministers of Government, surely, yet that is what members opposite would have us believe—that Parliament is less important than Ministers obtaining publicity for themselves and the Government's policies to the extent that they can ignore their duties to this Chamber by failing to be present to answer the concerns expressed by private members and the propositions put by private members on behalf of their constituencies during this time.

We are not denying backbenchers of the Government access to time by putting this proposition, as moved by the member for Morphett: not in the least. We are inviting them to state where it is that the Government's executive prerogatives do not serve and are not meeting the needs of the people they represent. Moreover, we need to remember that Parliament is more important than the exalted office occupied by a member of Parliament, other than that of representing his constituents.

Ministers should be here. Just because they occupy a position within the Executive is no excuse to absent themselves from the Chamber. By doing so, they simply fail to come to terms with and understand the concerns expressed by properly elected representatives of the common people. Parliament is more important than the popularity of Government. Parliament is also more important than Parties, or the policies pursued by Parties and those of us who put the values that I have just referred to, such as the publicity for the Government, the position held by Ministers, the popularity of the Government and those Ministers and the Party to which the Government Ministers belong and the policies being pursued by that Party ahead of their responsibilities as members of Parliament clearly show the contempt they have and the ignorance they have about what Parliament means and the role that it plays.

After providing Parliament with our views about matters of concern, we need to get ministerial responses. After all, Ministers have the money appropriated in this place for the purpose of addressing the concerns of the common folks' interest and welfare, yet they ignore us and ignore the propositions we put here by failing to come in to answer them, one at a time, where it is relevant to their portfolios.

Mr S.G. Evans interjecting:

Mr LEWIS: Indeed. It provides them with what they ought to represent: the opportunity to understand more clearly what the public, electorate by electorate, feel are matters of concern. If that is not the case, any private member bringing forward matters that are not relevant to their constituency will be greeted and treated with the contempt his electors will visit upon him or her at a subsequent election. For the Minister and the member for Walsh to put forward the proposition—that remark made by the Minister at the front bench, the member for Briggs, saying that he wanted—

The Hon. J.P. TRAINER: On a point of order, Mr Deputy Speaker, if a member opposite refers to a member on this side who is a Minister, he should refer to that person by their ministerial portfolio and not in their capacity as a private member.

The DEPUTY SPEAKER: The relevant Standing Order provides that members should refer to other members by

the name of their electoral district or their parliamentary title and not otherwise. The member for Murray-Mallee.

Mr LEWIS: Thank you, Mr Deputy Speaker. Members opposite, even the Whip, clearly demonstrate their ignorance of Standing Orders and the traditions of this place and its forebears. It was specious for the member for Briggs to fabricate—and it is typical of the kind of thing he does in that regard—the notion that it was necessary to have a valedictory address for the Leader of the Opposition and the Deputy Leader of the Opposition.

The Hon. M.D. Rann interjecting:

Mr LEWIS: I challenge the Minister to name whom he asked. He did not ask me. I also know that he did not ask several other members who are in the Chamber on this side of the House. It is typical of the sort of fabrication we get from the member for Briggs. He has not asked even one member of the Opposition to do any such thing, and he knows that it is specious because, unlike the Hon. Roger Goldsworthy and the Hon. Ted Chapman, neither of the two members concerned is leaving this Chamber.

The Hon. M.D. Rann: Where are they going?

Mr LEWIS: Wherever they are going, they will not be departing this Chamber. I suggest to the Minister that they will be continuing in their respective roles, serving the Opposition as thoroughly and competently as they always have. When we are in government they will serve the people of South Australia better than the Minister or any of his colleagues on the front or back bench. The contempt with which members of the Government, both backbenchers and the Minister, have treated this motion illustrates their ignorance of what Parliament is about, and that is tragic—tragic for them, tragic for this House and tragic for the people of this State whom we should seek to serve.

The Hon. B.C. EASTICK secured the adjournment of the debate.

COAT OF ARMS

Adjourned debate on motion of Hon. D.C. Wotton:

That this House condemns the Attorney-General for his implementation of Government policy to replace the royal coat of arms in the Supreme Court with the State coat of arms recognising that the justices of the Supreme Court are the Queen's justices and calls on the Premier to immediately take action to reverse this policy.

(Continued from 9 April. Page 4136.)

Mr S.G. EVANS (Davenport): This motion was moved by the member for Heysen in the belief—and I have the same belief—that the Government's attack, by removing the royal coat of arms in the Supreme Court and putting up the State coat of arms, in particular after people with great craft skills—

Members interjecting:

The DEPUTY SPEAKER: Order! If members cannot restrain themselves, they should leave the Chamber. The member for Davenport.

Mr S.G. EVANS: Some great craft skills were used in creating those objects, and I think the Attorney-General's action was disgraceful. To move in the direction in which the ALP wants us to, the socialists, to attack the monarchy or any affiliation we might have with the United Kingdom through the historic development of this State without going to the people, without giving any warning or without asking for an opinion—if not by referendum then by just making public its intentions—is disgraceful. It shows that the Government is not confident that its actions will be supported. That move with the coat of arms was a blatant use of power to further enforce the point that the socialists want to move in the direction of a republic.

I recently attended a meeting where the member for Mitchell spoke at a citizenship ceremony. His intentions were quite clear from what he said, so I responded in a similar vein. I was not prepared to attend a function, where no political philosophy should be expounded, to let one side do it and have the other not do it, so I took up the challenge. I was thrilled with the response after the function from people who had just taken out Australian citizenship having come from many different countries of the world. They came here because Australia was a secure, safe place where they could gain opportunities not available in other parts of the world. No religious or political persecution occurs in Australia, and they were happy with the system under which we operate. The motive of the Attorney-General is quite clear: he is the mate of Paul Keating, the Prime Minister. That is why the move was made.

In his speech, the member for Henley Beach said that the majority of judges agreed with the decision. Who the heck are judges when it comes to what is best for the State? We make the law, the police attempt to enforce it and the courts interpret it: that is the judges' duty. It is not for them or for us, as elected members of Parliament, to decide whether the coat of arms is put up in this place or in their place. They are not the ones who should make the decision, and I believe that their point of view should have no more weight in that context than that of the ordinary person in the street who may or may not cast a vote. The judges serve in the building, and they are well paid to serve in the building. The decision about the coat of arms is not their decision. They can express a view. However, for the member for Henley Beach to come in this place and say that we should be influenced because a small minority of the State think that this measure is great—and he virtually hangs his whole argument on that—shows up the member as having a weak cause to argue, and it also shows that the member was using the opinion of the judges in a way that they would not expect it to be used. I do not believe they expected the honourable member to come into this place and say, 'We should reject the motion of the member for Heysen, because the majority of judges disagree with it.'

No part of the matter has anything to do with a point of law. Judges sit in judgment and, when they give an opinion outside that role, their opinion has no more weight than that of any other person in the community, whether they work on the railway, in the Lands Department, and so on: it is just an opinion. If the member for Henley Beach uses that sort of argument, he should have sought other opinions, namely, from the people who made those coats of arms, who put the work into making them objects to be displayed. Hours of work was put into those tapestries by the guild, and they will just be destroyed, taken away.

The argument of the member for Heysen is justified, and I believe the Attorney-General should be condemned for what he did. I take it that each and every one of his colleagues in the Australian Labor Party, the Socialist Party, agreed with it, because not one of them has said that they disagreed. It is quite clear—

The Hon. J.P. Trainer: We don't.

Mr S.G. EVANS: The Government Whip is committing all his colleagues in this House and in another place that they all agree 100 per cent with that action.

An honourable member: Who said that?

Mr S.G. EVANS: The Whip said that—the member for Walsh. I will rest my case at that: they are all entwined and they cannot think individually. There should be some respect

for people's opinion before such action takes place in our courts.

The Hon. T.H. HEMMINGS secured the adjournment of the debate.

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

BARLEY MARKETING BILL

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

PETITION: INTELLECTUALLY DISABLED PERSONS

A petition signed by 131 residents of South Australia requesting that the House urge the Government to provide adequate services to the intellectually disabled was presented by the Hon. Frank Blevins.

Petition received.

PETITION: ST JOHN AMBULANCE

A petition signed by 17 residents of South Australia requesting that the House urge the Government not to close the Blackwood St John Ambulance station was presented by Mr S.G. Evans.

Petition received.

PETITION: GAMING MACHINES

A petition signed by 198 residents of South Australia requesting that the House urge the Government not to introduce gaming machines into hotels and clubs was presented by Mr S.G. Evans.

Petition received.

PETITION: BLACKWOOD POLICE STATION

A petition signed by 37 residents of South Australia requesting that the House urge the Government to re-open the Blackwood Police Station was presented by Mr S.G. Evans.

Petition received.

PETITION: WATER RATING SYSTEM

A petition signed by six residents of South Australia requesting that the House urge the Government to revert to the previous water rating system was presented by Mr S.G. Evans.

Petition received.

PETITION: CULTURAL HERITAGE

A petition signed by 40 residents of South Australia requesting that the House urge the Government to maintain a level of public investment in arts and cultural heritage was presented by Mr Groom.

Petition received.

PETITION: SMALL CLUB FUNDRAISING

A petition signed by 686 residents of South Australia requesting that the House urge the Government to permit further fundraising by small clubs during bingo sessions was presented by Mrs Kotz.

Petition received.

PETITION: DRUG OFFENCE PENALTIES

A petition signed by 44 residents of South Australia requesting that the House urge the Government to increase penalties for drug offenders was presented by Mrs Kotz.

Petition received.

POLICE COMPLAINTS AUTHORITY REPORTS

The DEPUTY SPEAKER laid on the table the reports of the Police Complaints Authority for 1989-90 and 1990-91.

MINISTERIAL STATEMENT: YOUTH DETAINEE

The Hon. D.J. HOPGOOD (Deputy Premier): I seek leave to make a statement.

Leave granted.

The Hon. D.J. HOPGOOD: This statement concerns the attendance of a youth in detention at a funeral today. Members will recall in my statement to the House on Tuesday I mentioned that there had been a tragic suicide in the aboriginal community within the past week. This 24-year-old man was well known and/or related to some of the aboriginal youths at SAYTC. In particular, one of the youths in SAYTC at the moment is a first cousin of the deceased and has made a request to attend the funeral. Other requests were made but this was the only one to be approved. It is the opinion of Aboriginal community elders and Aboriginal staff members that it is appropriate and important for the youth to attend the funeral.

This request has been supported by the department, and the Training Centre Review Board, chaired by a judge, has approved a four-hour supervised leave. The youth is currently serving two concurrent detention orders of four and six months duration. These orders are for illegal use and common assault. The longer of the two orders will expire on 25 September this year. The youth has been in custody since 21 February this year. During his leave this afternoon to attend the funeral, the youth will be escorted by two Aboriginal staff members who will stand alongside the youth at all times. The youth will be returned to the centre immediately after the ceremony. A thorough examination of the youth's record has been undertaken, and officers of the department are satisfied that it is appropriate for him to be granted this release.

MINISTERIAL STATEMENT: CONFLICT OF INTEREST ALLEGATIONS

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

Leave granted.

The Hon. R.J. GREGORY: This statement is presented in response to a question yesterday from the member for Bright. Following allegations made by the Hon. R. Lucas that two Tourism SA officers were employed by Mr Stitt, the Attorney-General requested the Commissioner for Public Employment to investigate whether or not approvals had been given for such persons to engage in outside employment and whether they had been employed by Mr Stitt. The Commissioner conducted an internal investigation by examining files and records, interviewing staff of Tourism SA and obtaining statements from the two individuals who were alleged to have been so employed. A report has been provided to the Attorney-General who has referred it to the special investigator, Mr Worthington.

As was made quite clear in the Attorney-General's letter to the Hon. K.T. Griffin, Mr Worthington can follow up items relative to conflicts of interest, in relation to these matters under a number of the terms of reference of his inquiry. The Attorney-General said:

> The eighth issue you raise is that the terms of reference do not include any power to establish whether Mr Stitt paid two officers of Tourism SA for work for him whilst they were working for Tourism SA. This investigation has already been carried out at my request by the Commissioner for Public Employment as this is an area of concern for him. That investigation has been completed and the file and the report are with Mr Worthington. Should Mr Worthington need to follow up anything in relation to this he can do so under B *(c)*, B *(e)*, C *(c)* or C *(e)*. In so far as it relates to a conflict of interest, it is covered. It will be reported on publicly.

The Commissioner for Public Employment's investigation found that one of the persons against whom the allegations were made was not employed by Tourism SA under the Government Management and Employment Act but was a consultant to the agency. As a result, this person was not covered by the employment provisions of the Government Management and Employment Act and was not required to seek approvals to engage in other employment. It is the case that this person was engaged by Mr Stitt on retainer for a short period in late 1989.

The other employee against whom these allegations were made is an employee of Tourism SA employed under the Government Management and Employment Act. This employee denied undertaking any paid work for Mr Stitt. At no stage has he made any request to engage in outside employment. Since no misconduct or possible breaches of the Government Management and Employment Act were found, no action has been taken against those in relation to whom such allegations were made by persons whom the Hon. R. Lucas has not identified.

QUESTION TIME

HOSPITAL BOOKING LISTS

Dr ARMITAGE (Adelaide): What action will the Minister of Health take as a matter of urgency to alleviate the escalating numbers of people queuing for surgical procedures in the State's public hospitals, given the alarming increase on the surgical booking lists that occurred between December and January and the equally alarming increase in the turnaround time that forecasts the number of months required to clear the lists if additions were to cease? The most recent Health Commission management report discloses a 13.9 per cent increase in people waiting for elective surgery over the previous 12 months and a sudden rise of 501 prospective surgery patients in the month from last December to January this year. This 5.6 per cent increase in one month takes the total number of people waiting for operations in public hospitals in South Australia to 9 493.

The Hon. D.J. HOPGOOD: Either the honourable member has chosen his period for statistics fairly carefully or he knows less than I think he knows about how the whole system operates. Surgeons go on holiday during that time and there is always an increase in booking list numbers for that period. The honourable member needs to look more closely at normal trends in this area. The honourable member was going crook a while ago about procedures over the Easter break. The same is true. It is during the Easter break that this happens. The honourable member would know that this Government does not regard the present state of booking lists as ideal, otherwise it would not have made the appointment for a review of the lists as was reported to this Parliament only a few weeks ago.

That report will be made available towards the middle of this calendar year and we hope from that report that there will be some procedural changes that will enable us to move people through the lists more quickly. At the same time I point out to the House that, even on the figures quoted by the honourable member, at least half the people on the booking lists have their procedures undertaken within six weeks of the booking.

INDUSTRY TARIFFS

Mr FERGUSON (Henley Beach): Will the Minister of Industry, Trade and Technology advise whether he is aware of the closure of the Palm Beach Towel Company in South Australia and, if so, is he aware of the reasons for the closure? Last night on the *7.30 Report* on ABC television allegations were made by Senator Olsen that the closure of the Palm Beach Towel Company was caused by the burden of taxation and the recession.

The Hon. LYNN ARNOLD: I certainly noted the comments made by the aspiring Leader, the Leader in waiting. I take this opportunity to wish well the present Leader now that he is due to retire from his position. The comments were part of a debate that has now been joined within the Liberal Party and the State Liberal Party. After an extensive period of embarrassed silence and equivocation by the State Liberals they have now had the debate joined by two people who will come back into this place and force all members opposite to line up behind one or the other: either behind one who says there should be realistic protection of Australian industry or behind the other who states quite clearly that there should be none.

Senator Olsen said that the closure of the Palm Beach company was caused by payroll tax and petrol tax. They were his comments last night. He said that if those things had not been there the company would have been able to cope with the tariff protection. The mathematics do not add up. Given the fact that Palm Beach was a larger than average company in the textile sector, it paid more payroll tax relatively than many of the smaller companies. The reality is that payroll tax at a maximum represents 6.1 per cent of the wages bill. The threshold level on which no payroll tax is payable is almost $500 000 of salaries or wages. So, 6.1 per cent of the wages bill is the maximum, and many companies in the TCF sector do not pay payroll tax at all because, by definition, they are very small companies.

Alongside that we have the issue of petrol tax. I do not know how much Palm Beach spent on its petrol bill, but my guess is that it spent more time making towels than it did driving around cars or trucks and using petrol, so petrol

tax would not have been a great impost on it, unless it had petrol powered machines on which it pulled the starter each morning to get the mills going. According to what we saw last night, it looked as though the machines were run on electricity and were not petrol powered. Against Senator Olsen's comment that the company would have been saved under the fightback package for which he quite clearly has made himself an evangelist and for which he is coming into this place to be an evangelist—we have the effective rate of protection for the TCF industries in this country at the moment, which is reducing. For Palm Beach Towels, it would be in excess of 20 per cent of the value of its turnover.

So, we are putting a 6 per cent payroll tax maximum figure against something well in excess of 20 per cent that he is trading off. He says that, if we took away more than 20 per cent in protection, of course they would survive. Last night he was shown visiting a lolly factory, and I think the sweetness of that has probably got—

The Hon. Frank Blevins interjecting:

The Hon. LYNN ARNOLD: No, Dean Brown certainly did not believe him—he had a firm alternative view. He would have been better off going to Palm Beach Towels and asking the company directly, rather than speculating on the real reason. If he did not have the guts to face up to the management of Palm Beach Towels, he could have read the paper—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. LYNN ARNOLD: It appeared in the paper a couple of weeks ago when the Chief Executive, Mr Alan Simons, said that the reason why they closed their operations was the combined effects of the recession and the Federal Government policy of reducing tariffs.

We have criticised that policy; indeed the Premier has written to the Prime Minister about the closure of Palm Beach and the fact that we are saying that this confirms the concerns that we had earlier—concerns that we had, unsupported by members opposite, because they do not care about this situation. That is the point we have been making, that is that the risk firms are being put at with tariff reductions is not only likely but will cause job reductions. Mr Simons went on to say that the company was just not able to compete with the low labour costs of South-East Asia, China and India.

These are low labour costs that members opposite have decided they are quite prepared to accept; they will see industries in this country have to battle in a totally unprotected sense, unless some members opposite choose to line up behind Dean Brown, in which case they are having a somewhat restructured view of the situation.

Mrs Kotz interjecting:

The DEPUTY SPEAKER: Order! The member for Newland is out of order.

The Hon. LYNN ARNOLD: I am not sure what the member for Newland is on about. She is obviously going into newspaper selling, with children showing up newspapers to show the headlines. Perhaps she is preparing for her next career. One of the people interviewed last night on the *7.30 Report* was a person who had worked at the plant for many years and, by his own admission, said that he voted Liberal more often than he voted Labor. When he was asked about Senator Olsen's view that the reduction of business operating costs would be the solution to their problems instead of the reduction of tariffs, this person said, 'I think Mr Olsen is having a pipe dream.' This is someone who works in the industry, and his words count for a lot and should be taken into account.

As I said, the debate has now been drawn. After the joint by-election soon to come we will find that members opposite are no longer able to get away with hiding on the tariff debate as they have done for so long: they will have to line up. The member for Custance may bray about that, but the reality is that they will have to line up behind one or the other. It is interesting to speculate, whoever becomes the new Leader of the Opposition, who then becomes the shadow Minister of Industry, Trade and Technology. The member for Bragg would be secure, I guess under Dean Brown, but he certainly would not be secure under John Olsen, because his policies are clearly contradictory.

The DEPUTY SPEAKER: Order! I draw the Minister's attention to the duration of his reply.

The Hon. LYNN ARNOLD: I take your point, Mr Deputy Speaker. The facts are that the reasons for the closure of the Palm Beach Towel company were the tariff reductions and the spectre for TCF in this country will be much more fearsome if the Hewson package is put in place, because the tariff reductions will be to zero.

ROYAL ADELAIDE HOSPITAL

Dr ARMITAGE (Adelaide): Does the Minister of Health believe it is acceptable that because of financial constraints the Ear, Nose and Throat Department of the Royal Adelaide Hospital is virtually running only an emergency service and is unable to make any inroads into the unacceptably long waiting lists? If not, what will he do to fix the situation?

I have been told by the head of the Ear, Nose and Throat Unit at the RAH, Dr Dan Hains, that the service virtually operates only as an emergency treatment centre for such things as trauma and cancer cases. Over the past three months, an additional 35 patients have been added to waiting lists, but the doctors are now wondering whether it is even worth while doing outpatient sessions, because someone going onto the list may never be operated on. The doctors have offered to do extra operation lists to clear the backlog, but they are told that there is no money to pay for the nursing, administrative and anaesthetic costs.

The Hon. D.J. HOPGOOD: I will take that up with the administrator of the hospital, but I would make the following points for the honourable member. The first is that we need to look at a system-wide delivery of services, and it is important that, in evaluating our budgets and the way in which the resources are put around the place, we should ensure that we are looking at the total delivery and not simply at what happens in any particular health unit. For example, if I can be convinced that an extra $750 000 will do a good deal in relation to a particular list, and if that money is available, it may well be that it can be more cost effectively spent in a health unit other than the Royal Adelaide Hospital.

I am reminded that the Royal Adelaide Hospital has looked very closely at productivity and efficiency in the past year or so. It was the first of our major public hospitals to get into the Booze-Allen reviews. It has been very responsible in the way in which it has gone about it. It has saved substantial money as a result of those reviews, a good deal of which it has been able to put back into service delivery which would not otherwise have been there. So, in our review generally of booking lists, to which I referred in my previous answer, that is one of the things we will be looking at. We will not simply be continuing to do things in particular places because that is where they have been done in the past; we will do them because we have the most cost effective delivery of that particular service. As to what might

happen between now and the bringing down of the report, certainly I will take it up with the hospital administration.

PARLIAMENTARY BY-ELECTIONS

The Hon. J.P. TRAINER (Walsh): I direct my question to the Deputy Premier in his capacity as Leader of the House. Will the Deputy Premier advise the House what steps, if any, the Government can take to ensure that candidates in the forthcoming by-elections meet all the relevant constitutional qualifications that are set down and so avoid any possible challenge to the validity of the result?

The result of the by-election that was held recently for the Federal seat of Wills is reported to be facing a challenge on the basis that the candidate who was declared to be successful was not eligible at the time of his nomination. It is reported that additional cost to the taxpayer and inconvenience to the electors of Wills be unavoidable if the challenge succeeds and another by-election is required. Media reports, apparently first aired yesterday evening, suggest that Senator Olsen, in his bid to return to the State Parliament and to snatch the Liberal leadership, may also face a legal challenge, and that such a challenge, if successful, would require yet another by-election as a direct result of Senator Olsen's prodigal and profligate behaviour.

The Hon. D.J. HOPGOOD: I am rather interested in the honourable member's reference to prodigal behaviour on the part of Senator Olsen. If I recall my New Testament correctly, the least happy aspect of the return of the prodigal was not the brother but the fatted calf that was consumed, and I will say no more as to what that might refer to in relation to the current personnel of this Chamber. The honourable member gave me the courtesy of indicating that he wanted to ask this question, so I have had some research done.

The first thing I want to say is that the capacity of the Government to influence the conduct of the by-elections is obviously, and for quite proper reasons, very limited. Once the writs for a by-election, or indeed an election, are issued, the Electoral Commissioner is responsible for the conduct of the election or the by-election. Arrangements relating to the electoral roll, the receiving/acceptance of nominations, the preparation of ballot papers and the actual conduct of the poll on the polling day are the responsibility of the Commissioner. The process is independent of the Government.

The process is, of course, subject to judicial review. Anyone aggrieved by a decision of the Commissioner in the execution of his duties may seek to have the decision reviewed by the Supreme Court. As I recall, an intending Liberal candidate at the last election who was not eligible to nominate because he did not appear on the electoral roll took such an action. For its part, all the Government can do is to inform those persons making inquiries of the constitutional requirements upon all candidates.

It would appear that, in the context of the honourable member's explanation, the most relevant provision of the Constitution Act of this State is section 47 (1), which prohibits members of either House of the Parliament of the Commonwealth from being a member of either House of this Parliament.

The question therefore arises as to what stage a member of the Commonwealth Parliament must cease being a member of that Parliament to be eligible to stand for the State Parliament. The answer to that question is, I regret, not straight forward; legal questions seldom are. I understand there is some debate about this issue, with commentators ranging in views from one extreme to another. A number of relevant dates have been suggested as to when a member of the Commonwealth Parliament should resign; for example, the issue of the writs has been suggested by some, the close of nominations prior to polling day, the counting of the vote, the declaration of the ballot and the physical taking of the seat in the House.

I note in this respect that section 53 of the Electoral Act requires an intending candidate to complete a nomination form, which must include a declaration signed by the candidate to the effect that he or she is qualified to stand as a candidate in the election. I will leave that to the constitutional lawyers to sort out. I can only hope, for his sake, that Senator Olsen has taken well qualified advice on the matter, because as I understand it he still continues to be a Senator, even though he announced his intention some time ago to contest the seat of Kavel, a seat which was prematurely and pre-emptorily vacated to secure the Senator's return to this Chamber.

I suppose when one considers it, it is not surprising that the Senator would choose to continue as a Senator in the interim and, in so doing, draw on the salary and the perks of his office, while embarking on a political campaign—a campaign which has nothing to do with his responsibilities as a Senator. At the end of the day, not only do the taxpayers have to fund the cost of two by-elections to meet Senator Olsen's political machinations but they must also fund his political campaign back to the State Parliament. His own salary, staff time, travel, telephone, and so on, are all courtesy of the Federal taxpayers.

Quite apart from section 47 (1), which applies to Commonwealth members, there are other eligibility qualifications set down in the State's Constitution which apply to all aspiring members of Parliament. Section 49 disqualifies persons who hold certain contracts with the Crown. It should also be noted that section 50 renders vacant the seat of any member accepting or holding certain contracts. Section 45 requires candidates for election to Parliament to resign any office of profit from the Crown prior to the date of declaration of the poll. Furthermore, section 31 automatically renders a seat in the Assembly vacant under certain circumstances including, for example, where a member betrays his allegiance to this nation, is convicted of a felony, becomes of unsound mind or becomes bankrupt. I urge all persons who intend to seek a place in this Parliament to consider all eligibility requirements.

PRIVATE HEALTH INSURANCE

Mr D.S. BAKER (Leader of the Opposition): Is the Minister of Health prepared to join the Health Minister of Western Australia, New South Wales, Tasmania and the Northern Territory in urging the Federal Government to recognise the role of private health insurance in funding our health system and to encourage Australians to take out private health insurance and, if not, how does he believe growing injustices can be removed which force uninsured patients to wait months and in some cases years for treatment for painful and debilitating conditions?

The Hon. D.J. HOPGOOD: First, the Leader either misrepresents or does not understand the position of the Western Australian Government and Minister on this matter. The Western Australian Minister's concern was for the proper funding of the States in relation to the provision of health services. All States were concerned about that, but then, of course, the debate became bogged down in the ideological question in relation to insurance. The Premier informs me

that he answered a question on this matter in the House in the last week of sitting, and I do not know that I can add very much more to that. The South Australian Government will not associate itself with any campaign that has, as its obvious aim, the end of the Medicare system.

When we think about it, what we have in this nation—and I have said this a number of times in this House and I have to say it again—is a system whereby, in the case of an emergency, a person without any health insurance at all is able to get first-class, world-class, medical attention immediately, and it costs them nothing. A week ago I saw a letter sent to the Premier from a person in this State who was related to a person who had had a transplant operation. That person was pointing out what a marvellous situation we have in this country, where a procedure like that, which in a different sort of social and political context would have cost that family thousands and thousands of dollars, in fact had been provided without any cost to that family at all, other than the normal Medicare levy that we all have to meet.

This is all being done while through the period of Medicare being able to keep the costs that this nation puts into the health system at about 8.5 per cent of the gross national product. In the American system, where people are left totally unprotected, and in some circumstances even where they are able to afford some reasonable level of health cover I understand that they apply something like 14.5 per cent of all of the costs of GNP. So, on the one hand we are able to get a very much better system, a far more humane system than the Americans, but at much less investment of the gross national product. We do not want to get back into a situation where there is one set of conditions for the rich and another set for the poor. It is true that in certain circumstances some elective procedures require some wait in a public hospital. Who does not have to wait even in the private system for some of these things to happen? I wonder how many honourable members have been able to get in to see a specialist the next day, for example, when they are referred from their GP.

An honourable member interjecting:

The Hon. D.J. HOPGOOD: Very few have to wait a year, and that is almost certainly because they do not want to proceed with the surgery, their doctor does not want them to proceed with the surgery, or it is something which is essentially cosmetic. We have a very good system, and the fact that the States, quite properly, at present are putting pressure on the Federal Government to provide more funds for health should not in any way be interpreted as any misgiving as to the basic philosophy or strategy of Medicare itself.

NATURAL RESOURCES COUNCIL

Mr HAMILTON (Albert Park): Will the Minister for Environment and Planning advise the House what action is being taken by the Government of establish a Natural Resources Council in South Australia?

The Hon. S.M. LENEHAN: I thank the honourable member for his question and I am delighted to be able to inform him that today I have released a white paper on the establishment of a Natural Resources Council for South Australia. This peak body to the State Government will address the complex questions arising from issues involving the two objectives of conservation and development—in other words, ecologically sustainable development. I released the paper at the first meeting today of an interim Natural Resources Council, which will coordinate the view of a range of community groups and Government agencies while the legislation is being developed. I am also delighted to inform the House that the Chair of this interim council is Professor John Lovering, the Vice Chancellor of Flinders University, and I believe that his appointment will be welcomed by all members of the South Australian community, and certainly it was very warmly supported by all members of Cabinet.

As well as providing invaluable advice to Government on a range of natural resource issues, the Council is also part of the State Government's evolving integrated approach to the natural resource and economic issues. Just by way of explanation, because honourable members may not recall the green paper and the discussion that has been engendered, I can indicate that I have a copy of the white paper of the Natural Resources Council of South Australia, and I am delighted to provide copies to honourable members who are interested in this. I would just point out that this council in some ways takes the place of the Natural Resources Standing Committee, which was made up of the CEOs of the departments involved in the areas of natural resources.

We are extending that committee to form a council by involving representatives from outside Government in the form of people such as the Chairperson of the Water Resources Advisory Committee and the Soil Conservation Council, etc. Of course, there will be an equal number of private representatives from non-government agencies and Government representatives from the departments, and we will provide a natural resources forum, which will meet about three or four times a year and provide information and advice to the council from the broader community. This is a step forward, and I am quite delighted to make the announcement today in Parliament.

AREA HEALTH PROGRAM

Mr S.J. BAKER (Deputy Leader of the Opposition): I direct my question to the Minister of Health. Why has the introduction of the area health program, which was launched by the Minister nearly 10 months ago and which was then hailed by him as a program that would significantly reduce health delivery costs, failed to materialise more than six months after the end of the planned consultation period; and what has the preparation of the plan so far cost the taxpayer?

In July 1991 the Minister launched a discussion paper on proposed area health services. The paper disclosed that the program was intended to improve administration, reduce costs, improve services, increase efficiency and increase community involvement. Despite some controversy, it has been pointed out to me that, given the crisis in our public hospital system at present, such a cure is long overdue. The discussion paper originally stated that there would be a three month consultative period, which would have been completed last October.

The Hon. D.J. HOPGOOD: I suppose the Deputy Leader thinks that if you say an untruth often enough it will be believed. There is no crisis in the public hospital system, and that is perfectly clear. I suggest that the Deputy Leader go to our hospitals and talk to people, and he will find that out. I guess I can obtain the specific costings for him. The costs have been the cost in printing the report and the salaries of some of the people from the Health Commission who have been involved in the consultation.

Members opposite usually urge on the Government that there should be extensive consultation in relation to any changes, and that is exactly what has been happening. The

consultation was extended beyond the time originally announced so that people would not be in two minds as to their capacity to have a proper input into this matter. I expect that I will have a final report in fairly short order.

FINN REPORT

Mr QUIRKE (Playford): My question is directed to the Minister of Employment and Further Education. Will he advise the House of the steps the Government is taking in light of the Finn Report into Post Compulsory Education and Training? I understand that that report argues for a huge increase in the participation of young people in employment and training. This would have major implications for both schools and TAFE institutions in South Australia.

The Hon. M.D. RANN: Certainly, the whole question about the future of TAFE, to which I have referred in this House before and concerning which the Premier and I are currently involved in negotiations with the Federal Government is obviously of paramount importance. I am very pleased to announce today that the Government has appointed Mr Mike Terlet, a prominent Adelaide businessman and council member of the Regency College of TAFE, as Chair of an independent task force on employment and training for young people. Mr Terlet has a wide range of business experience, including 14 years as a managing director in the defence and aerospace industry.

The six-member task force will look at the implications of the Finn Report on Post Compulsory Education and obs5ning on South Australian education. The report argues for a massive increase in the participation of 15 to 19-year-olds in education and training over the next 10 years, and to break down barriers between schools, TAFE and universities. The report is timely, in light of youth unemployment levels, and has been strongly supported by both the South Australian Government and all State Governments in Australia.

It is vital that we have business, community and educational input when addressing its implications in this State. The task force will advise the South Australian Government on action required in the school and TAFE sectors to develop a range of pathways for young people through education and into the work force. Mr Terlet's high level experience in the business world and his history of commitment to our education system will bring renewed vigour to South Australia's efforts to improve pathways and credit transfer arrangements between schools, TAFE and higher education.

The task force will be comprised of individuals, both employees and administrators, with expertise in education at all levels including the universities, schools and TAFE. The panel will focus on issues which will arise in the near future including: recommendations of the Carmichael report released recently, which recommends a dramatic overhaul of the apprenticeship and traineeship systems, school TAFE linkages in the light of both the Carmichael and Finn reports, with an increased emphasis on vocationally relevant skills in schools; improvements to procedures for the recognition and certification of learning, the transfer of credit from one education system to another and a proposed new national system of certificates and diplomas.

The task force, which will consult widely with business, employer and employee groups, with the education sectors and with parent and professional bodies, will commence operations in the second week of May and is expected to report to the Minister of Education, the Minister of Labour and me by the end of September. It certainly expects to publish an information and discussion paper by July and then to call for public submissions and interest in consultations.

Members interjecting:

The Hon. M.D. RANN: The levity of members opposite surprises me on this issue of jobs and training for young people as I am told that the Liberal Party will be running employment advertisements this weekend, namely, 'Wanted: Opposition Leader. Previous failures no impediment; outsiders may apply.'

AMBULANCE VOLUNTEERS

Mr LEWIS (Murray-Mallee): Does the Minister of Health agree with the pea and thimble trick that ambulances are forced to play in the near country areas whereby volunteer crews are required to back up the inadequate resources of fully paid crews in nearby major towns; and is he aware that the health and safety of patients can be and has been severely jeopardised? Because of the costs associated with the employment of fully paid officers, only one crew is now on duty at Murray Bridge, where previously two volunteer crews had worked. This means that, when the Murray Bridge ambulance is involved in a patient transfer to Adelaide, the Mount Barker fully paid crew drives to Murray Bridge to 'cover'. Failing this, Talem Bend or Mannum volunteers do the required covering.

This shuffle often comes unstuck. Recently, for example, when the Murray Bridge ambulance was in Adelaide and the Mount Barker, Tailem Bend and Mannum crews were otherwise engaged, a woman with an IVF pregnancy who was haemorrhageing waited for 1½ hours for an ambulance, and Murray Bridge was without ambulance cover for many hours. All this could have been overcome with the original two volunteer crews stationed at Murray Bridge.

The Hon. D.J. HOPGOOD: I will have the matter investigated. It sounds as though the system described by the honourable member should work pretty well with the volunteer back-up. However, I will have the matter investigated and bring back a report.

MOTOR VEHICLE INDUSTRY

Mr De LAINE (Price): Will the Minister of Industry, Trade and Technology advise the House of the latest figures for motor vehicle sales and what are the prediction for the industry?

The Hon. LYNN ARNOLD: I can advise the latest figures for motor vehicle registrations in Australia. They show an upward trend. Since bottoming out in September last year, the indications are that registrations nationally have risen by some 16 per cent—a very heartening figure. Indeed, the annual rate of registrations implied with the March figures, after seasonal adjustment, has been 560 000 units compared with something of the order of 510 000 units in March 1991 for the annual rate at that time—an increase of some 50 000 or almost 10 per cent. That is a very encouraging trend and it is to be hoped that it will continue into the future.

It is pleasing to note that after some backward movement in the share for South Australian producers in terms of the national average (in 1990 it was down to less than 28 per cent), the two South Australian producers are now at almost 29 per cent of the national share of registrations, which is obviously a good sign for jobs in South Australia. The honourable member asks about the trend line. All other things being equal, the trend line would be for the position,

we believe, to firm and for the improvement at the very least to carry on at that level or get better.

Next week may make sure that all other things are not equal, because next week there is to be debate in Federal Parliament on the legislation that John Button is introducing with respect to the tariff on used cars. We well know the position of a number of outspoken members of Federal Parliament on this matter, and their position should be of concern to us all. I identify that Mr Ian McLachlan has clearly put himself on the record supporting the removal of the $12 000 tariff. Indeed, I was talking to a business leader this morning and, when asked whether they could have many productive discussions with Ian McLachlan, he said, 'We have given up; there is no value to it because there are only two phrases in his word book. One is "zero tariff" and the other is "industrial relations" and beyond that the conversation just cannot get anywhere. In fact, productive discussion finishes after, "hello, how are you?" '

This is a big worry in connection with someone who purports to be a major framer of Federal Liberal policy. His views are of great concern if people like him are going to be arguing the case for removing the $12 000 tariff. If he is not able to talk to business leaders, I hope that other Federal members are able to do so because they have firm views on it. They have certainly indicated that what is happening in Japan at the moment is an artificial situation, deflating the values of cars and, therefore, creating an unlevel playing field that could threaten the Australian automotive industry. Indeed, they have said that, if we in Australia had the same policy on vehicle registration and the effective rate of charging for registration, the replacement policy in Australia—

Mr S.J. BAKER: Mr Deputy Speaker, I rise on a point of order. This is repetition. We have heard the same information provided to the Parliament. This Government is destroying Question Time through the time taken in responding to questions.

Members interjecting:

Mr S.J. Baker interjecting:

The DEPUTY SPEAKER: Order! The Deputy Leader has made his point of order. I uphold the first part of the Deputy Leader's point of order but not the second part, which was entirely irrelevant to the matter. I ask the Minister to conclude his remarks.

The Hon. LYNN ARNOLD: I certainly will with a new piece of information that we did not have on Tuesday, that is, if the policy in Japan were applied here, the industry says:

> Under a similar policy Australia would have an annual car market of 1.6 million units instead of a market of 400 000 Australian produced motor vehicles.

So we are being asked to submit ourselves to that kind of policy, supporting the Japanese automotive industry at the expense of our industry and, if we had the same policy here, we would quadruple the size of the Australian automotive industry. Of course that would be of no concern to members opposite—Captain Zero and his deputy—and that is why it is important that all Federal members get the message from here that we want them to support the legislation which John Button has introduced into Federal Parliament and which will be debated there next week.

HOSPITAL WAITING LISTS

Dr ARMITAGE (Adelaide): How can the Minister of Health justify presiding over a system where an elderly woman, crippled with severe hip desease—

Members interjecting:

Mr S.J. Baker: At least these questions are relevant!

Members interjecting:

The DEPUTY SPEAKER: Order! The Deputy Leader's interjection is quite out of order.

Members interjecting:

The DEPUTY SPEAKER: Order! The House will come to order. This is Question Time, an important part of the proceedings of the Parliament, and I ask members to give it their due attention accordingly. The member for Adelaide.

Dr ARMITAGE: Despite the fact that the Minister for Environment and Planning thinks it may not be relevant—

Members interjecting:

The DEPUTY SPEAKER: Order!

Dr ARMITAGE: How can the Minister of Health justify presiding over a system in which an elderly woman crippled with severe hip disease has been forced to wait for 12 months before she is accepted for an operation at the Royal Adelaide Hospital? A letter has been sent to me from Mrs E.M. Schultz of Mannum telling me of her long and painful wait for surgery. She has been told that financial constraints at the hospital have meant that her doctor has been required to further decrease his operating time of one day a fortnight by 45 minutes. Mrs Schultz cannot walk a step without holding on to furniture. She needs long-handled tongs to pick things up and requires constant pain-killers. It is only after writing to the Minister and me that Mrs Schultz has been booked for surgery, one year after she became physically fit enough for the operation—one year.

The Hon. D.J. HOPGOOD: Okay. So, the individual has been booked in. It sounds as if more energetic procedures should have been put in place earlier to have her position reassessed by the hospital, because the hospital is always prepared to reassess. What I find is that, when these individual cases are brought up here and we investigate them, there is usually another side to the story. I will certainly investigate this to find out exactly what the other side of the story might have been in this case.

Again I point out to members, who bleat about a lack of resources for the hospitals and that sort of thing, that in the past two years in each case the number of procedures on the bookings lists has increased. For example, I can say that, in the 12 months leading to the beginning of last year, 30 834 procedures were performed at our major metropolitan hospitals, and this was an increase of 1 571 over the previous year. This year, to the end of November, there had been 14 017 procedures, a further increase of 326 compared with the same period in the previous year.

I have indicated earlier to the House that, to look at the overall statistics at this stage, based on what might have happened during the December/January period, is a pretty artificial way of looking at it because the hospitals start to build up a head of steam again once the surgeons come back from vacation and this sort of thing, and they are usually very busy during the March/April period. I think I can guarantee the honourable member that a rather different sort of picture will emerge once we see the figures for the whole of the financial year.

I have had people coming to me saying, 'My doctor is refusing to book me on the list.' All I can say to them is that they had better go and get another doctor and let that doctor negotiate in relation to those matters. I remind the House that all States have booking lists, and in New South Wales, where arguably the booking list is in excess of 30 000, there is still considerable disagreement as to how many are on the list because, at one stage, they were not even prepared to produce the booking list. There is a Liberal Government for you in health, Sir.

DISABLED CHILDREN'S CENTRE

The Hon. T.H. HEMMINGS (Napier): Will the Minister of Education advise the House when the Education Department will provide a special centre for children with severe and multiple disabilities in the northern suburbs? I have been approached by parents in my electorate who are concerned that the needs of their children who have severe or multiple disabilities are not being catered for. I am sure that many other members who represent the northern suburbs have had similar representations.

The Hon. G.J. CRAFTER: I thank the honourable member for his question and indeed for his interest in this matter. A sum of $1.6 million will be expended this year to provide a specialist learning centre and school and community hall at the Salisbury Park Primary School. I very much thank that school community and community groups for their cooperative spirit in supporting and working, over a long period of time, to see this program eventuate. I also acknowledge the representations and support of my ministerial colleagues, the member for Briggs and the member for Ramsay.

The facility will provide a specialist learning environment for up to 16 local children who have severe multiple disabilities. It will provide better library facilities for all students at the school; the existing centre will be relocated and facilities for the children with disabilities will be provided. It will also provide new administrative facilities by extention and upgrading of the existing area for the benefit of school staff and students, and it will provide a quality specialised teaching and learning unit for those special students who have severe multiple disabilities.

The facility is a pilot project which is in line with measures to develop a range of options that best meet the educational needs of children with disabilities, bringing health, welfare and educational services to assist students and provide neighbourhood schools as the first contact point for the initial enrolment of all school students in South Australia. Further, a new school and community recreation centre will be established through funding support from both the local community and the State Government, providing a quality venue for sporting, social and physical education activities for that school and its local community.

I am pleased that we are able to extend our facilities and programs for enhanced educational opportunities for children with severe and multiple disabilities in our community, particularly those children who have to travel very long distances each day to attend the existing specialist facilities.

ROYAL ADELAIDE HOSPITAL

Mr BRINDAL (Hayward): Has the Minister of Health read the internal audit into the Royal Adelaide Hospital, completed about a month ago, which followed allegations of the pilfering of building material and theft of hospital furniture and, if so, what did the audit find, and will he make the report available to the House? In May last year, the Minister disclosed that an audit would be carried out at the hospital following allegations from the Opposition of endemic theft and expressions of concern from hospital administation about hospital security. I have been told recently that the police anti-corruption squad continues to make investigations. I understand that the whole position of hospital security is being studied as a result of the widespread theft that has occurred.

The Hon. D.J. HOPGOOD: I recall getting a verbal briefing: I do not recall actually seeing the written report. I will check the matter with the Chairman of the commission and report to the honourable member and the House.

FREE BUS TRAVEL

Mrs HUTCHISON (Stuart): Will the Minister of Transport advise the House whether it is possible for Adelaide students who have School Card and who are issued with free multi-trip tickets to use some of those tickets for journeys in metropolitan Adelaide other than to and from school? The Port Augusta City Council has indicated concern at what it believes to be an unfair advantage for city students, because country students cannot travel at other than school times as their tickets are processed manually.

The Hon. FRANK BLEVINS: The short answer is 'Yes'; it is theoretically possible, but it cannot be at any expense to the taxpayer, because the free travel for eligible students is strictly limited to the number of days in the school year and, if students expend those tickets on journeys other than going to and from school, when they have to go to and from school they have to pay. So, it is only moving the free ride from one time to another.

To ensure that the free tickets were used purely for a journey to and from school would require a massive bureaucracy. I do not think it is warranted, particularly as any 'cheating' that could take place cannot take place at the expense of the taxpayer: it would merely be a transfer from one particular time of travel to another. I know that the member for Stuart will advise the interested parties in her electorate that they have my assurance that the taxpayer is not paying for any minor infringements of the rules by school children.

SECURITY SERVICES

Mr MATTHEW (Bright): Will the Minister of Health investigate the possibility of offering security services at the Royal Adelaide Hospital for competitive tender, as is now occurring at Flinders Medical Centre? In discussions with management of the Royal Adelaide Hospital, it has been indicated that they would prefer to have an 'external' security service but that union pressure precludes this. At the same time, a tender for security services at Flinders Medical Centre was advertised within the past month.

The Hon. D.J. HOPGOOD: My understanding is that this matter is being addressed at the RAH under the aegis of the Booz-Allen Hamilton review. However, the short answer is 'Yes.'

BUILDING REGULATIONS

Mr HOLLOWAY (Mitchell): Will the Minister for Environment and Planning inform the House whether her department is taking action to ensure that the domestic building industry and the general community has information made readily available on the technical requirement to building houses to ensure compliance with the building regulations?

The Hon. S.M. LENEHAN: I think this is a very important area. If we can ensure that we can provide accurate information to both the building industry and the public in general regarding the various building regulations, I think that that will facilitate and speed up the whole question of building, which is very important in this particular period. I can inform the honourable member that a project brief is

currently being prepared for the writing of a domestic construction manual, which will be available for use by both house builders and subcontractors. The brief is being developed in consultation with industry and local government, and approaches will be made to the banks and insurance companies to financially support the project.

The proposed domestic construction manual will specify all technical requirements for building houses and will be recognised as such under the building regulations. Again, I think that is important in ensuring that the information we provide to the community is totally accurate. Initial discussions with the Housing Industry Association have suggested that it will respond very enthusiastically to the proposed project. Also, as I have said, this project will proceed in consultation with local government, the Housing Industry Association and any other interested bodies or individuals—because quite obviously this is an important area and we should provide this information and ensure that it is easily read, easily understood and sensible.

MINISTER OF MINES AND ENERGY

The Hon. D.C. WOTTON (Heysen): Has the Premier or anyone acting on his behalf had any discussions this week with the Minister of Mines and Energy about the Minister's future in the Parliament and, if so, will he reveal the nature of those discussions?

The Hon. J.C. BANNON: What a pathetic question, Mr Deputy Speaker.

FLINDERS MEDICAL CENTRE

Dr ARMITAGE (Adelaide): Will the Minister of Health confirm an official estimate that a reduction by the Government of $1.5 million in the Flinders Medical Centre's budget would mean the closure of a further 42 general ward beds in a year? Can he assure this House that in view of such an extreme reduction no such cut will be contemplated for the Flinders Medical Centre or for other public hospitals? When I asked questions of the Minister a month ago about the likely consequences of 1 per cent, 3 per cent and 5 per cent cuts to hospital budgets, the Minister invited me to contact the hospital administrators to get the facts. I accepted this invitation and I have received a reply, amongst others, from the Flinders Medical Centre, which refers to advice from the Health Commission of an expected $1.5 million cut in the hospitals' health budget.

The Hon. D.J. HOPGOOD: The honourable member really does not seem to understand what is going on, does he? He does not seem to understand what is going on in health administration not only here but right around this country. If someone wanted to ask me whether in the next few years I thought that there ought to be a reduction in the number of public beds in the Adelaide metropolitan area, my answer would be yes, there should be, and people have been saying that in this State since the Sax report. But that has nothing to do with the delivery of services at all. On the honourable member's own admission, the number of beds that we currently have active in our public hospital system is less now than it was 12 months ago. On the figures that I have just given to this House, the number of procedures carried out is greater.

Dr Armitage interjecting:

The Hon. D.J. HOPGOOD: We know why we are able to do these things more cost effectively—it is because the disciplines that have been placed on the system in the past two or three years have been such as to challenge the hospitals and the health system generally to think more creatively, to think more productively and more positively. So we are now very much—

Mr D.S. Baker interjecting:

The Hon. D.J. HOPGOOD: The temporary Leader of the Opposition I understand was associated with a hospital board for many years, but he does not seem to understand, either, that in fact the waiting list for booking procedures in our hospitals is something which could be wiped off in six weeks if no-one else turned up. That is all we are talking about. We are talking about a small fraction of the total procedures which are carried out at our hospitals. The problem with the member for Adelaide is that he thinks that because a service has always been delivered in a particular way through the health system it always will be delivered in a particular way.

If we had accepted that philosophy two or three years ago—at the time when the Premier and I made a conscious decision that additional funds would be given to hospitals for booking list procedures, but we said that that would be it—the number of procedures that would have been carried out in the past couple of years would have declined considerably, compared with the previous years and would not have increased in the way that I have indicated to the House. What we have been able to do is change rostering procedures in theatres, change rostering procedures in relation to surgeons and change, for example, the balance between same day surgery and admission over a number of days for surgery. The average time of stay in hospitals has reduced more dramatically in this State than in any other.

Dr Armitage interjecting:

The Hon. D.J. HOPGOOD: It is all very well for the member for Adelaide to bray in the way he is doing: he cannot deny any of those things. He is living in the nineteenth century so far as the delivery of these things is concerned.

Dr Armitage interjecting:

The Hon. D.J. HOPGOOD: I do not know how long he is going to continue with this sort of irresponsible behaviour, Sir. Again, let me make this absolutely clear: the answer to the future of the delivery of health services in this State and around the nation is not simply to add willy-nilly to the number of beds we have per thousand of population which, since the time of the Sax report, is regarded as being excessive: nor is it a matter of simply looking at it on a hospital by hospital basis.

We need to look at it in terms of the total delivery of services throughout this State and, in particular (since the honourable member was talking about the metropolitan area), the Adelaide metropolitan area. That will sometimes mean that we shift resources from the Royal Adelaide Hospitals of this world to the Lyell McEwin Hospitals, to the Southern Districts War Memorial Hospital or wherever else it might go. Wherever we can deliver the service in the most cost-effective way, we will do so. If occasionally that also means role changes or closures, they also can be considered.

POLICE FLYING SQUADS

Mr HAMILTON (Albert Park): My question is directed to the Minister of Emergency Services. Will he provide the House with information on the achievements of the police flying squads that were established in three metropolitan police regions a little over a year ago? Will the Minister

further advise the House how effective these flying squads have been?

The Hon. J.H.C. KLUNDER: I acknowledge the ongoing interest of the honourable member in the area of law and order. As he has noted, the three regional response groups that I understand are popularly known as flying squads, consisting of 10 officers each, have been operating now for more than a year. The groups in the B, C and D regions of Adelaide have been in existence since 10 March last year, and the intention was to enable the regional commanders to have a highly flexible resource that could be directed against particular trouble spots or against particular crime trends.

The indications from the first year of operation are very pleasing. In the year to the end of February 1992, the regional response groups arrested or reported 3 770 offenders. Offences detected include multiple car theft, robbery, drug offences, breaking offences, safe-breaking and the so-called ram-raiding. Altogether, the three groups took part in 60 special operations against significant crime problems that were outside the scope of normal patrols, and on two occasions the Assistant Commissioner, Operations, used those groups in multi-region operations. All of those appear to have been very successful.

I am conscious that there is a certain degree of irony in all this. While a number of the offences would have been generated by the public (by phone calls to the police, and so on), a certain number would have been self-generated matters that the police came across, rather than having been told about them by members of the public. In this case, the Government having provided increased resources in the form of extra police (and these are 30 out of the 200 extra police the Government has provided over the past three years), the increased resources have led to increased arrests and reports, and a likely complaint by other people (whom I will not name) that the Government is therefore not doing enough to deal with the rising crime rate! However, that does not detract from the good work that has been done by these regional response groups and by the people who, both tactically and strategically, have directed them over the past year.

GRIEVANCE DEBATE

The DEPUTY SPEAKER: The question is that the House note grievances.

Mr HAMILTON (Albert Park): Yesterday I received information from the Minister of Education in Question Time regarding the proposed upgrading of the Hendon Primary School. Whilst the Minister is in the Chamber, I ask him to convey to officers of his department the sincere appreciation of not only myself but also my constituents whose families will certainly benefit by his decision and that of his department. I thank the Minister and have much pleasure in putting that on the public record. In raising this matter yesterday, I was made aware that the department intends to dispose of 14 blocks of land surrounding that primary school. The Department of Housing and Construction should be given first option to purchase the land. All members would know that there is a waiting list for State Government housing in excess of 40 000 people in South Australia.

These blocks are ideally situated alongside North Parade, adjacent to and within a couple of metres of West Lakes Boulevard, which is a major corridor for traffic to and from the West Lakes shopping centre. The shopping centre houses many of the services required by the community including the shops, doctors surgeries and specialists such as physiotherapists and the like. Equally, it is important that the Housing Trust look at building some houses on these blocks for elderly residents. It is a good mix to have retired people in the area. More houses will be accommodated on the 14 blocks of land if accommodation is provided for the elderly. The elderly will be ideally situated to emergency services because of the close proximity to West Lakes Boulevard. Indeed, the police, ambulances and so on will have ready access to those areas if required. Public transport is another area to which these retired people will have ready access, should houses be built in the area. It is an excellent well lit site.

With children adjacent, the wisdom of many retired and elderly people could be utilised by the school. It is a tremendous school which catered for the disadvantaged in the area long before I moved there. I appreciate the tremendous assistance that the school principal and teachers have given to those less fortunate than ourselves. It is a credit that they are prepared to assist not only those people born in Australia but indeed the large number of people who come from overseas and take up residence in the area, with their children attending this school. The magnificent way it has accepted people from various backgrounds into the school community and the Royal Park and Hendon areas is a credit to the school. I hope the Minister will agree to purchase the blocks of land on which to build Housing Trust units in this location.

Mr GUNN (Eyre): Yesterday in Question Time the Minister of Transport attempted to castigate me for raising in this House the matter of the Government's reduction of funding in the northern part of the State. During his lengthy answer the Minister let the cat completely out of the bag because he told the House that, as Minister of Finance and as Minister of Transport, he is seeking to attempt to remove from primary producers, opal miners, fishermen and pastoralists their right to concessional registration in South Australia.

Such a move would be a severe attack on their viability and does not take into account the fact that these vehicles do few kilometres a year and that most of them are involved in off-road use. This concession has applied for years as recognition of the valuable contribution that this productive side of the economy makes to the welfare of all citizens. The Minister talked about costs, yet as Minister of Finance every day he organises $600 000 in interest payments because of the State Bank fiasco.

The matter I want to raise in the House today concerns the born again socialist candidate from Port Pirie and his stand on this issue. What will he say to all the farmers in the new seat of Frome? Where does the member for Stuart stand on this issue? Does she stand with the Minister of Transport? Will she tell the opal miners, farmers, pastoralists and fisherman to vote for the member of Stuart? Will she say, 'I will double your registration from $600 to $1 200 for a truck'? Where do these people stand on this issue? This is the Government that talks about the economy and tariffs, but it is the greatest tariff ripper that we have seen.

The Government rips off the community as it taxes and charges people. Here we have $600 being raised in one hit. Where do members of the Labor Party stand because the rural community and people in isolated communities have been absolutely hoodwinked by this Government? What will the Minister of Transport tell all the farmers at Kimba and Cowell when he visits them to try to get their votes?

Will he say, 'Vote for Frank and I will double your registration'? Where is the fairness in such a measure?

Members interjecting:

Mr GUNN: Let me tell the Government Whip that the Liberal Party stands firmly behind the current arrangements. The Liberal Party does not intend to plunder the pockets of the producing sector of the economy. We are going to encourage such people. We want jobs and production and we want to generate a bigger cake to help the under-privileged. That is what we stand for. We do not want to attack people who are working hard and who have a fine record of doing something, actually creating wealth for the community and not taking it. We are not talking about redistribution. We want to create production, and the Minister's attack on me yesterday and his not answering the question—

Members interjecting:

Mr GUNN: Yes, attacking me.

The Hon. T.H. Hemmings interjecting:

Mr GUNN: The irrational member for Napier now has a shadow member, the member for Hartley, to look after his electorate. For 15 years nothing has happened in Napier: the schools never saw him, but now the member for Hartley is attending to their needs and we have witnessed this great division within the Labor Party, with some members supporting the member for Hartley and others supporting the member for Napier.

The Hon. T.H. Hemmings interjecting:

Mr GUNN: I understand that great hilarity has taken place. However, I have been diverted from my comments. During one of my regular visits to the northern part of the State I was told that the Department of Road Transport (formerly the Highways Department) is to reduce staff at Coober Pedy, Marla and Oodnadatta. These people are carrying out valuable maintenance work to ensure that roads remain open for the long-suffering local people, tourists, pastoralists and others who need to travel the area.

If these gangs are reduced in size their operational viability will be curtailed. Such action is unnecessary, undesirable and contrary to the best interests of the people of the State. It is time that the Minister of Finance, as one of those responsible for managing finances, took some sensible decisions and did not attempt to put his hand even further into the pockets of long-suffering taxpayers but looked after the interests of those people who are doing something for South Australia and not plunder their pockets.

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

Mr HOLLOWAY (Mitchell): I would like to talk about retirement incomes and contrast the very successful performance of the current Federal Government in that area with some of the quite disastrous policies of the Federal Opposition. When it is time for historians to look back over the first decade of the Federal Labor Government I believe that its successes in retirement income will be one of its most shining achievements. In the case of pensions, for example, the Federal Government has increased pensions to in excess of 25 per cent of average weekly earnings, notwithstanding a considerable increase in the ageing of the population and what that meant for it.

The Federal Government has taken a number of tough decisions to create a viable pension system, such as the assets test and deeming, all of which I might say were roundly criticised by the Federal and State Oppositions of the day even though they now accept them as part of their policy. The other great success of the Federal Government is in superannuation. What the Federal Government has done is to cover the work force with superannuation. Indeed, since the introduction of award-based superannuation in August 1985, the proportion of employees with superannuation entitlements has risen from 39 per cent to 72 per cent. For males that ratio has gone from 50 per cent to 80.6 per cent, and for females the proportion with superannuation coverage has risen from 24 per cent to a staggering 78.5 per cent.

Let us contrast that with the Opposition's policies on superannuation as they are listed in Fightback, and I would like to quote from a recent article in the *Business Review Weekly* of 27 March. What the Coalition proposes are dramatic—in fact, I would say draconian—changes to superannuation. It would limit contributions to $6 000 a year, set a ceiling of $300 000 on lump sums and allow people to fund spouses for the first time. It would also increase the tax rate on fund earnings from 15 per cent to 25 per cent, but would abolish tax on lump sums.

What does the industry think about these changes proposed by the Opposition? The article in *Business Review Weekly* states:

> Many opposed to the Coalition's superannuation policy are reluctant for political reasons to go on the record. But there is no shortage of critics prepared to speak out. Diane Ross, a partner specialising in superannuation with the legal firm Hunt & Hunt, says: 'The general consensus in the industry is that the policy is horrible to the point of being horrific. At the very least, the coalition has a lot further to go before they get it right.' . . . The industry is aghast that, contrary to the experiences of other OECD countries, the Coalition believes that voluntary contributions will enable Australia to supplant the age pension with superannuation. Ross Christie, chief executive officer of the Local Authorities Superannuation Board, says: 'History shows that a voluntary superannuation scheme just doesn't work. The Coalition's policy is about as silly as asking people to voluntarily pay their taxes . . . there is a wide-spread belief that the Coalition is opting for a policy that runs counter to the national interest'.

I guess that that is about what we would expect from the Federal Opposition. The article continues:

> Indeed, what the industry wants is a degree of bypartisanship on superannuation, arguing that the issue is just too important to be used as a political football. As Christie argues, 'the great worry is that we are going to have changes to superannuation every time there is a change of government. That would be disastrous'.

Indeed, it would be disastrous not just in superannuation but in a large number of other areas if we ever have the misfortune to have the Hewson Fightback policy put in place. Further comments in the article about the superannuation policy of the Federal Opposition are as follows:

> In a detailed analysis of this tax package, ASFA—

the Association of Superannuation Funds of Australia—

> concludes: 'The Coalition's proposals reduce the current concession by more than half in almost all cases'.

What a disaster that is. The article continues:

> According to figures prepared by Westpac Financial Services, a person who wanted to live on a retirement income that was equal to 75 per cent of their salary would have to save 17 per cent of salary over 40 years. To achieve that level of income over 20 years, a more realistic saving period, the person would have to put away 41 per cent of salary. A person saving 20 per cent of salary over 20 years, which is the scenario envisaged by the Coalition, would end up with a retirement income of only 37.5 per cent of salary.

If I had more time, I could go on to read a number of other comments from the industry, all of which are highly critical of the policies put forward by the Federal Opposition in superannuation. Its policies are totally disastrous.

Dr ARMITAGE (Adelaide): Today in Question Time I believe we noted a very sad example of a Minister who

does not care and who is not on top of the game. There was a considerable amount of political subterfuge in what the Minister of Health said, but I find it particularly distressing that the Minister should try to get out of the facts by urging that I go and speak to people in hospitals. Indeed, I do so on a regular basis. Not only do I go to hospitals to speak to the primemovers in the provision of health care but they come to me. As an example of this, I will repeat the example I quoted in Question Time of Dr Daniel Hains, who is the head of the Ear, Nose and Throat Unit, who has come to me voluntarily and told me of the performance of this Minister and of you as Government members. You are just as culpable—

The Hon. J.P. TRAINER: On a point of order, Mr Acting Speaker, could you ask the honourable member not to refer to members on this side as 'you' but to refer to us by title?

The ACTING SPEAKER (Mr Gunn): I uphold the point of order.

Dr ARMITAGE: —as the Minister. It is up to members opposite to try to change the Minister's wild spree down this path, because their constituents are suffering. The head of the Ear, Nose and Throat Unit has told me that it is running an emergency service. There is no point in doing outpatient department clinics any longer, because to put a patient on the list means they will not get operated on. Here we have the Government Whip taking frivolous points of order. Why don't you start doing something other than—

The Hon. J.P. TRAINER: I rise on a point of order, Mr Acting Speaker.

The ACTING SPEAKER: Order! There is a point of order. The member for Adelaide will resume his seat.

The Hon. J.P. TRAINER: That was a reflection on the Chair. You, Mr Acting Speaker, upheld the point of order that I raised with you. Therefore, by definition, it could not have been a frivolous point of order.

The ACTING SPEAKER: The honourable member is being rather frivolous with his points of order.

Dr ARMITAGE: The Minister also indicated that the number of people on the waiting list goes up every Christmas. As an example, I intend to put in the boxes of all members opposite some facts so that, when they have a quiet moment and they do not have their bovver boys around them, they can look at the facts. What they will see, if they really want to acknowledge what the facts say—not what I say but what the Health Commission says—is that 500 extra patients have been put on the waiting list in one month. In other words it is not a sudden blip like every other year. On the figures that members will get, which they can look at quietly when they are thinking to themselves, 'How can I help my constituents?', they will see that last year in the same month there was an increase of about, say, 100. The figures are not exact, but it was about 20 per cent of what has happened this year. I urge members opposite to think of their consciences and their constituents when they look at this matter.

There is no doubt that the Minister of Health and the Premier are presiding over a crisis. The Minister maintains there is no crisis: I ask him to write to the 9 493 patients on waiting lists and tell them there is no crisis in the health system. I urge him to write to Mrs Schultz, who has been waiting 12 months for a hip operation and who is unable to pick up things from the floor.

Have the courage, Minister, write to Mrs Schultz and say, 'Everything's fine.' Write to those 9 493 patients who have been waiting for ages in order to get pain stopped, to get their lenses replaced in their eyes so that they can live a decent lifestyle. Write to those 9 493 people on the waiting list, Minister, and tell them there is no crisis.

The waiting queues for elective surgery are simply scandalous. We get lots of discussion papers which go absolutely nowhere. Of course, that is absolutely irrelevant to the suffering people are undergoing now. They need prompt attention, and they have every reason to expect that they will get it. For every one of the examples that we have given in the last little while, there are thousands of others—and the Ministers and the hospitals know it. The hospitals keep me informed—maybe they do not tell the Minister because they have given up on him. What the hospitals want is a Minister who will do something. I have public servants telling me routinely that they are tired of a Minister who makes no decisions at all.

The fact that people are prepared to be identified obviously demonstrates their frustration. Unfortunately the queues will get longer because the Minister does nothing further. The situation at Flinders is absolutely devastating. There might be a $7 million cut which would close seven wards, with a 5 per cent cut on top of what we have already got—and members opposite sit and gibe. It is unbelievable that a Government would reject its people so dramatically. People need you to help and they all call on you to do it straight away.

Mr QUIRKE (Playford): Before getting down to the basic material of what I want to talk about this afternoon, I would simply make the comment that I would really like to know what the Liberal Party policy is in respect of hospitals in South Australia. In fact, a lot of comments have been made and many questions have been asked, and I would welcome the member for Adelaide sending us a paper, and I would certainly hope that it would have the truth in there about the Liberal Party policy in respect of health, that is, to drive everything it possibly can into the hands of private doctors and into the hands of private insurers—to drive everything it possibly can in that direction so that the colleagues of the honourable member opposite can make yet another quid.

Dr Armitage interjecting:

Mr QUIRKE: The medical profession in South Australia has been an extremely conservative force and it will simply not accept the fact that in the twentieth century change is necessary.

Members interjecting:

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

Mr QUIRKE: This afternoon I would like to read into the record a letter that I sent on 19 September 1991 to Mr Jack Wright, c/o Lotteries Commission of South Australia, 23 Rundle Mall, Adelaide:

> Dear Jack,
>
> Further to our conversation the other day, I will put down some points on paper which may clarify the situation.
>
> I believe that at this point the IGC proposal is well ahead because:
>
> 1. it was very well presented and argued; and
> 2. it presented to people such as myself an option or a series of options which maximised the free choice for potential gaming machine owners and operators; and
> 3. it presented clearly and comprehensively a concept of a regulatory control body which did that and only that.

Those words 'that and only that' are underlined. The letter continues:

> The lotteries proposal to do with ownership and/or marketing of machines does not square with my own view of the way to proceed, nor in my view the way other members wish things to progress.
>
> The situation is indeed retrievable for the commission if:
>
> 1. they abandon ideas of ownership, marketing or, in any sense, of providing gaming machines; and

2. put together a concise and well argued and presented case with the commission fulfilling its traditional role of a regulator; and

3. start selling this proposal to regain lost ground.

I again confirm to you that I support the commission as the natural choice for a regulatory body. To that end I would be prepared, on the following conditions, to support that proposal, even to the point of putting up legislation or supporting arguments in the House. The conditions are:

1. that this legislation in its entirety is a 'conscience' issue, so that Party discipline will not apply; and

2. that the commission brings out the above proposal as a regulator only and comes to grips with a freer, more market oriented, approach; and

3. drops all notions of marketing, owning, leasing or anything else like that and especially the questionable proposal to avade Federal taxation.

I will understand if this is too dramatic a proposal or position for the commission, given its previous stance, and it may well be that Cabinet or other members may wish to support the lotteries stance on ownership, etc. In that case I will support most, if not all, of the IGC proposal.

What brought this to mind today were some comments made in a previous communication that I had sent to two constituents in my electorate who were working for the Lotteries Commission and who in fact had sent letters to members here—and I understand many other such letters were sent to members in this place—requesting members to support the Lotteries Commission in relation to any proposed gaming machine legislation in South Australia.

I do not wish to go into this whole debate and, of course, I am proscribed from doing so by our Standing Orders. However, the Hon. Legh Davis read into the record one letter that I sent to constituents. It was the letter that I sent to the Lotteries Commission. I can only surmise that the Lotteries Commission provided that letter to him.

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

Mr VENNING (Custance): Yesterday I was warned by the Deputy Speaker—

The ACTING SPEAKER: Order! I hope that the honourable member does not intend to reflect upon the Chair.

Mr VENNING: No, Sir; I do not. It was the greatest display imaginable by the Minister of Transport of blatant hypocrisy. The Minister of Transport said that there was no money to spend on country roads because members of the Opposition knocked back revenue-raising legislation. Included in that would be the abolition of concessional vehicle registrations for primary producers. What hypocrisy! It was in answer to a question from the member for Eyre, and I fully support that question. How dishonest and arrogant for the Minister to say that. The facts of the matter are that this Government has not increased the amount of money spent on roads since it came into office in 1983. There has not been one increase—and I got my facts from the Government's own paper.

The amount spent on our roads has declined every year since this Government has been in office, and today it is less than 30 per cent of the money the Government collects from the South Australian motorist. This year it collects an extra $15.5 million—and not one cent of it will go to roads. If that is not hypocrisy, what is? To turn around and blame us is total arrogance. It is an abuse of the parliamentary system, and I make no apology for the uproar I might have caused at that time. I am very cross that the Minister blatantly plays a political trick such as that. We are being totally ripped off.

There are a couple of other small matters that I want to raise today and in the next session of Parliament. First, country people have to pay more for their milk, and that annoys me. Much of the milk is taken and processed in the country, yet the average price for a litre in the country is $1.05 where as the price in Adelaide is from 90c to 88c. I wonder why this is so. A full investigation is required, and I will investigate this in the near future.

The same applies to LPG gas. As most members know, it comes from Port Bonython, is processed over there, yet the price in the country is between 33c and 35c a litre, whereas in Adelaide it is 26c a litre. This is a total rip-off—not by the Government this time, but by the industry companies. Country people are being treated with contempt and being ripped off—there is no other phrase for it. As it passes through the country to get to Adelaide, why should it be dearer?

Another matter I wanted to bring up today is jury duty. I raised that matter six months ago in this House. Country people, when called, are forced by law to do jury service, and they are paid a mere 20c a kilometre. The Attorney assures me that this matter is up for review. Members must realise that country people have no choice at all when they are called. There is little opportunity to pool vehicles as there is little chance of another person in that area serving at the same time. The Minister has said that people should catch the train or use alternative transport. In most cases, there is no such alternative. Twenty cents per kilometre is a nonsense. When the RAA rate is 67 rate per kilometre for a six cylinder car I ask the Attorney or the Minister involved when that will be reviewed, because it is a total nonsense.

I wish to give a little credit. I gained some kudos yesterday for being pretty slick in relation to assisting the Risdon Park High School. I want to hand some of that kudos to the Minister of Education. On Thursday last week Risdon Park High School was broken into and a lot of valuable electrical gear was lost. When I heard about this on the radio, I rang the school first, then the western area office and then the security division of the Education Department regarding my concern. Would you believe that on Monday morning SACON arrived with a completely new burglar alarm system for Risdon Park High School. I was totally amazed, as were the people involved. It took two days.

I will give the accolades when they are due, and I can hand them on to the Minister. I should like the Minister to talk to the people involved and congratulate and thank them for their quick action. I will conclude my remarks today by recommending the gourmet weekend in Clare on 16 and 17 May. It is an excellent weekend and some members might have attended it previously. I invite all members to the Clare Valley to enjoy the fruits of the valley.

SITTINGS AND BUSINESS

The Hon. R.J. GREGORY (Minister of Labour): I move:

That the House at its rising adjourn until Wednesday 6 May at 4.30 p.m.

Motion carried.

JOINT COMMITTEES

The Hon. R.J. GREGORY (Minister of Labour): I move:

That the members of this House appointed to the Joint Committee on WorkCover and the Joint Committee on Parliamentary Privilege have power to act on those committees during the recess.

Motion carried.

REAL PROPERTY (TRANSFER OF ALLOTMENTS) AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 3, line 21 (clause 6)—After 'secured' insert 'from time to time'.

No. 2, Page 4, line 5 (clause 6)—After 'issue' insert 'to the person entitled to the charge'.

No. 3, Page 4, lines 21 to 24 (clause 6)—Leave out subsection (1) and insert subsection as follows:

(1) Subject to subsection (2), where a right of allocation of an amalgamation unit is subject to a charge, the Registrar-General must not—

(a) register a memorandum of transfer or a memorandum of charge of the right without the written consent of the person entitled to the charge unless the transfer or charge is expressed to be subject to the existing charge;

or

(b) register a memorandum of allocation of the amalgamation unit without the written consent of the person entitled to the charge.

Consideration in Committee.

The Hon. S.M. LENEHAN: I move:

That the Legislative Council's amendments be agreed to.

I do not believe the amendments will in any way change the thrust of this piece of legislation. It is historic in that we are creating amalgamation units and enabling the preservation of the Mount Lofty Ranges to be achieved. What has come out of both Houses of Parliament is certainly a fundamentally important piece of legislation that will ensure that we move ahead with at least one aspect of the Mount Lofty Ranges management plan and the subsequent supplementary plans that are being developed.

It is historic in that we are probably one of the first Parliaments in this country to ensure the preservation of some of the most important land within the outer limits of the City of Adelaide. The Mount Lofty Ranges is not only a very important water catchment area for South Australia but also a very important environmental area. It is fundamental to the ongoing agricultural and horticultural pursuits that enable us to feed in excess of one million people. For those reasons, I am delighted that we will see the successful conclusion of this Bill today, and I commend the amendments and the Bill to the House.

The Hon. D.C. WOTTON: I am pleased that the Government is prepared to accept at least some of the amendments put forward by the Opposition in another place. I do not share the total confidence of the Minister in regard to the legislation that will now be proclaimed. I have expressed concern, as have other members on this side of the House, during the various stages of the debate about the outcome of this legislation. I realise that at this stage of the piece the amalgamated units are the only form of compensation that may be available to landowners disadvantaged as a result of the supplementary development plan. I am not confident that this scheme will work. There is much confusion in the community about the practicalities of the legislation. In fact, only last week I received further representation from organisations such as the UF&S and councils that are concerned about the legislation in its present form.

That is why we attempted to have the legislation referred to the Environment, Resources and Development Committee for consideration as a matter of urgency—to provide the opportunity for further community input to ensure that the legislation was as good as we were able to get it. I sincerely hope that the legislation does work. I say that most sincerely, because I do feel for a lot of the people in the Mount Lofty Ranges who are disadvantaged and who will be disadvantaged as a result of the Government's policy.

The Hon. S.M. Lenehan interjecting:

The Hon. D.C. WOTTON: The Minister asks whether I am interested in those to be advantaged. Of course I am! This is what makes me mad about this situation: the Minister has refused to accept that some people will be severely disadvantaged, and nothing is being done at this stage by this Government to assist those people. That is why I was particularly keen to move a motion in this House (and a similar motion was moved in another place) that the committee to which I referred at least look at the number of people who are being disadvantaged and how they can be helped. In another place the Hon. Mr Elliott has decided that that was not appropriate; he amended the motion. As a result of that amendment—

Members interjecting:

The Hon. D.C. WOTTON: All right. We now face a situation where the management plan and the SDP are to go before the committee. I hope that the Minister is right. I have very grave concerns that she is not right and that the legislation will not be as effective or productive as the Minister has indicated it will be. I regret that the other place was not prepared to accept at least one of the amendments put forward whereby we proposed that the creation of one amalgamated unit should provide three development opportunities for a developer or that that number of development opportunities be determined by regulation.

The Minister is again shaking her head, as she does quite often, but unfortunately I do not think she has consulted the UF&S to determine whether that is what it wants. Surely to goodness, that organisation would be aware of what the Government is trying to achieve, but it is also concerned that the legislation will not be effective in its present form. The legislation has been supported by the Opposition all the way through.

The Hon. S.M. Lenehan interjecting:

The ACTING CHAIRPERSON (Mrs Hutchison): Order! The member for Heysen has the call.

The Hon. D.C. WOTTON: The Minister asks whether I am aware. I have just said that an attempt was made in another place to have the Bill referred to the committee to be dealt with as a matter of urgency.

The ACTING CHAIRPERSON: Order! The honourable member will address the Chair.

The Hon. D.C. WOTTON: Yes, Madam Chair, I understand that I must do so. I am concerned for the people in the Mount Lofty Ranges who will be disadvantaged, and I am particularly concerned because I do not believe that the legislation in its present form will be as effective as it might have been had the Minister been prepared to accept further input from the community.

Mr FERGUSON: Briefly, I add my support to the amendments brought down from another place. Although they do not add a lot to the legislation, they do not do a lot of harm either, and I can support them. I would like to take the opportunity to congratulate the Minister on bringing this legislation before the House. Something had to be done about the Mount Lofty Ranges catchment area, and we just could not wait around until such time as no-one was disadvantaged, because the situation was getting worse day by day, as everyone in this Chamber knew. Opposition members opposed the measure all the way, and I agree with the honourable member who just resumed his seat, because he did oppose the measure all the way and tried to delay it, hour by hour.

The Hon. D.C. Wotton: Get your facts right.

The ACTING CHAIRPERSON (Mrs Hutchison): Order! The honourable member must come back to the amendments.

Mr FERGUSON: The honourable member just informed the House in speaking to the amendments that he attempted to delay this legislation by having it referred to a committee. Everyone in this Chamber knows that minute by minute the Mount Lofty Ranges situation involving the water catchment area is getting worse, with pollution and all the other problems, and that something had to be done about it.

The Minister had the courage in a difficult situation to put this legislation together and bring something before the House and the Opposition has grave doubts that it will work. If it does not work, we will have to do something to correct the situation as time goes by, but at least we now have some legislation that will assist in respect of the water catchment area.

I have no great objection to the amendments before the Committee. It seemed to take an inordinantely long time to get this legislation debated in another place. I know I am not allowed to refer to debate in another place, but I sat through some of it and I could not understand the reasons for the delay in getting the legislation through. However, we have had a sensible decision and I congratulate the Minister and her department on achieving the present situation.

Mr LEWIS: It is a pity that the Minister sees it in such simplistic terms. What we have now is the best option of unacceptable directions. In my judgment the remarks the Minister made in commending the amendments to us were completely at odds with the facts. To claim that the legislation has saved the environment of the Mount Lofty Ranges is daft. The topography of the Mount Lofty Ranges was never at risk, nor was the geography. But the ecology has already been damaged.

I agree with one thing the member for Henley Beach said, that is, that something had to be done about the catchment in the Mount Lofty Ranges. He is correct, but it had to be done 20 years ago. It is too late now and that is why this legislation is the worst of all options. What we have done is improve the worst of all options. I thank the Minister for her disinterest in the matter. As the member for Henley Beach and other members on the Government backbench have noticed, it is her Bill and her amendments and she struts out of the Chamber just like the champ she is. There is no doubt about her.

The ACTING CHAIRPERSON: Order! I ask the honourable member to come back to the amendments.

Mr LEWIS: Yes. It is tragic that the Minister is not interested in the debate on the amendments because they may have contributed to a more acceptable solution than the one the Minister has proposed. I do not think any courage is involved. If it takes courage to be foolish, of course she has displayed great courage because she has been enormously foolish.

The ACTING CHAIRPERSON: Order! I refer the honourable member to the amendments.

Mr LEWIS: I was talking about the Minister's remarks. In her remarks she believes that through the amendments we have solved the problem or that we are going in the right direction towards doing so. We have not. The catchment area available to us in the Mount Lofty Ranges was destroyed long ago. The people who live there and their lifestyles still make that not just inevitable but a fact now. The area is destroyed. What we should have done was look at ways of using the underground water there to provide water for the metropolitan area and look at ways of obtaining alternative catchment and storage sites on the eastern slopes of the Mount Lofty Ranges and using that for storage of natural run-off, where not only would it never have been polluted, because already the development plan is in place there to prevent excessive subdivision and unnecessary development, but it would also have been readily accessible to the River Murray from which we would have pumped fresh acceptable water and stored it in the winter and then sent it through or over the Hills to Adelaide to the metropolitan area when necessary.

This legislation does not save Adelaide's water supply—it compounds the cost problems that we will be confronting in the next 20 years by involving the expenditure of money on a project that is unnecessary and ill advised. It is unscientific in its base; it is not soundly based. That is why I have said that, if the Minister has displayed great courage, it is great courage in being foolish, because she has been enormously foolish in the course that she has taken. Notwithstanding that and the fact that the legislation came before us in the form that it did, the best that the Opposition could do was to alert the Government to those improper, inadequate and inappropriate directions and attempt to refine the direction the Government was determined to take nonetheless, and we have done that both here and in another place.

The Minister has to be commended for accepting these amendments and the member for Heysen is to be commended for his patience and forebearance in all this, not only being spokesman on the matter but also, and more importantly, because he has lived in the Hills all his life. He knows what was sought to be achieved more than 20 years ago by the Mount Lofty Ranges Regional Development Association, of which I was a foundation member, and he also knows that the people he represents and has represented will be affected by this legislation, most of them adversely, as will the rest of South Australia. I regret that the legislation is now in this form, but nonetheless we are well advised to accept these amendments as the best of a bad deal.

The Hon. T.H. HEMMINGS: Before I speak to the amendments I wish to place on record a response to what the member for Murray-Mallee said about the Minister's not being in the Chamber, prancing around. The Minister explained to the Opposition that she had to leave the Chamber urgently.

The Hon. D.C. Wotton interjecting:

The Hon. T.H. HEMMINGS: That should be placed on record so that the gentle readers of *Hansard* are not mistaken by what the member for Murray-Mallee said about the Minister and the way that the Committee is dealing with the amendments from another place. Now that that is on record, I will refer to the amendments. I am not too happy with the comments of previous speakers, including the Minister and my colleague the member for Henley Beach about the amendments because, no matter what change there is, it has significance to the original legislation. If one argues that it has made no difference, why the hell did those geriatrics up there want to play around with it? That is the first question members should be asking themselves.

The ACTING CHAIRPERSON: I ask the honourable member to watch his language.

The Hon. T.H. HEMMINGS: Certainly, Madam Acting Chairperson. We have that established. The first amendment inserts after 'secured' the words 'from time to time'. That is a significant change from the original legislation. It may well be that it will not affect the overall thrust of the Bill, but I would take my colleague the member for Henley Beach to task on this because there is a significant difference. The member for Heysen talked about an amendment to send this Bill to the Environment, Resources and Development Committee—

Mr Ferguson: The green machine.

The Hon. T.H. HEMMINGS: Yes, the green machine. He said that it was wrong that it did not go to that committee. The member for Heysen made much of this—and I know that it is not in the amendments that we have received but, Madam Acting Chair, you did allow the member for Heysen to talk on this—and said that, if this Bill had been referred to the Environment, Resources and Development Committee, it would benefit all those people affected by the Real Property Act and obviously, by inference, the Mount Lofty Ranges development plan and the supplementary development plan.

Government members—and I was involved—twice made time available for the member for Heysen to convince his colleagues to debate that matter, which was the subject of a private member's Bill. On 23 April we were sitting here with no business whatsoever to deal with: we came into this Chamber at 7.30 p.m. and, by 7.40 p.m., we had run out of business. Standing Orders could have been suspended at that time to enable this matter to be dealt with but, through bad management by the Opposition, we did not have any private members' business last Wednesday evening. If you recall, Madam Acting Chair, you were indignant, as I was, because you had a motion you wanted to talk about.

The ACTING CHAIRPERSON: I have to draw the honourable member back to the amendments.

The Hon. T.H. HEMMINGS: Yes. Even today we had the same problem. By the Opposition's not being able to manage its affairs, we were not even allowed to debate the member for Heysen's motion, which would have run parallel to the amendment the Opposition tried to move in the Upper House in relation to the Environment, Resources and Development Committee.

The ACTING CHAIRPERSON: I am sure that the honourable member will now return to the amendments.

The Hon. T.H. HEMMINGS: Definitely; I will return now. Reluctantly, because I am acting under orders of the Whip, I support the amendments of the Legislative Council. I get the impression that those people up there cannot admit that anything is good, and that they have to make some slight change just to get their own jollies. I hope that one day they learn.

The Hon. D.C. WOTTON: I want to put on the record, to again show the ignorance of the member for Napier, that these amendments are further amendments in relation to those which I moved in this Chamber and which were accepted by the Government; and they have been accepted by the community, the department and those who are involved in this measure as being totally appropriate and considerably improving the legislation. I put that on the record, because the member for Napier stood in this place and said that he was reluctant to support these amendments, and that would reflect on his Government, which was prepared to support them in this place in Committee.

With regard to the private member's matter, to which the member for Napier referred at great length, it was the honourable member's Government which supported the amendment in another place to have the management plan and the SDP put before the committee of which the honourable member is Chairperson. The member for Napier needs to get his facts right.

Motion carried.

SELECT COMMITTEE ON JUVENILE JUSTICE

Mr GROOM (Hartley): I move:

That the time for bringing up the report of the committee be extended until the first day of next session and that the committee have power to act during the recess.

Motion carried.

SUMMARY OFFENCES (CHILD PORNOGRAPHY) AMENDMENT BILL

In Committee.

(Continued from 29 April. Page 4583.)

Mr MATTHEW: I move:

Page 1, after line 14—Insert paragraph as follows:

(aa) by striking out from the definition of 'child' in subsection (1) '16' and substituting '18'.

During the second reading debate I raised the issue of a different age limit involving the definition of 'child' from that which is referred to in several of the paragraphs in section 33 (2) of the principal Act. In the Bill 'child' is defined as a person under or apparently under the age of 16 years, yet section 33 (2) of the principal Act provides:

A person who—

(f) delivers or exhibits indecent or offensive material to a minor (other than a minor of whom the person is a parent or guardian);

(g) being a parent or guardian of a minor, causes or permits the minor to deliver or exhibit indecent or offensive material to another person;

is guilty of an offence.

In that context a minor is a person who is under the age of 18 years. So, within the bounds of the same Act, we have two different definitions applying to minors: one being under the age of 16 years and the other being under the age of 18 years.

I contend that, as well as trying to achieve some consistency within the Act, we should also provide the opportunity to cover a greater amount of pornographic literature in the possession of a person and allow the appropriate prosecution action to be taken. I therefore commend this amendment to the Committee.

The Hon. G.J. CRAFTER: The Government opposes the amendment. This amendment is similar to an amendment that was moved in another place. As I said in my second reading speech, this Bill is based on recommendations from report No. 55 of the Australian Law Reform Commission entitled 'Censorship Procedure', recommending, among other things, that the possession and production of child pornography, regardless of extended use, be prohibited. The model enforcement provisions in the Australian Law Reform Commission report defines child pornography as 'material which describes a child who is or who appears to be below the age of 16 years'. This wording reflects the wording in legislation in all jurisdictions with respect to child pornography. Currently publications and films which depict or describe a child under 16 years are classified 'refused' and are not available for distribution.

If the definition of 'child pornography' were not limited to children under 16 years of age, publications and films which depicted 17 to 18 year olds would be child pornography, yet it would not be classified as refused. Any decision to broaden the definition of 'child pornography' should more properly be made by all the Attorneys-General during discussions about the broad recommendations of the Australian Law Reform Commission. I would just clarify the description of this amendment given by the member for Bright: it is to clause 2, page 1, after line 14.

Amendment negatived.

Mr MATTHEW: I move:

Page 1, lines 16 to 19—Leave out the definition of 'child pornography' and insert the following definition:

'child pornography' means indecent or offensive material, the indecent or offensive aspects of which arise in whole or in part from the manner or circumstances in which a child is depicted or described:.

As I indicated during the second reading debate, the Opposition took advice from a QC who expressed concern about the definition of 'child pornography' in the Bill and indicated to us that it could create a number of problems. I will quickly go through those problems again. As defined in the Bill, '"child pornography" means indecent or offensive material'. In the principal Act 'indecent material' is defined as follows:

Material of which the subject matter is in whole or in part, of an indecent, immoral or obscene nature.

Obviously, that has to be qualified to relate it to a child depicted or described in such indecent material. Again, the principal Act contains the following definition:

'Offensive material' means material of which the subject matter is or includes violence or cruelty, the manufacture, acquisition, supply, or use of instruments of violence or cruelty . . . instruction in crime; revolting or abhorrent phenomena and which, if generally disseminated, would cause serious and general offence amongst reasonable adult members of the community.

That is the qualification for the definition of 'offensive material'. If we relate that to what is in the Bill, 'child pornography' means 'indecent or offensive material,' as defined, 'in which a child (whether engaged in sexual activity or not) . . .'

'Indecency' would tend to suggest that there is some sort of sexual involvement, and 'offensive material' may not necessarily relate to sexual activity, because it may be violence relating to any number of matters outlined in the definition. It is possible to interpret the definition of 'child pornography' to mean 'indecent or offensive material in which a child (whether engaged in sexual activity or not) is depicted or described in a way that is likely to cause offence to reasonable adult members of the community'. That is not a qualification of 'indecent material' in section 33, so there is a possibility that that will read down in some way what is in the definition of 'indecent material'. However, it is different from the qualification to the definition of 'offensive material'. Offensive material is a subject matter, including certain things 'which, if generally disseminated, would cause serious and general offence amongst reasonable adult members of the community'. There is a difference in that criterion by which the offensive nature of the material is to be determined.

With respect to those who have been involved in the drafting of the legislation, the Opposition believes that there are problems with it that could create difficulties in the event of any prosecution. So, we are proposing that 'child pornography' means indecent or offensive material, and I think that is pretty clear from the definition. The indecent or offensive aspects arise in whole or in part from the manner or circumstances in which a child is depicted or described, so that we are relating the involvement of the child to the materials such that it then becomes child pornography. That is relevant in relation to a penalty and also to the additional offence of being in possession of child pornography.

The Opposition believes that the amendment will make clear what is 'child pornography', rather than the definition which is in the Bill and which, as I have already said, will create some problems in the event of a prosecution being launched. I ask that the Minister consider carefully the definition that is in the Bill. The intent of the proposed amendment is to try to make the assessment less subjective. We are responding with concern to the advice given to us by a QC that there could be problems with the definition during a prosecution. I am sure that no member would want any such difficulty to occur. I commend the amendment to the Committee.

The Hon. G.J. CRAFTER: The Government opposes the amendment. It opposed it in the other place and, indeed, the honourable member has quoted extensively from the debate in the other place and has added nothing new in the way of advancing his argument. As I explained with respect to the Opposition's most recent amendment, the Government is seeking to implement the recommendations of the Australian Law Reform Commission with regard to child pornography and has as closely as possible tried to track the wording proposed by the Australian Law Reform Commission. In the other place, and in this place this afternoon, the Opposition has argued that the definition in the Bill may lead to a qualification of the term 'indecent material' and confusion in the standard to be applied in the case of 'offensive material'. The Opposition has argued that this may lead to problems in the prosecution of offenders. The Government does not believe that that is so.

An opinion has been provided on this matter by Parliamentary Counsel who is, I might add, a Queen's Counsel. He says:

Hence child pornography is a subcategory of indecent or offensive material. In deciding whether particular material constitutes child pornography, a court must decide first that the material is indecent or offensive, that is, that it satisfies the existing tests for determining that question; then it must be satisfied that a child is depicted or described in the material in a manner that is likely to cause offence to reasonable adult members of the community.

The Opposition has suggested that the definition of 'Child pornography' might be disengaged from the definitions of indecent or offensive material and defined simply as 'material in which a child . . . is depicted or described in a way that is likely to cause offence to reasonable adult members of the community'.

In my opinion, this would be too wide. A child might be depicted, for example, tearing up the Australian flag. This would certainly give offence to some reasonable members of the community, but it would not constitute child pornography, as currently defined, because it would not pass the threshold test required for indecent or offensive material. This is, in my opinion as it should be. I see no problem with the Opposition's alternative suggestion that child pornography be defined as indecent or offensive material in which a child is depicted as the subject of indecent or offensive aspects of the material. This is in effect, the approach of the present legislation. However, I understand that the Government was seeking to bring the South Australian legislation into conformity with recommendations of the Australian Law Reform Commission. I do not think there is any practical difference between the Opposition's alternative suggestion and the approach taken in the Bill.

A court cannot find material offensive unless it is such as to give offence to reasonable adult members of the community. Although this test is not explicitly stated in relation to indecent material, it is clearly implicit. Therefore, the reference in the definition of child pornography to the likelihood of offence being caused to reasonable members of the community merely replicates a general criterion which must, in the case of child pornography, be specifically related to the child.

This is a matter on which the Government has reflected and has taken advice. For those reasons, the Government opposes the Opposition's amendment.

Amendment negatived.

Mr GROOM: I move:

Page 1, after line 19—Insert paragraphs as follows:

(ab) by inserting after the definition of 'child pornography' in subsection (1) the following definitions:

'computer data' means electronic data from which an image, sound or text may be created by means of a computer:

'computer record or system' means a computer disk or tape or other object or device on which computer data is stored:;

(ac) by inserting after paragraph *(d)* of the definition of 'material' in subsection (1) the following paragraph:

(da) any computer data or the computer record or system containing the data;.

The amendment is quite clear but, as the member for Elizabeth is the architect of this amendment and is now able to speak from the floor, I will defer to the member for Elizabeth and ask him to give the explanation in relation to a linkage with computer data.

Mr M.J. EVANS: I appreciate the courtesy of the member for Hartley in formally placing this matter before the Committee. The amendment seeks to extend the areas in which the matter of child pornography can be dealt with to the emerging technologies of computer data bases. Obviously the Committee will recognise that this amendment does not in fact encompass all of the possible areas which could be involved here, and to do so would mean trespassing on the Commonwealth's territory in relation to telecommunications, because obviously transmission of computer data through the telephone lines by modum is a serious area which needs to be addressed, and I believe that the State and Federal authorities have that matter under consideration.

It must also be recognised, in looking at this amendment, that it will not in any way completely remove the possibility of this offence going undetected or indeed unprosecuted, because the very nature of computer systems means that they are very powerful devices for the dissemination of knowledge or, in this case, of pornography. But also they are very powerful devices for keeping such things secret, and obviously anyone skilled in the use of computers can make it very difficult for the police to have access to that. I do believe that, notwithstanding those obvious problems with the matters which I have placed before the Committee, there is very worthwhile merit in proceeding with amendments like this, because it does ensure and place beyond any doubt the Parliament's intention that it is a criminal offence to store data in this form. I believe that is a very important matter to have on the record. Quite clearly, the police would not be able to determine simply from simple external examination of a computer that it contained this kind of material. But it is very possible that in following up other leads in relation to this area the police will come across computer data which they will then be able to investigate and prosecute accordingly.

So it is not my expectation that this may even be the primary source of concern but one which will come up in the course of other inquiries, and leads will follow detection in this area. It is very important that we make a start in this field, because obviously the technology will grow and develop and it is important that the law should grow and develop at least at a similar pace with the criminal activity. So, while I have no pretension that this amendment will cover the field or is any way inclusive in relation to the matter, I do believe that it is a very worthwhile commencement. It certainly puts on notice those in this field who would seek to perpetrate this kind of crime that the Parliament is indeed very active in pursuing it, and that we would expect the same diligence, of course, of our Police Force.

I indicate that obviously the use of computers is something which we should be very concerned about, because their very nature provides a very good way for this kind of material to become disseminated throughout the community. It is very possibly a growth area unfortunately in the area of child pornography. So I commend the amendment to the Committee, not on the basis that it is a complete solution or that it covers the field but on the basis that it does make an important start in addressing this kind of criminal activity, and it is a measure which I think will provide the police with an additional part of their armoury in law enforcement and one which they should have the support of the Parliament in pursuing.

Mr MATTHEW: The member for Elizabeth is to be congratulated for being the architect of this amendment that is before us. I share his concern about issues which he has raised. There is no doubt that computer pornography is a fast growing area in the pornography racket that is operating in Australia and overseas today. Regrettably, it is true that this amendment before us is but a start in the area of legislating against computer pornography. But while it is true to say that the area is one that is expanding, we must also recognise that it is one that has been expanding for some time. I want to briefly share with honourable members the text of an article that appeared in the *Advertiser* back on 17 June 1987. The article was entitled 'Porn computer games warning' and states, in part:

Pornographic and violent computer games freely available to South Australian schoolchildren would be censored if they were on film or video, a media studies expert said yesterday.

The article goes on further to talk about some of the comments made by that media studies expert, Mr Paul Gathercoal of the Education Department, as follows:

. . . children played computer games which could be bought in stores or by post ranging from *Stroker*—where players use a control to masturbate an image of a penis—to a horror game with 'blood' capsules to chew while playing. *Stroker* had been found by an SA teacher two years ago when asking Year 8 students about computer games they played.

The concerning aspect about this matter is that, while the pornography in this instance was not necessarily child pornography, nonetheless it was computer data pornography that was available back as early as 1985, and it is refreshing that even though it is seven years later we are at last moving to do something through the architecture of this amendment from the member for Elizabeth to control computer data pornography that involves children.

This particular pornography is starting to cover many areas, including violence and sadism, and, regrettably, is being discovered at an increasing rate particularly by teachers and parents. Indeed, in August 1982 concern was expressed to the Attorney-General about a large range of computer pornography that effectively escapes classification and censorship. Industry representatives, including an Adelaide operator of computer pornography, ironically, themselves expressed concern about the lack of control over direction and access. Indeed, on 16 August 1990 an article appeared in the former *News*, entitled 'Concern on porn laws', and we were told in that article:

Any computer literate child can gain access to explicit video pornography images, using a modern home computer and modem. The modem can dial into hundreds of bulletin boards around Australia, some which list easily accessible pornography, which appears on screen.

The problem is that section 33 of the principal Act, which outlaws offensive books and videos, does not apply to computer video images, and so in talking about those things I am flagging other areas that need to be amended. I recognise the member for Elizabeth's statement that his amendment today, in keeping with the Bill that we have before us relating to child pornography, is but a start and that indeed there are many other areas of pornography other than just child pornography, relating to electronically stored or accessible data, that also needs to be covered. However, I am pleased to be able to support this amendment before us as a start, and I repeat once again that the member for Elizabeth is indeed to be commended for his foresight and understanding of the problem, in the drafting of this amendment.

The Hon. G.J. CRAFTER: The Government is prepared to accept the amendment. Concern has been expressed in the press, as the member for Bright has just referred to in his speech, about the availability of child pornography on bulletin boards which are accessible by a modem. This amendment will allow electronic data to be treated as material for the purposes of section 33 of the Act and thereby bring such data within the new offence of possession. However, I can say that the general law does in fact provide for an offence in this area, and that was the advice received and given at the time that that matter was raised publicly, and indeed people were invited to provide the evidence so that a prosecution could proceed in this area. I am not sure whether that matter was ever taken up by those who were making the allegations at that time. Indeed, if that has not been tested, it is a pity that it was not tested at that time.

I might also say that people who make statements of that type often do so without a knowledge of the law or without having pursued some understanding of the avenues of redress that might be available, and simply blame others for it, or simply believe that, by our passing a law in this place, this will be eradicated from our community. A responsibility is vested in parents, in particular, and on others who have a responsibility for young people in our community, and they need to exercise that responsibility. Some of this material comes in by way of all sorts of avenues from overseas or interstate, and we need to be mindful of those fundamental responsibilities as parents and care givers, as well as teachers, and so on.

Passing legislation in this place will not eradicate this problem from the community, and may not even bring the material to light unless there are people who accept that fundamental responsibility in our community. Those people who tell members of the community that this matter is no longer a problem because we have passed a law are simply misleading the community.

Amendment carried.

The Hon. G.J. CRAFTER: I move:

Page 2, after line 3—Insert paragraphs as follows:

(d) by striking out from subsection (4) 'or delivery' and substituting ', delivery or possession';

(e) by striking out from subsection (5) *(a)* 'or delivery' and substituting ', delivery or possession';

(f) by striking out from subsection (5) *(b)* 'or delivery' and substituting ', delivery or possession';

The amendment is consequential upon the amendments put forward in the Bill. Section 33 (5) of the Summary Offences Act 1953 provides for two defences in relation to the offences contained under the section. These relate to the advancement or dissemination of legal, medical or scientific knowledge in works of artistic merit. It is appropriate that the new offence of possession also be subject to these existing defences, which are well established at law.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

STATUTES AMENDMENT AND REPEAL (PUBLIC OFFENCES) BILL

Adjourned debate on second reading.

(Continued from 8 April. Page 4050.)

Mr S.J. BAKER (Deputy Leader of the Opposition): I point out that the Bill makes substantial changes to laws that have stood the test of time literally for hundreds of years. Many of the common law offences have been encoded and we have adopted them. I presume that in many cases the wording is very similar to that which prevailed when we achieved Statehood. It is important to understand that, when we change something which has stood the test of time very effectively and which is quite clear in the minds of the judiciary and the people who go before the judiciary (the legal profession), we must be extremely careful. I note that we are changing the rules, and changing them in ways with which I have some difficulty comprehending and which I believe may cause problems.

The new laws must be reinterpreted, and it is important to understand that we must go through a new process of acknowledgment of these laws by case as they come before the courts, are tested in the courts and appealed against to the point where there is comfort in the law. I note that this Bill follows a public discussion paper issued in October 1990 from which a number of recommendations emanated relating to the repeal of offences: in some cases complete repeal and in other cases new provisions to be inserted in the Criminal Law Consolidation Act and other Acts.

The offences which were under consideration and which were considered in that public discussion paper—and not all of them are covered under the legislation we have before us, although many are—included such items as impeding the investigation of offences and the apprehension of offenders and escapees. That was one area that was canvassed and where we see some legislative amendments. Another related to the justice system, with the laws dealing with perjury, fabricating or concealing evidence and tampering with witnesses, jurors and judicial officers. Following the canvassing of the issues, the amendments deal with public corruption, bribery, intimidation, extortion and abuse of public office. Then there is a miscellaneous grab bag of offences dealing with criminal defamation, industrial disputes, entry on to land, riot, the conduct of public meetings and religious interference offences.

As I said at the outset, these offences have stood the test of time and have been clearly understood. We are now going into a different situation and should be quite clear. I should like to take up a number of the issues related to the changes taking place. Under this legislation, the old offences of compounding and misprision of a felony are to be abolished. Whilst we as lay people recognise that compounding and misprision of a felony do not mean a great deal to many of us in this Parliament, we know that the judicial system and the legal profession know exactly what they mean.

In essence, compounding an offence occurs when a person has brought an action under a penal statute against another but compromises the action by withdrawing it without the order or consent of a court. So, for the purpose of injury to another person, one has made a false charge, in some cases, and in other cases it may be that the person has rethought the situation or, through some difficulty in the family, may have withdrawn but, because of the injury that that can cause to the party concerned, that offence has existed in the statutes over a long period. I have not gone back to the first statutes before this Parliament, but I presume that it was there at the beginning.

Misprision of a felony occurs when a person knows that another person has committed a felony and conceals or procures the concealment of that felony. A good example is where someone embezzles money and the employer becomes aware of that embezzlement but takes no action against the person or negotiates a deal and allows that person his or her freedom to go on and commit the offence again. The changes in the Bill before us imply that these offences are fairly irrelevant; they are no longer relevant to

the day, and we should treat them as minor items. I have a different point of view on that.

In his second reading explanation the Attorney says that they are being removed because of cost and efficiency. He does not believe that an offence is an offence. He is now making a determination of what is serious and what is not. I can think of a number of examples where the deletion of the offences of compounding and misprision of a felony will cause some distress for injured parties, yet the Attorney says that they should not have the benefit of the protection of the law.

Mr Ferguson: That's not true.

Mr S.J. BAKER: It is true. The member for Henley Beach has not read the Bill. If he had, he might understand a little better. The Bill seeks to enact a new section 240, which provides:

> . . . a person . . . who, knowing or believing that another person . . . has committed an offence, does an act with the intention of impeding investigation of the offence or assisting the principal offender to escape apprehension or prosecution or to dispose of proceeds of the offence . . .

In some sense, there is a limited replacement for the offences that I have been signalling. It does not cover the cases that we would wish to see covered by the law, and it leaves open the way for people to exploit that situation. I also note that the issue of blackmail is of great importance. With this legislation we are seeing the difficulty that will arise where somebody puts pressure on a person and that is not recognised as criminal behaviour. I note that that is a change in the legislation. We have some concerns. I note the comments of my colleague in another place that the removal of the old offences of a misprision of a felony or compounding, and allowing matters such as this to be placed in the hands of lawyers for dispute resolution or in the hands of bodies that can bring together parties and thrash it out behind closed doors, is not appropriate because an offence is being committed. There is a cheapening of the law and a diminution of public protection as a result.

I commend to all members of the House the extensive debates on some of these issues. They have taxed the mind of members in another place for a considerable time. They have been debated extensively, and I do not wish to come before this House and reiterate the debate that has taken place in another place: I merely highlight some of the principles involved.

On the matter of dispute resolution and regarding the Attorney as to why these laws are being cancelled, I note that the Mitchell committee came up with an alternative proposition. It might have been a proposition of the 1970s, but it is consistent with the United Kingdom provisions, and that matter should have been looked at in that context. I would expect that there will be difficulties in such cases where unfounded allegations have been made against people and where, for example, employers protect their own employees who have entered into crime.

I also deal with the corruption of jurors. We note significant changes in this area and I will have amendments on file on this issue. This amending Bill does not cover the important cases—the extent to which the media intervenes in the conduct of jurors and, after the event, canvasses the jurors. We have seen a number of cases where serious problems have arisen relating to the protection of people and to the upholding of the law with regard to the carrying out of jury duty. As an Opposition, we do not feel comfortable that the new provisions relating to jurors do a great deal for the protection of the judicial system. We note the matters that have been canvassed in Victoria and the way in which the issue of tampering with jurors has been handled there.

I will deal briefly with the issue of bribery and corruption. We are amending the Act by taking out the word 'corrupt'. The Attorney would argue that the word 'corrupt' is indefinite, cannot be clearly defined and therefore should be removed. He inserts such wonderfully descriptive words as 'improper'. I will deal with this matter later in Committee. It is important that, in terms of the law the word 'corruption' be clearly understood. It has been contained in the statutes for as long as I can remember, I presume back at least to 1856. There has been an understanding of what the law is about. 'Corruption' may be in the eyes of the beholder, but in terms of what is understood by the courts, the definition has stood the test of time. We now go down the track of using new terminology, which I believe is just as indefinite, if not more so, because it can widen the net much further than anyone in this place could ever contemplate.

What is 'improper'? How would it be interpreted before the courts? 'Corrupt' is easy, because it has been tested, but 'improper' has not. What is improper and to whom is something improper? Who sets the standard for impropriety? It is a serious change and one upon which we should reflect. Whilst the provision has passed in another place in a form that I do not find suitable, it is obvious that we can only pinpoint those matters in this place to see how the law interprets them.

The issue regarding 'improper' is a serious one and has serious ramifications for Parliamentarians as well as the wider community as it goes to the lowest common denominator of any act that is perceived by someone to be out of the ordinary or possibly in the ordinary, given the amount of crime in the community today. If community standards have been breached in some shape or form, we presume it is classed as 'improper'. That is not what we are trying to achieve. The Attorney on the one hand has said that a misprision of a felony is a minor offence. That is on the one hand, so he has taken out a very important protection for the community at large and made it subject to dispute settlement. On the other hand, he has lowered the standard or increased the range of possibilities in terms of what the law can embrace regarding those people who can be brought before the courts for having behaved improperly.

I am a lay person and not a lawyer. I do not understand the vagaries of the law, but from a limited viewpoint I believe that the substitution of the word 'improper' in the legislation is fundamentally flawed. The Attorney cannot on the one hand say that misprision is inconsequential and then drag it down to the level of the interpretation of 'improper'. Let us achieve a sense of consistency. If the Attorney wants to delete 'misprison', let him put in the statutes something even more constraining with regard to corruption: he has gone in the other direction. He is not consistent, I think he is playing games.

There was considerable debate in another place, and I ask members to reflect on the issues raised with regard to the substitution of the word 'improper' for 'corrupt'. The appointment of Neil Batt in Tasmania to the position of Ombudsman has been canvassed, and we could cite many other examples where Parliamentarians have been affected. We should not apply the law in a way that protects us: we should apply the law to give protection for one and all. Members of Parliament might rather face the legal consequences in relation to this law. Members of Parliament may wish to change it, but let us make sure that the rules are equal for everyone.

The whistle-blower legislation has also been raised. The Attorney promised that he would give protection to those people within the public sector who are willing to come forward and reveal corruption—I use the word 'corruption'

and not 'impropriety' or 'improper purposes'—in public office—to protect those people who have the guts or fortitude to come forward and place it on the public record. That has not been canvassed but it should have been canvassed within the legislation.

I also raise the question of defamation. We see that, where a person maliciously defames another, that person can be subject to prosecution. That is as it should be. That person also has a right within the civil jurisdiction to pursue the matter of damages. It is an important safeguard in the law because, as members know, on many occasions people who have been wronged, and seriously wronged, may not have the personal assets at their disposal to pursue cases where they may feel righteously aggrieved. It is important that we have a criminal sanction whereby outrageous behaviour by a media outlet or a person causing injury, grief or heartache can be dealt with.

The interesting part of the amendments before the House is that the Attorney has the say whether criminal prosecution should proceed. To my mind, that is a little dangerous. Governments can be partisan; we have seen that for the past 10 years. Governments can determine that, if the malicious intent is performed by one of their friends in the Opposition, it may be justifiable, and so we have a difficulty in political terms. I raise this matter because it is important. I know that the Attorney has given an explanation, but we may be on difficult ground.

I note the changes to the law in terms of indictable offences and those subject to punishment by imprisonment. The Opposition believes that the existing law is adequate rather than the proposed changes. Members opposite would recall the campaign that we waged to make loitering offences more enforceable, and this legislation does not assist in that whatsoever. I believe we will not assist the police in their duty to any great degree through the amendments before us. One area of the law with which I do agree is the separation of shipping as a separate offence; that is taken out of this legislation. There are other pieces of legislation—both Federal and State—under which these items can be covered.

The question of lewdness and exposure was canvassed. It is an important area because of the people affected by it. Over a period of time I have had related to me information by concerned parents of males exposing themselves to school children. I have taken action, because the people concerned were invariably under some form of order from the Department of Correctional Services.

They have been caught before and they keep reoffending and there are some processes by which these people can keep their problems under control. It is often when the parole officers do not keep an eye on them that we have these break-outs of bad behaviour. It is not only children: men expose themselves to adults as well, but my concern is greater for children because I believe that in the long term the impact of that action is far more serious than in relation to adults. We would all agree that it is important that the law creates a meaningful offence in respect of this behaviour so that it can be dealt with appropriately. In terms of exposure, I would like to see the law recognise that the offence in relation to children is a far more important offence and that the penalties are significantly upgraded in those circumstances rather than applying just the general penalty.

I have some concerns about the way the law has changed in these circumstances, as the Minister would well recognise, and I do not believe that those fears are unfounded. Despite the very extensive debate in another place, I do not believe that the law has reached a point of finality with which we are all comfortable. With those few words in general I support the Bill before the House on behalf of the Opposition but I express the reservations that are appropriate.

Mr GROOM (Hartley): I support the legislation. It is necessary legislation, which modernises anachronistic and inadequate laws dealing with public offences. There is one area about which I am concerned and I intend to move an amendment. It deals with offences relating to public officers. Members of Parliament enjoy ancient privileges that have been inherited from England. They have found their way into the Constitution, particularly section 38, which recites the privileges, immunities and powers that we possess.

One of those privileges is the right of freedom of speech and the right of protection in relation to anything that we say in Parliament and the way in which we go about the discharge of our duties. The definition of 'public officer' in the legislation includes not only a judicial officer or a person employed in the Public Service of the State or in the Police Force, etc., but also a member of Parliament. There is nothing wrong with that. When we look at the offences relating to 'public officer', we see that new section 246 provides:

(1) A person who improperly gives, offers or agrees to give a benefit to a public officer or former public officer or to a third person as a reward or inducement for—

(a) an act done or to be done, or an omission made or to be made by the public officer or former public officer in his or her official capacity;

or

(b) the exercise of power or influence that the public officer or former public officer has or had, or purports or purported to have, by virtue of his or her office, . . .

We can then look at the way in which a public officer, that is, a member of Parliament or a former member of Parliament is provided for in the same provision:

A public officer or former public officer who improperly seeks, accepts or agrees to accept a benefit from another person . . . as a reward or inducment for—

(a) an act done or to be done, or an omission made or to be made, in his or her official capacity;

or

(b) the exercise of power or influence . . .

That person, in relation to that office, is guilty of an offence. Further, new section 248 'Abuse of public office' provides:

A public officer—

that includes a member of Parliament—

who improperly—

(a) exercises power or influence that the public officer has by virtue of his or her public office;

(b) refuses or fails to discharge or perform an official duty or function;

or

(c) uses information that the public officer has gained by virtue of his or her public office,

with the intention of—

(d) securing a benefit . . .

or

(e) causing injury or detriment to another person . . .

That reads all right in so far as those sections are concerned, but the real operative factor here is whether one has acted improperly. When one connects that back to section 238, which concerns acting improperly, one finds that, for the purposes of this Part, a public officer—and that includes a member of Parliament—acts improperly in relation to a public officer or public office if the officer or person knowingly or recklessly acts contrary to the standard of propriety generally and reasonably expected by ordinary decent members of the community to be observed by public officers of the relevant kind or by others in relation to public officers or public offices of the relevant kind.

So, to determine whether one has abused one's public office, been involved in bribery or corruption, or acting

improperly in relation to any acts or use of information, the test is whether one has acted improperly. When one seeks to ascertain what 'acting improperly' means, one is back to a test of what are the actions or behaviour of a reasonable member of Parliament.

Now, what is the reasonable member of Parliament? There are some members of this Chamber whom I would not like to use, with the greatest respect to those members, as the test of what is a reasonable member of Parliament, or what is a reasonable method of discharging one's duties. But, without a protection in relation to parliamentary privilege—and I am sensitive to parliamentary privilege because I am serving on the Joint Committee of Parliamentary Privilege—I believe that an appropriate amendment should be to ensure that our ancient privileges are quite clearly preserved in this legislation and not interfered with or seen to be interfered with.

Members of Parliament do certain things when we are associated with organisations, whether they be employer or employee organisations: we may hold office in those organisations or be actively associated with them; and, when we introduce legislation and when they tell us of a particular problem and we seek to remedy that problem, we exercise a power or influence and secure some benefit for ourselves, because we are amply rewarded in our electorates or elsewhere as a consequence of our actions.

When we name people in this Chamber and when we seek to expose corruption, we are getting a benefit for ourselves because, by exposing corruption in the community, one obtains a benefit. But, at the same time, one may be accused of acting improperly and it may be said that that is not what a member of Parliament should be doing. Parliament is often called cowards' castle, because some members of Parliament do take the opportunity to make personal attacks on people in the community who have no right of reply. That is a constant complaint of the community, and that is being looked at; that is one of the terms of reference of the Joint Committee on Parliamentary Privilege.

I recall at an ALP convention debate in which the Attorney-General and I participated, a very strong attack was made on the way this Parliament is used for nothing more than personal attacks and a misuse of parliamentary privilege. That matter is now being addressed. It may well be that in exposing corruption in the community one does have to name people or organisations. I threatened to do that some years ago in relation to the retail tenancies legislation, when I threatened to expose a shopping centre which was blatantly ripping off tenants by demanding money for the renewal of leases—in other words, key money, which we later outlawed. Sometimes one has to take these measures.

As a consequence of my taking a stand on a proper matter in this Chamber and naming an organisation or person guilty of corruption, I would not like the police to start questioning me as to what I said in this Chamber, because I would claim the ancient privileges of a member of Parliament. But, the legislation as drafted—and there is some force in what the Deputy Leader of the Opposition said—contains nothing to exempt this Chamber and members from exercising their ancient privileges. There is nothing to say that our acts done in this Chamber are protected in any way.

Of course, the legislation cannot stand as against the Constitution Act, but I would not like to be involved in a test case in relation to that particular matter—what constitutes privilege and what constitutes an act of acting improperly. Like the Deputy Leader of the Opposition, I would have found no difficulty in retaining 'corruption', because I think 'corruption' is much more readily understood by the community than 'acting improperly'. With regard to 'corruption', the second reading explanation states:

> The traditional way of setting the limits is to require that the conduct of the public officer is committed 'corruptly'. This word adds nothing to the clarity of the offences concerned and contributes to the mystification of the courts and those who are concerned to look to the statute in order to determine what is and what is not permissible behaviour.

I disagree with that, because I think that everyone in the community knows what acting corruptly means; everybody has a common appreciation of corruption. When one starts substituting 'acting improperly' and casts the net that much wider, one has to go back therefore and look at what is the reasonable member of Parliament. I suggest that members look around and try to find someone who they would say is a reasonable member of Parliament from whom we can judge whether another member is acting contrary to the standards of propriety generally and reasonably expected by ordinary decent members of the community—in other words, what is the reasonable member of Parliament? As I said, there are some members in this Chamber, with the greatest respect to them, whose conduct in this Chamber I would not like to see used as the reasonable member test; and I daresay that applies in another Chamber as well.

This highlights the fact that we have to be very cautious. As I said at the outset, this is necessary legislation. There is no question of that and I commend the Minister on reforming and modernising the laws, but, sometimes when we do so, we overlook that members of Parliament have a special privilege in the community: we do have the ancient right of freedom of speech and certain protections because that is necessary in a democratic society. However, we do not have the right to abuse this Chamber and to use it for personal vendettas and attacks on members of the community, whoever they might be. As I said, that matter is being addressed in the joint parliamentary select committee and has been subject, as I said, to grievances at Labor Party conventions where trade unionists have felt that they have been improperly named and that this Chamber had been used as a cowards' castle—and we have all seen examples of that.

Consequently I do go some way towards supporting the Deputy Leader of the Opposition. There is some force in relation to the criticisms of acting improperly as opposed to the use of corruption. I do not really find that there is any problem with retaining 'corruption', but I propose nevertheless to support the Bill. However, I will be moving an amendment to ensure that when people read this legislation they understand that nothing in this section dealing with the abuse of public office or offences in relation to public officers will derogate from our ancient rights in relation to parliamentary privilege, that our right to speak freely and fairly is preserved, and that anything we say in this Chamber does not constitute an act or a benefit which can be construed as a member of Parliament committing an offence simply by carrying out his or her duty.

The Hon. G.J. CRAFTER (Minister of Education): I thank those members who have contributed to this debate on this important measure. I think there always will be some debate about the precise definition of some of these measures because they relate to human behaviour in our community, and it is not an area in which we can be absolutely precise. Some people will always want to take their behaviour to the extent of the law in this area.

I believe that this is an important area in which there should be a great deal of agreement and bipartisan support,

because it is a matter of some public moment that these areas of the law, which relate to the behaviour of public officials and general public morality, need to be asserted, and asserted quite strongly, in our community at the present time. As we progress through the 1990s, I think we are reflecting on what occurred in the 1980s in this country. Both at a political and business level there is much regret about the behaviour of individuals, groups of individuals and corporations during that time, and we now have to repair that damage and return public confidence to our institutions, the Government and private enterprises in this nation.

For those reasons, it is a great pity that this legislation has gone almost unheralded and unattended by the media and by the bulk of the general public in this State. It is a significant part of a much greater criminal reform process which has begun in this State and which will be pieced together as we go down the path of law reform in this State over the next few years, when it will become more clear to the public what we are trying to achieve as a Government in this State.

The law that is reformed in this Bill has remained almost untouched in many cases for over a century, so South Australia has had, in the areas of public sector corruption and offences relating to the administration of justice, which are two important areas dealt with by the Bill, a criminal law regime that is simply inappropriate for this century, let alone the next, and one which contains serious defects. One only has to look at the schedule of common law and inherited statutory offences repealed and replaced in the Bill to see how outdated and inefficient the criminal law is in these vital areas in relation to the current needs, practices and worries of our community.

I would like to draw out three matters in my brief summary of this debate. The first matter concerns the criminal law reform program, of which the Bill is part. South Australia is the most common law criminal jurisdiction in Australia. There are many good things about the common law but, as this Bill demonstrates, it fails vital and important tests of the public interest in the criminal law. It is out of date, sometimes significantly so. Our offences dealing with trafficking in public office date from the time when public office was surrenderable property and could be sold or left by will, a matter being debated in New South Wales at present.

I would be willing to wager that no member of the House, let alone members of the public, was aware of the existence and content of the criminal offences dealing with honesty and public office. How many of us knew that there was a criminal offence, for example, of being a common scold, or that our laws on riot remain basically unchanged since the accession of George I in 1714? It is not democratically made and amended. The criminal law was made by the nineteenth century or earlier by English judges for the realities of the English legal profession of that century. We must fashion our own standards and debate them, as we have done today in the Parliament, elected for and on behalf of the South Australian community. We should enact laws which can be read and understood by that community.

The second theme to which I want to refer is that of applicable standards in public life. That is an important feature of the Bill, and one which I am sure has exercised the minds of members. In that respect, this Bill is one part of the package announced by the Attorney-General last year. The package included not only this overhaul and public re-examination of offences dealing with corruption, improper conduct and abuse of office in public life but also a commitment made by the Government to examine whistle-blowing legislation, to which the member for Mitcham referred, and the creation of codes of conduct for public officials, the establishment and maintenance of the Anti-corruption Branch of the Police Department, the vigorous prosecution policy against criminal conduct in this area, an ongoing liaison with the National Crime Authority and any recommendations that it may wish to make for the improvement of anti-corruption policy in this State. So, this Bill is a vital cog in that package.

The third matter I wish to mention briefly relates to public access to criminal law. Too often members of the public cannot find the law when they want to and, when they do, they cannot understand it, for it is written for lawyers and not ordinary people. In particular, the criminal law should focus on the public as consumers, not lawyers alone. This area of law is a good example. The usual way of defining the criminal standard for public behaviour is to prohibit abuse of office or corruptness. What does that mean? Who knows. Certainly, without access to judicial decisions, the public simply cannot.

In this era, where there appears to be a great deal of cynicism, to say the least, about the ethical standards of those in public office, we ought to be able to set comprehensible standards of behaviour which refer to the expectations of the community, and that is what this Bill does. The Bill provides that the standards are those expected of public officials by ordinary, decent members of the community to be assessed by the jury—once again, ordinary, decent members of the community. This House and members from all Parties will be able to say, with justifiable pride, that in passing this Bill we have sent to the public a message about what we expect of ourselves, cast not in obscure legal jargon but in plain language. As I have said, I am disappointed that the media have not seen fit to give greater play to this important exercise in defensible self-examination and regulation. Once again, in this area South Australia is proving a lead and as an example for other jurisdictions.

In conclusion, I want to correct a matter to which the member for Mitcham referred with respect to criminal libel. The Attorney does not have the consent power; indeed, the legislation was amended in another place, and that power has been vested in the Director of Public Prosecutions. I commend this Bill to members.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—'Recklessly endangering property.'

Mr S.J. BAKER: The heading of this clause is 'Recklessly endangering property.' 'Recklessly' occurs either by omission or commission. I see that 'recklessly' does not feature in new section 85a. When someone is 'reckless' it is normal to include 'omission' there. That has not been covered. Will the Minister explain why?

The Hon. G.J. CRAFTER: New section 85a (1) refers to 'a person who does an act knowing that the act creates a substantial risk of serious damage to the property of another'. That provides the definition of 'reckless' in the Bill. With respect to the deletion of the word 'omission', that was taken on advice and it was believed that that was an inappropriate use of that expression in this clause.

Mr S.J. BAKER: I will not pursue the matter further, but I believe the Minister is wrong. If a person drives a car at 120 km/h he may not knowingly put property at risk but, by omission, he would do so. This clause provides that a person does an act knowing that the act creates a substantial risk of serious damage to the property of another. I am not

a lawyer, but I do not believe that the amendment covers the case as provided for previously.

Clause passed.

Clause 6—'Possession of object with intent to damage property.'

Mr S.J. BAKER: I would suggest that this clause should be considered in conjunction with the grafitti legislation which has recently been passed.

Clause passed.

Clause 7—'Substitution of Part VII.'

New section 237 agreed to.

New section 238—'Acting improperly.'

Mr S.J. BAKER: I make two observations about this new section, which was mentioned in the second reading debate and which was canvassed at considerable length in another place. I recommend that all members read the debate, together with my contribution and that of the member for Hartley (soon to be the member for Napier). We have expressed a strong view on the word 'improper' and who shall judge in that respect.

I would also ask members to look at the wording in subsection (1), which provides, if a public officer or person 'knowingly or recklessly acts contrary to the standards of propriety generally . . .'. I would have preferred 'corruption' to be the key to that provision. I know that by using the words 'knowingly' or 'recklessly' we do modify the section. I also ask members to refer to the debate in the other place, which makes the point very strongly that, if the person acts contrary to the public good that person should be subject to penalty. We are in a very difficult area of the law, which will be sorted out over a period of time, but I do have extreme reservations about the change we are making here.

The Hon. G.J. CRAFTER: I will not give a detailed explanation, because I think the matter has been covered in the other place. If the honourable member is looking for an analogy in relation to the use of the word 'improperly', that is the criminal standard pertaining in law now to company directors, if there is an analogy to be drawn between those who hold that office and those who hold public office. That is an area in which I suggest there will be plenty of cases coming before the courts, to define very carefully what that word 'improperly' actually means. So it does have an analogy, and I think that is relevant.

New section agreed to.

New section 239 agreed to.

Proposed new section 239a—'Parliamentary privilege not affected.'

Mr GROOM: I move:

Page 3, after line 44—Insert new section as follows:

239a. Nothing in this Part derogates from parliamentary privilege.

I have already outlined this in my second reading contribution and I do not propose to repeat those points, because members who were here during that contribution are still in the Chamber, other than to put on the record the fact that I believe that in legislation of this nature we should quite clearly show that our parliamentary privileges, our ancient rights, are not derogated from and so that any member of the public reading this legislation can see that, and also to ensure that members of Parliament in doing their duty are not subjected to questioning and so that anyone looking at the legislation can see that members are simply acting in relation to parliamentary privilege, that we do not suddenly find that we are arrested and arguing that in court.

One can argue in court whether section 38 of the Constitution Act applies. I believe that we need something express, even though it can be argued that, of course, as a matter of law we cannot pass anything inconsistent with our Constitution, because that has to be done in a certain way. Nevertheless, in legislation of this kind we ought to safeguard the ancient privileges of members of Parliament, because that is in the public interest, and that should be expressly set out in legislation so that there is no misunderstanding and so that members of Parliament are not subject to harassment, or even arrest, in carrying out their duties.

The Hon. G.J. CRAFTER: The Government accepts this amendment. I need to say, though, that it was never the intention of this measure to restrict in some way or affect existing parliamentary privilege. The amendment before us states this now explicitly, but I think it can be taken as implied in the legislation, anyway.

Mr S.J. BAKER: The Opposition also supports the amendment.

New section inserted.

New section 240—'Impeding investigation of offences or assisting offenders.'

Mr S.J. BAKER: I move:

Page 4, line 6—Before 'impeding' insert 'concealing or'.

This amendment makes it an offence to conceal an offence. This has been part of the law over many generations. It is an offence to hide and ultimately put people at risk because of the hiding of that offence. 'Impeding' does not have the same connotation. It does not cover the case where people have deliberately concealed important matters which could affect other people in their relationship with the offender. The Opposition asks the Committee to support this amendment.

The Hon. G.J. CRAFTER: The Government opposes the amendment which seeks to amend the provision so that it would read:

. . . a person who, knowing or believing that another person has committed an offence, does an act with the intention of *(a)* concealing or impeding investigation of the offence . . . is guilty of an offence.

The first difficulty that I have with this is that it reads such as to create an offence of concealing the investigation of an offence. That surely cannot be what is meant. I suppose what is really meant is the creation of an offence of doing an act with the intention of concealing the commission of an offence. It is difficult to conceive a situation in which a person does an act with the intention of concealing the commission of an offence and is not thereby caught by the proposed offence, either because that is an act done with the intention of impeding investigation of the offence or because it is also an act done with the intention of assisting the principal offender to escape apprehension and prosecution.

In short, I think that the provision as it stands already covers the ground. I would be loath to add more verbs to the provision and thus create an additional offence, unless there is ground to be covered that is not already covered. Additional offences complicate the law. It is for those reasons that I oppose the amendment. I shall now comment briefly on the next amendment that has been circulated. It proposes to add a whole new range of offences to the accessory offence contained in new section 240. The objection here is the same. The question is whether the new offences contained in the amendment really cover new ground or merely duplicate. If they merely duplicate, they clearly do not add to the Bill. I do not intend to debate this matter further.

Mr S.J. BAKER: I wish to say that the Minister should read the provision. It provides that the person 'does an act with the intention of concealing or impeding investigation of the offence'. It does make sense. It is entirely appropriate for a person who, for whatever reason, and more particularly for money reasons—which matter is dealt with in the

subsequent amendment—deliberately conceals an offence, with ramifications that could be quite serious at a later time. Accordingly, the Opposition believes that it is an important amendment. However, we have already been through this debate in another place.

Amendment negatived; new section agreed to.

New sections 241 to 244 agreed to.

Mr S.J. BAKER: I move:

Page 8, after line 11—Insert new section as follows:

Disclosure, etc., of identity or address of juror

244a. (1) Subject to this section, a person must not wilfully publish any material or broadcast any matter containing any information that is likely to lead to the identification of a juror or former juror in a particular trial.

Penalty: $8 000 or imprisonment for 2 years

(2) this section does not apply to the identification of a former juror with the consent of the former juror.

(3) In this section, a reference to the identification of a juror or former juror includes a reference to the disclosure of the address of the juror or former juror.

This deals with disclosure of the address of a juror. With your permission, Madam Acting Chair, I will canvass my next amendment to insert new section 244b at the same time. It is important that we protect the jury system. We cannot have an intrusion into the privacy of those individuals. We have had the Attorney pressing forward with his Privacy Bill in this Parliament. Not only is it appropriate that jurors be given the opportunity of conducting their deliberations behind closed doors without outside interference but they should not have to explain their actions after the event, because it places the whole jury system at risk.

I know that I will have some support from the other side of the Committee for this amendment. I canvass the fact that the confidentiality of jurors' deliberations is absolutely vital. We cannot have a situation such as has arisen in a number of countries overseas and in Queensland—it puts the whole system at risk. We should protect juries from outside intervention, and I have pleasure in moving the amendment.

The Hon. G.J. CRAFTER: The Government has some reservations about these amendments, which I should like noted. While the Government agrees that harassing and probing jurors about what went on in the jury room is undesirable and should be prevented, we take the view that the law of contempt is not only adequate to deal with the problem but is superior to this sort of approach. The legislation of these new criminal offences is unduly rigid and inflexible in a way that the law of contempt is not. Contempt is a flexible solution which can and will address any abuses of the court system without the overbreadth that these offences display. The Opposition raised the matter when the Juries Act Amendment Bill was before the House in 1984. It is true that the New South Wales and Victorian State Governments have since legislated in this area, but it is also true that the legislation is different and that the 1987 Australian Law Reform Commission report on contempt was critical of those States' legislation.

In short, in an area that centrally affects the freedom of the press and freedom of the individual, there is no agreed sound model of dealing with these issues, aside from contempt. In the absence of any evidence at all that this is a problem in this State, the Government is not inclined to enter what are, to say the least, very murky waters. Should that situation change and the law be made to appear inadequate, the Government would be prepared to revisit the issue. But no one has alleged that the current law is inadequate.

There are occasions on which disclosure is proper. For instance, Mr Cockburn's inquiry into the conviction of Edward Splatt relied on interviews with jurors and, ultimately, Splatt was found to have been wrongly convicted after a commission of inquiry. No proceedings were taken against Mr Cockburn for contempt, presumably because it was thought that what was done was justifiable and done with due regard to the niceties of respect for the privacy of those jurors. This amendment does not contain such a flexible approach to such problems.

To take another point as an example, I ask the Opposition: what of the juror who comes home from a hard day's work in the jury room deliberating on a case and is asked or volunteers what his or her day was like? Is he or she to be guilty of a criminal offence for disclosing to the family what his or her day was like? Is a family member to be guilty of a criminal offence for asking? If the publication of the address of a juror is to be an offence, is the Sheriff to be guilty of an offence by publishing the jury list? Those are some examples of the problems that this amendment raises.

New section inserted.

Mr S.J. BAKER: I move:

Page 8—Insert new section as follows:

Confidentiality of jury's deliberations

244b (1) A person must not solicit information from a juror or former juror about the deliberations of a jury or harass a juror or former juror for the purpose of obtaining such information.

Penalty: $8 000 or imprisonment for 2 years

(2) This section does not apply in relation to the disclosure of information about the deliberations of a jury—

(a) to a judge or court;

(b) to the Attorney-General;

(c) to—

(i) a board or a commission of inquiry; and

(ii) any person who is conducting research, appointed by the Governor or the Attorney-General;

or

(d) to a member of the police force acting in the course of an investigation of an offence or alleged offence relating to the deliberations or a jury or the obtaining of information about such deliberations.

(3) For the purposes of this section, the deliberations of a jury include statements made, opinions expressed, arguments advanced or votes cast by memers of the jury in the course of their deliberations.

This relates to the confidentiality of jury deliberations and has already been reflected upon by the Minister. It still holds that there should be protection in the system. These cases will arise only when people make complaints, that is, when they are being harassed. It is appropriate to have this new section, and I understand that it also has some support from the other side.

New section inserted.

New section 245 agreed to.

New section 246—'Bribery or corruption of public officers.'

Mr S.J. BAKER: I refer members to the debate in the other place on the issue of bribery and corruption. We have looked at the matter in terms of Parliamentary privilege, and I ask members to think about their relationship with people in terms of when does Parliamentary privilege end and corruption begin? People should seriously consider the matter of when they are given privileges that are not available to the population and why those privileges have been given. We have inserted some safeguards into the Bill. To my mind, they may not go far enough. I suggest that everyone looks at the Bill because of things such as Qantas air flights and Football Park tickets, and Grand Prix tickets that have been mentioned in another place. It is important to look at those in terms of whether we are carrying out our duties or whether the gifts go beyond that point, according to this Bill. I raise the matter without wishing to debate it in any way, shape or form.

New section agreed to.

New sections 247 to 249 agreed to.

New section 250—'Offences relating to appointment to or removal from public office.'

Mr S.J. BAKER: In this case I also recommend that people look at the debate in another place in relation to matters of political appointments under the Bill. I do not wish to debate the matter again, as it has been thoroughly canvassed in another place. However, there may be some difficulties, and we have seen an interesting situation in New South Wales. I recommend that everyone look at the very extensive debate in the other place.

New section agreed to.

New sections 251 to 253 agreed to.

New section 254—'Criminal defamation.'

Mr S.J. BAKER: I move:

Page 12, lines 31 to 36—Leave out subsections (4) and (5).

We believe that prosecution for criminal defamation should not be left up to the Director of Public Prosecutions but should be in the hands of the Attorney, and we move for the deletion of these new subsections.

The Hon. G.J. CRAFTER: I am somewhat confused here. Is the honourable member arguing that it should be in the hands—

Mr S.J. BAKER: It is the other way around.

The Hon. G.J. CRAFTER: The amendment seeks to delete the clauses requiring the specific consent of the DPP to the charge of criminal libel, so the Government clearly opposes it. The offence is controversial, but the restricted version here enacted is in accordance with the recommendation of the Australian Law Reform Commission. Draft legislation is currently being considered in Victoria, New South Wales and Queensland, and I am grateful that the Opposition supported it in another place. The offence does have an unfortunate history and is directly regulating an aspect of freedom of speech. It must be used judiciously and only in the clearest of cases.

The consent of the DPP is in the Bill as an added protection for freedom of speech. It will prevent private prosecutions which may not always be in the public interest. It ensures that the possibility of any prosecution is given the highest scrutiny in the public interest. If it is taken out, the result will be that, as with any other case, the decision to procecute would be taken by a private individual or a police prosecutor. This is consistent with the law and practice in other States. It is also consistent with other regulations of freedom of speech in this State. For example, prosecutions for indecency and obscenity under section 33 of the Summary Offences Act require the consent of the Attorney-General for precisely similar reasons.

Mr S.J. BAKER: I delete my previous reference and, whilst there may be some disagreement, I accept the explanation provided by the Minister.

Amendment negatived; new section agreed to.

New section 255 agreed to; clause as amended passed.

Remaining clauses (8 to 24) and title passed.

Bill read a third time and passed.

RACING (INTERSTATE TOTALIZATOR POOLING) AMENDMENT BILL

Returned from the Legislative Council without amendment.

STATUTES AMENDMENT (SENTENCING) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 March. Page 3539.)

The Hon. H. ALLISON (Mount Gambier): The Opposition supports this Bill which allows the court to impose a single sentence for a multiplicity of offences against any single provision of an Act. It increases the options available to a court where an offender, already subject to a non-parole period, is also subject to a Commonwealth minimum term. The Bill provides for consistency in State and Federal sentencing in priority of sentencing, and in determining the length of State and Federal sentences. It also grants discretion to a court permitting licence disqualifications where there is default of fine payment in motor vehicle offences, both in adult and children's courts. The Registrar of Motor Vehicles is involved here. The Bill requires the Registrar to serve notice of disqualification by post. I understand the Minister has already accepted an extension from 7 to 14 days notice, as contained in the Bill and in the amendment moved in another place for payment for fines before there is effective disqualification. This disqualification is in lieu of a warrant of commitment and should prove equally effective.

There is discretion for the court to revoke disqualification in cases of extreme hardship. When a fine is paid or largely reduced it is a limited discretion which may not cover all hardship cases. The court can also issue a warrant for immediate imprisonment if there is any fear of the offender absconding. There is power for appropriate court officers to issue warrants for the sale of land and goods or to issue warrants of commitment and exercise discretion in these matters. The Parole Board itself may apply for a fixed non-parole period for a prisoner and there is power for a court to extend, by no more than six months, the period for completion of a community service order. Power also exists for the Minister to cancel unperformed community service orders—a provision against which the Opposition will move an amendment. The Bill itself is supported and provides for other matters that I have not canvassed but, in view of a commitment to finish by 6 p.m., I conclude by indicating my support for the Bill.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its support for this measure. I notice that amendments on file are similar to those moved in another place. I will comment briefly on the Bill as it is an important measure. It has been dealt with in another place at considerable length. It certainly provides important reforms in the capacity of the courts to provide the most appropriate sentences in matters that come before them. The Bill seeks to amend various provisions of the Criminal Law (Sentencing) Act 1988 which have been identified as requiring clarification by the courts and those involved in correctional services and others who deal with the Act on a daily basis. The Opposition in another place indicated its general support for the majority of the provisions of the Bill.

However, several areas of concern were raised at that time in the form of amendment to the Bill. The first area of concern related to a new provision which allows a court to fix a non-parole period where a prisoner is not subject to same, on application by the prisoner or the Chairman of the Parole Board. This amendment will deal with the current lifers who are not subject to a non-parole period and have refused to apply for one. The amendment put forward

in another place states that the Crown must be notified of any application made by the Chairman of the Parole Board. The Government was willing to accept this proposal and the amendment was agreed. Other concerns related to new provisions which allow courts, in the adult and juvenile jurisdications, in the case of fine defaults which arise from an offence involving the use of a motor vehicle, to disqualify the person from holding or obtaining a driver's licence. The court notifies the Registrar of Motor Vehicles, once an order is made and, under the provisions of the original Bill, disqualification occurs after seven days.

Concern was expressed in another place that this period should be raised to 14 days and the amendment was made, despite the Government's belief that seven days was an appropriate period in the circumstances. An amendment was also made to clause 21 to allow a court to revoke the disqualification of the licence if it is satisfied that the outstanding amount has been reduced and that continued disqualification would result in undue hardship to the person. The person must then work off the outstanding sum in community service. The original Bill contained a similar provision, but the court was only empowered to revoke the disqualification upon finding that the outstanding sum had been substantially reduced.

The Opposition in another place also put forward other amendments which were not considered appropriate or necessary. The same amendments have been put forward today for consideration. An attempt was made to limit the Minister's power in clause 13 to cancel unperformed hours of community service up to 10 hours only. This is considered to be too restrictive for reasons which I will outline in more detail in my response to the amendment which the member for Mount Gambier intends to move. Lastly, an amendment has been sought to be made to clause 21 of the Bill which provides that warrants of imprisonment must be served cumulatively with each other. The amendment, which was defeated in another place, but is put forward here today tries to make warrants of commitment cumulative with existing jail terms as well as other warrants of imprisonment. This amendment is inappropriate as the Correctional Services Department advises that it would lead to an increase of 30 beds per day at an annual cost per prisoner of $69 000. Further, and I will go into greater detail on this in specifically rejecting the amendments, the provisions of the Act do not allow for an extension of a prisoner's non-parole period. Therefore, that amendment is rejected.

Bill read a second time.

In Committee.

Clauses 1 to 12 passed.

Clause 13—'Insertion of ss. 50a and 50b.'

The Hon. H. ALLISON: I move:

Page 4, after line 36—Insert new subsection as follows:

(1a) The Minister cannot exercise his or her powers under subsection (1) to waive performance of more than ten hours under the one bond or order.

This new section deals with the variation of community service orders and provides that the Minister may, by instrument in writing, waive compliance with performing all or part of a community service order for a number of hours if the Minister is satisfied that there is no intention of deliberate or false evasion. The Minister has to notify the probative or the sentencing court and, while the reason for that is not clearly set out in the second reading explanation or elsewhere, we believe it may be simply for record purposes. We believe that the court sets a sentence and we have to question why the Minister should have the prerogative to waive any or all of the sentence.

We do not believe it is appropriate for a Minister to have the unlimited power for reduction which is provided under this clause. The criteria appears to be subjective to the Minister. We feel that, in the extreme, they may be open to abuse and certainly they are exercised at the Minister's discretion. We already know that the Department of Correctional Services has been releasing fine defaulters on faxed advice, a matter which was the subject of attention in December when several matters were addressed by the Government, but minor variations of less than 10 hours would be acceptable to the Opposition, that is, less than 10 hours on one bond or order. My amendment restricts the Minister's power to that period of less than 10 hours.

The Hon. G.J. CRAFTER: As I indicated in the second reading debate, the amendment is rejected, because 10 hours would represent approximately only one week of community service and would apply to only a small number of cases. This amendment was originally inserted to prevent such matters being brought before the courts, which already have a number of demands on their time. It is unnecessarily restrictive to limit the matter to any specific number of hours as this amendment proposes. The matter is more appropriately judged on a case-by-case basis. I understand that the Minister of Correctional Services has similar powers, for example, with respect to bonds.

Mr M.J. EVANS: I will speak only briefly in support of the amendment. It is a critical matter when Executive Government sets aside sentences, and these community service orders are an important example of the way in which innovative penalties can be applied. It is important that they should be set aside only under the most extreme circumstances in relation to that, and I believe that the amendment proposed by the member for Mount Gambier does give sufficient flexibility while retaining the importance of the deterrence value of the sentence. I support the amendment accordingly.

Amendment carried; clause as amended passed.

Clauses 14 to 20 passed.

Clause 21—'Substitution of s. 61.'

The Hon. H. ALLISON: I move:

Page 6, lines 31 and 32—leave out 'liable to serve by virtue of any other such warrant' and insert 'serving or is liable to serve'.

This clause provides for imprisonment where a person is in default for more than one month where several warrants are to be served cumulatively. We believe that not only warrants for default of fine payment but also warrants added to other periods of imprisonment that are either being served or liable to be served should be cumulative, too. We believe our amendment adds weight and meaning to the serving of a warrant which otherwise might be served concurrently.

The Hon. G.J. CRAFTER: The intention is a good one, but there are considerable practical difficulties, and it has been accepted by the Opposition in another place that those difficulties exist. The amendment was drafted specifically to target fine defaulters in the community and encourage them to meet their outstanding fines. New South Wales has a similar system in place for similar reasons.

I have also been advised by the Department of Correctional Services that an amendment along the lines of that proposed would lead to an increased requirement of some 30 beds per day, and the cost of keeping one prisoner in prison is estimated at $69 000 a year. Further, there is no mechanism in the Criminal Law Sentencing Act 1988 which would allow the courts to extend a prisoner's non-parole period to include the term of imprisonment set in default of payment of a pecuniary sum. All that would be achieved for prisoners with a non-parole period would be that the head sentence would be extended and the prisoner would be on parole for a longer period. Effectively, this would

make the serving of time for the default of fine payment meaningless for a prisoner serving a non-parole period.

Amendment negatived; clause passed.

Remaining clauses (22 to 49) and title passed.

Bill read a third time and passed.

[*Sitting suspended from 5.58 to 10.25 p.m.*]

WORKERS REHABILITATION AND COMPENSATION (MISCELLANEOUS) AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2, line 3 (clause 4)—Leave out 'contributed to' and substitute 'was a substantial cause of'.

No. 2. Page 2, (clause 6)—After line 24 insert new paragraphs as follows:

(ab) by striking out from subparagaph (ii) of paragraph *(b)* of subsection (1) 'that the worker has a reasonable prospect of obtaining';

(ac) by striking out subsection (2) and substituting the following subsection:

(2) For the purposes of subsection (1)—

(a) the following factors will be considered, and given such weight as may be fair and reasonable, in assessing what employment is suitable for a partially incapacitated worker:

(i) the nature and extent of the worker's disability;

(ii) the worker's age, level of education and skills;

(iii) the worker's experience in employment;

and

(iv) the worker's ability to adapt to new employment;

(b) until the period of incapacity for work extends beyond a period of two years, a partially incapacitated worker will be taken to be totally incapacitated unless the Corporation establishes that suitable employment for which the worker is fit is reasonably available to the worker;

and

(c) if the period of incapacity for work extends beyond a period of two years, an assessment of what a partially incapacitated worker could earn in suitable employment after the end of the second year of incapacity will be made on the basis that such employment is available to the worker except where the worker establishes—

(i) that the worker is in effect unemployable because employment of the relevant kind is not commonly available for a person in the worker's circumstances (irrespective of the state of the labour market);

(ii) that the worker has been actively seeking, and continues actively to seek, employment;

and

(iii) that the worker has participated and (where applicable) continues to participate, to a reasonable extent, in appropriate rehabilitation programmes provided for the benefit of the worker,

in which case the worker will be taken to be totally incapacitated unless the Corporation establishes that suitable employment for which the worker is fit is reasonably available to the worker.;[1]

[1]NOTE: This exception invokes the 'odd lot' principle developed in cases such as *Cardiff Corporation v. Hall.*

No. 3. Page 3, line 22 (clause 7)—Leave out 'future'.

No. 4. Page 3—After line 27 insert new clause as follows:

Suspension of weekly payments

7a. Section 37 of the Principal Act is amended by striking out from paragraph *(a)* of subsection (3) 'stating the ground' and substituting 'containing such information as the regulations may require as to the grounds'.

No. 5. Page 3, line 29 (clause 8)—After 'amended' insert—

—

(a).

No. 6. Page 3, (clause 8)—After line 30 insert:

and

(b) by striking out paragraph *(a)* of subsection (3) and substituting the following paragraph;

(a) containing such information as the regulations may require as to the grounds on which the adjustment is being made;.

No. 7. Page 4, line 2 (clause 9)—Leave out 'that the worker has a reasonable prospect of obtaining'.

No. 8. Page 4, line 21 (clause 9)—Leave out 'and'.

No. 9. Page 4 (clause 9)—After line 28 insert:

and

(d) employment assessed as suitable under paragraph *(c)* will be taken to be available to a partially incapacitated worker except where the worker establishes that the worker is in effect unemployable because employment of the relevant kind is not commonly available for a person in the worker's circumstances (irrespective of the state of the labour market), in which case the worker will be taken to be totally incapacitated for the period to which the assessment relates unless the Corporation establishes that suitable employment for which the worker is fit is, or will be, reasonably available to the worker over that period.[1]

[1]NOTE: This exception invokes the 'odd lot' principle developed in such cases as *Cardiff Corporation v. Hall.*

No. 10. Page 5 (clause 9)—After line 4 insert:

(aa) a decision of the Corporation to make or not to make an assessment under this section (but an assessment is reviewable);,

No. 11. Page 5, line 26 (clause 9)—After 'worker' insert 'made within the prescribed period in accordance with the regulations'.

No. 12. Page 5, line 29 (clause 9)—Leave out 'resolved' and substitute 'first brought before a Review Officer'.

No. 13. Page 5 (clause 9)—After line 29 insert new paragraphs as follows:

(4a) If any proceedings before a Review Officer under this section are adjourned, the Review Officer may, on such terms and conditions as the regulations may prescribe, order that one or more payments be made to the worker during the adjournment.

(4b) A Review Officer should, in considering whether or not to make an order under subsection (4a), take into account—

(a) the reason or reasons for the adjournment;

and

(b) the conduct of the parties to the proceedings,

and may take into account such other matters as the Review Officer thinks fit.

(4c) Any period between the conclusion of a hearing before a Review Officer and the handing-down of the Review Officer's decision is to be regarded as an adjournment for the purposes of subsections (4a) and (4b).

(4d) A Review Officer must, in hearing and determining any proceedings under this section, act with as much expedition as is reasonably practicable in the circumstances.

(4e) On an application under this section, a Review Officer may—

(a) confirm, vary or quash the requirement imposed by the Corporation;

(b) give such directions as the Review Officer thinks necessary to expedite any assessment under this Division.

No. 14. Page 5, line 32 (clause 9)—Leave out 'subsection (4)' and substitute 'subsections (4) or (4a)'.

No. 15. Page 5, line 34 (clause 9)—Leave out 'subsection (4)' and substitute 'subsections (4) or (4a)'.

No. 16. Page 5, line 34 (clause 9)—Leave out 'future'.

No. 17. Page 5—After line 43 insert new clause as follows:

Review of weekly payments

10a. Section 45 of the Principal Act is amendend by striking out from paragraph *(a)* of subsection (7) 'stating the ground' and substituting 'containing such information as the regulations may require as to the grounds'.

No. 18. Page 6—After line 30 insert new clause as follows:

Determination of claim

11a. Section 53 of the Principal Act is amended by striking out paragraph *(a)* of subsection (6) and substituting the following paragraph:

(a) containing such information as the regulations may require as to the grounds on which the claim is rejected.

No. 19. Page 7, lines 20 to 24 (clause 14)—Leave out the clause.

Consideration in Committee.

The Hon. R.J. GREGORY: I move:

That the amendments be disagreed to.

Motion carried.

STATUTES AMENDMENT (ILLEGAL USE OF MOTOR VEHICLES) BILL

A message was received from the Legislative Council agreeing to a conference, to be held in the Legislative Council conference room at 10 a.m. on Tuesday 5 May.

WORKERS REHABILITATION AND COMPENSATION (MISCELLANEOUS) AMENDMENT BILL

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

Consideration in Committee.

The Hon. R.J. GREGORY: I move:

That disagreement to the Legislative Council's amendments be insisted on.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs De Laine, Gregory, Heron, Ingerson and Such.

Later:

A message was received from the Legislative Council agreeing to a conference to be held in the Legislative Council conference room on Tuesday 5 May 1992 at 11 a.m.

ADJOURNMENT

At 11.8 p.m. the House adjourned until Wednesday 6 May at 4.30 p.m.