HOUSE OF ASSEMBLY

Wednesday 21 April 1993

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

STATUTES AMENDMENT (FISHERIES) BILL

The Hon. FRANK BLEVINS (Deputy Premier): I move:

That the sittings of the House be continued during the conference with the Legislative Council on the Statutes Amendment (Fisheries) Bill.

Motion carried.

PORT MACDONNELL SLIPWAY

A petition signed by 1 779 residents of South Australia requesting that the House urge the Government to prevent the closure of the Port MacDonnell slipway and boatyard was presented by the Hon. H. Allison.

Petition received.

MARION SWIMMING CENTRE

A petition signed by 1 038 residents of South Australia requesting that the House urge the Government to assist the upgrading of the Marion Swimming Centre was presented by Mr Holloway.

Petition received.

LEGISLATIVE REVIEW COMMITTEE

Mr McKEE (Gilles): I bring up the twenty-seventh report 1992-93 of the committee and move:

That the report be received and read.

Motion carried.

Mr McKEE: I bring up the twenty-eighth report 1992-93 of the committee and move:

That the report be received.

Motion carried.

Mr McKEE: I bring up the interim report of the committee on an inquiry into matters pertinent to South Australians being able to obtain adequate, appropriate and affordable justice in and through the courts system and move:

That the report be received.

Motion carried.

JOINT COMMITTEE ON WORKCOVER

The Hon. R.J. GREGORY (Minister of Labour Relations and Occupational Health and Safety): I bring up the final report together with minutes proceedings and evidence of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

INFORMATION UTILITY

The Hon. DEAN BROWN (Leader of the Opposition): My question is directed to the Premier. Why did he ignore the advice of the Acting Chief Executive Officer of the Information Utility, Mr David Major, that the proposed downgrading of the Information Utility involved, to use his words, 'significant risks, financial, legal and otherwise'? I have been given a copy of a letter sent by Mr Major to the head of the Premier's Department, Mr Peter Crawford, and to the CEO of the Office of Business and Regional Development, Mr Bill Cossey. The letter was sent on 18 March, just five days before Cabinet decided to downgrade the utility.

Mr Major's letter reviews the proposed Government action and concludes that the Government recommendation 'will not achieve the stated economic and internal efficiency objectives of the Government; involves significant risks, financial, legal and otherwise; is contrary to the Government's stated policy of reducing its involvement in information technology project implementation; and, while there are marked differences, there are parallels with the State Bank.'

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: It is more than appropriate that, as the Minister responsible for State Systems, I should answer this question. Certainly the future of the Information Utility is a damn sight more secure than the future of the leadership of the Leader of the Opposition whose own front bench spent most of the weekend leaking material against him in order to bring down his leadership.

Members interjecting:

The SPEAKER: Order!

Mr MATTHEW: I rise on a point of order, Mr Speaker. The Minister is clearly debating the question.

The SPEAKER: I uphold the point of order. The Chair was about to draw the Minister's attention to Standing Orders. I ask the Minister to be more relevant in his response.

The Hon. M.D. RANN: The Leader of the Opposition is a dead duck. Cabinet has not abandoned the objectives of the Information Utility. The fact that the Opposition announced a week or so ago that the Information Utility was dead is completely untrue. I will invite the Leader of the Opposition to the launching of the Information Utility in good time so that he can come along and eat some humble pie, as he was doing in his Caucus room yesterday. The Government will continue to pursue the objectives of the Information Utility, involving the rationalisation and integration of Government network facilities in the introduction of efficient whole of Government systems. The Information Utility will involve strategic partnerships with the private sector and will result in substantial savings for the Government.

SUPERANNUATION

Mr FERGUSON (Henley Beach): I direct my question to the Treasurer. What is the unfunded superannuation liability for the South Australian Government? The Victorian Government has announced a $19 billion liability in respect of its superannuation scheme. This means that the cost to the budget of meeting this year's benefits in Victoria will be 19 per cent of the Government's total salary bill for employees, rising to 34 per cent each year in 30 years from now.

The Hon. FRANK BLEVINS: I will be pleased to outline to the member for Henley Beach and to the House the details of South Australia's unfunded liability. We have all heard stories about the problems Victoria is having. I have heard the Leader say that our position was worse than Victoria. That is quite extraordinary when his own Treasury spokesman has stated clearly that that is not the case. Just one of the many reasons why that is not the case and why the Leader is simply wrong is this question of unfunded liability in respect of superannuation. I will not go into the arguments as to whether or not it is necessary to totally fund superannuation. It is still a very relevant debate amongst Government financial advisers, but nevertheless a figure of $19 billion unfunded is extreme. If that is a correct figure, and I have no reason to disbelieve it, I have a great deal of sympathy for the Victorian Treasurer, of any political Party, who has to wrestle with it.

Our unfunded liability is as stated in the 1992-93 financial statement: $3.5 billion. The 1992-93 cost to the budget of emerging benefits from the employee contributory scheme is expected to be about 5.5 per cent of the total salary bill of Government employees. When, the cost of the superannuation guarantee levy is included, the total cost to the budget is expected to be around 8.5 per cent of the total Government wage bill, and that compares with about 19 per cent in Victoria. So Victoria is paying out 19 per cent of its total wage bill in superannuation, which is a figure that any Treasurer would find alarming.

So, our figure is 5.5 per cent of our total salary bill, and if we include the superannuation guarantee charge, and I do not mind, it is 8.5 per cent. That is less than half of the figure that the Victorian Treasurer is wrestling with—19 per cent of their wages and salary bill. As was stated in the 1992 budget speech, the Government is moving towards fully funding the superannuation benefit scheme, which provides the superannuation guarantee charge benefits. This will prevent future liabilities from accruing in an uncontrolled manner, something which I think everybody in the House would applaud.

When the superannuation guarantee charge benefits are included, and on the basis that the main State scheme—that is, the employee contributory scheme—remains unfunded, the cost to the budget in the year 2010 is expected to be about 16 per cent of total employee salaries, gradually falling to about 14 per cent in the year 2030. In terms of the superannuation guarantee charges, we know that all employees will have a minimum cost of 9 per cent of salaries. A comparable year 2010 figure for Victoria has been stated by the Victorian Treasurer as being about 34 per cent of salaries. I believe for Victoria to be paying out 34 per cent of its salary bill in superannuation is completely unsustainable, and there is no doubt about that. The Victorian Treasurer has my sympathy.

As I said, our unfunded liability is significantly less than that. The figures I have mentioned show that South Australia has been much more responsible in managing superannuation costs and taking positive steps to ensure the costs to the budget are reduced over the next 30 years. South Australia has largely maintained a voluntary scheme which has kept accruing liabilities lower than those in Victoria, and that is sensible. One other measure that is assisting us in controlling our accruing superannuation liabilities is the reduction in the public sector work force. Not only are we saving a considerable amount in wages and salaries but the unfunded liability is also reducing accordingly. I think these financial figures are extremely important and do give completely the lie to the nonsense spouted by the Leader and contradicted by the Deputy Leader. The position in South Australia is nothing compared with some of the problems they have in Victoria.

INFORMATION UTILITY

Mr OLSEN (Kavel): Why did the Premier disregard the advice of his MFP Chairman, Mr Alex Morokoff, contained in a letter dated 3 March, addressed to the Premier, urging him to proceed with the Information Utility as a flagship project to give 'substance and physical expression to the MFP'? The letter, a copy of which has been given to the Liberal Party, was sent less than three weeks before the Government decided to downgrade the multi million dollar Information Utility. In it, Mr Morokoff states:

> As you are aware, the Information Utility has always been seen as an important infrastructure element for the MFP. I understand that partners are willing to move commitments to the MFP under certain terms and conditions and this should be encouraged.

On 22 March, the Government changed the structure of the Information Utility to an internal Government corporation and placed it within State Systems. Within a day of the Liberal Party's disclosing this change, the Premier was quoted in the media as saying that the Information Utility was never an integral part of the MFP.

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: I would suggest that the would—be Leader of the Opposition check the words that I used. I find it much easier when I am having a go at the present Leader to actually pick out his own words. The honourable member has not quoted my actual words. That is not a correct reflection of what I said about the Information Utility and information technology. Information technology is one of the five key areas of the MFP. That was the case, and it continues to be the case, and I continue to make that point. Indeed, Alex Morokoff, the Chair of the board of the MFP, likewise makes that point, that information technology opportunities are very important to the MFP. The Information Utility is an important part of the

information technology component of the MFP, and continues to be so.

Mr Olsen interjecting:

The Hon. LYNN ARNOLD: If the member for Kavel could just contain himself and wait to see the details that come out in due course about the Information Utility and its relationship to information technology, and the Government's general plans for information technology with respect to the MFP, I am certain he will agree that, once all this information becomes available over time, the wise decisions have been made. The decisions that have to be made are those which enable South Australia to take maximum advantage from what information technology we need in Government, what the demand for information technology within Government is, and marrying that together in the most effective way possible with private sector involvement in information technology.

Mr Olsen interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: That is the real aim, to maximise the benefits to South Australia and to maximise the opportunities for information technology in this State—

Mr S.J. Baker interjecting:

The SPEAKER: Order! The Deputy Leader is out of order.

The Hon. LYNN ARNOLD: The Deputy Leader is getting himself all worked up. The Information Utility has developed; it has evolved as a concept over time. It is actually quite different from some of its aspects at day one, and it is certainly true that there have been further evolutions to the whole concept.

Members interjecting:

The Hon. LYNN ARNOLD: That attracts some mirth from members opposite; I do not know why that should be so. Apparently, they want the Government to be totally inflexible—to make no changes to circumstances, to make no changes in response to how circumstances develop. Any Government that refuses to take account of how circumstances evolve is a Government that very quickly gets itself into trouble, and any enterprise that does that would do the same.

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: The interjections that members opposite are making really indicate their incapacity to handle very complex issues such as this, but I can assure the member for Kavel that this Government is able to handle this, and it will be a very exciting part of the information technology component of the MFP. The information technology component was and continues to be a very important part of that project.

The SPEAKER: In the absence of the Minister of Environment and Land Management, questions on the environment will be handled by the Minister of Education, Employment and Training; questions on Aboriginal affairs will be handled by the Minister of Housing, Urban Development and Local Government Relations; and questions on emergency services will be handled by the Minister of Public Infrastructure.

RECREATION AND SPORT, REGIONAL

Mrs HUTCHISON (Stuart): I address my question to the Minister of Recreation and Sport. Has any study been undertaken to identify the recreation and sporting needs of regional communities in South Australia? The Minister recently released details of a report on the recreation and sporting needs of people living in the western metropolitan area. It was stated at that time that the report would form part of an overall State recreation and sport plan.

The Hon. G.J. CRAFTER: I thank the honourable member for her question and for her interest in this aspect of the life of the community that she represents in this place. I am pleased to advise her that the Department of Recreation and Sport has combined with the City of Port Augusta, the Outback Areas Community Development Trust, the Port Augusta and Flinders Ranges Development Board and the Department of Environment and Land Management jointly to fund the Flinders and Far North region and Port Augusta recreation and sport strategy plan. The plan is one of a series of country regional plans that form part of the overall State recreation and sports plan, to which the honourable member has just referred in her question. The area involved covers more than half the State of South Australia and is by far the largest in size of the recreation and sport planning studies yet to be undertaken. The Planning Advisory Services and Bobby Sale Planning, in association with Hepper Marriott and Associates, have been appointed to undertake the project, and the funding for that consultancy has been approved.

The overall objective of the proposal is to produce a strategy plan that will provide the basis for developing effective recreation and sporting facilities and services over a span of the next three to five years. This is indeed a very exciting project. Part of this investigation will for the first time identify the recreation and sport needs of small groups across our State, particularly of people living in isolated communities in remote areas. In some areas these communities could be as small as 10 to 15 people. Work will also be done to identify environmentally sensitive areas in the region, and an assessment will be made of the impact of trafficking of people—'people pressure', as it is termed—on selected areas. Increasing emphasis is being placed on the sustainable environment, and attention will be given to visitor impacts on environmentally sensitive areas within this region and, indeed, on recreational use patterns.

The consulting group has devised an exciting and innovative way of consulting with people in the outback, and this includes linking the recreation and sport survey with the many sports festivals to be held throughout the outback during the next three months. Country communities and groups living in outback regions are often overlooked as population changes limit the capacity of the existing recreation and sporting organisations to remain viable and their programs to remain ongoing. It must also be recognised that recreation and sporting activities are an important way of bringing isolated communities together, and I know they are very much valued by those more remote communities. The report will be completed by the end of July.

INFORMATION UTILITY

Mr INGERSON (Bragg): My question is directed to the Premier. What key elements of the MFP remain now that the Government has decided to downgrade the Information Utility to an internal Government corporation to service Government departments?

Members interjecting:

The SPEAKER: Order!

Mr INGERSON: I point out that the registration of interest document issued by the Department of the Premier and Cabinet as recently as 14 September 1992 stated:

> It [the Information Utility] will be a facility that will be essential for the success of the MFP.

In addition, the David Major letter, already identified by the Leader of the Opposition, states:

> A Government corporation will not meet the needs of the MFP, as stated by the MFP board, and could be seen as a setback to the MFP's agreed strategic direction.

The Hon. LYNN ARNOLD: The member for Bragg is attempting to create the impression that there is nothing left of the MFP—that it is not a significant project. Obviously he did not listen to the answer I gave a few moments ago when I indicated that information technology is one of the key areas of the MFP, and the Information Utility—

The Hon. Dean Brown interjecting:

The Hon. LYNN ARNOLD: You said something?

The Hon. Dean Brown interjecting:

The SPEAKER: Order! The Leader is out of order.

The Hon. LYNN ARNOLD: Mr Speaker, I was interested in some of the Leader's comments on the MFP last week, in particular on the new head of the MFP, when the matter of his salary package was being discussed. On Channel 9 he was intemperate enough, given his difficulties—the enormous difficulties that he is in—to go on TV and say, 'I saw the salary and I can say that, if I had realised it, I probably would have applied for the job myself.' While he is busy looking through the classified ads and through the jobs vacant—because he has to find a job soon that is becoming available—he was intemperate enough to say, 'Well, that's what I would have liked. I could have done with that job.' That is really indicative of the difficult position the Opposition is in on the MFP. The reality is that the MFP is a very exciting project that does have to (as I used the phrase) re-grab the public imagination in 1993. I have made that point on a number of occasions.

Members interjecting:

The SPEAKER: Order! The Premier.

The Hon. LYNN ARNOLD: Now that we have done those necessary things that have taken a long time to achieve—the passage of the legislation, the EIS, the establishment of the corporation and the board, and the appointment of the Chief Executive Officer—

The Hon. Dean Brown interjecting:

The Hon. LYNN ARNOLD: It is not actually three years since the approval was given to Adelaide: go and check your calendar. Those matters have been put in place. Other things have been happening at the MFP, in any event—the Signal Processing Research Institute, the MFP services company and a number of other things. Those various things have been going on, but it is true that there is some loss of the awareness in the public at large about the MFP, and this year is a key year for that to happen. So the appointment—

Mr Ingerson interjecting:

The Hon. LYNN ARNOLD: Well, what a coincidence. This year is a year in which we have to ensure that investors, nationally and internationally, and the community at large see the full potential of the MFP. In answer to, I guess, the guts of the question from the member for Bragg, 'What is left in the MFP?', quite frankly lots is left in the MFP. All those five objectives, all those five areas of the MFP, are very much still there at the heart, as is information technology, a part of information technology—but only a part and only ever a part—being the Information Utility. I think it is important, if we are to treat this project in the way it deserves to be treated, that we seek on both sides of the House to build a project rather than to be constant detractors of it.

There are occasional bursts of rhetoric from members opposite, who try to give it a slight favourable statement from time to time, but on the whole they resent the project. On the whole they do not want it to succeed, because they believe that it represents a political negative for them if it does succeed. They are quite right in making that calculation, because—

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: —they have so tried to nitpick and erode away at it ever since it was first thought of as a concept that its success would be to their cost. Notwithstanding that the Leader himself may be looking for a job with the MFP in due course, or for some other job around the place, the point is that the Opposition itself could do better and decide to line up behind this very exciting project which does have information technology as one of its key elements and which does have, as part of the IT, the Information Utility as one of its components.

OECD STUDY

Mr McKEE (Gilles): Could the Minister of Education, Employment and Training advise the House on an OECD study currently being conducted into teaching quality?

Mr Brindal interjecting:

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

The Hon. S.M. LENEHAN: I think the member for Hayward is a little unwell, Mr Speaker. I would be delighted to inform the member for Gilles about this project. The OECD is currently undertaking a study of factors contributing to the quality of teaching. Each of the OECD countries will provide a report on teaching and learning in their own country. In Australia six schools have been selected to be part of this project. One school is from Sydney, one from Canberra, one from Melbourne, one from Darwin, and I am delighted to inform members that there are two from South Australia. The schools from South Australia which have been selected for the OECD study are the Windsor Gardens

High School, in the electorate of the member for Gilles, and the Hincks Avenue Primary School in Whyalla, the Deputy Premier's electorate.

The Windsor Gardens High School initiated a program for year 8 students using information technology in the provision of integrated curriculum in four areas: maths, art, design; science and society; communications; and health and personal development. To deliver this program teachers from different faculties worked together in teaching teams. The Hincks Avenue Primary School in Whyalla has teaching teams which include school services officers working with the students and the teachers within their classrooms.

The feedback from the two schools participating in this project in South Australia is that teachers are certainly enjoying working as part of a teaching team: it allows them to better cater for students as individuals, and it allows better behaviour management. I am led to believe that this has become far less of a problem under this new configuration of teaching because a number of adults are present to intervene and to lend support. I am pleased to inform the House that the study is expected to take six months and will be concluded in the middle of this year. I am sure members will look forward to the outcomes of those particular projects.

INFORMATION UTILITY

Mr MATTHEW (Bright): I ask the Minister of State Services what consultation took place between the Government and the private partners in the Information Utility before the Government decision on 22 March to downgrade the utility and alter drastically the involvement the private commercial partners were to have in the project. I have been reliably informed that Digital, EDS, BHP/IT and Andersons—some of the world's largest computing firms in information technology—have expressed strong feelings of alienation to the Government because they were totally ignored in the latest decision to downgrade the Information Utility. It was further pointed out to me that, having collectively spent $4 million on the Information Utility, the commercial partners are most unlikely to play any further part with this Government in any revised Information Utility.

The Hon. M.D. RANN: The honourable member probably will not name his sources. If he had bothered to telephone me—perhaps he could have borrowed a telephone from the ABC for 8 cents a day and no questions asked—we might have saved the House a lot of time, because these things were in fact canvassed in the media two weeks ago, but somehow, although they could not knock Waco, Texas, off the headlines last night, they think that the media is silly enough to run the story again. The simple facts are that (1) the Information Utility will proceed; (2) it will involve the private sector; and (3) it will substantially include people who have been involved in the process so far in order to identify what is viable in terms of the future of information technology in the Government sector.

I did speak to the head of Digital, Mr Larkin, who was in Boston. We had a very fruitful discussion about David Major regarding one of the options that he put up as a business case which did not stack up. I suggest the honourable member get hold of his mobile telephone, call Ron Larkin, the head of Digital, and get the truth. As for the private sector, I should tell members opposite that on Friday I signed a strategic partnership agreement with Telecom worth many millions of dollars of savings to the State Government. I am meeting Digital next week, and I have already had talks with EDS.

PRIMARY INDUSTRIES DEPARTMENT

Mrs HUTCHISON (Stuart): Will the Minister of Primary Industries inform the House of the possible impact and benefits to country areas of the location of four of the new general manager positions associated with the Department of Primary Industries? As part of the restructuring of the former Departments of Agriculture, Fisheries and Woods and Forests into the new Department of Primary Industries, I understand a number of new general manager positions have been created and are soon to be appointed. Of particular interest to me is the fact that the managers for field crops, livestock, horticulture and forestry will be based in the country.

The Hon. T.R. GROOM: I appreciate the honourable member's question, which involves a most important decision, and it will be welcomed in country areas. Following Cabinet's consideration of the ODR of the department in March, I have decided that the field crops commodity line general manager will be located somewhere in the Mid North. I have not exactly decided the location as yet, but I will seek some representation in relation to that. With regard to horticulture, that will be located at Lenswood; livestock will be located at Flaxley; and the forestry general manager will be located at Mount Gambier—

Members interjecting:

The Hon. T.R. GROOM: Well, I'm glad you read the local press.

The SPEAKER: Order! If the Minister would direct his remarks through the Chair, the interjections would not be encouraged.

The Hon. T.R. GROOM: I am actually concerned that the Opposition treats this matter flippantly, because it is a very positive step—

Members interjecting:

The Hon. T.R. GROOM: I know the Opposition does not like to hear the Labor Government from this side of the House making these inroads into country areas. The decision will be welcomed by rural South Australia, because there is no question that there is a view in rural South Australia—and since I have been Minister I have travelled extensively throughout the State—on the part of country people that many of the decisions that affect them are actually made in the city. By placing these management lines—bureaucrats if you like—in country areas, it will ensure the decision making does go to the country where the production base is, and it will give the country ownership of these management lines. It will be extremely welcome, and it is an essential move towards the way in which decision making is located in areas where production takes place.

It is not a matter that should cause this sort of reaction on the part of the Opposition. I thought there would be a great deal of unanimity on this decision, because it is one the Opposition has sought over many years, and some members of the Opposition have specifically made representations to me in relation to it. This is a good example of the way in which a Primary Industries Department should function, not as a city-based organisation but as one that does function and has its management structure very significantly in rural areas.

INFORMATION UTILITY

Mr SUCH (Fisher): My question is directed to the Minister of State Services. What is the latest revenue assessment for the revised version of the Information Utility following the Cabinet decision on 22 March to downgrade the utility? According to information given to the Liberal Party, three years ago the estimated revenue from the Information Utility was $300 million per annum. This was revised—

Members interjecting:

The SPEAKER: Order!

Mr SUCH:—to $150 million in February 1993, but the Premier has now conceded that the size of the utility has been significantly altered.

The Hon. M.D. RANN: This is rather strange for the Opposition, because presumably members opposite would want us to pursue a partnership agreement that was in the interests of the South Australian taxpayer. That is our clear responsibility, and that is what we will do. In fact, whilst the Information Utility project has been proceeding, substantial progress has been made in rationalising Government communication facilities—

Mr Quirke interjecting:

The Hon. M.D. RANN: That is interesting. I can assure members that the member for Kavel did not and will not apply for any MFP jobs: he has some bigger fish to fry. The fact is that, whilst the Information Utility project has been proceeding, substantial progress has been made in rationalising Government communications facilities which have already produced substantial savings for the State Government, estimated to be around $20 million already, while other initiatives in train will produce savings of $3 million per annum. I would like to see members opposite all stand up and applaud and say, 'That's great: we're saving money.' Members opposite want us to embark on one particular alternative, that is, a proponent by one particular man, that would cost the taxpayer money. This Minister will not be a mug.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: The real question that everyone wants to ask is: is it true that yesterday—

Members interjecting:

The SPEAKER: Order! The Minister will resume his seat. If the Chair cannot hear the answer, I am sure no-one else in this House can. I ask the House to come to order. I ask the Minister to be very careful of the words he uses because they do engender a reaction.

The Hon. M.D. RANN: Thank you, Sir, but the fact is that we all remember the former Minister of Agriculture, the member opposite, the Leader of the Opposition, who invited us down to open technology tent. We will not be that sort of mug. When we launch the Information Utility, he can come along and see the substance of the example. The one question to which the media want to hear the answer is: is it true that yesterday you threatened to quit your seat if you are rolled from the leadership?

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: Did you threaten to quit your seat?

Members interjecting:

The SPEAKER: Order! The member for Goyder is out of order. Question Time is totally in the hands of members. If you do not want any questions, carry on as you are and somebody will pay the price: if you want questions, I ask you to comply with your own Standing Orders, under which interjections are out of order. The honourable Minister.

The Hon. M.D. RANN: Certainly the link will remain between the MFP and the Information Utility. I invite members of the Opposition and the media to contact Digital, either its headquarters in Boston or Mr Ron Larkin, in view of our discussions over the past few weeks and next week. If you really think that he is complaining, get him to come out publicly and say so, because that is not what he is saying to me.

Politically, it may be worth noting that the Opposition's rhetoric has been that the Government should stay out of running business. The original IU concept would have seen the Government as a shareholder in a private sector operation. You would all scream blue murder about that. David Major's proposition did not stack up, and that is why it is not being backed. The one that will be backed will stack up. In the meantime, the Leader of the Opposition does not have the guts to tell us what is really going on: did he threaten yesterday that he would quit his seat and cause a by-election if he was rolled from the leadership?

Members interjecting:

The SPEAKER: Order! If the House will come to order, we will continue with Question Time.

RACING INDUSTRY

Mr HOLLOWAY (Mitchell): Will the Minister of Recreation and Sport inform the House what steps he has taken to increase stake money for the racing industry?

The Hon. G.J. CRAFTER: I am pleased to advise all members of the series of measures that have been taken by the Government in recent months to assist the racing industry in this State which is going through a particularly difficult time. Obviously, no individual measure will assist the industry. The situation existing in this State is similar to that existing in other States around Australia. However, the support that we are giving bookmakers to keep them as a viable section of the racing industry is important, as is our support for the South Australian Jockey Club, through the establishment of its auditorium to provide additional services to punters, the general community in this State. Last Wednesday I announced that $2 million in additional

stakemoney would be made available at the rate of $1 million per year for the next two years.

The funding has been released through funds available to the Racecourses Development Board, and that board has for some time now been considering ways in which it can assist the racing industry in this State. The provision of the finance over a two year period has been made possible through the restructuring of industry funding allocations by that board. In accordance with the Racing Act, the funds will be paid to the controlling authority, the South Australian Jockey Club, to distribute in accordance with the approved scheme of distribution of TAB profits.

Based on the current approval scheme, the additional funds are expected to be allocated on the formula which would provide to the SAJC $1.317 million, Oakbank Racing Club $61 000, provincial clubs $341 000 and country clubs $279 000. A number of conditions are attached by the Racecourses Development Board to the allocation of those funds. First, funds will be applied to standard type races only as distinct from group and listed races or feature races. Secondly, no additional races or race meetings are to be programmed in South Australia.

The recommendations of the Racecourses Development Board to support the racing code with stake money subsidies is a short-term measure to assist a significant industry, which is a major contributor to this State's economy. The release of an important report by ACIL last year into the racing industry confirmed the economic significance of the racing industry Australia wide. In South Australia the racing industry's contribution to the GDP was reported to be $175 million, and direct employment involved 11 270 people, which amounts to 2 890 full-time equivalents, which is indeed a very important sector of this State's economy.

STATE BANK

Mr S.J. BAKER (Deputy Leader of the Opposition): Will the Premier ensure that the investigation into the doctoring of the State Bank Board minutes covers all the matters identified in the letter to him from the Leader of the Opposition this morning, and will he also ensure that it is an independent investigation?

The Hon. LYNN ARNOLD: I answered this question yesterday and indicated that I would refer the matter to my colleagues, the Treasurer, who is the Minister responsible for the State Bank Act, and the Attorney-General. I received a letter this morning from the Leader on this matter in which he raised a number of questions. Those questions will be referred to both of my ministerial colleagues. As I said yesterday, if there is anything new to report on this matter that has not already been canvassed either in this place or in the evidence before the royal commission, I will advise the House. When that process has been completed, I will let the Deputy Leader know.

HOUSING INDUSTRY

Mr QUIRKE (Playford): Will the Minister of Housing, Urban Development and Local Government Relations advise the House of the prospects for the South Australian housing industry and for young South Australians looking to buy their first home? It was reported in the *Advertiser* yesterday that Australia's housing market had peaked and was now on a trend of continued slow decline.

The Hon. G.J. CRAFTER: I thank the honourable member for his question. Certainly the continued strength and growth of the housing industry is vital to this State's economic recovery and, indeed, to ordinary people of South Australia looking to achieve home ownership, particularly young families. The figures to which I think the honourable member is referring are the Australian Bureau of Statistics national housing finance approvals which showed a 1.9 per cent drop in housing finance approvals for February 1993 compared with the January 1993 figures.

It is, of course, important not to take one month's figures out of context since factors like the weather or the number of working days can distort them. Contrary to the newspaper report, I think we will find that the overall trend for the housing industry in South Australia continues to look very good indeed. I think that has been echoed in recent weeks by industry spokespeople. If we compare the figures quoted in the report to those of February 1992, we see that they are indeed 13.7 per cent up over the 12 months. The recent forecast of the Indicative Planning Council, which the Deputy Prime Minister recently described as conservative, estimates that dwelling commencements in South Australia will rise by 5.45 per cent over the final quarter of 1992-93.

I have consistently said in this House that South Australia's housing industry is structured very differently from that of other States. One cannot take national housing figures and suggest that they reflect what is happening in housing in this State. South Australia has far more encouragement for the housing industry than other States—unique initiatives like the Urban Lands Trust and Homestart Finance. South Australians continue to benefit from this Government's housing policies, which means that they continue to enjoy some of the most stable and affordable housing in this country.

Housing policy in this State is one of the most understated good news stories. I hope that in the not too distant future members opposite will state what their policies are so that South Australians can have a clear choice in housing policy, which is so important to the well-being of people in this State. With more than a dozen consecutive drops in home loan interest rates over the past three years and with inflation amongst the lowest in the OECD, buying a house today is clearly an attractive proposition to many first home buyers. South Australia's housing industry is strong and the prospects for first home buyers remain very good.

ENVIRONMENT AND LAND MANAGEMENT MINISTER

Mr BRINDAL (Hayward): My question is directed to the Premier. Why did the Minister of Environment and Land Management abuse his power by calling out public servants on a Saturday to slap an urgent

conservation order on a tree only a few doors from where he lives—

The SPEAKER: Order! The honourable member will resume his seat. The honourable member certainly has the right to ask a question relevant to an incident. However, the allegation of abuse of power takes the question out of Standing Orders. I ask him to be very careful about the words he uses in relation to that allegation.

Mr BRINDAL: Will the Premier investigate whether the Minister abused his power by calling out public servants on a Saturday to slap an urgent conservation order on a tree only a few doors from where he lives; what did this action cost the taxpayers; will the Government reimburse the property owner affected; and, if this is fact, will he sack his Minister if he did abuse his power?

Members interjecting:

The SPEAKER: Order!

Mr BRINDAL: On 20 February this year, which was a Saturday, a tree advisory officer from the Botanic Gardens and a number of other Government and council officials presented themselves at 35 Hughes Street, Unley, a private address only a few doors from the Minister's home. As a result of phone calls made by the Minister, I am advised that in total 13 people were on the property at one time for the tree to be inspected. Immediately after the inspection, still on the Saturday, the Minister directed that an urgent conservation order be prepared and issued, placing the tree on the interim heritage list.

The owner of the property took legal advice which indicated that the Minister's action did not comply with the State Heritage Act, a fact that now appears to have been conceded with the Minister's announcement in the last *Government Gazette,* 'I am now of the opinion that the item should not be entered in the register.' Residents of Unley are asking whether the Minister will take the same action every time a resident wants to trim his tree and whether the Minister will reimburse the property owner affected by this action for the considerable expense that he incurred while protecting his rights.

The Hon. LYNN ARNOLD: I regard this—

Members interjecting:

The SPEAKER: Order! The question was important enough to be asked. The answer is therefore important enough to listen to.

The Hon. LYNN ARNOLD: I regard this question from the Liberal candidate for Unley, who seems to pay no attention to his constituents in Hayward, as a disgrace. I will tell members why I regard it as a disgrace—

Members interjecting:

The SPEAKER: Order! The member for Murray-Mallee is out of order. When the Chair is speaking the House will come to order. The Premier will resume his seat. The member for Hayward.

Mr BRINDAL: I rise on a point of order, Mr Speaker. That was a direct reflection on me, and I ask the Premier to withdraw and apologise.

Members interjecting:

The SPEAKER: Order! The member for Hayward has requested a withdrawal.

The Hon. LYNN ARNOLD: Mr Speaker, has he asked that I withdraw my remark that he is the Liberal candidate for Unley or that he is the member for Hayward?

Members interjecting:

The SPEAKER: Order! When the House comes to order we will clarify the position.

Mr BRINDAL: The Premier quite specifically said that I am failing to represent my electors. That is a reflection and I ask for an apology and withdrawal.

The SPEAKER: I uphold the point that it is a reflection and ask the Premier to withdraw it.

Mrs Kotz interjecting:

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

The Hon. LYNN ARNOLD: I will withdraw, Mr Speaker. It is quite clear that the honourable member believes he is representing the interests of the constituents of Hayward by doing things in another electorate. I will withdraw.

I want to make the point that I believe that this question is a disgrace. It is a disgrace that the member has chosen to ask this question today. He said it was after something took place on a Saturday. I thought, 'Well, maybe he did not have the information yesterday.' I wonder why he did not have the guts to leave the question until tomorrow when he could have asked the Minister directly instead of waiting for the Minister to be away at a funeral, as he is today. He is at a funeral, and that is well known to members opposite. I find that a disgrace.

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: It turns out that this occurred on a Saturday many weeks ago—in fact, 20 February. If he has had this information all that time, with the Minister sitting in this place at every other Question Time, the honourable member could have had the guts to stand up and say, 'Minister, what is your answer to these allegations? Give us your answer.' I am not going to answer these questions until the honourable member has had the guts to get up in this place and ask the Minister these very same questions. The honourable member's behaviour is quite disreputable, and I am ashamed to think that he would take part in such activities. That is the kind of thing that—

Mr D. S. Baker interjecting:

The SPEAKER: The member for Victoria is out of order.

The Hon. LYNN ARNOLD: —we have been used to from members opposite, who seem to have some particular vendetta against the member for Unley. I know why that is the case with respect to the member for Hayward—he is simply trying to score cheap political points, yet he does not have the courage to do it face to face with the Minister. He seeks instead to do it by some back door method. I was asked a question, but I will not respond to the allegations until the honourable member has had the courage to ask the Minister a question about this matter.

HOMESTART

The Hon. J.C. BANNON (Ross Smith): Can the Minister of Housing, Urban Development and Local Government Relations advise the House of any differences between the State Government's HomeStart program and the HomeFund scheme operated by the New South Wales Liberal Government? There has been considerable publicity recently about major problems and indeed tremendous disadvantage to home owners under the New South Wales Government's HomeFund scheme. In fact, a recent move to censure a Minister in the New South Wales Parliament was only narrowly defeated, and a select committee into that scheme has been appointed. In addition, it has been reported today that the New South Wales Government is proposing some sort of assistance package running into many millions of dollars for some of those who have been disadvantaged under this scheme.

In today's *Financial Review* it is reported further that those institutional investors holding FANMAC Limited bonds are threatening to reduce their exposure to New South Wales Treasury Corp stock because of the Government's $120 million relief plan for HomeFund borrowers. It also quotes the representative from Rothschild as saying:

> Heaven forbid that we would have to start buying insurance for political risk for securities issued by the New South Wales Government.

The Hon. G.J. CRAFTER: I thank the honourable member for his question. Certainly I can outline some of the very substantial differences between the schemes established in this State and those in New South Wales where it seems that short-term political gain overrode good economic planning and advice. HomeStart's strategy over its first four years of operation is to assist over 16 000 South Australian households to obtain home finance. It is well on its way to meeting that objective, and it has been very much a corner piece of the housing industry in this State during these most recent and difficult years.

Statistics show that HomeStart loans from the commencement of the program to October of last year accounted for 18 per cent of the South Australian market dwelling approvals for construction and 11.6 per cent for established properties. In New South Wales the Government's low start loan scheme has been subject to heavy criticism and, as the member for Ross Smith said, two very expensive bail-outs. This, I suggest, is based on a number of factors: first, low income earners are locked into expensive fixed rate loans that are much higher than those obtainable in the market place. Secondly, repayments are rising at 6 per cent per annum, which is well above the rate of inflation and, of course, the growth in wages. Thirdly, there is the use of a ballooning loan in a market where house prices have declined, locking people into a loss if they wish to sell. That has been particularly prevalent in New South Wales where costs of houses are way in excess of those that are obtainable in this State.

On the other hand, South Australia's HomeStart scheme is not subject to the same concerns. HomeStart is based on an inflation index variable loan that has closely tracked market rates. In fact, since the commencement of the program HomeStart rates have generally been lower than those obtainable in the market place. Secondly, HomeStart repayments are increased annually in line with inflation. That certainly is a very substantial factor in ensuring that they remain affordable and within the means of ordinary families. Thirdly, the Adelaide real estate market is less volatile than Sydney's. Adelaide tends to be characterised by moderate but steady growth with a periodic boom. Sydney tends to have strong boom/bust cycles with prices see-sawing. This produces additional risk for the borrowers if they purchase towards the end of the boom, and that is unfortunately the case in New South Wales and not the case in South Australia.

NICHOLLS CASE

Mrs KOTZ (Newland): Will the Minister of Correctional Services give a guarantee that there will be no political interference to block any application to his department for the immediate release to home detention of former ABC journalist Chris Nicholls? The trial of Mr Nicholls has been described in the court and publicly as politically motivated. His sentence of four months has been described as unduly harsh for refusing to identify the source of information which showed that a Minister had failed to disclose conflicts of interest.

Members interjecting:

The SPEAKER: Order!

Mrs KOTZ: I am advised that there is ample precedent for releasing real criminals to home detention, including one recent example where an offender convicted of armed robbery and sentenced to five years gaol with an 18 month non-parole period—

The Hon. J.P. TRAINER: I rise on a point of order, Mr Speaker. It is possible, where an appeal is being considered, that the matter could fall within those categories that the Parliament has traditionally considered *sub judice.*

Members interjecting:

The SPEAKER: Order! To my knowledge, as an appeal has not been lodged I will not uphold the point of order.

Mr ATKINSON: Mr Speaker, I rise on a point of order. I would think the matter would remain *sub judice* until the period during which the defendant is permitted to appeal—

Members interjecting:

The SPEAKER. Order!

Mr ATKINSON: It would remain *sub judice* during the period that the defendant is permitted to appeal remains open.

The SPEAKER: I do not uphold the point of order. It would seem that unless there is an action for an appeal—

Mr D.S. Baker interjecting:

The SPEAKER: Order! If the member for Victoria wishes to make the ruling, he should stand up and do so, otherwise I would ask him to let the Chair make the ruling. As no appeal has been lodged at this stage, I rule that it is not *sub judice.* The decision of the court has been made. The person in question has not yet decided to appeal, and I rule that it is not *sub judice.*

Members interjecting:

The SPEAKER: Order!

Mrs KOTZ: I am advised that there is ample precedent for releasing real criminals to home detention, including one recent example where an offender convicted of armed robbery—

The SPEAKER: Order! The explanation of a question should be pertinent. I would suggest to the member for Newland that she is very close to debating the question—

An honourable member interjecting:

The SPEAKER: Order! I would ask that this line of explanation not be continued because it is not relevant.

Mrs KOTZ: Mr Speaker, I ask you to take into consideration the fact that the question does not specifically—

The SPEAKER: Order! The Minister does not have to take that into consideration. The question, as the Chair understands it, is that it will not make any interference in the decision or interfere with the decision of the court, and the Minister will not make a decision on the penalty applied anyhow.

Members interjecting:

The SPEAKER: Order!

Mrs KOTZ: As the question relates to home detention, I am further advised that there have been many other cases where people with sentences longer than four months have been released—

Mr HAMILTON: On a point of order, Sir, it appears that the honourable member is flouting your ruling.

The SPEAKER: I will not uphold that point of order at this stage. I am not sure what line the honourable member is taking. The question has been asked. We have taken up considerable time with it. I ask the Minister to respond. I think the honourable member has explained the question.

The Hon. R.J. GREGORY: My understanding of home detention is that, when people are eligible, they make application. It is also my advice that—

Members interjecting:

The SPEAKER: Order!

The Hon. R.J. GREGORY: When people are in prison and are eligible for home detention, they are advised of their rights. They then make application and are assessed as to whether or not they are suitable. That applies to all prisoners who are eligible. If the member for Newland, by asking this question of me—and in particular the question asked yesterday by the Deputy Leader—indicates that members opposite would interfere with the judicial process, I find that insinuation abhorrent. It makes a mockery of the separation of powers. It indicates what the member for Newland would do if she were lucky enough to ever be the Minister of Correctional Services: she would interfere. Perhaps she would want to pull the lever to hang people if capital punishment were brought back.

That is what members opposite are on about. They are on about interfering in the process. It is something that I keep right out of, because I believe it is the appropriate thing for officials to do in applying the Act as enacted by this Parliament—not to interfere in it and not to carry on the way members opposite have, indicating their intentions, as the Deputy Leader did yesterday. He ought to know better than to suggest that we would interfere in that process.

Members interjecting:

The SPEAKER: Order!

PREMIER'S REMARKS

Mr BRINDAL (Hayward): I seek leave to make a personal explanation.

Leave granted.

Mr BRINDAL: I am hurt and offended by comments made by the Premier in this Chamber in responding to a question that I asked today. I have always found the Premier to be a man of great probity and, therefore, I seek to make this explanation.

The SPEAKER: Order! I think the member for Napier is on his feet, but it is hard to tell with members moving around the Chamber. Is the member for Napier on his feet?

The Hon. T.H. HEMMINGS: Yes, Sir, I am.

Members interjecting:

The SPEAKER: Order! The member for Goyder will not be here to laugh in a minute. That is the second time I have had to speak to him. The honourable member for Napier.

The Hon. T.H. HEMMINGS: I might be small, Sir, but I have a big heart. My point of order refers to Standing Order 108, which refers to personal explanations and which provides:

> By leave of the House, a member may make a personal explanation even if there is no question before the House. The subject matter of the explanation may not be debated.

My point of order is that the member for Hayward, in talking about the Premier being a man of honour, is debating the question and not making a personal explanation.

The SPEAKER: Order! The honourable member will resume his seat. I uphold the point of order. I ask the member for Hayward to be specific in his personal explanation.

Mr BRINDAL: I will, Sir. I had no knowledge today of the Minister's whereabouts. As you know, Sir, I approached the Chair during Question Time and asked the Chair whether the Minister was absent. It is a fact that at that stage, Mr Speaker, you had no knowledge of the Minister's whereabouts, as I did not. Similarly, the Whip did not inform me that the Minister was at a funeral, so I had no knowledge as to that. As to the suggestion that I was not prepared to ask the Minister, I refute that, and I am willing to show any member the question that was originally to have been addressed to the Minister regarding the allegations.

As to the allegation that I have had months to do this and chose to do so only today, I draw the attention of the House to the fact that the decision not to place the tree on the interim heritage order was made in the *Gazette* which was published last week. It was drawn to my attention yesterday, and I have spent the time between its being drawn to my attention and today—

The SPEAKER: The honourable member is very close to debating the issue.

Mr BRINDAL: This was the first available opportunity on which I could ask this question in the House, and I therefore exercised my option.

The SPEAKER: Order! I think the honourable member might have made a personal explanation.

Mr BRINDAL: Well, that will do, anyhow.

MEMBER'S REMARKS

The Hon. J.P. TRAINER (Walsh): I seek leave to make a personal explanation.

Leave granted.

The Hon. J.P. TRAINER: In the course of his personal explanation concerning his having asked the Minister of Aboriginal Affairs a question in his absence, the member for Hayward has just used words to the effect that the Whip did not personally inform him that the Minister of Aboriginal Affairs was absent from the Chamber. I have no responsibility to do that for every member of the House. I did, however—

Members interjecting:

The SPEAKER: Order!

The Hon. J.P. TRAINER:—bring that matter to your attention, Sir, so you could, as it turned out, announce to the House that the Minister of Aboriginal Affairs would not be present and that other Ministers would take his questions.

GRIEVANCE DEBATE

The SPEAKER: Order! The proposal before the Chair is that the House note grievances.

Mr QUIRKE (Playford): A couple of weeks ago, I asked a question of the Minister of Tourism, representing the Minister of Transport Development, about increased speed zones on some roads in my electorate. In fact, some time before that, the member for Albert Park addressed the same issue and, in a grievance debate, raised a number of important issues. When I asked that question, I drew particular attention to the problems of Grand Junction Road. It is a very busy road, one which carries a large volume of commercial traffic. In fact, I would suggest that it is one of Adelaide's major arterial roads for commerce, and the sorts of trucks that go up and down that road—and it is literally up and down that road in my electorate, because it is quite steep in places—are a particular danger to the pedestrian and vehicular traffic on that road or crossing it.

Houses on Grand Junction Road in my electorate do not have the privilege of a service road. They do not have some of the other features that have been used by the Department of Road Transport in other areas to allow with safety the flow of traffic out of houses onto the road and off the road back into driveways. Although there are some crossings on Grand Junction Road, it is a very busy road, and it would be silly to have crossings every 100 yards, because traffic would not be able to flow along that road at all.

Before that speed zone was changed from 60 to 70km/h, a much more detailed investigation should have taken place, particularly with respect to the safety of pedestrians crossing Grand Junction Road to attend the Enfield High School. I know it has been the policy of the RAA to push the Department of Road Transport to lift speed zones in some areas. In some areas;, it may well be appropriate that speed limits be reviewed and some increased. There is already a serious problem on Grand Junction Road, as well as a large number of accidents and safety problems, particularly for students crossing Grand Junction Road—a three-lane road with a great deal of fast moving and commercial traffic on it. Therefore, I doubt whether it is appropriate that the speed limit on that part of the road should be 70 km/h.

I can understand the RAA's endeavour to represent its members and to have a narrow, sectional interest in terms of dealing with simply the problem of traffic flow, but in this House and in government we must have wider considerations, and those considerations must at all stages be for the safety of our constituents out there who must cross these roads and drive on them. I therefore tell the House today that many constituents from this section of Grand Junction Road have approached me, principally from that part that is sandwiched between Briens Road and Main North Road, to urge the Department of Road Transport to consider and reverse the decision—to decrease the speed limit from 70 km/h to 60 km/h, as has applied for many years.

I also take this opportunity to indicate that, given the volume of traffic using that road, it is about time the Department of Road Transport started to look at some road design features that will help some of these constituents to move in and out of their driveways instead of moving directly into the path of oncoming traffic which, in many instances, is travelling at speeds much greater than 70 km/h.

Mr OSWALD (Morphett): I would like to bring to the attention of the House a matter that would be of great concern to anyone who is involved with university students who are seeking to graduate. A case was brought to my attention this morning concerning the daughter of one of my constituents who is now fully qualified through the university but who is unable to graduate at the forthcoming ceremony because she was two days late in paying her union fees. The matter is of concern and should be ventilated. This morning I contacted the member for Murray-Mallee, who is the Opposition's representative on the University of Adelaide Council, and I asked my colleague to take up the matter with the Registrar and the Academic Registrar as a matter of urgency and bring back a report. That is taking place but, unfortunately, neither of those Registrars was available this morning before Question Time; no doubt we will hear from them tomorrow. I would also like to take up the matter with the Minister of Education, Employment and Training; I ask her to take up this issue with the university as a matter of urgency.

The circumstances are as follows. This young lady undertook a year of political science at Flinders University. After another five years, she has now completed an Arts-Law degree, obtaining BA and LLB degrees. In her final year in 1992, she received three

distinctions, two credits and three passes: a commendable pass rate. This lady has been on Austudy and receives rental assistance. She works on weekends as a registered nurse to help pay her way, and she has had a few health problems over the course of time; nevertheless, she has had the drive and initiative to succeed, and now has the academic side of her training behind her. But she has now been told that she cannot graduate on 4 May because of the non-payment of union fees of $280.

When she received the notification in the mail, she called at the Registrar's office and tried to arrange for late payment, on the basis that she went in there only two days late. Through the parents, I have now had verified that the Academic Registrar was contacted and said that nothing at all could be done about it, because it was a matter in which the university was not involved. Indeed, I have a copy of the letter from the Academic Registrar to this student, and it states:

> As you have not met your outstanding union fee of $280 by the due date, your application has been withdrawn. If you complete this requirement before the next commemoration ceremony and wish to apply for your award at that ceremony you will be required to lodge another form of application.

So, the situation now is that she cannot obtain her degree outside a graduation ceremony, the next one is in October 1993, and she cannot use the letters 'LLB' after her name until the union fees are paid. The effect on this lady's future could be catastrophic. She will not be able to claim 'LLB' on her applications for employment, even though she is currently undertaking legal practice studies at the University of South Australia.

This is bureaucracy gone mad; it is pandering to union pressure and is something that this Parliament should do something about redressing. It was only two days late. She went in there to pay her money and it was not accepted. She cannot attend the graduation ceremony and is now being rolled off to the second ceremony later this year. An opportunity for employment is now being denied her, because she cannot put in her application with the degrees listed, as she cannot go to the ceremony for the formal handing over of the certificate. It does not detract from the fact that she is fully qualified and, with the pass rate she has obtained, she should be receiving every assistance to get out there and become established in her legal career. I call on the Government to do something about this issue—to get in touch with the Academic Registrar and to facilitate this young lady's paying the $280 so she can graduate next month.

Mr ATKINSON (Spence): Compulsory voting in council elections, taxpayer funds for all local government candidates, bigger expense allowances for councillors and funding for special lobby groups are among the South Australian Conservation Council's proposals for changing local government in South Australia. These proposals are outlined in a discussion paper issued by the Conservation Council, with the help of residents associations, including the Hindmarsh Residents Association. The paper states that the average turnout in council ballots remains below 25 per cent. To lift the rate, it argues, the requirement of compulsory attendance at a State or Commonwealth polling booth ought to be extended to local government. This would mean that people could be fined for not turning out to vote at all three levels of government and that they could be forced to attend a polling booth up to three times a year.

Public funding of the campaigns of all local council candidates is also advocated by the Conservation Council. It states that the cost of running for Mayor in a big municipality could be up to $10 000 and that private donations to such a campaign 'open the door to corruption'. It recommends that 'equitably sourced public funding be provided for candidates to positions on a sliding scale, providing larger amounts for larger voting rolls'.

An honourable member interjecting:

Mr ATKINSON: I will come to that. By providing taxpayers' money to all candidates, the paper argues, the incentive to seek private contributions would be diminished. Just as the Conservation Council is against voluntary voting, it is also concerned about voluntary service in local government. It states that 'the unpaid nature of elected council representation' is a disincentive to serve for all but vested interests. It argues that current expense allowances for councillors are too low and are kept that way because the maximum allowance is set by majority vote of councillors, who are responsible to voters.

It proposes to remedy this so that 'individual elected members be allowed to claim any amount of expenses within limits prescribed by law, and further proposes that a ceiling not be set by each council'. The paper goes on to express concern that some people are not eligible to vote in council elections because they are under voting age or are short-term tenants. It argues that the disabled, cyclists, Aborigines and activists of various kinds 'may lack representation'. Its proposed solution is that 'councils formally fund special lobby groups'.

These lobby groups would include youth, disabled, short-term tenants, working parents, small business, heritage, environment and Aboriginal groups. Other proposals in the paper are:

1. A commission of inquiry or summit on the constitutional allocation of responsibility between the Commonwealth, the States and local government.
2. Keeping the main taxation impost with 'progressive Commonwealth taxation and broad based State duties', and minimising what it calls 'narrowly based regressive council rates'.
3. Changing the title of 'alderman' to 'alderperson' because 'some people find the former title gender specific and offensive'.
4. Abolishing single member wards 'because they are known through long experience to be unrepresentative and undemocratic' and replacing these with multimember wards elected by proportional representation as in the Senate.

Members interjecting:

Mr ATKINSON: I note that yesterday Italians had the good sense to throw out that corrupt proportional representation system with which they have been saddled since the Second World War. The paper continues:

5. Allowing a councillor who resigns from a multimember ward mid-term to nominate his or her replacement in lieu of a by-election.
6. Abolishing the requirement that a candidate for alderman or mayor has previously served as a councillor.
7. Publishing division lists showing how all councillors vote on matters before the council.

I would like to comment on the Conservation Council's paper, but I shall do so on another occasion.

Mr OLSEN (Kavel): During Question Time today the Premier indicated that the Information Utility downgraded would evolve. Yes, it is evolving, Mr Speaker: it is evolving into a mere skeleton of its former self. The decision to change the structure of the Information Utility represents the potential for a monumental financial blunder by the Government. What it effectively has done is put at risk the multifunction polis, or one of the key planks of the multifunction polis. It has alienated large technology companies with world-wide reputations and influence which have been involved with the Government negotiating to this point of time and which spent millions of dollars with the Government to develop the scheme and the project to the point of last month. This change by the Government is from a partnership with the private sector, with a commercial spread of risk, back to a contract with the Government where the Government accepts the whole risk. That is the sum total of the decision of Cabinet of 22 March.

What it will do is put at risk the viability of the Information Utility and discard millions of dollars of potential high tech investment for this State—that has been ignored—and, in doing so, disregard the advice of the new MFP chairman, Mr Alex Morokoff, a businessman of some note throughout Australia, and the utility's Chief Executive Officer, Mr David Major. I guess one should not be surprised, because the track record of this Administration over the past 10 years has demonstrated its complete lack of business understanding. Time and time again this Government has got it wrong in terms of business enterprises and commitment of taxpayers' funds.

The Hon, B.C. Eastick: The State Bank revisited.

Mr OLSEN: The State Bank revisited—or Marineland, for which the current Premier is directly responsible. I remind the House, Mr Speaker—and I am sure members do not need reminding, but to refresh their memories—that the person who presided over the Marineland debacle is the present Premier of South Australia. The Government's failed projects, missed opportunities and wasteful mismanagement have been littered through its 10 years' administration. There is not much doubt that this Government has enabled us to be established, in commercial terms, as the laughing stock in the commercial world. We are ignored by investors and, given this last episode involving the Information Utility, it is no wonder.

The Minister at the table laughs. The Minister at the table was responsible for the Timber Corporation. This Minister presided over the loss of tens of millions of dollars of taxpayers' money. What a track record to look back on your contribution to the State—to preside over an enterprise that lost taxpayers tens of millions of dollars! That will be his epitaph, and not a very proud one, when it is hoisted on the next election day. I guess the Minister ought to go back to school teaching, although I hope he never has the opportunity to teach any of my children, given his track record in this place.

Let me deal with each of the incriminating features of the Government's latest debacle. The Information Utility was to have been one of the three key building blocks of the MFP. That is how it was established in the first place; that is how former Premier Bannon announced it; that is how current Premier Arnold last October supported it—as one of the three key building blocks of the MFP—and that was to be included with education and health. Information technology was going to march this State proudly into the twenty-first century. The registration of interest issued by the Premier's own department in 1992 stated quite specifically that the Information Utility was essential to the viability of the MFP.

As our questions today identified, not only is the Government ignoring the advice of its own Chief Executive Officer but the new chairman of the MFP has been totally disregarded in relation to a letter that he gave to the Premier on 3 March just weeks before the decision was made—and this advice has now been ignored. The Minister of Business and Regional Development indicated that there were to be strategic alliances with business. What does the CEO say about business involvement? I quote page 4 of his memo:

> It is becoming increasingly difficult to attract industry leaders to board positions with Government organisations.

Is it any wonder! If you are a business leader with a reputation, would you get involved with this Government in any business enterprise if you wanted to keep your reputation intact? Of course not.

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

Mr HAMILTON (Albert Park): Last month I journeyed to Ballarat to participate in the two-day walk which involved people from many parts of Victoria and interstate, and last weekend I drove to Canberra and participated in a two-day walk conducted by Life! Be In It. The reason I raise this matter is that I believe that South Australia is missing out—and missing out badly—in regard to this activity. It is a fact that we have many retired people in our community—that, indeed, this State has one of the highest ratios of retired people per head of population in the country. Many people are looking for activities other than jogging, running or cycling, and walking is one of those activities that many people participate in, and increasingly so.

Yesterday I asked the Minister a question about the upgrading of Linear Park, and in the explanation I gave to the House I indicated that the increase in the use of Linear Park is expected to be some fourfold in the next 10 years. The reason I raise this question of walking facilities and organised walks is that when one looks at what is happening in Europe, for example—and the Minister at the front bench should be aware of it, being of that nationality—one will see that Holland has some 30 000 to 40 000 people participating in an annual walk of 40 kilometres over four days. One can imagine the large number of people who would benefit, particularly in the hospitality industry, from such an influx of people interested in participating in such an event, the like of which occurs, I understand, in many other parts of Europe and also in Japan.

Whilst I was in Canberra I was talking to people who organised the Life! Be In It two-day walk and found that Japanese people were also participating in that event. The event this year was the second of these walks, the first one being last year. Some 600 people participated in that

two-day walk. Imagine the benefits to restaurateurs, the hospitality industry, and so on! Everyone benefits from tourism: there is no question about that. I cannot think of one aspect of business that does not benefit from tourism. The opportunity is here in South Australia and we do not, in my opinion, cater for those people who want to get out and walk, who want to participate and to exercise.

I hope the Minister of Recreation and Sport will address these problems, because the aims of these annual walking events are for people to set their own challenge and performance measure, to enjoy the local scenic beauty and the outdoors, and to promote and encourage personal well-being, community health, enjoyment and an affordable activity.

From my experience of Canberra and Ballarat and this environment, I believe that such walks could be linked in around Grand Prix time and other events here in South Australia when people come from interstate and, it is hoped, from overseas. We could, for example, organise events along the Heysen Trail, the linear park or any part of the metropolitan area around the city.

An honourable member: One Tree Hill.

Mr HAMILTON: Yes; wherever the bug bites. I hope—indeed, plead with the Minister—that he give consideration to those people who want to participate in walking, not just those people who are running, jogging or cycling. We should be providing for such groups in our community. I have a vested interest in this matter, and I make no apology for that. The benefits that would accrue to the hospitality industry in South Australia, if we were to promote this activity as it is promoted in Europe and Asia, would be enormous and it could be linked in as an organised part of a tour of Europe, through Asia and down through Australia, through Canberra, Ballarat and South Australia.

An honourable member interjecting:

Mr HAMILTON: We should be looking into providing more cohesion, as my colleague says, in this area.

The Hon. T.H. Hemmings: The Heart Foundation.

Mr HAMILTON: Indeed, the Heart Foundation and all other appropriate groups could be involved. The opportunity is there; we are looking for those opportunities.

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

Mr MATTHEW (Bright): During Question Time today the Opposition revealed a number of serious problems surrounding the downgrading of the Information Utility. Despite denials by the Government, confidential Cabinet documents signed by the Premier and also signed by his Minister of Business and Regional Development reveal quite a different story from that which the Premier and his Minister would have us believe from their remarks in this House today. These documents, which were discussed at the Cabinet meeting of 22 March 1993, reveal—and I quote in part:

> There is now an increasingly held view within Government circles that the Government cannot justify being a shareholder in the Information Utility unless the Information Utility is a profitable enterprise from its inception. However, it seems that in order for the organisation to be profitable the Government will need to make considerable and questionable concessions.

Those are the words from the confidential Cabinet document that the Opposition has in its possession. They are certainly not the words that the Premier or his Minister used today and are quite different from what they tried to tell this Parliament. The document goes on further to state:

> With that in mind we would rather not put additional effort into establishing a cast iron case for the Government as a shareholder but would prefer to explore alternatives to the original concept of the Information Utility while keeping its objectives firmly in mind.

Those confidential documents to Cabinet indicate quite clearly that the Information Utility concept is to be changed, and changed quite drastically. It is interesting to look at what alternatives the Government may have before it for that downgrading. Again, the Cabinet documents give us an insight. I again quote, in part:

> ...an alternative to the formation of the IU as a new organisation... will involve a substantial upgrade of the role and organisational status of State Systems. State Systems in its expanded role would become the vehicle through which those areas of across-Government systems would be implemented. In addition, it would be the organisation for entering into strategic alliances with the private sector.

The Cabinet is examining entering into strategic alliances with the private sector, the private sector which I revealed in this Parliament today has already, through just four companies—Digital, EDS, BHP/IT and Andersons—blown $4 million on the information technology. These companies were not consulted about the downgrading of the Information Technology concept, and they have made it known in no uncertain terms that they are angry and are most unlikely to participate in any revised utility now planned by this Government. They wanted to be financial partners, sharing the risks and profits, as all partners do in such ventures.

Not only have they been rejected without warning or without consultation, but the Government has effectively made itself a competitor in the information technology field. What a master stroke, what an inspired piece of political strategy that was. These companies wanted to grow and prosper in this State. They have put their money forward in good faith and now they join the long list of large and small companies that have been failed and let down by this Government, and in so doing the viability of the Information Utility has been put at serious risk. Indeed, the utility's own former Chief Executive Officer, Mr David Major, warned the Government by letter only days before the Cabinet decision that the revised project was financially risky and would not meet efficiency objectives expected by the Government. Cabinet felt that in its collective wisdom it knew better and, backed by the confidence of having a litany of failures behind it, this Government has manufactured yet another debacle, and in so doing has turned its back on millions of dollars of potential revenue in high tech for South Australia.

The Information Utility was to have produced revenue of $300 million a year: that was the anticipated figure touted by this Government just three years ago. Suddenly, in February this year it was revised down to $150 million, just one month before the Government

further downgraded the project. Heaven knows what the ultimate cost will be to this State. The fact is that more companies have been let down by this Government. This Government continues to run a long list of failures. It has become a laughing stock among major and significant information technology companies not only in Australia but throughout the entire world. This again indicates the Government must go.

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

EXPIATION OF OFFENCES (TRIFLING OFFENCES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 31 March. Page 2769.)

Mr S.G. EVANS (Davenport): In speaking to this matter, I wish to bring to members' notice a case about which I have just written to the Minister concerning a woman who was in Jetty Road, Glenelg, unloading her vehicle for the shop she owned. She had reason to be in a hurry because her daughter had to go back to work managing the shop. She had to take the vehicle a very short distance from the front of the shop down Durham Street, which is a one-way street, and park it at the rear of the building where the shop was located. A police constable witnessed her getting in the car and drive off without the seat belt on, waited until she parked the car and then apprehended her or accused her of driving out without a seat belt after she had got out of the vehicle and walked some distance from it. The lady, being an honest person, admitted that she was driving without the seat belt on.

I believe that that is a rather trivial offence. It was a one-way street, there was no danger of vehicles coming the other way and the vehicle in question was taken from the front of the premises to the rear. In days gone by the constable would have said, 'Lady, you know you should be wearing the seat belt; you know it is an offence even though you are travelling a short distance', and given her that sort of reprimand. But in this case a person who has never had any conviction or fine of any type previously receives an expiation notice for $136, and she is angry. I believe that is the sort of case where people should not pay the expiation notice. We have the law on the statute books, as has been suggested by the member for Eyre, so the court can say that this is a trivial offence and there is no penalty and no conviction.

This Parliament makes laws, but they should be handled with commonsense, and we have all seen examples of this type of operation. Another case occurred in Blackwood where a constable followed a young P-plate driver. The P-plates have an adhesive on them so that they can be stuck to the window of a vehicle. The driver had one plate displayed on the rear window of his vehicle and one on the front window. However, it was a very hot day and, without his noticing it, as he drove away the rear plate fell off the window onto the ledge just below the window. It was obvious to anyone with any commonsense that the driver had attempted to obey the law and simply did not notice that the plate had dropped off either as he got into the vehicle or as he drove along. When I first approached the authorities, they refused to do anything about the matter. When I approached them a second time, they let the lad off.

The lad's father, a man for whom I have some respect, was absolutely irate, and all that action did was bring about in his mind a disrespect for the Police Force. That is the trouble we are now having in society, because these expiation notices have become a taxing measure, a method of raising money, and the police seem to feel obliged to help fill the coffers of the State or are under instructions to do so. In days gone by that is the sort of offence about which the police might have warned you, but that is no longer the case.

On one occasion, I drove a commercial vehicle without a name and address and the weight of the vehicle displayed on the side. I had the vehicle a week, and I was stopped because I had not had it sign written. It was a secondhand vehicle. I had removed the other person's identification plate but I had not affixed the new plate. The constable stopped me, checked it for other matters, brakes or whatever, and then said, 'You realise you should have the name, address and tare weight on the vehicle; please present it to the police station before you use it on the roads again'. I was happy with that; it was commonsense. It was something I knew I had to do; I had not done it; and I did not think it was important to the safety of anybody else on the road, and the constable had the same approach.

I support the measure because it is important that those who attempt to apply the law know that commonsense must prevail. This overriding law will give officers the opportunity to decide whether an offence is serious enough to warrant a penalty. There are many occasions today when I believe that the best approach is to issue a warning, and I know that on occasion the police do not pursue trivial matters. However, we should have the protection of the law such that, where they do, we have the opportunity to go to the court and have it wiped out as a trivial offence. I hope that the House will support the measure put up by the member for Eyre.

Mr BLACKER (Flinders): The proposal brought forward by the member for Eyre draws to my attention an experience which involved a young constituent who had P-plates. She went to a party on a Sunday afternoon where some of her friends had a few drinks. On this occasion, they wanted to go from the place of the party back to Port Lincoln to pick up clothing, or something like that. The boyfriend, in whose car they were travelling, wanted to drive. He had had a drink or two and, therefore, should not have been driving. Two other girlfriends who were with them suggested that my constituent should drive because she had P-plates, had not been drinking and should really be the one responsible for the car. The lass made a slight indiscretion in that she did not take the P-plates off her own car but drove her boyfriend's car back into Port Lincoln without P-plates. Her only indiscretion was that she did not remove the P-plates from her own car and put them on her boyfriend's car.

Having driven into Port Lincoln to obtain the required goods, on the way out they were stopped by a random breath test unit. The lass underwent the breathalyser test and proved to be totally in the clear, and it was at that point that the police officers found out that the lass should have been displaying P-plates. Of course, she was somewhat embarrassed by it, and as a result received a $65 on-the-spot fine. The boyfriend, who was also in the car, was equally embarrassed, and he paid the fine. That was fine until a few weeks later she received a notification to hand in her licence and suffer disqualification for that misdemeanour. The lass then approached me on that matter.

I found that the Department of Road Transport has no discretion in relation to this type of matter, and it could not do anything to assist the lass. After some checking I found that she had a very valid case. She had done nothing wrong other than fail to transfer her plates from her own car to that of her boyfriend. By driving the car, she saved the public from another risk, that is, an unsafe driver on the road. However, discretion was not the better part of the policeman's intent on this occasion.

Other members of the Police Force were quite upset by that, because they are endeavouring to set some example and create community policing, and they believed the officer's approach in relation to this matter was totally wrong. The only available option to the girl was to go to court, and she did that. I gave her a few hints on what she should do, and she submitted to the court statements from the other passengers in the vehicle. She submitted that it was a very minor offence. Fortunately, her licence was not suspended, but she did have to go through a court process in order to get that far.

As a result of that misdemeanour, she must now wait another two years before she can obtain a full driver's licence. It was a trifling offence, and a little bit of discretion by the officer at the time could have saved all that embarrassment and could have saved a lot of inconvenience to a number of police officers, to the court and to me. I just ask that discretion be part of the law. It would enable all parties to gain respect. It would certainly assist those police officers who are trying to get some community respect for the Police Force and, therefore, give community policing a better go. Therefore, I support the Bill.

Mr LEWIS (Murray-Mallee): My own views about this measure are virtually identical to those expressed by the member for Flinders. It is our wish to have as much community policing as possible, to restore the kind of framework within which the law was enforced and administered 60 years ago in the 1920s, when there was definitely community policing and when policemen were very much a part of the community in which they were posted. In those times the police were given much greater discretion in determining how best to ensure compliance with the law. In certain instances a police officer would take the trouble to explain to citizens what the law really meant. If he felt that the citizen had breached the law innocently and caused no injury to property or to sensitivities on a personal level so that there was no offence to society, merely a trifling breach of the law, it could be dealt with in a discretionary manner without involving any punishment whatsoever.

If in the wider community we are to restore respect for the law and for the agents of law enforcement, then a greater measure of empathy must be developed between those officers appointed to enforce the law and the general public. The kinds of offences that I have had drawn to my attention in the dozen or more years that I have been in this place indicate that we are going in the opposite direction at present. Too often too many police officers and other inspectors see themselves as owing greater allegiance to the department for which they work than to the community that they serve in the wider and proper context of the meaning of public service. That is unfortunate because it is causing the kind of alienation that I have already explained, and it is growing.

It is especially true of younger people. The police have attempted to re-establish that empathy in the larger provincial towns by assigning themselves to particular interest groups as extra-curricular activities. I commend and applaud that. It is very desirable. However, the type of thing to which the member for Flinders has referred is still occurring. A police officer or other law enforcement inspector, albeit imbued with the spirit of determination to succeed but unaware of the mores of a geographic community or special interest group in that community and the ways that people do things, will blunder in like a bull in a china shop and pick up some trifling thing just to assert their authority and establish their presence. That does great injury to the very process that we wish to develop and further enhance.

Therefore, to avoid the confrontation and deterioration of public relations that otherwise may be occurring, we need the legislation that the member for Eyre in his wisdom is introducing. Of course, he is a member of much longer standing and experience, as is the member for Flinders, than I. This legislation will enable judicious treatment in a formal, codified sense of incidents and trifling offences, as it were, to be undertaken in a way which will enhance the process, not detract from it or even be indifferent to it. Rather, it will enhance, uplift and encourage it. People will then again feel as though the law is for their benefit and protection, not harassment and to cause them undue distress where they conspire with each other—

Mr Atkinson: The rule of law is for everyone but you.

Mr LEWIS: No, the rule of law is for everyone, including me, my constituents and the member for Spence and his constituents and all others. The member for Spence seeks to have me trivialise the debate, but I will not allow him to do that.

Mr Atkinson: It is about trivia.

Mr LEWIS: It is a debate about trifling offences, but it is a serious debate because it enables such offences to be properly recognised as trifling. They cannot be treated in that way at this time and that is why this change is so desirable.

Mr FERGUSON (Henley Beach): I have been confused by the proponents of this piece of legislation, and they have all come from the Liberal Party and the one Independent member opposite. I have been in this House for 11 years and I have heard members opposite

year after year complaining about law and order. This is particularly so before election time. Before a State election bobs around, we have a spate of press releases sent out, particularly from a bearded gentleman in the other place. He continues to send out press releases explaining to the general public that the laws are not tough enough, that the Government is not tough enough and that Government members should be coming down harder on law and order. Infringement notices were not a product of this Government; they were brought in by a Liberal Administration. I must confess that when this legislation was first introduced I had grave doubts about it.

The Hon. T.H. Hemmings: I know; you told me.

Mr FERGUSON: And particularly my colleague the member for Albert Park. Now, after having seen this legislation in operation for about 14 years, I have come to understand that expiation notices are in many ways the better way to go. Constituents are not being fined and they are not getting a criminal record; they are expiating their offences. Once the amount of money has been determined and paid, they are free to go. That is true if we are talking about the expiation for a P-plater, but I am not sure that we are. If a P-plater drives a car without P-plates on it, that person deserves to be fined.

Mr Gunn interjecting:

Mr FERGUSON: 'Nonsense', says the member for Eyre. It is a privilege, not a right, to drive a motor car in this State. One has only to witness the number of deaths occurring on our roads and the misery that is caused by irresponsible drivers. Statistics tell us that most of those drivers are under the age of 25 and that most of those deaths occur in the country.

Members interjecting:

The SPEAKER: Order!

Mr FERGUSON: I have no problems about expiation notices being served, particularly on young drivers in the country when they commit offences. What are we doing? We are saving lives, and there could not be anything better for this House to do than to take account of the road toll and do something about it. Members opposite have made speeches outlining what they believe are the ills of this Government by not taking stronger measures. They cannot have it both ways.

I understand that members opposite believe in stiffer penalties and stronger methods to reduce crime, but, if constituents get themselves into trouble, they then say to them, 'I am not taking responsibility for the legislation that goes through this place even though I voted for it at the time. But because you have been caught, either by a policeman or by another official, I am going to try to get you off the hook by putting through a provision in this House.' It is making oneself popular in the electorate at the expense of and at a cost to the community. I find this to be reprehensible. Either we are fair dinkum when we make laws or we are not. Once the goal posts have been put in, we cannot move them. The law is equal to everybody.

I found it particularly obnoxious that the member for Eyre should cite as an example of a person who should escape an expiation fee somebody who is driving around with a dirty number plate. Everybody in this State has a responsibility to identify themselves; and everybody in this State faces the same rules. What the member for Eyre is saying is that everybody should blacken over their number plates in order to make sure that they do not get caught when they commit a traffic offence. I am afraid that I cannot agree with the logic that has been put to us in terms of this proposition.

There are one or two other matters that do not hold water regarding this proposition. The amendment relates to police powers. What is really happening outside is that most expiation fees are not imposed by police; they are imposed by other officials, such as inspectors. The member for Murray-Mallee made much of the behaviour of the police. The issue really has little to do with the police. The majority of expiation notices are handed out not by the police but by other officials. The proposition does not provide any guidance for those officers who are to issue cautions. It is as wide open as the farm gate, and that is ridiculous.

The proposition does not detail whether the cautions are to be formal or informal and how they are to affect the future actions of the same offender. What is to happen if the same offender, with the same dirty number plate, is cautioned at Gepps Cross, is cautioned at Gawler and then is cautioned at Kapunda? What will happen to his driving record and how should it be effected? The proposed legislation is ridiculous. Further, it does not provide for any guidance for review officers.

I believe that this proposition has been put up by members of the Liberal Party in the knowledge that it will not get through; they can then take their *Hansard* copies back to their electorate, to the people who have committed these offences, and say, 'Look here; I tried. It's not my fault: it's those big fellows down in Adelaide, those heartless fellows in the Parliament, who have done the job.' Let us be fair dinkum about this. If we are to create laws, let us be prepared to provide the proper penalties for offences against those laws and, if we are not to provide proper penalties, we should take those laws off the statute book. Nobody is seriously suggesting that the legislation we are debating should be taken off the statute book. Offences are being committed, the laws are saving lives, and I suggest that the House reject this proposition.

Mr GUNN (Eyre): We have listened, unfortunately at some length, first to the member for Napier, who I understand was speaking on behalf of the Government. He could not even understand the brief which was prepared for him by the Police Department and which is now being handed back to him, and the member for Henley Beach had no idea.

The realities of the situation are clear and simple. The Labor Party obviously believes that the law should be enforced in a harsh and unreasonable manner and that the Police Department and inspectors in other departments should go on a rampage, issuing as many on-the-spot fines or tickets as they possibly can to bring the Police Department into conflict with the public, because that is what is happening now. The old arrangement where commonsense prevailed, where police would talk to and caution people and where police were accepted in the community is going out the window. That is what the Labor Party wants.

For the honourable member to go on at length about dirty number plates trivialises the whole debate. It clearly

indicates to this House that the Labor Party is interested in trivia; it is not interested in dealing with the real criminals—those who are breaking into people's homes and who are stealing motor vehicles. It is not interested in them. The Labor Party wants armies of people, sitting around corners with radar guns, stopping people and writing out tickets, because it is easy and it is a cheap source of revenue.

Mrs Hutchison: They are saving lives.

Mr GUNN: They are saving lives when they deal with the more serious aspects of road offences. The member for Stuart ought to know, if she knows anything at all, that pinching people for having a dirty number plate is not going to save anyone's life. I say to the honourable member, if some individual—

Mrs Hutchison interjecting:

Mr GUNN: The honourable member is a temporary member here, so we do not have to take too much notice of her.

Mrs Hutchison interjecting:

Mr GUNN: Members opposite have been in the wilderness once, and I understand they are heading for it again. If a person is driving from Arkaroola or from Yunta and if there has been an inch of rain, how the hell can they keep their number plates clean?

The Hon. T.H. Hemmings: It is the wrong Act you are talking about.

Mr GUNN: This legislation was drawn up according to the advice of the people who draw up legislation for the Government. I have not got the wrong Act of Parliament. Some of those who sit behind the Ministers will not respond, but the member for Napier went on at great length. Bruce Gamble, or whoever wrote the brief for the member for Napier, would obviously be very disappointed. I must give him a ring and say, 'Next time you are briefing one of these characters, put it in double spacing, in large type and spell it out in a simpler manner, because he did not understand it.'

The facts are these: no matter what the member for Napier and the member for Henley Beach say, there is a general concern amongst the community that an overzealous attitude to trifling offences is being applied by senior administrators in the Police Department. If the Government thinks that is in the long-term interests of the Police Department and the community, it is failing. Make no mistake, as sure as we are in this building today, the law will change because, if members opposite think they can get away with antagonising decent, ordinary South Australian citizens who have committed some minor breach, they are living in a fool's paradise. Commonsense is not applying. The law will be changed, and the quicker the better.

I say to the Minister and to those senior police officers that, if they want to retain these powers, they should come to their senses, because every time they issue one of these notices, every time a young officer, straight out of the Academy, is sooled on to write out as many tickets as he or she possibly can, they are doing the Police Department in this State a grave disservice. The member for Henley Beach said that the Police Department is not issuing many expiation notices, but he should have a look at the Auditor-General's Report. He should just read it. There was an increase of 100 000 in the last financial year. I do not know whether the honourable member read it; if he did, he obviously did not understand it, and he has not come to his senses.

I commend this Bill to the House and it will be interesting, as time goes on, to see what the end result is. I make the prediction: the Government can defeat it today, or you, Mr Speaker, can defeat it on your casting vote—and I hope you do not do that, because commonsense is the greatest thing you can have in this world—but at the end of the day the people will have their way and laws such as I propose here will be put on the statute book. People will be given rights against aggressive and over zealous police officers. Members can read the committee's draft report.

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

Bill read a second time.

In Committee.

Clause 1—'Short title.'

The Hon. T.H. HEMMINGS: Usually we reach clause 3 before any member of the Committee has a question for the member who introduced the Bill, but I rise on this clause for a specific reason. I will not refer at length to my second reading contribution but I must say that the basis for my opposition is that the wrong principal Act is being amended. From the summing up of the member for Eyre, it is obvious that not only am I wrong but the Attorney-General and the Minister of Emergency Services are wrong.

If we are to accept the sentiments and views expressed by the members for Eyre, Flinders and Murray-Mallee that the police are over zealous, I am wrong, as are the Attorney and the Minister, when we say that, if those sentiments are to be upheld and dealt with by this House, we should amend the Summary Offences Act, because it is that Act that attracts all the criticism of over zealousness of members of the Police Force that has been put by those three members opposite. It is the Summary Offences Act, not the Expiation of Offences Act, that is involved, because the latter Act deals with offences under the National Parks and Wildlife Act, the Food Act, the Public and Environmental Health Act, and so on, as you, Sir, correctly identified during the second reading debate when you said that the bulk of expiation notices under this Act are dealt with not by police officers but by departmental inspectors and officers.

I just question the Committee and you, Sir, in your wisdom, as to whether we are dealing with the correct Act. I believe we are not. If we are talking about dirty number plates, constituents who failed to affix their P plates, drivers who went 1 kilometre over the speed limit or those who crossed over the white line for one brief second, we are talking about offences incurring an expiation notice issued under the Summary Offences Act, not this Act with which we are dealing.

The member for Eyre knows that, and it would be a tragedy if the advice he received from within this Parliament in framing the Bill was the wrong advice. It is not his fault, but we have tried to draw to his attention the fact that it is the wrong Act. Having explained that, I would like the member for Eyre to inform the Committee whether the views I have just expressed, which are those of the Attorney-General and the Minister of Emergency Services, are correct.

Mr GUNN: It is not the first time that the member for Napier has been wrong; and it is not the first time that the Minister of Emergency Services has been wrong. He lost $60 million and did not think he was wrong. It is certainly not the first time the Attorney-General has been wrong. This is only the first of a number of measures that I intend to bring before the House—

Mr Atkinson interjecting:

Mr GUNN: I have a number of other matters, for the benefit of the honourable member on the back bench who grunts.

Mr Atkinson: We'll believe it when we see it.

The CHAIRMAN: Order!

Mr GUNN: This legislation was drawn up on the advice of those officers who draw up legislation after I discussed the matter with them. I accept their advice, because they are the people who advised me of the correct manner in which the legislation should be drawn up. I assure the member for Napier that there are a number of other pieces of legislation dealing with traffic and other matters relating to powers that I will be bringing before the House in the future. Let me remind the member for Napier that, when I first set out on a crusade to curtail the power of inspectors, I was laughed at, and attempts were made by Ministers and Labor Party members publicly to ridicule me. Now it is an accepted fact that those provisions should be an integral part of all legislation that gives inspectors powers.

With respect to the question raised by the member for Napier, the legislation was drawn on the advice of Parliamentary Counsel officers, and I am prepared to accept their advice in preference to that of the member for Napier.

The Hon. T.H. HEMMINGS: I accept the fact that the member for Eyre has every right to try to amend any Act he wishes to amend, but having listened to his excuse—and if I may use a kind of connotation on the Bill—I believe he has used a trifling excuse. What he has said, in effect, is that he has it wrong but, because he is to introduce similar amendments to various other pieces of legislation, all the reasons he gave in his second reading explanation are okay.

I am now expecting that, when the member for Eyre moves an amendment Bill to the Summary Offences Act, he will read the second reading explanation which deals with this Act, and what historians can do in the future is to take the two pieces of legislation, swap over the second reading explanations, and everything will be hunky dory. I accept the fact that the member for Eyre has every right to propose an amendment, as have all members, but the member for Eyre has been in this place longer than I have, so let him be man enough to say that all the explanations to justify this amendment were given for the wrong piece of legislation. If he puts that on the record to prove to one and all how stupid he can be sometimes, we can get back to debating the real issue by consideration of the clauses. But if he says, 'The only reason I got it wrong is that I will amend other pieces of legislation in the future, so that is okay', he is being sloppy and tardy in the way he deals with this, and he deserves to be condemned.

Mr LEWIS: The member for Napier misrepresents me by asserting that I did not know what I was talking about in the course of my second reading contribution on this matter, when I quite deliberately referred to the very wide range of legislation covered by this proposed amendment to the existing Expiation of Offences Act. I referred not only to police officers but to other inspectors, and if he chooses, like you, Sir, to misrepresent me, I have no alternative but to reassure him and you that I am not mistaken. If these measures were to be enforced in the metropolitan area in the same ridiculous way as I have seen them enforced in some rural areas, you, Sir, and some of your constituents would be served with notices for expiation fees to be paid for lack of regard and diligence in the removal of weeds and the destruction of vertebrate pests on neighbouring Crown land.

Most people in this House would probably be surprised to learn that there are more noxious weeds (if you want to use the old expression), or scheduled weeds, in the City of Henley and Grange than there are in the rural city of Murray Bridge. I have personally done that research and found that there are more rabbits closer to human dwellings in Henley and Grange than there are in Murray Bridge. I have drawn attention to that fact in calling on people in the metropolitan area to do their part for Landcare as well. But that aside, the title of this Bill is precisely the title relevant to the remarks I made in the course of my second reading contribution to this debate, and I am sure other members who have spoken in favour of it will understand that.

It ill behoves people here to reflect on the capacity of another member's understanding of things when they themselves have not listened to that other member's contribution. I did not at any time restrict the ambit of my remarks to offences committed under the Motor Vehicles Act, the Road Traffic Act or the Summary Offences Act. They were indeed all directed towards the Expiation of Offences Act, 1987, as we now know it.

The Hon. T.H. HEMMINGS: I realise that this is my third and final chance to speak on this clause. Whilst it may be said that rarely do we speak more than twice on the short title, I would like to place on record my deepest apology to the member for Murray-Mallee for even implying that he showed the same stupidity as did the member for Eyre in getting the principal Act wrong. I recognise that in his contribution the member for Murray-Mallee did refer to other areas of Government, and I am talking about departments where sometimes heavy-handedness is apparent. I place on record my deepest and most humble apologies.

I was also well aware of the press release and the quite extensive radio coverage that the member for Murray-Mallee received over the Easter weekend when, for at least four news broadcasts, ABC radio carried the story that there should be funding through Landcare (to which I think the member for Murray-Mallee referred) to rid your electorate of noxious weeds, Sir. I am sure that on your behalf I can pass on your thanks to the member for Murray-Mallee for this concern he shows your constituents.

So, I stand up for the third time to apologise to the member for Murray-Mallee if I implied that in his contribution he did not understand what this amendment is all about. However, I do maintain that that aspect of his contribution which dealt with police would have been more properly dealt with under the Summary Offences

Act. If the member for Murray-Mallee reads the Summary Offences Act (and I could always make it available to him), he will see that in the main it deals with police activities.

Mr GUNN: Briefly, the member for Napier should know that police officers are authorised under many Acts of Parliament.

An honourable member: Indeed, all.

Mr GUNN: Yes. He ought to know, but he does not, so I am not surprised that he has accused me of being stupid and silly. I put it to him very clearly that he set out to trivialise this whole matter and not take it seriously. He is not prepared to admit that there are serious problems in the community with the over-exercise of authority by certain officers, including police officers, and that law abiding citizens are having excessive penalties inflicted on them, causing personal hardship, anger and annoyance with the police. He failed to recognise that fact, yet the member for Napier attempts to come in here and make slighting and critical comments about me and my conduct in this matter. He cannot even resolve the electoral problems in his own electorate, and he still has not told us whether he will back Annette Hurley or Terry Groom. He talks about people being silly, but he will look foolish: for whom will he distribute how-to-vote cards in the next election?

The CHAIRMAN: Order!

Mr Hamilton interjecting:

The CHAIRMAN: Order! The member for Albert Park will come to order. The honourable member is now widening the debate considerably. We are actually talking about clause 1—the short title—and I think the controversy in this proposition involves the words 'Expiation of Offences Act'. I would ask the honourable member to come back to the point.

Mr GUNN: I am sorry; I got slightly sidetracked. I do not normally do that, but I believe that the member for Napier and others have attempted to divert attention from the real purpose of this Bill, because they are not prepared to accept that there is a problem, and they are trying to pour scorn and ridicule on me. I believe I have acted in the best interests of people who have been the unfortunate victims of various courses of action to which they should not have been subjected. It is right and proper for this Parliament to review legislation. Just because one Government brings in a piece of legislation, that does not mean it has to stay on the statute books forever and a day. It is all right for the member for Albert Park to go on. The Parliament expresses a particular point of view at a particular time. It is the role of succeeding Parliaments to review and examine that legislation, and that is the very role that I am giving this Parliament today. I say again in conclusion that, if this Parliament does not agree, I am sure the next will.

Progress reported: Committee to sit again.

CLASSIFICATION OF PUBLICATIONS (DISPLAY OF INDECENT MATTER) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 31 March. Page 2772.)

Mr HOLLOWAY (Mitchell): I support this Bill. Although coverage is not particularly wide, we are debating a measure that will reduce the exposure of certain classified material to the public. I believe that this Bill is aimed at the display of that material in places such as service stations, delicatessens, newsagencies, supermarkets, and so on. All members would be aware of the situation that existed last year when I think *People* magazine displayed on its front cover a naked woman with a dog collar around her neck. As a result of the controversy that came out of that, there was a lot of discussion within the community about whether such material should be displayed in locations where it could be seen by children or by people who might be offended by it.

This Bill will ensure that while such material may still be sold and be available to those who wish to purchase it—so in that sense it is not a censorship matter—its sale will be restricted so that it will not be foisted upon those who do not wish to see it. As such, the measure is a relatively minor matter in the scheme of things but nevertheless I think it is worthy of support, and I will be happy to do so.

We all have to draw the line about where we will limit the availability of particular material. As a community we have decided already that there will be some restraints on what can be shown in publications. We have limited the display of pornographic material that involves children or animals, and we have a classification scheme which limits the availability of such material to people above the age of 18 years.

For films we have a completely different set of classifications which restrict the availability of material, and if that material is regarded by the relevant Commonwealth authorities as being extreme it is not available at all. Already in the community we have censorship of material that is available, and what this Bill does is change not so much the availability of material as the conditions under which it may be sold or displayed.

The type of material we are discussing is sold generally through service stations, newsagents and the like and is usually of an erotic nature. It could be argued that that material is perhaps not as likely to cause as much offence as some of the violence that we see within our community. That is a view for which I have some sympathy. There is no doubt that some of the horrors that we are seeing at this very moment in Bosnia and such places on the news every night would be of great concern to many people and exposure to it can have a great impact.

Increasingly we have evidence that the use of violent videos in particular may have a very harmful impact on our society through the cultural changes that they are developing. That is a matter that is of considerable concern to me. I suppose one could argue that, in the scheme of things, what we are dealing with here is of some lesser importance. Nevertheless, I believe that children should not have this sort of material foisted upon them in delicatessens or service stations—places to which they might reasonably be expected to go. In that context, I am happy to support the Bill.

Mr INGERSON (Bragg): I rise to support this Bill. As was pointed out by the member for Mitchell, it

principally is a Bill that talks about availability and does not attempt in any form to interfere with the classifications. I suppose that this matter was initiated in my electorate, where some 1 000 people went to a public meeting that was called by the Hon. Bernice Pfitzner and the churches because of a concern by a number of people in the community about the availability, photography and the general expressions that were used in this material. It is a very interesting exercise, and it has become a very important one in the area of Burnside—to such an extent that the Burnside council has suggested that the Burnside district should become porn-free. That is an interesting concept because any attempt to do 100 per cent of anything tends to achieve less than might be expected to be achieved under this Bill.

I think it is an important Bill in that it provides for a total sealing of the magazine's packaging (which in most instances is the case today), but the most important change is placing these magazines in an opaque package. I have some concerns with the legislation. I was a retailer for most of my life and I can see that there may be some very considerable concerns and costs generated for business in relation to this measure.

Debate adjourned.

CITIZEN INITIATED REFERENDA

Mr LEWIS (Murray-Mallee): I move:

That this House calls on the Legislative Review Committee to submit an interim report on its inquiry into the proposal to introduce citizen initiated referenda and, in particular, its understanding of public opinion based on the evidence given to it of:

(a) the intervals such questions should be put;

(b) the form of any such questions;

(c) how to decide if a question should be put;

(d) whether attendance at the poll should be voluntary; and

(e) any other matter relevant,

before the close of parliamentary business on Thursday, 6 May 1993.

This is a straightforward motion which calls on the Legislative Review Committee, which all honourable members will know is comprised of members of both Houses of Parliament, to submit an interim report to each House on its inquiry to introduce citizen initiated referenda, and in particular its understanding of public opinion based on the evidence that has been given to it in relation to this matter so far, with particular emphasis on those aspects I have listed in paragraphs (a) to (e), and to do so before the close of parliamentary business on 6 May.

When we formed these committees of the Parliament, like the Legislative Review Committee, it was never intended that the references made to them by the Chamber would be a way of burying those issues. Indeed, it was intended when we set up those committees, with wider ambit than the old committees of the Parliament, to do just the opposite. I do not for a moment imply that the Legislative Review Committee has attempted to bury the issue. On the contrary, the Legislative Review Committee has been diligent in the work that it has been doing on a number of matters thus far, not the least of which has been the inquiry into matters pertinent to whether or not we in South Australia can obtain adequate, appropriate and affordable justice in and through the courts system.

The committee received that reference on 8 April last year, about 12 months ago. It has been busy on that. However, notwithstanding the committee's application to that purpose, the matter which the House referred to it relating to the public views about citizen initiated referenda has been in its care and keeping for a very long time. It is not just a matter of a few months; it is many months.

The first petitions on this matter were referred to the House in August, after the opening, last year. It is a matter of great public concern in the community, as the numbers of petitions which have been presented both in this Chamber and the other place signify. There are not just a few hundred, nor are there just one or two occasions upon which members have presented petitions, but thousands upon thousands of names have been presented on petitions on numerous occasions, particularly during the past 12 months, asking the House to introduce changes to law which will enable citizens by one means or another to initiate referenda.

Therefore, we need to ask the committee how things are going, what it has been able to do, what evidence it has taken and, in particular, those matters such as the interval between when questions can be put, the form that any such questions can take, how to decide whether a question should be put, whether attendance at the poll on which the referendum is conducted should be voluntary or not, and any other matter the committee may wish to comment upon—indeed, whether or not the committee in its opinion believes CIR (as 'citizen initiated referenda' is known in abbreviated form) is desirable.

That does not mean that we necessarily have to accept that advice one way or the other, but we need to know what the committee has been up to: what it has done, whether or not it has yet called evidence and what evidence it has taken. The Legislative Review Committee is meant to cover a wide range of matters and, if it cannot deal with the references it has received, it needs to say so in its report to the people who have been in contact with us that it is having difficulty finding time to deal with the matter, or that it has it on foot and will be dealing with it in the very near future.

To delay the whole question would be to deny opportunity to those thousands of people who want to give evidence and have the matter dealt with. I think that I have explained that the proposition is to simply obtain an interim report. It does not ask members to indicate whether they are in favour of CIR or opposed to it. It is simply about getting an interim report from the committee about the work it has done on the matter to date.

The DEPUTY SPEAKER: The honourable member for Napier. Is he the lead speaker on this matter?

The Hon. T.H. HEMMINGS (Napier): Yes, I drew the short straw, Sir.

Mr Becker: He's the lead speaker on all matters!

The Hon. T.H. HEMMINGS: The member for Hanson says that I am the lead speaker. Perhaps it is a recognition of my brilliance and my ability to be able to debunk all the stupid motions that come from the other side. One does not have to be a Rhodes scholar to do that, Mr Deputy Speaker. It is dead easy. Any normal working class person can read the rubbish that comes from the Opposition and then stand like a Churchillian orator and knock it right through the sky.

Mr LEWIS: I rise on a point of order, Mr Deputy Speaker. I trust that the member for Napier is not reflecting on me or this motion when he says 'stupid rubbish' in relation to the motions that are put forward by members on this side of the House. That is what he said. If he is reflecting on me, I take exception.

The SPEAKER: Order! There is no Standing Order that prevents a member from using those terms about an issue as such. I did not pick up the reflection, but I am sure the member was not reflecting on members when he used that term. I would like him to clarify that.

The Hon. T.H. HEMMINGS: Sir, let me hasten to assure you that I was not in any way, when I used the term 'stupid rubbish', referring to this motion in an exclusive way. I was describing most motions—the motions, not the movers—from the other side as stupid rubbish. I have the utmost respect for the member for Murray-Mallee; it is only what comes out of his mouth that I take exception to.

Mr LEWIS: I rise on a point of order, Mr Speaker. That was a direct reflection on me and I take as much exception to it as I suppose he would were I to describe what comes out of his mouth in the same way.

The SPEAKER: Order! The Chair is not sure what the member wishes the Chair to do. Does he seek a withdrawal?

Mr LEWIS: If he is insulting of my contributions, I ask him to withdraw.

The SPEAKER: Order! The honourable member cannot ask another member to withdraw if they have insulted his contribution. Only a personal reflection can be withdrawn.

Mr LEWIS: Nothing else comes out of my mouth in this place.

The SPEAKER: If the honourable member feels he has been offended—

Mr LEWIS: Most of what he says comes out of some other orifice.

The DEPUTY SPEAKER: Order! That makes it very difficult for the Chair to adjudicate between members. If you are going to swap insults, everybody will have to withdraw. I think we should be adult about this and get on with the debate. I would ask the member for Napier to be a little more prudent in his approach to debate in this place.

The Hon. T.H. HEMMINGS: I have every sympathy for the member for Murray-Mallee in putting forward this motion. One often feels a sense of frustration and dismay when, after having a motion referred to a standing committee of this Parliament, it is not given any priority or degree of importance. As one of the Presiding Officers of this Parliament, Mr Speaker, you may recall that on numerous occasions, as the presiding member of the Environment, Resources and Development Committee, I have raised the question of the lack of resources. In your usual wise way, Mr Speaker, you have said that, unless Parliament can obtain those resources from Treasury, we must work with what we have. We do that. My own committee buys the cheapest biscuits, tea and coffee, and we work long hours on our reports.

I can understand the dismay of the member for Murray-Mallee. However, to go to the lengths to which the member for Murray-Mallee has gone and say that, because the Legislative Review Committee has not reported within a certain timeframe, for which the member for Murray-Mallee sets his own priority, is ludicrous. The members for Eyre and Goyder are on the Legislative Review Committee. The member for Goyder sat through the contribution of the member for Murray-Mallee without even moving a hair, yet this motion condemns him. The Hon. John Burdett, in the twilight of his career, must have stacks of time on his hands. The Hon. Mr Feleppa—

Mr LEWIS: On a point of order, Mr Speaker, the member for Napier imputes improper motives to me by saying that my remarks or the motion condemns members of the committee or the committee itself. That is not the case, and I ask him to withdraw those imputations on my reputation.

The SPEAKER: Order! I really do think the member for Murray-Mallee is being thin-skinned over this matter. I ask the member to withdraw, but I do it with some reluctance.

The Hon. T.H. HEMMINGS: For the sake of restoring the sanity of this Chamber, I will withdraw. You are dead right, Mr Speaker: the member for Murray-Mallee is being sensitive, but I will withdraw if it makes him happy. I am not saying that the member for Murray-Mallee is criticising his colleagues in the Liberal Party—and he did not give me a chance to talk about my colleagues on this side of the House who are members of the committee—I am saying that, if the member for Murray-Mallee had any concerns whatsoever, he should have consulted with my colleague the member for Gilles who actually speaks on behalf of the Legislative Review Committee in this Chamber. He could have said, 'Colin, how's my motion going on citizen initiated referenda?' The member for Gilles could have quickly contacted the presiding member, the Hon. Mr Feleppa, and, after some information sharing, could have resolved this matter without the need to move this motion. That was my criticism. If we are going to have a situation where, because you do not get your own way—

An honourable member: You spit the dummy.

The Hon. T.H. HEMMINGS:—you spit the dummy and you put a motion on the Notice Paper, we will be wasting our time completely. For example, the select committee, of which the member for Murray-Mallee is a member and which I chair, was appointed on 28 November 1991.

Mr LEWIS: I rise on a point of order, Mr Speaker. What does the meeting of any select committee on bushfires or anything else have to do with the motion before us, which simply seeks an interim report? I do not see that it is relevant to the debate.

The SPEAKER: Order! I do not uphold the point of order. The Chair is not aware of the line the member for Napier will take; however, it could be pertinent to the

debate, and I allow the point to be made. I ask the member to bring his point back to the debate.

The Hon. T.H. HEMMINGS: Yes, my patience is running thin, Sir. What I am trying to say is that, with all the best will in the world, unless you have the resources at your fingertips, it is impossible to meet some imaginary deadline that has been set by people such as the member for Murray-Mallee, who have always had what they want, who have never had to put up with restrictions—

An honourable member: Silver spoons!

The Hon. T.H. HEMMINGS: Yes, the silver spoon brigade. Born rich, will die rich—never had to worry about where the next dollar would come from. That is what I am on about. The member for Murray-Mallee knows that, as with our bushfire select committee, the only reason we have not reported is the lack of resources. It is the same with the Legislative Review Committee. After it receives a few more resources and a bit more information, it may be able to come up with information that will satisfy the member for Murray-Mallee. Just because of a fit of pique, because you get out of bed on the wrong side one morning, because you meet traffic coming up from Murray Bridge, or because you leave your tablets at home, is no reason to place a motion on the Notice Paper.

Mr Speaker, you would recall that the member for Murray-Mallee asked for an interim report. I know the member for Gilles works like a Trojan on that committee. He is up and down like a yoyo everyday in this Parliament telling us about things that the Legislative Review Committee is doing. That is what it is all about. The House should treat this motion with the contempt it deserves because, if it does not, if it agrees with it, every time a member refers a motion to any of the standing committees and they do not receive an answer within six weeks or so, they will stand up and put this type of motion on the Notice Paper. What chance does the committee have to sit between now and 6 May, because the Government has Parliament sitting every hour of daylight? We are sitting every day. It is only by some chance that we are not sitting Saturday and Sunday. So what chance does the committee have of coming up with an interim report?

The real reason for this motion is that the member for Murray-Mallee is pandering to those loonies out there who want to go down the path of citizen initiated referenda. He was after the cheap publicity. He got that publicity, and good luck to him. It started to wane. He got more publicity when he said he shot his buddy in Thailand, although I do not believe you were here at that time, Mr Speaker. He got a bit of publicity then, and he wants a bit more now. The easiest approach for him is to raise the CIR issue all over again. I am not fooled. I do not think that the other members are confused—even the colleagues of the member for Murray-Mallee. It will be interesting to see whether the member for Goyder will defend his colleagues on the Legislative Review Committee or pander to his colleague the member for Murray-Mallee in relation to this matter so that possibly, when the spill takes place, he is resurrected back to the shadow Ministry. I oppose this rather frivolous motion.

Mr ATKINSON (Spence): I am one of the loonies who is a supporter of citizen initiated referenda.

The Hon. T.H. HEMMINGS: On a point of order, Mr Speaker, I except the member for Spence.

The SPEAKER: Order!

Mr ATKINSON: Among the loonies who, throughout Australian political history, have supported citizen initiated referenda are Labor Leader Chris Watson, Labor Premier Tom Price, Queensland Labor Premier Tom Ryan and Red Ted Theodore. The list goes on.

Mr Quirke interjecting:

Mr ATKINSON: The member for Playford is incorrect. The Federal Labor Party had an official policy in favour of initiative and referendum until 1963.

Members interjecting:

The SPEAKER: Order!

Mr ATKINSON: However, I cannot agree with the motion moved by the member for Murray-Mallee. When this matter was first brought to the attention of the House by the member for Murray-Mallee, it was agreed among the numerous opponents of initiative and referendum that his motion would be interred by reference to the Legislative Review Committee, and there it is mouldering. It was never the intention of the House that it should ever emerge from the Legislative Review Committee, so I am not in the least—

An honourable member interjecting:

Mr ATKINSON: They did not say it on the record. I am not in the least surprised that the Legislative Review Committee has not issued a report on this matter. Were the motion of the member for Murray-Mallee to be carried today, we know that the Legislative Review Committee would spend about five minutes considering the matter. Those five minutes would consist of members hurriedly thinking of reasons why we should not have initiative and referendum without any reference to scholarship or public opinion on the matter, and that committee would recommend against it. I have no faith that the committee will report on this reference at all.

As a supporter of initiative and referendum, I am sceptical that initiative and referendum can ever emerge from a Parliament. These days members of Parliament, by their nature, are opposed to initiative and referendum because it derogates from their power. It is only through overwhelming public demand that we will obtain initiative and referendum. Though I am a supporter of the system and I think that its introduction is desirable for a range of reasons, which I shall not go through now, the member for Murray-Mallee grossly overestimates the extent of public support for initiative and referendum. I have some knowledge of that as a subscriber to one of the organisations that supports this idea. It is struggling to whip up public support for this proposal. I regret that I shall be opposing this motion.

Mr MEIER secured the adjournment of the debate.

SELECT COMMITTEE ON BUSHFIRE PROTECTION AND SUPPRESSION MEASURES

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

That the time for bringing up the report of the committee be extended until Wednesday 5 May.

Motion carried.

SOCIAL DEVELOPMENT COMMITTEE

Adjourned debate on motion of Mr Heron:

That the first report of the committee (social implications of population change) be noted.

(Continued from 10 February. Page 1883.)

Mr QUIRKE (Playford): It gives me a great deal of pleasure to speak on this issue today. I was a member of the Social Development Committee in its formative stages. For the first six months or so of the existence of that committee, I served on it. I remember turning up on a Wednesday morning to listen to a great deal of evidence on a whole range of different issues with which the committee was struggling. This motion, which refers to the first report of the committee, has unfortunately copped some flak in this Chamber. It copped some unfortunate remarks from the member for Morphett. Indeed, some of his remarks and some of the long bows that he drew in that debate need to be mentioned today.

First, he told us that the whole exercise was a waste of time. Then he added up the cost of that report. He said that we needed to add the salaries of the members, to which I shall return, that we needed to add the cost of the salaries of staff members and that we needed to add witness fees and, so that the figure was reasonable enough, he included the partitions in the Riverside building and worked out how much they cost, and he also put in the nails and the new carpet—the whole bit. By the time he had finished, he told us that the report cost $200 000. If I am wrong about that figure, I point out that was the process he used and that the figures at the end would be just as bodgie in any circumstances.

The reality is that, when considering some of the costs of the Social Development Committee or any other committee, parliamentary standing committees are a cheap way for the State to do much useful work and bring many up-to-date issues before this Chamber. The whole process of standing and select committees is in many respects a credit to this institution. It means that issues can be thoroughly and exhaustively looked at without the legal costs that are charged by some of the mates of the member for Spence who charge 'to get out of bed', in the words of a particular magistrate. Many of that magistrate's remarks were spot on. The reality is that to attach the cost of the carpet, the walls and the nails—the whole bit—and to suggest that was the cost of bringing up this report is complete nonsense.

Not so long ago a reporter rang me about salaries. In fact, he rang everybody and basically posed the same question. He said, 'I can understand that you get such and such a figure and another Chairman gets this sort of figure, but what about 10 per cent for sitting on the Social Development Committee?' I said, 'If you sat on the Social Development Committee and listened to the evidence as we did, you would not be raising the question of 10 per cent; you would be arguing that it should be twice that.'

In the first six months of last year, when I served on this committee, the evidence was extremely long. In many respects it required a great deal of analysis. I think this issue in this report reflects the density of the information that was presented to the committee. The fact that the member for Morphett served on that committee and has a different perspective from me and, I understand, from many of the other members of the Social Development Committee, both past and present—those who were there in the stages of putting the report together and those who are still there today—is a reflection on the member for Morphett. I recall listening to much of the evidence which came before us and which constituted this report. I think it can be summed up in a few words: 'Life is horrible if you are poor.' I said that at the time to the member for Mitchell. I remember listening for two hours and looking at a series of slides showing, by council areas, all the suburbs in Adelaide where many problems were experienced. I have to point out that there was nothing in Morphett. There were shadings: life got worse the darker the colour. I have to say, it was nice and light down by the sea-side.

So I can understand that the member for Morphett was not all that keen on the report when it came down, because the report draws to the attention of the House, and through the House to the bureaucracy in South Australia, that there is a mismatch of services in many respects. There are services in many areas that really ought to be provided where they are needed. I point out that I represent an electorate which was shaded in very much darker colours than was the District of Morphett, but it was not quite as dark as further north. I saw from the slides that my electorate had a couple of bad patches.

We found that the mortality rate was about five or seven years earlier than in many other areas of Adelaide. We found that the hospitalisation and asthma rates for children were all very much higher in a number of areas than in Morphett. Indeed, it is the role of this House and our standing committees to look after the welfare of the citizenry of South Australia. That is our prime function.

I do not think that we should be bashful at all in saying that, in terms of this report, the Social Development Committee went out of its way to interview a number of people who are at the forefront of their field in this regard. This project was slotted in with a busy schedule of other issues that had been referred to the committee by the Legislative Council, and it came down with an extremely comprehensive report, which emphasises a number of key points.

I would say that there are many members, particularly on this side, who will say that life is horrible if you are poor and that, in many respects, there are no ways out. I think that the ungenerous remarks that were made about this report need to be corrected in this Chamber. A standing committee of this Parliament that comes down with a lengthy, well thought out and well presented report should be encouraged, particularly since this was the first report of the Social Development Committee. I believe it went about its tasks in an exemplary way. I certainly can concur that the members on that committee, both past and present, earned their money.

Mr HERON (Peake): When I moved the motion that the report be noted on 10 February this year, as well as outlining some of the major findings of the committee I also said that I congratulated all committee members for their input into this first report. Mr Speaker, I now take that back. After hearing the contribution of the member for Morphett on the motion that the report be noted, I must say that I was dumbfounded. The member for Morphett was elected to the Social Development Committee early last year, along with the members for Playford and Mitchell, the Hons Ian Gilfillan and Legh Davis, and the Chairperson (Hon. Carolyn Pickles).

The make-up of the committee changed in August last year when the members for Playford and Mitchell were replaced by the member for Spence and me and the member for Morphett was replaced by the member for Newland. After perusing the minutes, nowhere could I find the member for Morphett raising in that committee his concerns about the costs or the direction the committee was taking—nowhere. I would have thought that any member of any committee should raise their concerns in that forum first before bringing them into this House. But not the member for Morphett.

He stood up in this House and cowardly blasted the committee—the committee of which he was a member for over six months. I wonder what the colleagues of the member for Morphett who were also members of that committee think. Do they believe that they wasted their time for 12 months bringing down this first report, to which, I would have thought, the member for Morphett contributed. The member for Morphett, in his contribution on 3 March this year, said:

> I left the committee half way through for a couple of reasons. One was the pressure of work that I had building up in my own shadow portfolios, which made it very difficult to attend meetings, and the other reason was that I was becoming increasingly frustrated with the direction in which the committee was going and I had doubts about how useful the committee would be to this Parliament. I would like the Parliament, as it set up the committee, to really analyse this report in detail and ask how it will benefit the public. It is an extraordinarily expensive committee to operate.

I say to the member for Morphett, if he was becoming frustrated with the direction in which that committee was going, he only had to raise the issue in that committee or put it up as an agenda item for a further meeting so that the committee could debate the matter to determine whether it agreed with his concerns. But, no, the member for Morphett picked up his bat and ball and resigned from the committee. He then had the gall to come in here, six months after that when the report was tabled, and rubbish it. They might be the views of the member for Morphett, but I can say unequivocally that they are not the views of all other members of the committee, and that includes his own colleagues.

In his contribution the honourable member said that the Economic and Finance Committee and the Environment, Resources and Development Committee bring about savings to this State. I would say that both those committees are more high flying than the Social Development Committee. But let us not lose sight of the fact that our committee is dealing with social justice issues. Maybe the member for Morphett does not care about social justice, but the committee is currently looking at the AIDS problem. Eventually it will look at prostitution, unemployment and family leave provisions—all issues that are important to mainly the battlers of South Australia.

As the member for Playford said, 'Life is horrible if you are poor', and that is the area that these committees, especially the Social Development Committee, looks at. Maybe he does not think those areas are of much concern to South Australians: other members do. I realise, as do the other members of the committee, that the Social Development Committee is not one of the big gung ho committees of this Parliament. I support the motion.

Motion carried.

TARIFFS

Mrs HUTCHISON (Stuart): I move:

> That this House calls on the Leader of the Opposition to immediately declare his support (in writing) for the Government's position on tariffs in the interests of the people of South Australia.

I so move in the interests of presenting a bipartisan approach on an issue which would put the interests of this State first rather than expressing a Party-political viewpoint. It would be for the good of the State because it would affect the whole industrial base of the State. This is an issue on which we must have the support of the Leader of the Opposition, and he should declare that support in writing as soon as possible.

I will give some background to this issue and put forward the viewpoints and consistent approach of the Premier both as Premier and as the former Minister of Industry, Trade and Technology. Since 15 February 1991, the present Premier has been negotiating and fighting for the adoption of a point of view with regard to tariffs after it was first mooted that tariffs would be reduced to zero. The Hon. Lynn Arnold very courageously sought the support of all those interested in that area and convened a number of meetings involving those people in order to obtain a viewpoint which he could take to the Federal Government in the interests of getting it to change its mind about the phasing out of tariffs totally. On 15 February 1991, the following article appeared in the *Advertiser:*

> Meanwhile, in State Parliament the Industry, Trade and Technology Minister, Mr Arnold, said yesterday more than 20 000 jobs could be lost in South Australia if the Federal Government adopted a proposal to lower car industry tariffs. Mr Arnold and the Premier, Mr Bannon, are due to meet Senator Button this morning when they will argue that tariffs should be reduced to no less than—

and at this stage he was arguing very vehemently for—

> 25 per cent by the end of the decade.

A little later in his consistent approach with regard to this matter, on 14 March 1991, the following article appeared in the *Advertiser:*

> A top level task force to assist the car industry in South Australia is being established by the State Government. It would be headed by the Industry, Trade and Technology Minister, Mr Arnold, and include representatives of the major car manufacturers, component suppliers and trade unions.

All these bodies were vitally involved in the industry, so it was necessary for all of them to actually meet and put forward a combined viewpoint. The article continued:

Mr Arnold said yesterday South Australia had emerged as the worst affected State following Mr Hawke's industry statement. He said after speaking to textile, clothing and footwear industry representatives that the State had suffered because of its reliance on the industries in which tariffs were cut. The State Government, with representatives from the local car and clothing industries, would seek some assistance from the Federal Government so that they would not be disadvantaged. 'We will be arguing for greater regional assistance, including South Australia's getting a higher-than-its-population share of training opportunities', Mr Arnold said.

This indicates that the Premier was prepared to go against his colleagues in the Federal Labor Government. He was not prepared to stand back and see this State go backwards with regard to its manufacturing industry, and particularly the car industry. Again in the *Advertiser,* the following article appeared on 1 November 1991:

A spokesman for the Industry, Trade and Technology Minister, Mr Arnold, said last night South Australia was continuing to 'see the impact of the unrealistic reductions in protective tariffs' announced as part of the Federal Government's industry statement in March.

I put all those statements forward to show the consistent approach of the Premier in this matter. In contrast, I will read some articles indicating how the Leader of the Opposition has performed in this area. First, prior to the Federal election, Mr Brown is quoted on 17 May 1992 as follows:

Fightback offers the only real alternative to restructuring the Australian economy so we again become world competitive. Without it we will become the classic banana republic.

The Fightback package included a proposal to take tariffs back to zero by the year 2000. Three weeks later, on 4 June 1992, the Leader of the Opposition stated:

I stress that I support the introduction of the Fightback package.

After seven months, on 14 December 1992, he was still saying:

Can I stress the point—I'm a fundamental supporter of Fightback.

On 4 March 1993, nine days before the election, he stated:

There is no doubt that at long last Fightback will give some chance for Australian industry, particularly South Australian industry, to become internationally competitive again.

Shortly after the Federal election, on 15 March 1993, he stated:

Well, of course, personally I was disappointed that the Liberal Party's Fightback program was rejected.

But, lo and behold, suddenly these comments appear after the Federal election. An article in the *Sunday Mail* of 21 March 1993 states:

...SA Opposition Leader, Mr Brown, formally dumped Fightback's import tariff policy. Mr Brown confirmed he had been secretly lobbying Dr Hewson in the past year to rethink the Coalition's plan to ease tariff protection to 5 per cent by the end of the decade.

Why would he not support the Premier of this State by signing a bipartisan letter to Dr Hewson? An article in the *Australian* of Monday 22 March 1993 states:

The Leader of the South Australian Opposition, Mr Dean Brown, who is preparing for a State election within the next 12 months, said he had always been opposed to the Coalition's plans to remove tariff protection.

However, in those previous quotes, it is certainly not obvious. The article further states:

'I'm arguing that, with the Federal election out of the way, we should be reviewing the whole tariff issue,' Mr Brown said.

Further, the following was stated on a Channel 10 news item on Friday 19 March 1993:

The Liberal Leader, Dean Brown, has lashed out at his Federal colleagues describing them as 'too hard line'. He stopped short of calling Dr John Hewson to stand aside but says that Fightback would have an adverse effect on people.. .Mr Brown has emerged to reject John Hewson's economic rationalist policies. .Mr Brown says, as he has always done, that the zero tariff policy was wrong.

Well, that is wrong, Mr Brown, because that is not what you said. Prior to the election, you were a supporter of the zero policy. After the election, you were suddenly a supporter of phasing out tariffs. So, I would call on the Leader to take notice of what his Coalition's spokesman, Alexander Downer, is quoted as saying in the *Advertiser* of Monday 19 April 1993:

The Coalition's zero tariffs policy is the next target in the post election policy shakeup which has already seen the goods and services tax dumped.

We now have all of those on the Opposition benches, both here and federally, deserting in droves the policy which they supported so very heavily before the last Federal election. I would ask the Leader of the Opposition, in the interests of the people of this State, to now come out and, in writing, put forward his support for the Premier and the people of this State by saying that he will support the Government's position on the phasing out of tariffs.

In so doing, effectively what he can do with that bipartisan support is ensure that not only the industrial base of this State will remain but that the components industry and the textiles and clothing industry will remain as viable operations within the State. Those industries employ a very large proportion of people in South Australia and we cannot afford to lose any of them. We cannot afford to lose anything that will provide employment in this State. So, it is vitally important that we have support across the board to ensure that that does not happen.

I am rather worried about the very flexible attitude of the Leader of the Opposition in the past with regard to making comments on tariffs. I would like him to now come out with a solid position, one which he verifies by putting it in writing to the Premier of this State. Then we will have not only the people of this State employed but a viable industrial base so that South Australia can go ahead rather than backwards, which is what would happen when people such as the Leader of the Opposition cannot make up their mind as to their position on such a matter. I urge all members to support the motion.

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

OPERATION HYGIENE

Mr S.G. EVANS (Davenport): I move:

That in the opinion of this House, an independent inquiry should be held into Operation Hygiene and in particular as it relates to the conviction of Stephen Fuller and Malcolm Pearn.

I suppose that in my time in Parliament over some 25 or 26 years this is one of the most difficult and serious motions I have sought to move in this Parliament. In giving notice of this motion yesterday I was aware that it was long and would possibly be amended, and it has been amended to this form. I also know that in moving a motion such as this I will not have enough time in 15 minutes to put to the House all the detail I would like, but that is the way Standing Orders operate, and I would ask members to consider that in the future, because there are times when more material needs to be canvassed than can be dealt with in 15 minutes. In addition to what I have read out, my original motion stated that a similar operation, Operation Raindrop, held in New South Wales, was found by an independent inquiry to be unsatisfactory, where the prosecution had relied on the uncorroborated evidence of self-confessed criminals, who had an incentive to give false evidence. The New South Wales independent commission report stated:

Caution dictates that, if serious doubt exists, cases dependent upon the testimony of criminal informer witnesses will not be proceeded with unless a good level of corroboration is available.

My original motion also stated that the lapse time between the alleged events of 1986 and trials in 1992 placed the accused Fuller and Pearn at a serious disadvantage in defending themselves against the charges, particularly as police records which probably can prove their innocence have supposedly been stolen, lost, destroyed or may never have existed. Fuller and Pearn are in prison only on the evidence of two self-confessed criminals who it appears had an opportunity to collude. Also, these criminals have both shown themselves to be capable of compromising the truth to suit their own purposes.

Philips and Holmes were officers who admitted in the end to many offences. The House needs to take note of that. The actual evidence that could have helped Fuller and Pearn was the log books. In the hearings of the select committee of this House into privacy, we were told by the Police Department that all the information is kept; even if an allegation is made and found to be false, that material is kept indefinitely and never lost. In this case, by the time an allegation of a crime committed in 1986 came to trial in 1991, it was found that the log books, which are the books that indicate what the officers' duties were at the time and what scenes they attended in relation to crime, had been destroyed, so they were not available for these officers to use.

The disposition sheets relate to the patrol to which officers may have been assigned and indicate which car and area were involved, and I believe that in the filing processes the log books are usually wrapped up with those disposition sheets. When Holmes was interviewed he was asked whether he had seen these documents, and he said he had been shown the log books, the disposition sheets and the crime report by the officer who was interviewing him, who was Feltus. Yet, when that officer was put on the stand, he said that Holmes was not shown the log book. He may have seen the others, but he had not seen the log book in question. Who is telling the truth in that case? I do not know, but I do know that the log book would have been vital to those two men.

Now I learn that in recent times the instruction given around the time of Operation Hygiene, or just afterwards, to destroy log books was a departmental direction. The direction now is that they are not to be destroyed but are to be kept. So, the officers did not have a book to which they could go back to prove their innocence on that night. Phillips' and Holmes' offence was breaking into Chem-mart at Happy Valley or Aberfoyle Park. The other two officers were charged with being accessories after the fact, because Holmes and Phillips alleged that they met up with Fuller and Pearn and asked them to go to the scene of the crime, clean up and lodge a crime report and, in doing that, they were discovering the crime. The two officers denied they were asked to do that. However, that is for the court to decide.

Then, we come to the point that some money is involved. One of the officers states that two $50 notes were involved. The other one quotes another figure. Holmes stated that two $50 notes were handed to Pearn and Fuller, and he said:

I gave $50 to Phillips and he handed $100 to whoever was driving. I don't remember.

Phillips said:

I recall it to be approximately between $10 and $15 each.

Earlier on in the evidence, Holmes said in reply to a question:

No, I don't remember—they may have.

In other words, he did not remember any money being passed over. I am sure that, if any money is being handed over which has to be covered up, any person would remember that happening and, in fact, at one stage in the evidence it is obvious that one or both of them were lying, because the evidence is conflicting. I will not go through all the areas where they have obviously given evidence that conflicts with either their own or the other's evidence, because I will not have time to do that, but I will come back to that later if I need to.

An honourable member: Isn't that for the judge to decide?

Mr S.G. EVANS: That is agreed. I turn now to a letter I received from the Attorney-General in reply to my application to him. The Attorney stated:

An important feature of the trial was the fact that neither Pearn nor Fuller gave evidence.

They had been through a committal hearing and had been involved in one trial in June 1991, where there had been a hung jury. Inasmuch as one gets information, I am led to believe that the majority were in favour of Pearn and Fuller but that there were not the required 10. So, there was a retrial in November 1992.

The Attorney's letter says that an important feature was the fact that neither Pearn nor Fuller gave evidence. Why is that important? Is the Attorney saying that because of that aspect it is possible that the jury thought that, if they did not give evidence, they must be guilty? If that is the case, what effect would newspaper articles have had on that same day? An article in the *Australian* of 17 November, when the verdict was given, would have been available to jury members that morning,

because we do not lock up our juries. The article was headed 'Police planned armed robberies' and referred to an Independent Commission Against Corruption report in New South Wales and millions of dollars involving corrupt police officers in the New South Wales Police Force. In the *Advertiser* of the same day an article referred to the same thing under the heading 'Police set up armed robberies'.

It is obvious from that, if the Attorney's argument is correct that a jury can be affected by people not giving evidence, that a jury can be affected by these sorts of articles in the *Advertiser* and the *Australian.* An independent commission into Operation Raindrop found that nine out of the 10 officers who were charged were not involved in crime at all: they were clean. An ABC program which went for about an hour was quite clear in showing that that was the case. The Independent Commission Against Corruption reported in two areas that I wish to refer to and made me believe that these two men should never have gone past the prosecution stage. I think that the prosecutor erred in sending them to trial. I believe that was also the case at the committal stage, but at that time it was the flavour of the month to find police officers who were at fault in this country. People were afraid to say, 'Let's stop it here. It has gone far enough.' The Attorney's letter refers to the appeal initiated by the two men. I am not asking for a retrial: we cannot do that. All I am asking for is an independent inquiry.

Mr Atkinson: We can if you want to.

Mr S.G. EVANS: The honourable member says that we can; I hope that he will talk about that later. In the appeal the Chief Justice, with the support of Justices Prior and Debelle, said:

I have considered carefully whether this verdict can be regarded as safe, having regard to the fact it depended entirely upon the evidence of two witnesses who admitted to serious crimes and a course of corrupt conduct and abuse of their position as police officers.

There is no other evidence whatsoever other than from these two men. The independent inquiry in New South Wales stated:

The High Court held, and this is now law applicable in all Australian courts, that save for exceptional cases trial judges must warn of the danger of convicting on evidence that is potentially unreliable, as the evidence of a prison informer ordinarily is, unless corroborated by other evidence connecting or tending to convict the accused person with the offence charged. Justice Toohey said that the warnings should be couched directly in terms that it is dangerous to convict on the evidence of prisoner informers, that such evidence should be scrutinised with great care, and that the jury must be satisfied beyond reasonable doubt as to the guilt of the accused having regard to the potential unreliably of a prison informer's evidence. In the view of that judge, a corroboration warning is dangerous as it may carry an implied invitation to the jury to act upon evidence of an informer if there is corroboration.

More importantly, page 60 states:

The third necessary safeguard is that prisoners and other criminals should only be used where there is substantial external support for what they say.

There was no support in this case. It continues:

This is known in law as 'corroboration'. Pollitt's case mentioned earlier in this chapter makes clear trial judges must in all but exceptional cases warn juries of the danger of convicting on evidence that is potentially unreliable.. .There are, however, levels of corroboration, and a test of accuracy should in practice be incorporated. Caution dictates that, if serious doubt exists, cases dependent upon the testimony of criminal informer witnesses will not be proceeded with unless a good level of corroboration is available.

But this one was proceeded with. One gentleman was charged with three offences and was let off on 32. At one stage before Judge Pirone he admitted one offence.

The two men carried out a massive amount of crime in our community. They were asked to give evidence, but first they denied they knew anything about other people being involved. After they were offered immunity—and this is the important point—in relation to their massive number of crimes if they dobbed somebody in, they named these two officers whom they could not name when they were first interviewed. I do not know whether the two gentlemen are guilty, but I do know that this is a travesty of justice. This Parliament should pass this motion and ask the Government to make sure that an inquiry is held because possibly two innocent men and their families, one with four children, are suffering heartbreak. We should try to correct it.

Mr ATKINSON secured the adjournment of the debate.

RABBITS

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

That this House commends Western Mining Corporation for its strong support as the founding sponsor of the Anti Rabbit Research Foundation in the campaign to control rabbits in Australia.

It gives me much pleasure to move this motion. A couple of weeks ago I had the opportunity to address the Australian Rabbit Control Conference which brought people from throughout Australia to talk about this problem. I congratulate the Anti Rabbit Research Foundation of Australia for the excellent job that it is doing. I am delighted that the foundation now has the support of all political Parties throughout Australia.

For far too long Governments of all persuasions have stepped back from the rabbit problem, believing that it was too hard to deal with. This foundation, as I pointed out at the conference, is an excellent example of how the community, frustrated with the lack of progress on the part of Governments and other organisations and authorities, has picked up the responsibility and has run with it. It was an excellent conference attended by a large number of people. One of the most pleasant things about the conference was the announcement that the Western Mining Corporation has become the founding sponsor of this organisation and has in fact allocated $50 000 per year for three years. I am sure all members of the House would agree that that is a very commendable move on behalf of Western Mining. Like Western Mining Corporation, I too would hope that this leads to encouraging further support from all quarters of industry and the community.

I did not have the opportunity to attend the first day of the conference, but one of the speakers at that conference

was Mr Hugh Morgan, the Managing Director of Western Mining Corporation Limited. Since that time, I have been provided with a copy of Mr Morgan's speech—an excellent speech and one that I would like to refer to so that people who take the trouble and have the time to read *Hansard* might learn more about the contribution and the commitment that has been made by Mr Morgan and Western Mining. He started his paper by stating:

While logging disputes and duck hunting provide the media with their preferred confrontational environmental stories, feral animals are quietly devastating vast areas of Australia.

He refers to Dr Brian Cooke, from the Animal and Plant Control Commission, a person who has been trying to deal with the rabbit problem for a long time, and quotes him as follows:

The rabbit problem in Australia is enormous. It makes the *Exxon Valdez* oil spill in Alaska look like a Sunday School picnic.

Mr Morgan goes on to say:

In the admirable quest to sustain Australia's natural environment, the real issues are invariably the most difficult to solve. Too often these sometimes mundane but still serious issues are conveniently overlooked either because of the lack of funds or a perceived negative or indifferent public reaction to both the problem and possible solutions.

Mr Morgan refers to such an issue as being the rabbit problem impacting on both native flora and fauna, and he refers to the feral animals and the impact of rabbits, foxes and cats which head this list. He continues:

Dealing with the impact of these animals on the environment has not been the centre stage of environmental publicity. Similarly, highlighting the seriousness of the problem caused by feral animals and funding a solution has not been vigorously championed by environmental groups.

Mr Morgan asks the question:

...can you recall any of the high profile environmental groups conducting a serious public campaign against the damage to the environment inflicted by rabbits, or protesting strongly against the danger to native fauna from feral cats?

He goes on and suggests:

...they don't undertake such actions or put money into such causes because, despite the threat to the Australian environment from these exotic pests, such actions would not be headline grabbing in the capital cities.

I am sure we would all agree with that. Mr Morgan continues:

The leadership role in highlighting the seriousness of our feral animal problem, focusing on the so-called 'humble' rabbit, has been largely left to those outside the major cities—those in the Outback who witness the extent and seriousness of the problem.

Mr Morgan makes the point:

The rabbit must be the worst criminal 'deported' from Europe in the early days of settlement. Its success in colonising this continent faster than any other species is now plainly evident. Some 200-300 million rabbits now exist in Australia.

He goes on to refer to five serious impacts of the rabbit invasion, as follows:

- Agricultural and pastoral production is estimated to be $90 million per year lower because of reduced quality and quantity of feed.
- Erosion is widespread where rabbits have stripped vegetation, allowing wind and water to remove topsoil. Burrowing into subsoil also promotes erosion.
- Salinity in the lower reaches of catchments may well be enhanced by rabbit grazing in the recharge areas.
- Loss of native flora and fauna is widespread as a result of rabbit grazing.
- Weed invasion is a common end result of the devastation caused by rabbits.

A further impact of direct relevance to the mining industry relates to the regeneration of native plants in our mine site rehabilitation. Grazing by rabbits severely restricts the effectiveness and increases the cost of our restoration work on the environment...

He refers there to the work carried out by such organisations as Western Mining. He goes on:

As a mining company operating throughout Australia, we (Western Mining) are certainly witness to each of these impacts and victim to several. As a result of this and as a landholder myself, I know of no greater devastation wreaked on Australia than that by rabbits. When considering the conservation of endangered species, the mining industry is a strong supporter of the concept—providing the emphasis is on positive management rather than exclusion of economic activity.

Setting aside large areas of Australia for national parks or wilderness areas for which adequate resources or management programs are not provided will not resolve the problem. Nor will the prevention of wealth creation activities such as exploration or mining, which might otherwise be able to provide funding and research to address some of these very real problems for our native environment.

[Sitting suspended from 6 to 7.30 p.m.]

Mr S.J. BAKER: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

The Hon. D.C. WOTTON: Prior to the dinner break, I referred to the magnificent contribution by Western Mining Corporation in the fight to control rabbits in Australia, in South Australia particularly. I referred to the speech that the Managing Director, Hugh Morgan, gave to a recent conference in which he cited the team of environmental specialists that WMC has working at Roxby Downs. At Roxby, part of the objective of the environmental monitoring program is to promote the regeneration of native vegetation and reduce competition and predation on native fauna by controlling feral animals. Rabbit control has priority in the vermin control program for two reasons: first, the degradation of vegetation from rabbit grazing in the operations area is widespread; and, secondly, rabbits are a major food source for feral cats and foxes, whose numbers may also decline if this food source is removed. Rabbit numbers were as high as 600 per square kilometre at Roxby in early 1990, but the number is currently about 120. Control of rabbits within the area has maintained numbers around 10 per square kilometre or below, even when in the surrounding area the number was as high as 200 and in nearby areas up to 600 per square kilometre.

As the House would be aware, on 10 March 1993, under Brian Cooke's program, 6 000 Spanish rabbit fleas were released into rabbit warrens at an experimental site within the Roxby lease. This release marked the culmination of five years of preliminary studies conducted both at Roxby and by the South Australian Animal and Plant Control Commission. Western Mining

Corporation has been monitoring rabbit populations at Roxby for five years and has been conducting more detailed studies into the age structure and reproductive conditions of the local rabbits for the past 20 months.

Western Mining Corporation is supporting efforts to develop biological control of rabbits for two major reasons, the first being that it is committed to pursuing excellence in environmental management and to the care of all its operations. It sees rabbits as a serious threat to the environment at Roxby, and they hamper WMC's rehabilitation efforts at many sites throughout Australia. Secondly, it recognises and is concerned that the rabbit problem is widespread throughout the semi-arid and arid zone of Australia, ruining ecosystems, driving species to extinction and lowering the productivity of vast tracts of land. Mr Morgan concluded his contribution by saying:

The control of Australia's rabbit population is essential in the context of sustainable development. The elimination, where possible, of this pest is of greater importance than many other environmental issues presently being focused upon in Australia. As a responsible land manager, WMC is joining with other agencies to tackle the rabbit problem throughout Australia. Allocating funding to research this problem should have the highest national priority, and the establishment of the Anti Rabbit Research Foundation of Australia will significantly supplement efforts by Government.

That is why Western Mining Corporation is proud to be the founding sponsor of this organisation and, as I said earlier, it has allocated $50 000 per year for three years in the hope that it will encourage further support from all quarters of industry and the community.

I would now like to commend the chocolate manufacturers who embarked on a campaign over the Easter period to promote the bilby in preference to the rabbit. I would like particularly, while recognising that Haighs and others were involved, to commend Graeme and Joy Foristal, the proprietors of Melbas Chocolates and Confectionery, manufacturers of wholesale and retail chocolates at Woodside. As a result of a petition that they received with signatures from some of the children from a local primary school, they determined to embark on this exercise of promoting the chocolate bilby in place of the chocolate Easter rabbit. They are to be commended, and I hope that that company and others that have picked up this program will continue it with the support of the majority of South Australians. I commend this important motion to the House.

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

STATE DEBT

Adjourned debate on motion of Mr S.J. Baker:

That this House condemns the methods used by the Government to avoid meeting accounts due and payable with the express intention of misrepresenting the true budget position and understating the State debt, which is currently in excess of $8 billion and which could well exceed $9 billion by the end of this financial year.

(Continued from 24 March. Page 2594.)

The Hon. J.C. BANNON (Ross Smith): The unmistakable and inimitable style of this motion obviously is that of the Deputy Leader of the Opposition, as indeed are the arguments that were put forward in support—and I must admit that, having studied it carefully, I am still at a loss to see why the honourable member moved the motion in this way. If he wants to tackle the issue of State debt, there are many motions he could move and ways he could approach it in a direct manner. I might say that, in doing so, he would have a hard task in arguing that this Government, through its tenure of office, in terms of those areas which it has under its own control, has not done an extremely good job: in fact, we progressively, year after year, reduce the debt of this State, both *per capita* and on the basis of proportion of gross State product, reaching a pretty unprecedented low of around 15 per cent in 1990-91.

We all know that that position has changed, and we have debated that endlessly in numerous contexts in this House because of the impact in particular of the State Bank, the need to provide the indemnity and to manage our way through that problem. It is a long-term problem, but it is one that we are well on track to managing. I look forward, as I am sure do all members of the House and the people of South Australia generally, to the Premier's economic statement to be delivered tomorrow, in which I am sure he will deal with this issue, perhaps putting it in some sort of perspective. With reasonable economic revival in this country—and the signs are there—there is no question that this State can rapidly get on top of its debt position, because it comes off a low base and because we were able to manage the problem from within our own resources.

If we are to debate the issues in that context, well and good, but the honourable member, in moving his motion, has chosen to condemn us on the basis of avoiding meeting accounts due and misrepresenting the true budget position. I fail to see that he has made any argument whatsoever from that. It is extraordinary that he should attempt to do so, because around this country through the 1980s and into the 1990s this Government was recognised as leading the way in the proper presentation of accounts: in presenting in our budget not the old-fashioned presentation method but one which shows the bottom line, the net borrowing requirement of the State year to year and its various components. Through that time we received high praise for our pioneering efforts in that area.

The Greiner Government came to office on the basis of a number of promises in terms of the presentation of finances in that State, most of which had been based on the material that had been presented in budget papers in South Australia. Even those who were sceptical of or hostile to our social and philosophical positions—our commitment to social justice and things of that nature which mean that we emphasise the delivery of services—institutions such as the Institute of Public Affairs have recognised from time to time that the South Australian Government's presentation of its accounts and budget has been one of the most transparent and, indeed, trail blazing in a number of respects.

To suggest that misrepresentation of the true budget position is going on is absolute nonsense. The honourable member, in attempting to argue his case,

does not succeed in establishing it at all. Of course, that is based on trying to mix up a number of accounting techniques and, by switching from one to the other, suggesting that some sort of misrepresentation is involved. I point out that the State budget is based upon the estimated cash transactions of the budget sector for the forthcoming year. That is plainly stated in the financial statements and the presentation. It provides an estimate of cash payments and receipts by the Consolidated Account together with the cash which Parliament needs to appropriate to enable the Government to fulfil its role.

By definition, the Government will not normally include items of accrued expenditure, such as amounts which are owing at the end of one financial year but which are not due to be paid until the following year. That approach is altering around the country as we all move to the use of the accrual basis of accounting in the budget sector, but at this stage the cash accounting method is the one that underpins the budget in the way in which it is clearly presented. Any suggestion that the budget—the budget, not the State's Financial Statement overall—should have included amounts owing to the State Bank under the indemnity indicate a complete lack of understanding of the purpose of the budget framed in these ways.

There was a specific reference to $450 million which, at June 1992, was identified as being payable to the State Bank under the indemnity agreement. That was the amount at that date that the Government was advised it was required to pay to the bank. The existence of this liability was clearly disclosed in a table in the Financial Statement. Furthermore, funds transferred to the bank under the indemnity agreement were paid not from the Consolidated Account, which again is reflected in the budget, but from a special deposit account established for that purpose and clearly set out in our financial statements. It was not included in the budget, but it was reported and made clear in the Treasurer's accounts.

Reference has also been made to an additional amount of $400 million, with the inference that liabilities under the indemnity agreement at 30 June were $850 million. This appears to constitute a misunderstanding of the information in the Financial Statement and what constitutes a liability for the purpose of financial reporting. The Financial Statement delivered at the time I was Treasurer reported that the Government would set aside $400 million in a new account called the State Bank Restructuring Account which would be available to assist in the funding of the likely loss in GAMD in 1992-93.

The decision to set funds aside did not satisfy the test for the recognition of the liability. In other words, at the time of the preparation of the Financial Statement, no reliable measurement was possible. Indeed, as I understand the position—this will not be fully clarified until the statements are finalised—that $400 million will not be called on in the light of the expected loss being made by the GAMD, which will be considerably less than $400 million, and the likelihood of bank capital return and dividend from the so-called good bank, or the operating core State Bank. Put those together and we see why the accounting method demanded by the honourable member would be quite wrong, but the allocation is there and it was clearly stated.

There are a number of other areas in which the honourable member attempted to analyse debt and suggest that we were bank-carding or taking things off side or off line. In doing that with a broad brush, he ignores the $850 million of the $1.547 billion which is recorded in the Financial Statement and which relates to private trading enterprises or similar bodies. That will be met by cash flows generated by those organisations. These transactions have no direct impact on the budget. Therefore, they are not being bank-carded, as the honourable member suggested.

Similarly, SAFA has stated its situation, contrary to what the honourable member has said, and the arrangement with the Commonwealth is clearly spelt out in its accounts where it has retired $110 million of debt. This reduced our indebtedness and we got a net economic gain of about $50 million as a result of that transaction.

Finally on assets, which I do not have time to deal with, the fact is that they are valued not on the basis, as the honourable member would suggest, of an immediate sale of those assets but on what accountants and economists refer to as value to the entity. That value can be ascertained, and it is in the accounts.

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

Mr MEIER secured the adjournment of the debate.

DEBT ACCUMULATION

Adjourned debate on motion of Mr S.J. Baker:

That this House condemns the debt accumulation of the Federal and South Australian Governments which have placed the nation and this State in such difficult financial circumstances and which will act as millstones around the necks of our citizens for at least the next decade.

(Continued from 24 March. Page 2595.)

Mr MEIER (Goyder): Members will recall that the last speaker on this motion was the member for Ross Smith, the former Premier of this State. That contribution was a plaintive, pathetic plea; he desperately wants history to be kind to him. In fact, it seems to me that he craves vindication, but with his legacy he will get none of it. The member for Ross Smith presided over the worst Government financial disaster in Australia's history. This is the reality of the State Bank's losses; this is the legacy that he leaves for future generations.

The honourable member's speech on 24 March, when this motion was last debated, sought to ignore this fundamental point. It is a legacy that puts this State deep into debt. This Government, as has been clear for a long time, has no strategy to deal with it. It will be up to future Liberal Governments to manage this State properly again because this Government has failed. It is interesting that the member for Ross Smith turned to the Playford era to oppose this motion. He argued that State debt as a proportion of gross State product was much higher in those years. He ignored the point that in the Playford era we had a developing and growing economy.

The debt was being incurred to build up assets, to build roads, schools, reservoirs and other basic

infrastructure which we required to support an emerging State in a post war economy. We well remember that those were the years of full employment and prudent Government financial management. We had the capacity to cope with debt then; we do not now. But with unemployment at record levels, with investor confidence at an all time low, South Australia's economic base has been shrinking. We have far less capacity to bear the burden of Labor's debt, which by June of this year will be about $8.6 billion. This compares, as members opposite well know, with a debt of some $2.6 billion when the Liberal Government left office in 1982.

In addition to the $8.6 billion borrowings we have, there are other liabilities such as superannuation pay-outs, which the Government has not so far funded, despite what the Treasurer said in his answer to a question this afternoon. These take total Government borrowings and other liabilities to just over $14 billion.

The member for Ross Smith has said that our liabilities must be matched against our asset base. Let us do the exercise. He claims assets exceed total liabilities by about $12.6 billion. What he does not admit is that about $20 billion worth of assets, that is 75 per cent, are in the form of infrastructure—buildings, plant and equipment, reservoirs, water and sewer reticulation systems, roads and other transport systems, school buildings, hospital buildings, prisons, national parks and a wide range of other public property throughout the State.

Unless this Government has a massive hidden agenda for a fire sale of essential assets the honourable member is including, for most of his estimated $26 billion asset base, items that can never be readily converted to cash by a Labor Government to help pay off our debt. Therefore the State's true debt position represents the difference between total liabilities and more than $14 billion and a real asset base of about only $6 billion. If we look at that in the cold, hard light of practical finance, this Government has, as members on this side have continually said, bankrupted the State of South Australia.

The member for Ross Smith must accept a prime share of the responsibility for the losses of, first of all, the State Bank, adding some $3 15 billion to our debt; SGIC $350 million; the Timber Corporation, involving Scrimber, $60 million, with more than $12 million lost in New Zealand; more than $10 million on the Marineland debacle; a $28 million blow-out in the cost of the Justice Information System; a $6 million blow-out in the cost of a new computer system for drivers' licences and motor vehicle registration; a $6 million dollar blow-out in the cost of introducing the Crouzet ticketing system for the STA; and an $11 million blow-out in the cost of building the *Island Seaway* ferry which provides a service to Kangaroo Island. The list goes on. These and the other financial mistakes of Labor over the past 10 years have meant a rapidly escalating State debt.

I want to consider what this means in terms of reducing the standard of key services to people. When this Government came to office the net cost of servicing the State debt represented 33 per cent of total spending on both primary and secondary school education. In simple terms, for every $1 spent on interest we were able to spend $3 on primary and secondary education. This financial year, however, the net cost of servicing the State debt is estimated by the Government to represent 70 per cent of spending on education. In other words, instead of the figure being $3 spent on education for every $1 on interest, we can afford to spend only $1.50 on education.

The same story emerges in other key service areas. In the area of health, for every $1 we spend on interest we can afford only about $2 for our hospitals. For community safety we spend only $1 on police services for every $3.40 spent on interest repayments. This, Mr Speaker, is the cost of the debt which this year will consume about $700 million of taxpayers' money in net terms just to meet the interest.

When the member for Ross Smith took over the Treasury the equivalent cost was $144.5 million; it is now $700 million. For every day he spent as Treasurer our State debt increased by almost $1.3 million. Almost $4 billion of this increase is to pay for financial blunders of this Government, not for new assets for our State. This escalation for debt servicing and costs means that less funding is available for important services such as education, health, community safety and transport.

There are many victims in this legacy of financial failure. We know them only too well from Question Time. There are the people who cannot get hospital treatment when they need it. Members will recall a few weeks ago when I mentioned the lad who had to sell his piano to try to get hospital treatment and then was not admitted, anyway. Or the lady who had to rest in a chair after she had had her surgery: she was feeling absolutely exhausted, but there was no bed for her in the hospital even though the hospital wanted to look at her the next day. She had to travel back home to Wallaroo in a car. Or the children whose education is suffering because of inadequate resources. We see it everywhere.

I have dozens and dozens of examples in my electorate where education, whether it be maintenance or simply the teaching situation, means children are suffering; or neighbourhoods where crime is escalating because of a lack of police presence. It is interesting to see, with the school holidays upon us, that the graffiti has started to appear in many areas where it had not been seen for a while; where our communities are again being defaced simply because there are insufficient police resources, simply because the rot has set into our community.

It is of little consolation for people facing problems such as these that this Government will at the next election be another victim of these disasters, and well it deserves to be a victim: that will be the member for Ross Smith's place in history. I support the motion.

Mr HOLLOWAY secured the adjournment of the debate.

STATE BANK

Adjourned debate on motion of Mr S.J. Baker:

That this House rejects any attempt by the Premier to force a sale of the State Bank without ensuring that—

(a) all moneys from such sale are directed at debt reduction;

(b) the sale price is maximised; and

(c) South Australians retain the banking services of the State Bank and the head office thereof.

(Continued from 24 March. Page 2596.)

Mr HOLLOWAY (Mitchell): I rise to oppose the motion. I believe the motion is a stunt, and I think the initial reaction of the member for Mitcham gives away what this Opposition is about. It has been trying to draw every last drop of political mileage it can get out of the State Bank, and it is a further illustration in its two year journey down that track. The fact is that the Opposition is heavily into stunts and hypocrisy on this particular matter.

What did we hear from the members opposite when the State Bank was first in difficulties in February 1991? The answer was to sell it, unequivocally. The then Leader of the Opposition made it quite clear from day one that was the Liberal policy: sell the bank at any price. When this Government has finally gone through the long process of repairing the bank, restoring it to its core business and to some proper health so that it could be sold, what does the Opposition do? It wants to load a lot of conditions upon the sale. That would be quite disastrous.

Let us go through this particular motion moved by the Deputy Leader of the Opposition. The first part states:

...all moneys from such sale are directed at debt reduction.

The Premier has made it quite clear that that was the Government's intention. Indeed, in his statements on the very day that the member for Mitcham moved this motion, the Premier said:

I will be recommending to my Cabinet colleagues, my Caucus, my Party but most importantly to the people of South Australia that the State Bank of South Australia be sold to reduce the State's debt.

It was quite clear. Of course, the Deputy Leader of the Opposition wants to carry on with this stunt and try to suggest that somehow or other the money will not be used as a debt reduction measure.

But the next two parts of this motion show how shallow the Opposition really is. Paragraph (b) states that the sale price should be maximised (of course we want that), and paragraph (c) states that South Australians should retain the banking services of the State Bank and the head office thereof. The only problem with that is that they are necessarily contradictory. As soon as we put conditions on the sale of the bank, it follows automatically that the price one could get for the bank would be reduced. What we need is the Government to proceed with negotiations to sell the State Bank, free of any pre-conditions apart from the fact that we get the best return for the people of South Australia.

That is exactly what this Government will do. We will proceed with the sale process and, as the Premier has pointed out, it will be a lengthy process. It will not be carried out overnight. We will proceed with the sale and do so in such a way that we will get the best return for the people of this State, taking into account all the relevant factors. The last thing we need are the sorts of pre-conditions that are being imposed on the sale in this motion moved by the member for Mitcham.

Just what do members of the Opposition really believe regarding the State Bank? The only conclusion that one could draw from their behaviour over the past two years is that they believe whatever they think will get them into office. Clearly they have no philosophy. For two years they have been telling us to sell the bank. Then, when the Government decides to proceed to an orderly and proper means of selling the bank, suddenly they are not sure of themselves. They are all over the place, trying to get some political capital out of it without having any idea of what they will really do.

What did the Opposition do before the recent Federal election? The Leader went over and did a deal with Dr Hewson. He told us how good it was, that the Liberals would sell the bank and they would get all this money—I think it was $400 million—but it was a fairly inferior deal from the then Federal Opposition Leader, Dr Hewson. (I guess he still is the Federal Opposition Leader, but perhaps not for much longer.) We all know now that the Premier of this State was able to negotiate a much superior offer with the Prime Minister, a $600 million deal for this State which has of course transformed the equation of selling the bank. That $600 million deal means that this State can proceed to an orderly sale of the bank and, if the price is right, it will mean that the people of South Australia will benefit from such a sale. If the Opposition had its way, it would have flogged it off for a much inferior deal with its Federal Leader and we would have all been the poorer for that.

Instead of congratulating this Government for having achieved that better deal, having held out and reached a far better negotiating position, what did we get from the Opposition? Nothing but sour grapes. All the Opposition wants to do through this motion is try to put conditions on the sale. That could only serve to reduce the return to the people of this State. How would any conditions be enforced on the sale? What could we do if we said, 'You can buy the bank but we will impose this and that condition on it'? How long could you keep such conditions? The fact is that, when you sell something, you lose your right over its future destiny. That is really the bottom line in all of this.

The Opposition is really only point scoring. It is not really serious about receiving the best return for the people of this State. During his speech to this motion, the member for Mitcham expressed some rather shallow concern about the jobs in the bank. The best guarantee those workers in the State Bank can have is that the bank be sold, if indeed it is to be sold, to an operator who can run that bank in the best possible way. If the bank is not kept strong, and if it is not sold to a bidder who is able to operate it successfully, what guarantee will the workers at the bank have? That is why in any sale of the bank the Government must take that condition into account along with all the other factors.

In considering the value of the State Bank, its value is its retail network. Why would anyone want to pay $1 billion—and that is what has been tossed around as a ballpark figure of its worth—for a bank and then dismantle a comprehensive branch and retail network which is the core of the value of the bank, the reason for its value? The only way that might happen would be if one of the bank's major competitors were to take it over and dismantle it as a competitor.

In looking at the factors we might consider regarding its sale, we have to take into account who might buy the bank and what the future would be. That will be one of

the things that will have to be taken into consideration when this lengthy sale process I have referred to takes place. However, it needs to be looked at then. The fact is there will not be any rush of buyers lining up for the State Bank. It is not every day that a State Bank is sold. It is not as if there will be a whole lot of buyers lining up with their $1 billion or thereabouts wanting to take over the bank—

Since we are dealing with such a limited number of purchasers, I would have thought it is very much a buyer's market. There are not a lot of them on the ground. The last thing we need are conditions imposed upon that sale that would reduce the outcome and thus reduce the benefits to the people of this State, yet that is the condition the Deputy Leader of the Opposition is putting upon it. He is saying that we should not look after the best interests of the people of this State; we should play politics with it and reduce the return that the people of this State should receive.

We should reject the motion moved by the Deputy Leader of the Opposition. The Baring Brothers report into the valuation of the bank has also supported the fact that any pre-conditions would reduce the value of the bank. We need to reject the sort of philosophy of members opposite, wallowing around, jumping here and there in their attitude towards the State Bank. What we need is a solid, consistent, well thought out procedure to sell the bank. That process is what this Government has put in place. It is what the Government is now moving towards, and that will be ultimately in the best interests of the people of this State. I reject the motion.

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

UNEMPLOYMENT

Adjourned debate on motion of Mr S.J. Baker:

That this House condemns the policies pursued by the Federal and South Australian Governments which have contributed to the tragically high levels of unemployment in this State, denying South Australians, particularly young people, the right to work.

(Continued from10 February. Page 1889.)

Mr S.J. BAKER (Deputy Leader of the Opposition): I wish to complete this debate, which relates to the problems facing South Australia's unemployed, basically because of the policies being pursued by the State and Federal Labor Governments. I made it quite clear at the time that everything being done by both Governments has had a counterproductive effect on the economy of this State and that has impacted on the unemployment figures. When I left the debate last time, I was comparing some of the unemployment statistics. As members are well aware, in areas such as Elizabeth and parts of the northern suburbs, the unemployment rate is as high as 40 per cent among the under 21 population, and even higher among the under 19 population. With respect to the cities of Whyalla, Port Pirie and Port Augusta, the same problems prevail. With high unemployment levels, there is no hope of a job, because the policies being pursued by the State and job opportunities, with a consequent impact on unemployment.

These Governments have created a generation of young people who will go through the system, some of whom will never have the opportunity to obtain a job unless we change the Government very quickly. We have seen these policies being pursued. They have failed this State badly. We only have to reflect on the economic demise of this State, where we have seen a dramatic reduction in the rate of growth of gross domestic product over the past two years in particular, and over the past 10 years we have fallen 2 percentage points below the national average. Much of the boost during the mid-1980s was due to budgets which were unsustainable in the long term. Pump priming took place for the 1985 and 1989 elections, which gave a false picture of economic growth in this State. I know that the then Premier quoted figures that showed that South Australia was doing better. We do not hear them now saying that this State is doing worse and that it is their fault, but we heard them when figures, artificially inflated by the policies being pursued by the State Government, looked slightly better in a short-term sense, but in a long-term sense we were headed down the road to disaster.

Currently, 11.6 per cent of the labour force is unemployed, and amongst the under-19s it is over 30 per cent. In certain sections of the community, such as some of our rural areas, we find that those rates can exceed 50 per cent. That has a dramatic impact on the lifestyle of those families, on crime and on the quality of life for all the individuals concerned, their families and friends and the people who live alongside them. So, it is important to understand that, unless this State gets competitive, unless we have policies that are pursued by our State and Federal Governments which will turn around the economic demise, we will continue to suffer the huge loss of employment opportunities, the huge loss of quality of life and the huge loss of the potential that we should be engendering amongst our young people.

It is not only at the younger end of the scale: at the older end of the scale, if a person is unemployed at the age of 45, that person has virtually no hope of getting a job in this State. Much of the unemployment is hidden. In the over-45 population, we see such people on sickness benefits who are not entering the statistics and not looking for work because no jobs are available.

I commenced the debate on a very negative note, and that negative note will not change until we change the Government. It will not change until we actually pay heed to the need to change the economic fabric of this State, and that means that State Governments have to learn to live within their budgets. It means that State Governments cannot continue to tax the business sector; it means that real assistance must be given to small business; it means that we have to get our State debt under control. We cannot have large lumps of our budget sucked out by the huge impost of meeting the interest on the escalating debt. So, a number of strategies have to be pursued. They cannot be pursued in isolation, but a clear picture must be emerging for the people of South Australia that there is some hope and opportunity, because the Government understands what the economic dynamic situation has to be if we are to change the face Federal Governments have led to a dramatic decline in of this State.

It is not rhetoric; it is a fact of life. It does not matter what economic journal we wish to study: the facts of life are that in international terms this State is a disaster. In national terms it is a disaster, because of the way policies are being implemented and because of the myopic pursuit of revenue by this State Government, unwilling to cut its cloth to suit the occasion and to suit the circumstances but continuing to increase taxation on the business sector and therefore reducing job opportunities. Whether Fightback was right or wrong can never be judged, because there was never an opportunity to implement it, but what it did say was that we must have internationally competitive State and Federal economies. We do not have that; we have every impediment placed in the way of business in this State, whether that be through the regulatory process or business taxes.

We have already heard that South Australia heads the list in a number of areas. We know we have the highest petrol tax of any State capital; we know that we will have the highest tobacco tax of any State in Australia; and we know that our liquor licensing fees are amongst the highest in Australia, even though there may be some reduction in the forthcoming economic statement. We know that some of the areas where stamp duties are applied are the highest in Australia, and so we can go through a long list, either where the taxes are the highest or where the exemption levels are the lowest and the population and the business community in this State get treated very poorly on a national scale.

On the international scene, the figures that come out are quite horrifying. We find that we are the fourth highest taxed business community of the OECD countries. Until we can get these taxes off business and give them the hope and the opportunity to get out there and do some more business, to grow and to prosper, we as a State cannot prosper. We cannot provide the job opportunities that are so desperately needed by the population of this State. So, I urge the House to support this motion, which condemns the policies being pursued at both Federal and State levels. It condemns them, not because they are Labor Governments but because their policies are fundamentally regressive, anti-business and anti-jobs; and fundamentally they promote hopelessness and lack of opportunity, throwing a generation of young people onto the unemployment scrap heap. These are the people we will depend on in 10 or 20 years to guide this State and our economy. It is with no pleasure that I move this motion, but I do expect the support of the House.

Mr HOLLOWAY secured the adjournment of the debate.

McKINSEY REVIEW

Adjourned debate on motion of Mr Venning:

That this House notes the recently released Organisation Development Review Report of the Department of Agriculture but has great concern at the intended closure of nine regional offices vital to extension services in rural South Australia:

which Mrs Hutchison has moved to amend by leaving out all the words after 'Agriculture'.

(Continued from 24 March. Page 2598.)

Mr MEIER (Goyder): I support the motion. We are well aware, following the release of the recommendations approved by Cabinet on 15 March as they relate to the Organisation Development Review (the ODR) for the Department of Primary Industries, that now there will be particular emphasis on the role that the Department of Primary Industries (better known as PISA) and the South Australian Research and Development Institute (better known as SARDI) will be required to play in achieving increased, sustainable economic development in this State. I certainly acknowledge the fact that the Minister has taken note of the Arthur D. Little study of July last year. That study clearly indicates that economic development needs to be a major emphasis if this State is to get back to a position of strength again. In fact, the Arthur D. Little study suggested a target of 4 per cent annual growth to the year 2000. This obviously means there will have to be a significant growth in agriculture, and this presents a real challenge.

However, this motion rightly identifies the concern over the intended closure of nine regional offices that are vital to extension services in rural South Australia. For many years I have fought for the retention of services at the Kadina office and have seen the number of people at that office decrease from about nine or 10 to, at one stage, two or three, and I have held great fears for it for quite some time. I am not feeling any more relaxed now as a result of recent statements by the Minister. In a letter to a constituent of mine the Minister said:

> Implementation of the recommendations requires further consultation with staff, industry and the department's customers. An integral part of this consultation will be deciding on the sequence and time frame for implementation of the various recommendations.

Whenever it is said that there needs to be further consultation, it means that the Minister has not been able to get his own way. I wonder to what extent the Minister is seeking to hold off until a better opportunity presents itself. When the Minister visited Yorke Peninsula soon after Christmas I spoke with him as often as I could during the two days he was there to emphasise the need to retain the Kadina regional office and other regional offices. I was very pleased that he could see that need, and not long after that these statements came out.

It is very easy for bureaucrats stationed in the metropolitan area to look at a map and decide that various offices have to go; that on a geographical distribution basis there are too many offices in one area. But what they fail to see and appreciate are the services that those regional offices provide. They fail to get out there and speak with the farmers and the agriculturalists who benefit from those offices. At a time when the rural sector is experiencing a real crisis in so many areas it is very disheartening that talk of closure still pervades the airwaves and the written press. I note from the recommendations that were approved by Cabinet the following:

> PI(SA) will further examine the portfolio of district offices as part of the progressive implementation of the new management structure while ensuring no withdrawal of services overall.

I applaud the fact that there will be 'no withdrawal of services overall', but I am concerned about PI(SA) 'further examining the portfolio of district offices'. It is

important for members to be aware of what Cabinet went on to consider. The document states:

The ODR assessed the district office locations across South Australia and provided a preliminary analysis based on two criteria, namely, distance between office locations and the number of staff at each location. These criteria were used on the understanding that PI(SA) would concentrate increasingly on group extension services that require less and better organised travel and that there are advantages in having a team of officers at each location. This would enable a range of services to be provided and the interaction of the team would ensure that the service took into account the whole farming system.

I am worried about the statement 'there are advantages in having a team of officers at each location'. It sounds good in theory, but in practice a team at a central location can be a great disadvantage. I can think of situations involving the Department of Community Welfare, now the Department for Family and Community Services. Some years ago it had offices at Point Pearce, Maitland, Kadina and Port Pirie. It decided to close the Maitland office. I, together with many others, protested strongly and loudly. I travelled with the district officer around Yorke Peninsula as he endeavoured to convince me that the services provided could be that much more efficient coming from Kadina rather than from Maitland. He did not convince me, but I did agree to give it a try.

Some time later the Department of Community Welfare closed its office at Point Pearce, and the reports I continued to get were that people could not get service. I remember one parent coming to me and identifying the fact that his young son had been sexually assaulted by the baby sitter (I think the boy was three or four years old). He was very distraught when he rang me. He said that it had occurred on a Friday evening and that he had rung the Department of Community Welfare and was told that officers hoped to see the father and mother the following Wednesday—almost a week later. The father said, 'That is useless. What can the young lad remember after that period of time? The damage has been done and the department should act immediately.' I could only agree.

As if that was not bad enough, some two years ago the Minister informed me that the Kadina office of the Department for Family and Community Services was to close. We expressed strong objection to that and as a compromise the Minister agreed to have a person there for several hours several days a week and a phone answering service. The person who was employed there finally gave up in frustration and went into another field of employment. That person had been employed there for at least 10 years, if not more; she was an excellent social worker. The real trouble was that none of the workers felt free to talk with me. They knew they were under pressure and that if they opened their mouth and said something it could go against them.

I have similar reservations about the Department of Primary Industries offices. I urge the Minister not to go down that track. The farming sector needs the regional centres, and this motion seeks to ensure that the Minister will take note of what the people need and want. I support the motion.

Mr McKEE secured the adjournment of the debate

WATER QUALITY

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

That this House condemns the Government for its blatantly irresponsible attitude in condoning the ongoing polluting of our marine and riverine environment resulting from the discharge of effluent and waste water from Engineering and Water Supply Department sewage treatment works.

(Continued from 24 March. Page 2600.)

The Hon. P.B. ARNOLD (Chaffey): I strongly support the motion. This evening I will refer to the sewage treatment plants at Bolivar, Port Adelaide, Glenelg and Christies Beach. Each and every one of those sewage treatment plants discharges its treated effluent into St Vincent Gulf. It is a well-known fact that the discharge has done immense damage to the seagrasses and seabed of St Vincent Gulf and to the environment which has, in turn, had a considerable effect on the fish resources of St Vincent Gulf. At the last State election the Government made a lot of noise about woodlotting and diverting the effluent, particularly from the Bolivar Sewage Treatment Plant, to woodlots on the Northern Adelaide Plains in an endeavour to come to grips with this problem.

Unfortunately, since the State election we have not heard another word of that proposal. The obvious deterioration of the marine vegetation was a matter of growing concern, not only to environmentalists but to all people in South Australia. The Labor Government was not viewing the pollution of the gulf seriously. A report from the Department of Fisheries by S.M. Clark has identified that in Holdfast Bay alone 22 per cent of the seagrass has been lost since 1935. The situation is, of course, getting worse year by year and will have long-term effects on the fish stocks if the situation is not examined and addressed quickly.

In 1970 a committee on the environment in South Australia was formed to inquire into and report on all aspects of pollution. The committee made numerous recommendations when its report was published in 1982. It emphasised that an extensive study of the marine flora and nutrient content of the coastal waters should be properly planned and carried out. It also called for adequate provision for suitable sewage disposal so that the resources were not polluted, but the Labor Government is simply showing no interest in protecting this potentially lucrative marine resource. That in itself is an absolute disgrace, in as much as there was a clear commitment at the last State election that the Government would endeavour to do something about it.

Certainly, the Opposition had a very clear policy on this matter of woodlotting on the northern Adelaide plains in particular and picking up the effluent from Port Adelaide sewerage treatment works in conjunction with that coming away from Bolivar. I refer the House and the Government in particular to the work that has been done in the Shepparton area. The effluent load coming away from Shepparton, when one takes into account not only the city sewage effluent but the industrial and irrigation effluent, is equivalent to that coming from a city of 650 000 people—more than half the size of metropolitan Adelaide.

I had the opportunity a few months ago to inspect the work that is being undertaken in the Shepparton area. Within the next three to four years, the total effluent load from the Shepparton area will be removed from discharge into the Murray-Darling system. The work being undertaken is massive. There is a clear commitment by the Shire of Shepparton and the Government of Victoria, through the Murray-Darling Basin Commission, to come to grips with this problem.

As a result of the work being undertaken in Victoria, some 3 000 hectares of forest will be established for the disposal of this effluent, and what it will do for the Shepparton area, which is basically dependent on the fruit growing industry, is to create a totally. new industry. It will create a large timber growing and milling industry, which will add considerably to the viability of the Shepparton area. That is turning a waste product—the effluent coming away from that area—into a valuable resource in the form of woodlotting and timber processing.

We can do exactly the same in the metropolitan area. The opportunities are even better to do it here than in the Shepparton area, certainly on the northern Adelaide plains, where ample suitable country is available to the Government to develop a modern woodlot disposal system for the effluent coming away from the sewage treatment plants in metropolitan Adelaide. As I said, it could be done partly by the Government and partly by the private sector and, once again, we would develop here in the metropolitan area of Adelaide a new industry for South Australia.

Of course, we have shown in this State that it can be done. The effluent coming away from Loxton in the Riverland is now totally disposed of on a sizeable woodlot in that area. Trees in that woodlot are now some 30 to 40 feet high, being at the point where harvesting can be commenced. The species that are used—the native eucalypts—can be harvested up to five and six times, I am led to believe, and they will regrow and regenerate. In fact, the harvesting of timber from these woodlots actually makes the woodlot capable of taking up more effluent because of the regrowth of young timber, which absorbs more of the effluent. Once a tree reaches a certain age and its growth rate reduces, its uptake of effluent or water is reduced considerably, and the harvesting of the trees significantly increases the capability of a hectare of woodlot to continue to take up large quantities of effluent.

This motion clearly indicates that the Government, over the last 20 years—it has been in government for about 20 of the last 23 years—has done virtually nothing to come to grips with this problem. As I said, the example is there in the Riverland, close at hand, for the Government to recognise. If the Government really wants to see a model operation on a large scale, all it has to do is go to Shepparton. It would be well worthwhile for not only Government members but all members of this House to have a look at what can be achieved. It indicates that we could, without a great deal of effort, remove all the effluent from metropolitan Adelaide—from Gulf St Vincent—and turn that it into a valuable resource for South Australia.

Mrs HUTCHISON secured the adjournment of the debate.

SEWAGE EFFLUENT

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

That this House congratulates the Mayor and the Albury City Council for their responsible and momentous decision to proceed with total off-river disposal of its sewage effluent.

(Continued from 31 March. Page 2775.)

The Hon. D.J. HOPGOOD (Baudin): I urge upon the House an amendment to this motion. I move:

Leave out all words after 'responsible' and insert in lieu thereof the words 'decision to end the direct disposal of its sewage effluent to the Murray River, and urges the council to ensure that effluent from the new facilities will be unable to enter the Murray through flushing by high rivers and flooding.

The reason for the amendment is that, without my wanting to pour cold water on enthusiasm for a decision which is very much better than it might have been, it would be wrong for this Parliament to signal that it, indeed, believed that the decision of the Albury council is one that opens the way for complete off-river disposal of effluent. It is not a total off-river option: it would discharge treated effluent into woodlots and wetlands that are still on the flood plain. There is a distinct likelihood that during floods some effluent will be flushed back into the river. That, of course, is by no means an isolated situation nor, indeed, is it one with which we are unfamiliar in South Australia. There are a couple of situations in our Riverland where, as I understand it, work will be done in the next few years to ensure that a situation such as that which sometimes obtains in South Australia will be eliminated from the scene here.

It is important that that work progress, and I would urge the relevant Minister that it should progress. But, at the same time, the Minister and his colleagues—and no doubt there is a Murray-Darling Basin Ministerial Commission meeting coming up sometime in the middle of the year—will almost certainly be going to that meeting urging that, wherever possible, decisions be taken for complete off-river disposal of effluent in all circumstances. To pass a motion which would seem on the face of it to suggest that the Albury solution, desirable as it is, is the very best one that could possibly have been adopted would be, to me, to undercut the position of our Ministers in their meeting. I have no doubt that the Ministers will have bipartisan support for the toughest stand they can make with the up-river States in relation to these matters.

Debate adjourned.

YOUNG OFFENDERS BILL

Adjourned debate on second reading.

(Continued from 1 April. Page 2855.)

The Hon. D.C. WOTTON (Heysen): Juvenile justice has been a sensitive subject in this State for some time. It is certainly a community attitude that the current system is not working in South Australia. It is interesting that

this State is recognised as leading the way in working with young offenders, but in more recent times it has become very much a case where the community has reacted with some hostility to the system that we have known in this State for some little time. There has been considerable community debate. It has needed to be a balanced debate—unfortunately, that has not always been the case, and I will refer to that in some detail a little later on. The Opposition and I believe that the Bill is a considerable improvement on what we have had, containing substantive changes to the law relating to young offenders in South Australia.

As a result of much of the community concern that was being expressed, particularly through the media, it was determined that a select committee should be established to look into this matter. On 28 August 1991 that select committee was set in place. Its terms of reference were to examine the Children's Protection and Young Offenders Act and the effectiveness of its operation, the administration of the court, the resources devoted to the system and their effectiveness, the adequacy of custodial and non-custodial programs for juvenile offenders, the extent to which service provided by the Government agencies and the Children's Court can be integrated, student behaviour, truancy, and other matters relating to juvenile justice.

A considerable number of select committees have been established in this place over a long period. I suggest to the House—and I am sure that it would generally be recognised—that this select committee has been very thorough in its responsibility and has brought down an effective report and, in turn, much improved legislation. It is appropriate that the members of the committee be commended for the work they have done over an extended period since August 1991.

The select committee issued an options paper for reform which identified existing problems as failure to deal effectively with serious or repeat offenders; lack of relevance of official sanctions; delays in processing; lack of victim, defendant and family involvement; over-processing; concerns about the sentencing discretion of the court being constrained by recommendations contained in the Family and Community Services report; and concern that orders made by the court, such as bonds with supervision, are not always implemented. To crystallise debate, two possible options were put forward by the committee, option one placing the entire system under the control of the Children's Court. Screening and aid panels were to be abolished under that option. The Children's Court would be restructured, with all but the most serious matters being dealt with by specialist magistrates sitting in chambers. At the sentencing stage, the court would be required to balance the principles of protection of the community, rehabilitation of the child and the need to ensure that the child accepts responsibilities for his or her actions—with one exception. These were the proposals in the green paper.

Option two provided for the introduction of a formal police cautioning system so that minor or trivial matters could be dealt with effectively without the need to bring these cases into the justice system. Specialist police officers, similar to New Zealand youth aid officers, would be appointed to take responsibility for the cautioning process and to develop more effective ways of interacting with and responding to the less serious range of young offenders. Aid panels would be restructured to include some of the characteristics and concepts of the New Zealand family group conference, including victim involvement, encouraging the family of young offenders to suggest appropriate plans of action and responses for their child's behaviour and increasing the range of options available to panels so that, rather than simply warning and counselling, work or programs bearing some direct relevance to the nature of the offending behaviour could be undertaken. Greater emphasis would be placed on restriction, and victims would be compensated. Specialist panellists would be appointed to conduct these hearings, and appropriate training in the areas of alternative dispute resolution and victim counselling would be included. These were the main proposals that came out of the Department for Family and Community Services.

Prior to that, a number of other alternatives were being promoted. His Honour Judge Kingsley Newman, the Senior Judge of the Children's Court of South Australia, was keen to promote a system that was being used in France. Many of us would recognise that in this State juvenile offenders can currently be dealt with by police caution, an aid panel or an appearance before the court. Aid panels are made up of a social worker and a police officer, and a screening panel decides the venue, that is, whether a child will go before a panel or a court. Judge Kingsley Newman visited France and, following that visit, he made a submission to the South Australian Government that some aspects of the French system should be introduced in this State to replace both those panels.

Long-term concerns existed about panels over processing, and unacceptable delays were being experienced. As a result of that representation and submission to the Government, the green paper or discussion paper status was prepared. Shortly before the select committee was established Judge Newman also visited New Zealand. In August 1991 he reported to the Attorney-General as follows:

It is clear that youth court sittings (in New Zealand) have been significantly cut by the new procedures, but, as Dr Seymour points out, this is not as a result of the much publicised family group conference but rather because of the role now being played by the youth aid officer (police). For example, the youth aid officer in the areas which, in Judge Brown's opinion, were functioning properly, reported that of the 500 cases involving child offenders channelled to him by operational police, it was only necessary to refer 70 of these to a family group conference, and of those 70 cases only 20 children finished up before the youth court. In other words, the majority of matters in New Zealand are now being handled by way of police diversion. The officer concerned was very enthusiastic about the job he was doing.

He saw himself as effectively preventing children from embarking upon a career of crime. He spoke of long working hours, during which time he set up meetings between victims and youth offenders and their families and in his own way, without input from welfare, he conducts a form of family group conference which in most cases resulted in a satisfactory apology to the victim, proper arrangements for compensation being made and the family fixing a penalty or consequence for the child

appropriate to the offence. This consequence was put into effect and supervised by family members.

Judge Newman in his submission went on to say:

It is this aspect of the New Zealand system that excites me most. This model is far superior to the police cautioning system set out in my original proposal and our current welfare oriented efforts to 'save' the child. Instead, like the American balanced approach to sentencing, where equal emphasis is given to the protection of the community, accountability in terms of the victim and competency development or reform of the child, and also the French model, where the magistrate ensures that the rights of the child, the rights of the victim and the interests of society as a whole are equally met, this youth aid officer had set himself similar goals. I therefore conclude that the New Zealand system has more to offer than (traditional) 'police cautioning'.

I know that the community generally has been interested in the example that we have seen in Wagga Wagga involving the district police in that area. Sergeant Terry O'Connell, of the Wagga Wagga District Police, had also been to New Zealand and successfully 'transplanted' the New Zealand police diversion model into the New South Wales police cautioning scheme. Coupled with school liaison and truancy programs that function well, youth crime in Wagga Wagga has been significantly reduced over a three-year period. In fact, much recognition has been given to that scheme over time through the media, and that representation has been welcomed. I understand that plans are in hand to set up similar schemes in many other parts of New South Wales. Western Australia and Queensland have also developed forms of supervised interaction between victims and offenders.

It is important to realise that the family group conference model and the Wagga Wagga cautioning model should not be seen as alternatives. It is important to grasp the fact that they operate at two different levels, the Wagga Wagga cautioning model at the first level and the family group conference at the next. I suggest that they are not in competition with one another; rather they complement one another.

Over the past months members of the select committee have pursued an extensive inquiry which has taken them to many parts of this State and also to New Zealand. This inquiry has been unique in the South Australian experience. It has taken written and oral evidence, public meetings have been held in many areas, and proceedings have been open to the media. It has been a worthwhile activity. As a result, very healthy and highly constructive debate has taken place.

The court, the police and welfare all agree that the first tier of the new system should consist of a police diversion scheme. There is disagreement about the next step in the process. At the second tier, Family and Community Services proposes the establishment of community justice forums similar to New Zealand family group conferences but run by social workers from that department. To some extent, the police were unsure in their submissions. One group supported the magistrate in chambers model; the other group advocated the creation of a children's development bureau, once again based on the New Zealand family group conference run not by FACS but by a justice of the peace or a selected police officer.

There has been considerable discussion, and a great effort has been made on the part of the select committee to obtain relevant information from throughout Australia and New Zealand. I believe that the report will ensure that this new direction that we see in this legislation will bring about significant results.

I have picked up some concern in the electorate about lack of consultation on the Bill. I understood that there was considerable opportunity for people to obtain advice, and information that has been made available through the select committee. Therefore, I have tended not to take seriously complaints about lack of consultation in this area. While the lack of consultation has not referred to the overall problems and findings of the select committee, some concern has been expressed about lack of consultation on the Bill.

The Bill contains substantive changes to the law relating to young offenders. A youth is defined as 'a person of or above the age of 10 years but under the age of 18 years'. There are some significant changes in the Bill from the present juvenile justice system. There is no doubt that there are concerns about the way in which juvenile justice is now administered in South Australia, and there is a mood for change.

With the introduction of the new legislation, children's aid panels and screening panels are to be abolished. The Department for Family and Community Services will no longer have an automatic right of audience in the court. More power is given to the police, who may issue an informal or formal caution. There is no official record of an informal caution. With a formal caution, the young offender may be required to enter into an undertaking to pay compensation to the victim, to carry out up to 75 hours of community service and to apologise to the victim or to do anything else that may be appropriate in the circumstances of the case.

A police officer has to have regard to sentences imposed for comparable offences by the Children's Court and to any guidelines issued by the Commissioner of Police. If a young offender does not comply with a requirement of the police officer, the officer may refer the matter to a youth justice coordinator, who is a public servant responsible to the senior judge of the court, for reference to a family group conference or may lay a charge for the offence before the court.

There are two concerns about this part of the procedure. The first is that there are police officers who should not be entrusted with this wider power. Young persons who may dispute the offence or the penalty imposed may nevertheless feel compelled to submit the course which involves the least hassle. I have some concerns about that matter. I believe that it needs to be raised and I hope that members of the select committee will give their interpretation of this issue.

The second issue is the involvement of parents. While a young offender who enters into an undertaking is protected to the extent that an undertaking must be signed by the parents or guardians of the young offender, there is no requirement for the parents to be involved in the negotiations leading to the undertaking. I would like to see that rectified.

The next stage is a family group conference, which involves a youth justice coordinator, the young offender, a representative of the Commissioner of Police, the guardians and other relatives of the youth who may participate usefully in the conference and the victim. The

family conference at which the young offender may be advised by a legal practitioner has power to administer a formal caution or to require the young offender to enter into an undertaking to pay compensation to the victim or to undertake up to 300 hours of community service and to enter into an undertaking to apologise to the victim, as well as anything else that may be appropriate.

If there is a breach then a charge may be laid but if the young offender complies with all requirements he or she is not liable to be prosecuted for the offence. The ultimate course is for an offence to be laid. Homicide ultimately is to be dealt with in the Supreme Court or the District Court. A young offender may elect to be dealt with in the same way as an adult after receiving independent legal advice, or the Supreme Court may determine that the young offender should be dealt with in the same way as an adult because of the gravity of the offence or because the offence is part of the pattern of repeated offending—

A paper that the Liberal Party put out some time ago in the way of an options paper proposed that we should consider reducing the age of 18 to 17 years and that for repeat offenders for serious cases young offenders should automatically be dealt with as adults. It is not the intention of the Opposition to propose these courses of action in the light of the radical changes to the way in which juvenile justice will be administered. However, I believe it is appropriate that we keep those options open if at some stage in the future the new system does not work effectively.

When a young offender is arrested, clause 13 of the Bill does not provide for the parents or guardians to be informed with a view to ensuring that they are present during any interrogation. There is a feeling in the community that that situation should also be rectified. So far as sentence is concerned, the court may not sentence and, while a period of imprisonment would be appropriate for an adult, the court may not sentence the young offender to detention for a period exceeding three years.

The maximum fine which the court may impose is $2 000 and the maximum community service is 500 hours. Currently we recognise that there is a minimum period of detention of two months and a maximum of two years. The Bill does not set a minimum and, again, that is consistent with the options paper that the Liberal Party released at an earlier stage. I think the extension from two to three years is quite appropriate.

Presently the maximum fine is $1 000 and, again, the increase is supported. The present maximum for community work is 90 hours. The increase is consistent with the position that the Opposition has put down previously. The major concern for community service is that a suitable placement must be available before the court can make an order. I would want to stress in this debate the need for Government to ensure that suitable placements are available.

We need to reassert a view, which we have previously expressed in this and another House, that no limitation should be placed on these sorts of community work that are available in society. At the moment certain work cannot be undertaken because of the dictate of the United Trades and Labor Council that such work would take away from paid employees. The fact of the matter is that the work would probably not be done in any event because of the lack of resources. Again, I believe that we need to stress the need for Government to ensure that suitable placements are available.

The Bill establishes a Juvenile Justice Advisory Committee which must report annually and also report to the Attorney-General on matters relevant to the administration of the Act which have been referred by the Attorney-General to the committee for investigation and report. Only the formal report must be tabled. Again, there is a feeling in the community that all reports received by the Attorney-General from the advisory committee should be tabled in Parliament.

The controversial issue will be compensatory orders against parents under clause 51 of the Bill. I have found, and members of the Opposition have found, that there is considerable debate in the community about this particular clause. Previously this situation was being considered on two occasions and on those two previous occasions compensation orders against parents could be made in relation to children committing offences where those children were between the ages of 10 and 15. This Bill allows such orders in relation to all young offenders under the age of 18 and/or above the age of 10.

There is a reverse onus of proof on a parent who has a defence if he or she is able to prove that he or she generally exercised, so far as was reasonably practicable in the circumstances, an appropriate level of supervision and control over the youth's activities. A provision not included in previous Bills requires the court to have regard to the likely effect of the order on the family to which the youth and the parent belong in determining whether or not to make an order and, if it is to make an order, then the amount of compensation considered appropriate.

As I said earlier, this is a matter that has caused much debate in the community and the Opposition will be moving appropriate amendments to this clause when the time comes. There is some concern that with the new provisions that have been introduced into this Bill there is a case where parents could almost be means tested. If you have the means then you pay; if you have not then you do not pay. Concern has also been expressed by parents about the responsibility they have in controlling some children, and as a father of four fairly well behaved—

Mr Ferguson: How do you know?

The Hon. D.C. WOTTON: One always hopes in these cases. I think every parent, particularly these days—

The Hon. B.C. Eastick: They set a good example.

The Hon. D.C. WOTTON: I think they have; I hope they have. Every now again you feel as if you are sliding on the seat of your pants in some of these situations, and there is a need to put a considerable amount of trust in your children with some of the issues that they need to confront in society at present.

There are a number of questions that need to be raised that I hope the Minister will consider. One of the questions is whether or not the Government intends providing specialist police in the first level. Well, the Minister shakes his head or indicates 'No'. It has been put to me that there is a need for specialist police and, again, I have not had the opportunity to serve on the

select committee, and members of that committee will express their opinions on this and a number of other issues at the appropriate time. But it has been put to me that there is a need for specialist police to be provided, and it has been suggested that at least six would be needed in the metropolitan area. The Minister has indicated that that will not be the case, and I look forward to hearing his response.

As I understand it, and again I did not have the opportunity to visit New Zealand and so I stand to be corrected, the specialist police working in New Zealand have ensured that the system is working well in diverting some 70 per cent away from the courts. In the first level we are referring to cautioning, and New Zealand police are involved in schools, associations, youth clubs etc., and, as I understand it, that is working very well. Much has been said publicly about the advantages of family conferences, and I look forward to those family conferences being set up. Much has been said about family conferences diverting business away from the courts. It has been put to me that, as far as the New Zealand system is concerned, it is not only the family conferences but also the work of the specialised police that is bringing in the results in that country.

I also refer to clause 8(1)(b) where the legislation appears to be silent on who will actually service the orders made at each level. Again the Minister might correct me, but as I understand it the Department for Family and Community Services has indicated it will not service these orders and that it will be the responsibility of the police. I also understand that the police have expressed some concern about that responsibility and have indicated that it should be the responsibility of the courts. So, that is a question that I pose to the Minister: who will be responsible for actually servicing these orders?

In the adult jurisdiction, responsibility for this area is set out very clearly in legislation, but that is not the case with respect to this legislation. If the courts have the responsibility to oversee this area, that should be spelt out clearly. I say that having received a copy of a minute from the Court Services Department which spells out that concern. Dated 2 April 1993, it states:

A preliminary reading of the draft Bills for the Young Offenders and Youth Court Acts, presented to Parliament on 25 March 1993, have raised concerns in three areas in particular. They relate to:

- requirements under the Young Offenders Bill that the Registrar of the Youth Court keep records of certain police cautioning outcomes and to administer those outcomes;
- the supervision of undertakings resulting from family conferences but, more specifically, supervision of undertakings to perform community service;

and

- the overall approach to supervision of community service orders, whether imposed at police cautioning proceedings, family conferences, or by the Youth Court.

It spells out in some detail some of these concerns. In regard to police cautioning outcomes, concern is expressed as follows:

Clause 8 under Division 2 of the Youth Offenders Bill relates to police powers to impose sanctions at the formal cautionings. It also enables police to deal with non-compliance with cautioning outcomes by way of referral to a family conference or by laying a charge for the offence before the court. However, subclauses 8(4) and (5) also place a number of administrative and, impliedly, active monitoring responsibilities on the Registrar of the court for undertakings arising from police cautioning proceedings.

Subclause 8 (4) states:

> If a youth enters into an undertaking to pay compensation, a copy of the undertaking must be filed with the Registrar and payments of compensation must be made to the Registrar who will disburse the compensation to the victims named in the undertaking.

Subclause 8 (5) states:

If a youth enters into an undertaking to carry out community service, a copy of the undertaking must be filed with the Registrar.

With respect to subclause 8(4) it is considered inappropriate for the court to administer any aspects of outcomes imposed at the police cautioning stage, given that one of the main aims of the legislation is to enable police to deal more directly with minor offences, and to avoid involvement with the courts at this level of offending.

Clause 8 gives police the powers to administer formal cautions and to remedy non-compliance with any undertakings resulting from cautioning proceedings. This provides police with a clear monitoring role in respect of cautioning outcomes. However, in requiring the court to administer specific outcomes (in this case, compensation payments), the Act would remove direct police monitoring of these particular outcomes and presumably make police reliant on the court to report or notify non-compliance before they could invoke remedies provided under subclause (6). The Act makes no provision for such reporting arrangements between the court and police—nor should it, for reasons outlined previously.

It is not appropriate, nor do I have the time, to refer to all the matters, but they also express concern with regard to the supervision of family conference/community service undertakings under community service and other areas. I will refer to some of those comments and will ask questions relating to some of them during the Committee stage.

The matter of home detention has been introduced into this legislation. It is a question of which services should be implicated. Correctional Services has the equipment already, as I understand it, in the form of computers and bracelets. The Department for Family and Community Services does not have the necessary equipment, so if it is made the agency responsible for this area it will require additional expenditure. It has been put to me (and, I am sure, to other people at an earlier stage) that perhaps some of these matters could be dealt with by a junior section of the Department of Correctional Services. I do not support that, but the cost factor must be considered.

There are other matters in this Bill that relate to the Youth Court, but I believe that they are more appropriately dealt with when we debate the Youth Court legislation. As I said earlier, there has been much debate in the community. I was interested to see some of the comments made by Kym Davey, the Executive Officer with the Youth Affairs Council of South Australia. Some little time ago he suggested that more substance and less rhetoric was required. Much detail was provided in the article that appeared in the *Advertiser* recently with

regard to some of the statements that he has made, and other members of the House may refer to some of those statements. I will do so during the Committee stage.

I think all members, late this afternoon or early this evening, received a letter from Mr Grant Peters in which a number of concerns are expressed with regard to the Young Offenders Bill. Members have been made aware of those concerns. It is not appropriate for me to refer to them now, but I will do so during the Committee stage.

As I said earlier, the Opposition supports this legislation. On behalf of members on this side of the House, I commend the excellent contribution that the members of the select committee have made in the preparation of the report and, more importantly, of this legislation. I believe it will be a vast improvement on the system we have at the present time. The Opposition has some concerns which it will raise at the appropriate time by way of amendment, and there will be the opportunity during Committee to emphasise some of those concerns and seek remedies from the Government at that time. The Opposition supports the legislation.

The Hon. B.C. EASTICK (Light): At the outset let me say that the Bill has come to us in a rather strange way. It is part of the first interim report which has been handed down. The second interim report will introduce yet a fourth Bill. However, because of the problems of time, members of the select committee have not had a chance to address the circumstances which were revealed during the period of almost two years that the committee collected evidence. A great deal of effort and time has been put into the final formulation of the Bills. I want to put on the public record my appreciation of the efforts made by all members of the committee, even though one had to be sat on at times. I particularly express my thanks to our technical assistant Ms Joy Wundersitz and the Secretary, Rennie Gay.

The whole of the select committee's activities have been a challenging and, I believe, a rewarding experience. It will be of considerable advantage to the public of South Australia when the changes that are affected by the Bills that we are addressing are put into place. It is a time of tremendous public expectation that not only the Government but also the Parliament is fair dinkum about putting into place a series of measures that will give a better public appreciation of the true effort being made to make sure that the unruliness, vandalism, graffiti activities, fast car chases and so on directly associated with young people come to an end or very markedly reduce in intensity. To achieve that result it requires an action by this Parliament to make sure that the young people are given a clear indication of what the public will accept of their activities at the earliest possible moment after a transgression has been identified.

One of the very galling aspects of the information made available to the members of the committee through the course of their deliberations was the large number of occasions when it took some six months or so for a young offender to appear before either a court or a panel. After such a long time they lose all sense of understanding of why it is they are standing where they are. In a number of cases there is a lack of coordination of effort in considering young people as individuals and taking their actions (wherever they might have occurred across the State of South Australia but more particularly across the metropolitan area) as a total rather than a series of individual events. Often, records do not identify to the second court or the second panel the circumstances that were directly associated with that young person's attack upon society.

One could generalise and talk in a broad way about this, but I believe that the committee found from the New Zealand experience and from the evidence that we were able to gain of the benefits of a similar but slightly different arrangement which commenced in Wagga, New South Wales and which has now extended to 30 or more sites across New South Wales, that the approaches that are contained within these measures will markedly reduce the feeling that they can get away with it, they can do as they like, nobody really cares much about it so nobody will do much about it. In great measure, that benefit will arise because the extended family will be introduced into the system in a very practical way and, from the experience gained in New Zealand, I believe it will be in a very effective way. This is in addition to the fact that, in most circumstances where the victim wants to be involved, the victim will be able to be involved, to the benefit, as was shown in the New Zealand experience, of the offender as much as to the benefit of the victim.

The victim is able to identify to the offender the circumstances which have beset the family or the individual as a result of the transgression. We were advised of and indeed in some cases from discussions we were able to experience the beneficial effect this had on the young offender. What is even more surprising is the fact that in a number of cases the young offender is assisted by the victim to greatly improve their lifestyle and to have a chance in life that they might not otherwise have had if they had continued on their merry way and had never met up with the victim and the victim had never had the opportunity of having a positive impact (I say 'positive impact' quite deliberately) on that young offender.

I refer now to the measures that are before us. I talk in a collective sense, but I am fully appreciative that at the moment we are addressing the Young Offenders Bill. A number of quite deliberate actions have been taken by the select committee in the preparation of the Bills that are before the House: deliberate actions which seek to put behind us some of the excesses and some of the lackadaisical ways that have been allowed to develop, and some of the quite unproductive counselling that has been able to creep into our present system, where on many occasions people who know offenders cannot recognise them in the reports that go with the offender before the court.

That is not an intended slight directly against those people who have worked in various agencies in the past, but it is a fact of life that the method of approach by a number of them has been less than beneficial to the young persons themselves. The belief that they could do no wrong or would not have undertaken the transgression with which they are charged or that the good in them will come out without a positive action being taken to pass on to that young person the reasons why society expects better of them, has not been to the ultimate advantage of many of our young people.

I believe that the number of people who are in the recidivist group—the number of young people who have gone from bad to worse—has been a direct result of a deliberate breakdown of the family unit and family influence by some agencies, and that with the new approach of the family conference we will get back to some of those very important, basic issues that are an essential part of repairing some of the damage that has been done to these young people by taking them away from family influence or by separating them from their family when in fact the family is probably the only group that, along with the assistance of police or proper community workers, is able to give them guidance into the future. I feel that what is before the House seeks to achieve that.

I say that what is before the House seeks to achieve it: no-one in their right mind would believe that, in making the total changes that are contained in the four Bills that we are talking about, we will necessarily have every 't' crossed and every 'i' dotted in the right spot. The committee has been vigorous in its attempt to contemplate the consequences of the changes that are being effected. It has taken advice widely from a number of professional and legal people and a number of people who have worked in the system, and it has sought to garner from all that information the best possible end result. However, it is recognised that there will probably be some fine tuning on the edges.

My colleague the member for Heysen has mentioned some of the information that has been forthcoming even since the Bills came before the House. We are appreciative of the fact that, when we get to the Committee stage, a number of amendments will be considered which were initiated by the Minister on behalf of the committee and of his own department and on his own initiative. Other amendments will be put forward to the House from the Opposition spokesperson in this area which identify concerns that have been expressed by people with whom he has consulted. The end result, I am quite sure, is a genuine interest by the whole of the Parliament to get it right in the knowledge that the public expect us to get it right. The public have had a crop full of pats on the head, bags of lollies and systems that have been tried, failed but not corrected, and all those measures are important.

I am reminded of the advice I have given to this House on earlier occasions relating to an experience I had when talking with the late Harold Salisbury, the former Commissioner of Police in this State. At a meeting one night he said, 'My first constable told me that it is when you start putting theory into practice that the difficulties begin.' We could not have a better piece of advice to offer to all concerned—that it is the eventual practice of the theory that will be important. At an early stage, if the theory can be demonstrated as being less than effective, I believe that the House stands ready to make the required changes. In the longer term, we would expect this parcel of Bills to be monitored properly over the months ahead, with definite and positive action being taken by the Minister, whomever that person may be, 12 months, 18 months or two years down the line, to obtain a proper appreciation of the effect of the changes.

One of the other issues that came forward clearly to members of the committee from parents in particular—should I say mothers in particular, and mothers from the Aboriginal community specifically—was, 'I called out for help and help was not forthcoming.' There would not be a member in this House who has not heard the self same comment in their electorate office by people who have feared intrusions into the thinking of their children by some over-zealous schoolteacher, who has not been concerned about fears expressed by parents about peer pressure at school or in the field of sport that some parents have been able to identify. In the circumstance where the child is showing signs of rebellion and is refusing to take the advice of the parent, the parent has gone out seeking help from those who they had been led to believe are in the community to provide a community service and to give them guidance, and they have been told to go away until something really happens and then come back and 'We will see what we can do.'

Members will appreciate, if they read the minutes of the public meetings, the number of occasions on which committee members were advised by parents: 'We sought assistance because we knew something was happening, and the assistance was not forthcoming. When we asked why the assistance was not forthcoming, it was not always that the case load was too great; it was not always that the person was unmindful of the set of circumstances; but it was an indifference as to the general direction that some officers were taking to the whole issue.' That was the tragedy that unfolded from time to time in our deliberations. I am hopeful that, with the new system, those who are interested in young people, who are and have been challenged to take an appropriate attitude to putting the lid on a number of the difficulties that have been experienced in the past, and who are giving assistance and demanding a result, will be involved.

I am not talking about demands with a stockwhip; I am not talking about demands being made in an obsessive way; I am talking about their following through and making sure that the requirements that have been put on the young person by the court and by the family group conference are fulfilled. They must ensure that, when agencies indicate that they have a program that might help those young people, they do in fact have a program and are not thinking up what program they might develop to help the young person down the track. On numerous occasions we were told that people had been directed by the court or under other arrangements to undertake certain training but, when they got there, the training was not available or it was not adequate for the purpose that had been spelt out.

There have been major foul-ups, which have not assisted the young people who the State claimed, the Parliament believed, and indeed some of the senior people in the agencies thought would achieve a result. They have not been followed through to the degree that the result has been forthcoming. Not only do the provisions of all four Bills, more particularly the one we are presently addressing, bring about a changed attitude and approach but also there are challenging decisions to be made and challenging results to be determined. It will be extremely important that somebody take a vital leadership role.

In the first instance, the buck will stop on the desk of the Minister, whoever that Minister may be. I believe that the Minister at the table appreciates that the role will exercise a great part of his time in his ensuring that, in the early stages, the system is monitored and that the decisions of the Parliament and the expectations of the Cabinet will be realised. I am not suggesting that in five minutes they will click together like a well-oiled jigsaw puzzle, but leadership from the top, from the Minister and the Minister's Chief Executive Officer in this area, will be required if results are to be achieved, even to the point heads are banged or people are moved if they show that they are not able to deliver what is expected not only by the members of this Parliament but also by the community.

There has never been a better time to achieve these vital changes than that which is afforded by the people of South Australia at this moment. Whether they be young or old, whether they be parents or grandparents, whether they be siblings or otherwise, there has been a strong call for help. I believe that these measures provide a great opportunity for such assistance. I commend the Bills to the House.

Mr FERGUSON (Henley Beach): I would like to thank the Parliament for the opportunity afforded me through my membership of the committee to be involved in what became a fairly arduous but rewarding task. My knowledge of not only the juvenile justice system but all the ancillary matters surrounding it was increased through my participation. What was obvious to me from the start—and I am sure to other members of the committee—was the need for change. Even after some very preliminary meetings of the committee and after a visit to the Youth Court in Adelaide, one could see that the juvenile justice system required change and that the rather revolutionary suggestions now before the Parliament had to be introduced.

Offenders were taken into the Youth Court, they stood there for a few minutes and did not enter into any of the proceedings; people muttered some very technical things around them and, in most instances, they themselves did not utter a word. They then moved out. After they came out of the court, they tended to say, 'Well, what was that all about?'. Having witnessed that, it seemed that there was a very desperate need for change.

I believe that the committee's visit to New Zealand was absolutely invaluable in producing changes to the legislation that are now before the Parliament. It is not all going well in New Zealand, but sufficient evidence was put before the committee for it to understand that we need to introduce a system similar to the one operating in that country. I hasten to add that I am supporting this legislation totally, but in some instances I would like to follow the New Zealand system even more closely than the legislation provides for, particularly in regard to some of the administrative matters in the system.

I would like to pick up some of the thoughts that have been put to the Parliament by the member for Heysen. During the debate tonight he has put his finger on some of my concerns. I do not think it is any secret, and I certainly have never made any secret of it in the course of deliberations, that I am keen to see a special branch of the police set up to handle juvenile justice in this State.

In New Zealand I had the opportunity to observe youth aid officers in operation. It is true to say that the welfare section of the juvenile justice system will, to a large extent, be eliminated under the proposals before us. However, my observation was that, in the New Zealand system, much of what is suggested to be welfare work is actually being undertaken by the police. A special section of the police do such things as hold pre-conferences before family group conferences, make all the arrangements that are necessary to ensure that the appropriate people attend those conferences, look into family backgrounds and so on, and after the family conferences they follow up with the necessary work. To my mind, the youth aid police section in New Zealand is doing a lot of the work that would be considered to be welfare work.

I agree with the member for Heysen that not all police officers are capable of doing this sort of work. One would not expect that the whole of the police force should be prepared to be involved. The type of police officer who is sent down, say, to stop a brawl in an hotel in Port Adelaide, or wherever, would not necessarily have the same skills that are necessary to handle the work that is created by these changes. I would not hold up the legislation, and I certainly would not vote against it, but I emphasise that I am concerned that a special youth police section is not to be set up to handle the changes that are about to come upon us. Maybe it is not too late. As time goes by, this matter will be further considered, and I hope that this point is looked at carefully in due course.

I, too, was impressed by the Aboriginal mothers and the Aboriginal groups who gave evidence to the committee. I hope that, when consideration is given to the appointment of family group conference coordinators, some of these indigenous people are included in that category. I believe there is a tendency to appoint only those people who are academically qualified, such as social workers, ex-policemen, ex-army officers and other such people, but I hope that consideration is given to employing indigenous people, particularly in those northern areas that we visited in Whyalla and beyond, as Aboriginal coordinators for family group conferences.

The other thing I observed when I was in New Zealand—and I believe that no attention has been given to this matter so far, at least on the surface—is that the family group conference coordinators appeared to have some sort of budget that they could use when they dispensed justice in terms of the agencies. As far as I can understand, a sufficient number of agencies has not been set up in South Australia to assist when family group conferences come to a decision, for example, on the number of community service hours a person should undertake. When this decision is made, these people must be supervised. I know that it is in an embryo stage, but as yet there does not seem to be a system that will take care of the administration of community service hours.

When in New Zealand I was pleased to see that certain individuals were asked to go to work on a farm, for example. Some of them were sent to camps on islands off the coast of New Zealand to work in pretty harsh circumstances, and they gladly volunteered to do so in order to expiate the offence to which they had pleaded

guilty. This requires the setting up of some organisation. As far as I can see, so far nothing has been done in this regard.

I was somewhat aghast at the suggestion made by the member for Heysen that orders not be made against parents; I understand that he intends to move amendments in that regard. Until I see the amendments, I cannot pass judgment on them, but it appears to be a vital factor in the successful running of these family group conferences that the parents are involved, particularly in reparation to the victims.

Unless we can get some sort of commitment—and I think it would be legislative commitment—to this situation, I do not see how it is possible that this system will work. I may be misjudging the member for Heysen but, until such time as I see the actual amendments, I ask members of the Opposition to think again about this situation. If you cannot, under certain circumstances, bind the parents—and this occurs in New Zealand—to the reparation of some of the damage that has been done, I cannot see how the victims can be recompensed. If it can be explained to me where I am going wrong, maybe I will change my mind.

The only other thing that I should mention is that New Zealand put aside quite a large sum of money to be able to assist with the changeover to the new system. As far as I understand, we have not put aside any money—although there will be increases in various agencies' budgets to accommodate the changes—for the actual changeover. It will take a long time for the public to catch up to the actual changes. In New Zealand, a certain amount of money was spent on the public relations exercise of explaining exactly to the New Zealand people the changes, and this involved a considerable amount of money. At the moment, I do not think that we have made any preparation for this situation. In general, I support the changes. They are huge changes, and they will take some getting used to. I hope that this legislation has a successful passage through both Houses of Parliament.

The Hon. M.J. EVANS (Minister of Health, Family and Community Services): I move:

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

Mr S.J. BAKER (Deputy Leader of the Opposition): I wish to make a brief comment on the Bill. We can congratulate the committee for the hard work that it undertook on behalf of the Parliament to reach some form of resolution to the never ending difficulty we face on how to treat juvenile offenders. It is quite apparent that the approach that we are adopting currently is manifestly inadequate, and that is demonstrated by the figures on offences committed by juveniles and the levels of recidivism that exist at the moment. I was horrified to read today that Adelaide is the drug capital of Australia, according to surveys that have been taken. From memory, they suggested that about 30 per cent of our young people have indulged in drug taking in the form of amphetamines, marijuana or some other forms of drug taking which can lead to some grave difficulties later in life.

It gave me no great joy to see that South Australia was in front of the game and that it was becoming a habit among our people to pop the pill, smoke some grass or to take on heavier drugs in the form of crack or cocaine—and even heroin. We keep coming up with the old solution, so I was pleased that a select committee was formed and considerable effort was made to look at the dynamics of the situation and come up with a resolution. Whilst I am not content with the resolution that was reached, I must commend the members for their diligence and I realise that they, too, operated under some difficulties that were imposed by the system itself.

Let us make quite clear that the success of a system can be achieved only through very solid foundations, and we still have not achieved those solid foundations. Three fundamental principles are involved in this matter. First, when a person commits an offence of even a minor nature that person must recognise that he or she has offended, that it is an offence against the law, against that person's family, close relatives and the victim. If we cannot start to reinforce that at an early age, then the system will fail; it will always fail, as we have seen the current system progressively fail over the years.

The system will also fail if we do not build some moral grounds upon which we conduct our life. I am not a moralist, and nobody has ever accused me of being one, but I can say that, if we do not have a consistent set of standards and apply those standards without fear or favour, we will continue to fail. We cannot say on the one hand that a private individual is not committing an offence because of the person's background or because of difficulties at home, yet another person is culpable because that person has more resources or it will cause too much difficulty to carry out the will of the people. What we have seen with juveniles is a problem that has become so large that people have said it is too large to come to grips with.

I happened to look at a number of systems around the world some years ago. The one system that I looked at which did make a lot of sense was the French system. Under the French system, they get the offender at the earliest possible age and find out what has happened to that person to cause them to commit that offence—the family background or peer group pressure. They ask why that person has stolen, assaulted or broken some other law. Once they do that they can understand what must change to bring about a behavioural change in that child, because they understand that, unless you bring about a behavioural change in that child, he or she will continue to offend. They realise that, if he or she is still surrounded by the same influences, they do not change. What we are doing here—at least in part—is recognising that the family situation, the peer group pressure, the standards that are maintained around that person, have a big influence on the behavioural habits of the individual concerned.

The French woke up to this and asked, 'What are the dynamics of the situation? What do we have to change? Was it a one-off event? Was it spurred on by some outside force which is not likely to be repeated?' On a number of occasions where there have been family difficulties, there has been support. Where the kids have had to get away from home, they have been afforded a constructive work camp type of experience. They have

said, 'It doesn't matter how young you are; if you offend, then you have to realise the enormity of your offence; you have to realise that, if it is not tackled at the very beginning, it will continue.' We all know that if we are allowed to get away with something we will continue to want to get away with it. If we think the law is an ass, the law will continue to be an ass. I know, from dealing with the juveniles in my area who create mayhem, that they do not suddenly take off with this behaviour at 12 or 13 years of age; they have already committed some offences earlier, and it escalates.

It escalates because nobody said, 'What you are doing is wrong.' If we do not reinforce these matters at the earliest ages within schools, if we do not set standards to which people can adhere, if we do not explain that they are hurting other people by offending, we shall fail and we shall continue to fail. Whilst I appreciate the efforts that have been made by the committee, I realise the enormity of the task. We have to change much more than the laws of this land and put in place different structures before we even come to grips with the problem.

My first principle is that we have to take action the first time a person's offending comes to the notice of the authorities. It must be the first time, not the second or the third time. The second principle is that juveniles have to be made to feel responsible. I note that there is a strong theme going through the report and the legislation. There is a recognition that someone has to stand over them and say, 'You are hurting other people. If you continue with this behaviour, there will be serious consequences.' What appals me is that when we get to the juvenile court it is too hard. Someone who steals a car (normally a boy) is told that he is a bad boy. When it comes to the second time, he is still a bad boy and the third time he is a bad boy, and so it goes on, until the twenty-fifth time when he kills someone.

Whose fault is it? It is certainly not the kid's, because the kid has learnt that it is all right to steal a car. There is a reward-peer group acclamation. We reinforce that what that person is doing is right in his or her mind. Because there is no penalty, there is no attempt to bring to the attention of that kid that there are some long-term consequences. There is no attempt, when there are difficulties at home, to come to grips with the fact that an intolerable situation could be encouraging these behavioural patterns that we wish to eliminate.

As I said, we have to make the juvenile feel responsible, and that can happen in. a number of ways. I note the propositions in the Bill. There is the process of bringing the victim to the offender and saying to the offender, 'You are doing this to a real person. Because you stole his car he could not go to work this morning; his wife could not pick up the kids; or the shopping could not be done this week.' It is not tremendously serious in each case, but it is a minor catastrophe when taken in totality. I support the proposition. In some cases it does not work; it increases the aggravation. Therefore, people will have to sort that out.

We need processes which will bring to the attention of the offender that he has committed an offence which causes hurt, strain and stress and leads to other unwanted consequences. We must somehow bring to the level of consciousness of the offender that continual behaviour of that kind has a habit of leading to consequences of a very serious nature when they reach adulthood. We have seen it time and again.

At one time I was looking into juvenile offending statistics. I did some work on the escalation of crime during the 1970s and the changes in patterns, offences and ages. The police used to say, 'If you have not committed an offence by the age of 15, you never will.' I suppose that the age would be more like 13 now, but we will settle for 15. What the police were saying was true: that behavioural patterns are set very early in life and that unless we can halt them early in life we will never succeed.

I remember studies that were carried out in New York on kids taken away at various ages and put into different environments and the impact that that had. For example, if a kid was taken from the Bronx at the age of eight, that child would continue with that behaviour in his or her new environment until some years had passed and the parenting of the child had changed that pattern. The police were saying this was true of children of eight. Of course, they start even younger over there; they carry guns at eight years of age. As young as eight the behavioural patterns have been set and it is terribly difficult to change them. They carried out a number of experiments with children to see how they could alter their motivation and the things that they felt were important, including peer group pressure.

The second important item on my agenda, after making sure that we start with the first offence, is juvenile responsibility, and there are a number of ways of reinforcing it. The third item is parental responsibility. Again, some attempt has been made to come to grips with parental responsibility. The Liberal Party has had some difficulty on how far we can press the issue of parental responsibility. We are all aware that, by the time these kids get to a serious offending age or become serious offenders, we cannot do anything with them. It is no use saying, with respect to 14 and 15-year-olds, 'You should have kept control over that child; that kid should not have been out at 12 o'clock at night; he should not have been in Hindley Street at night; he should not have been at a school with a box of matches at night', when that person throughout the system has been patted on the back by his mates for the trouble he has caused and he has not been called to account by the law.

The legislation contains a number of initiatives and takes us one step forward. It has some elements of all the things that I think are important. But I go back to my most serious proposition: we have to start at the beginning—not half way through the system, but at the beginning. That means that our school systems have to change, and the way that we deal with kids once they first come to the attention of the authorities has to change. We have to make an incredible effort that first time. It does not have to be of a punitive nature. In fact, it should not be of a punitive nature. However, we should not allow the child to escape feeling that the law is an ass or that the law cannot do anything. Leaving aside issues associated with the state of the economy and unemployment and the impact that has on families, the most successful systems are those where the youngsters are picked up at an early age and something positive is done with them.

There are other areas. We could look beyond New Zealand. I did not want the juvenile justice committee to rush off to Paris, Switzerland or Sweden. It is a bit late now, anyway. I found some of the literature, having talked to some of the people concerned, quite fascinating because there are some real success stories. There are new ways of dealing with the problem. If we can get to kids at a young age, the cost to the system will be very different later. We pay a huge price for the negligence that we allow to occur.

Let us consider the kids. The most innocent thing in the world is a new-born baby. It does not start with any preconceptions, it does not start with a build-up of tastes and likes; it starts off as a clean person with no criminal tendencies, a person who basically does not have a bad bone in his body but who is moulded by the things around him. Unless we change those things, we shall continue to fail.

I believe that the committee has put forward some of the elements that I would wish to see, so from that point of view I congratulate the committee. However, I believe that there is a hell of a lot more work to do. I believe you have to spend money at the front end of the system; I believe you have to put your resources at the front end of the system; I believe you have to support families at the front end of the system; and I believe you have to give kids a break at the front end of the system. We do not see any of that in this Bill, but I believe in the next few years we may see some of those dynamics changed whereby we put resources where they are needed and not where it is politically astute to put them.

Rome was not built in a day. I appreciate the effort that has been made on behalf of the Parliament. I am pleased to see the provisions of the Bill involving family conferencing, greater responsibility for serious crime and the capacity of a police officer to impose some sort of judgment at the time an offence is committed. I think a lot of those areas will add to the capacity to deal with the problem, but in the final outcome I am not sure whether all these provisions will merely halt the escalation or whether there will actually be a turn around. I thank all the members of the committee for their diligence and effort on behalf of this Parliament.

Mrs HUTCHISON (Stuart): It gives me great pleasure to support the legislation currently before us, and in doing so I will provide some background information as a member of the select committee. The select committee was inaugurated in August 1991. It was given a very broad charter which involved an enormous amount of work for all those on the committee. Before addressing the Bill directly I would like to thank a number of people. I would particularly like to thank our research officer Joy Wundersitz. I think that we were extremely lucky to have somebody of the calibre of Joy Wundersitz. She has a wealth of knowledge of the juvenile justice system not only in this country but also in other countries. Her knowledge was invaluable to the committee in its deliberations. I would also like to thank our secretary Rennie Gay for the enormous amount of work that she did during the deliberations of the committee and also my fellow committee members.

It was a very long select committee—I think about 15 months. Some of us were waiting very anxiously for the end of it and for the results of our work to be released. Nevertheless, I think we can be justifiably proud of the work that has been done. The select committee, as I said, sat for about 15 months, and during that time we took a number of submissions both oral and written. In fact, I think about 380 submissions came before the select committee. Members will realise that there was a large amount of material for us to go through and a lot of work to be done in looking at the suggestions that were put forward.

Generally there was a perception in the community that juvenile crime was rampant. I have to say that generally there has been an increase in juvenile crime, but we must not get carried away with that increase. The increase does not justify some of the comments that were made during the deliberations of the committee. However, be that as it may, I would just like to give some further information with regard to the meetings of the select committee. There were 14 public meetings in a variety of areas including Port Adelaide, Ceduna, Whyalla, Campbelltown, Munno Para, Elizabeth, Murray Bridge, Port Augusta, Marion, Noarlunga, Woodville, Tea Tree Gully, Mount Gambier and Salisbury. So to a large degree we covered the length and breadth of the State.

Meetings were also held with the Aboriginal community. A meeting at Port Adelaide attracted over 100 people. I was also able to talk to a group of Aboriginal women about the concerns they had about the system, and I must say that some very important information came forward at that meeting. I will talk more about that later. The committee also visited the South Australian Youth Training Centre at Magill and the South Australian Youth Remand and Assessment Centre at Enfield and spoke to the young people who were under detention. We spoke to them about the reasons why they were offending and what sort of backgrounds they came from. In the main I think it could be safely said that they were mostly from under-privileged backgrounds and they had some very sad personal histories to relate. It brought home to me that—and I would have to agree with what the member for Mitcham said—we need to prevent this; we need to get to the causes and then deal with the problems. It is a very true but trite saying that prevention is better than cure, and I think we should take note of that.

The member for Henley Beach addressed the meeting that we had in New Zealand. I was one of those who promoted that meeting because on a previous visit to that country I was privileged to obtain information with respect to family group conferences and the juvenile justice system generally. As a result of that I was very keen, as were other members of the committee, to actually go to New Zealand to see that system in operation, because it was going to be very important if we adopted their system either in part or completely.

There were some interesting meetings in New Zealand, and at some of those meetings we met with the political leaders in the community. We also met with the legal people, and one of those was Senior Court Youth Judge Michael Brown, who allowed us to actually sit in on several family group conferences. I must say that we were the only people who were privileged to do so, and for that we were very grateful. It is all very well to have

relayed to you what happens at a family group conference, but to actually sit in on a conference enables you to get a much better idea of how it works.

I know that there were some who were not all that keen on the idea but eventually, after we had been around New Zealand and had sat in on two or three conferences, they were converted to that sort of system which they could see could have a great deal of relevance to us here in South Australia, particularly as it relates to our indigenous population, to the Aboriginal youth who are over-represented in the juvenile justice system. That is something that worries me personally. I think it is something that we must address very sincerely through all of the areas that relate to young people; through the areas of employment, education, health and so on down the line. It is something we cannot sweep under the carpet; it is something we have to address, and we have to make sure that we address it properly otherwise this situation will not change.

The big thing with regard to that was the suggestion that we should involve Aboriginal people in the decision-making processes. That was one of the problems that arose on a number of occasions at the meetings that I had with the Aboriginal people, including personal meetings. I spoke to people in my own area about that and they said exactly the same thing. One of the things they also said, and what I support totally, is that there must be, within the youth justice coordinators, a number of Aboriginal people who can work within that system so that they can pass information on to other members of their community.

I would like to address the general issues which came up during the select committee. One of the central issues was the need to give the victim a more central role in the process. Here again this was a very good case for the New Zealand system which was being put toward us. There was also the need to make the young person aware of the consequences of his or her behaviour and to take responsibility for that behaviour: in other words, in the family group conference and for them to actually face the victim and for them to know what the effect of their offending had on that particular victim. That was brought home to us when we sat in on family group conferences.

Ironically enough, when we were meeting at the detention centres I raised with the young people what their feelings were about being faced with the victim, and it was a unanimous opinion that they did not want to be faced with the victim. They did not want to be faced with what had happened and the crime that they had committed. It seemed to me that there was a need, in the interests of the victim and in the interests of the offender, for both parties to face one another before they could properly get over the incident. From the victim's point of view, it gives them a chance to describe the trauma the incident caused them and, from the offender's point of view, it gives them a chance to think about their actions and to take the responsibility for them and in that context consider the punishment that is decreed.

There was also the need to develop a broader range of sanctions or penalties relevant to the offender and the offending behaviour, and the need to involve the family in the process and to make them more directly responsible for their offending children. That came through both with respect to the white people we interviewed and also the Aborigines. There was considered to be a need to give the police a greater role in the juvenile justice area and a need to provide greater protection for the community.

One of the things that arose from our deliberations was the fact that there was a very long lapse in time between apprehension and a penalty being imposed. This was very much in the forefront of the thinking of the select committee in trying to produce a system which would eliminate much of this time wasting. I believe that we have produced a system that can do that, but it needs to be handled very responsibly and it needs input from all those people convinced that the system can work and who will make it work. The recommendations of the committee are summarised as follows:

A system of formal police cautioning be introduced;

The existing system of Children's Aid Panels and Screening Panels be abolished;

A system of family group conferences be established under the control of the Senior Judge of the Youth Court;

That the Children's Court be renamed the Youth Court and that various procedural changes be introduced at this level, including procedures to facilitate greater victim and offender involvement.

Interestingly enough, there was much comment about the fact that the young offenders themselves were not actually being involved in the system, that it was mainly the legal people talking for them and they were not able to give their point of view. The committee considered that there was a need for young offenders to have more say in this as well. The committee also recommended a form of parental liability. That caused a few problems in some areas, but the committee considers that parents must take responsibility for what their children do.

Further, it was considered that 'the Government' was taking children away from their families. The select committee believed that that responsibility should be given back to the families, and part of that included parental responsibility for what the young offenders were doing. There was a need for wider sentencing options, which the committee recommended, as well as increased penalties for offenders, whilst truancy is to be a care and protection matter. The final recommendation is that the Children's Protection and Young Offenders Act be repealed and replaced by two separate Acts.

The member for Mitcham spoke at some length on the causes of juvenile offending. Evidence given to the select committee from the New South Wales Justice Coalition Report states:

> Juvenile offending is multi-causal. It has clear connections with unemployment, homelessness, school alienation, family breakdown, drug abuse, boredom and inactivity, low morale and poor self-image, inadequate community, family and youth support services.

All of those matters were raised during the select committee and were part of its deliberations. Also, as part of the committee's evidence, it was suggested that both primary and secondary crime prevention strategies were required to tackle the issues of youth offending. Primary crime prevention measures would be designed to divert 'at risk' youth before they became involved in delinquent acts, while secondary prevention programs aim to prevent any reoffending amongst those young

people who have already experienced some contact with the juvenile justice system.

The number of young offenders who continue to offend is very small. Many offences are committed by very few offenders but, in the main, they are the young people who end up in adult gaols. So, we really must work very hard in the area or recidivism. We cannot afford to have young people continuing on into adult crime. I support any theories which say we should work at the front end, as the member for Mitcham said, in avoiding juvenile crime. If the system that we are now promoting can do that, we will have done a very good job, and I believe that we have.

In some areas of local government, youth programs and activities are given a very high profile. They would have to be commended for that. However, in the main, there were no programs in local government areas. There was no recognition of youth as part of the local community or that youth needed facilities within the community. I firmly believe that all councils need to recognise that they, too, have a very important role to play in combating juvenile crime in a very positive way. That will mean setting in place a plan to foster programs and activities for the young people in local government areas, and that will be of benefit to all in the communities, not only youth. I firmly believe that they should be looking at allocating moneys from their budgets towards these youth programs. They cannot sit back and say that the Government has to do it all. It has to be a total effort before it will succeed. In that total effort, local government has an important role to play.

I have mentioned already the problems indicated to us in the Aboriginal community. I firmly believe that we have an opportunity to enable families of young Aboriginal offenders, as well as other offenders, to play a pivotal role in supporting them at the family group conferences, by supporting them in terms of being present and also determining the punishments which are set if a young offender has admitted guilt. We recognised very clearly the role of the victim, by saying that the victim would have an opportunity to be present at the family group conferences. That has proven to be very successful in New Zealand. I hope that victims will take the opportunity to be present at family group conferences. In the early stages of the New Zealand system, I believe there was a general reluctance on the part of victims to attend, but latterly there has been a great increase in those numbers.

I spoke to a victim who attended a family group conference. Before the conference the victim was very set in wanting the child, in her words, 'to be killed', but after the family group conference she decided that she felt very sorry for the young offender because of the child's terrible background. That woman actually fostered that young offender through the child's punishment and also agreed to continue to support the child later on. I thought the system of specialist youth officers in the New Zealand police worked very well. We do not intend to do that here, but we should keep it on the drawing board and monitor its progress in New Zealand. I believe we must monitor the way that this system is implemented. We must see whether it is successful in all areas, and make sure that it is successful. If it is not, we may well need to do something about that at a later stage.

Because this has been such a broad ranging committee and has made recommendations for such sweeping changes to our system, it will take some time for that to filter through to the people of South Australia. Nevertheless, I have high hopes for the system and it gives me a great deal of pleasure to support this legislation.

Mr SUCH (Fisher): I am pleased to support this Bill, although the Opposition will seek to fine tune some aspects of it later. It is important to put this Bill in an overall context because there has been a tendency in recent times to focus on young people and suggest that all young people are bad. In fact, very few of them are bad and we should be very proud of our young people. Some years ago there was the cliche of 'the generation gap', and we have almost a repeat of that situation, where many people in our community—I think for the wrong reasons—have become fearful of young people. I do not think there is any justification for that, simply because we have what I would call a few ratbags out there in the community.

We should be very careful not to see young people or to portray them as scapegoats for the ills of society, and there has been a tendency for that to happen, particularly in recent times, because of the bad publicity associated with some young people. I am not trying to be smart, but I have to observe that we do not have a young non-offenders Bill. The point I am making is that we should put this into context. Whilst there are young offenders, we should remember that they are human beings. Even those who go off the rails can be encouraged to conform to society's rules, and I do not accept the notion that we write people off, whether they are young or old; I believe that is a defeatist attitude and contrary to what human beings are capable of. I would like to put this Bill in that context.

I note that one of the worthy objectives of this Bill is to make young offenders aware of their obligations under the law and the consequences of breaches of the law. That is a sound and logical objective. I note too that there is reference to the aspect of deterrence, which is an omission under the present system. Whilst we do not want the deterrent aspect to involve levels of cruelty or anything like that, it is important that the message be spread amongst peers so that others are not encouraged to follow in the path of the minority who break the law. The third principal objective, which is fundamental to the law, is to seek to protect the community.

So, I believe the objectives of the Bill are right, but we should not fall into the trap of believing that we have established the final solution to young offenders, because society will change in its attitudes and so will the behaviour of people over time. So, we should not fall into the trap of assuming that we have the answer for the next 10, 20 or 30 years, because we will find ourselves in a similar predicament to the one we are in now, where society has moved on but the way of dealing with young offenders has not. That is why tonight we are considering a Bill that seeks to bring us forward. I commend the committee for the work it has done on this Bill, because it is a significant advance on the present

situation. The law tends to be conservative, and this Bill is no exception but, despite that, we should acknowledge that in many ways this is a trendsetting Bill, noting that it has drawn ideas from other places and other countries. So, I commend the committee for its work and I commend the community for its input.

One of the difficulties when we talk about young offenders is determining the age limit. I think this is part of the present problem, because people tend to visualise on the basis of their own experience. As MPs we should be careful not to assume that everyone has had the same experience as us and is in the same, often privileged, position. We tend to judge people in terms of middle class experience and privileged background (I do not mean necessarily in terms of wealth), and we should not assume that that has been the experience of others. That is not meant to be a cop-out for those who offend, but it is something that we need to bear in mind. It is interesting to note that internationally youth is generally defined as those under the age of 25, but the committee has not recommended that age limit: indeed, it rejected submissions from many people seeking the lowering of the age at which a person is currently treated as an adult, namely, 18 years.

I applaud most of the aspects of the Bill, but I do have some concerns. In respect of the positive aspects, the family conference idea is obviously a good one; it is worthwhile to give more power to police, within certain guidelines; and the idea of dealing with minor infringements by informal caution and so on is also worthwhile. However, I question the omission of any record of an informal caution. This issue could be explored in Committee, because there is a case, although perhaps not an overpowering one, for recording those informal cautions.

In terms of some of the not so positive aspects, I am concerned that the legislation does not come under the control of the legal profession through the heavy involvement of lawyers. In fact, I would tend towards a situation in which lawyers were not involved, but I notice that in the Bill and even in the amendments circulated this evening there is some provision for lawyers to be present. I feel that the presence of lawyers in a limited capacity is acceptable, provided they do not dominate the process.

In focusing on young offenders, I believe we need to take into account some of the wider factors in society that have given rise to the increased incidence of crime amongst young people. Once again I go back to an earlier point: I am not suggesting that most of our young people are offenders, but one has to look at the sort of society we have, in which the power of parents has been diminished, largely through the media, where we see simulated family shows which portray what I would call precocious American brats and where the role and influence of parents is constantly undermined. I believe we have created a society in which the power of the parent actually to be able to control or influence the behaviour of their child has been seriously undermined.

Accusations have been levelled at the Government agencies; some of those contain some element of truth but some are exaggerated and inaccurate. We have a situation where Government agencies regard, say, a 15-year-old as being someone who need not be returned to the family home, and we have a society in which people can drive a motor car while they are still minors. So, a whole range of conflicting messages are given to young people and adults in a society which, through the media, promotes violence in videos, television and films. One is hardly surprised, therefore, to see some of the behaviours that young people engage in.

Also, when, for good or bad, the influence of the churches has declined and we do not have a set of values that is accepted by all people, it is not surprising that some young people go off the rails. That is not an excuse for our ignoring the problem: it is even more reason to do something about it. Obviously, those issues will not be addressed by this piece of legislation. Nevertheless, it is our responsibility as members of Parliament to seek to address those wider issues, even though the attack on some of those problems will be more difficult because of the Federal system in which we operate.

I refer now to compensatory orders. I believe it is reasonable to expect a degree of control from parents, but it is unreasonable to expect a high degree of control when the power and authority of parents have been undermined. We cannot have it both ways. I notice that further amendments have been circulated tonight in respect of that issue which go some way towards addressing some of my concerns. If we want parents to have authority, responsibility and control over their children, we cannot continually undermine their authority.

The Hon. T.R. Groom interjecting:

The DEPUTY SPEAKER: Order!

Mr SUCH: Some of my concerns relating to that aspect include the imposition of an excessive financial burden on families which will work to the detriment of the family. I notice that even under the amendment proposed tonight we could have a situation where the wealthy were guided by a QC and they would get off; the welfare parent who has little income would pay nothing; and the—

The Hon. T.R. Groom interjecting:

The DEPUTY SPEAKER: Order!

Mr SUCH: —middle class family would end up paying. The notion of controlling children or minors sounds feasible and realistic, but it is different when we are comparing an 11 year old with someone who is 17 years and 11 months old. That is part of the problem with this legislation: there is an assumption that an 11 year old is the same as a 17 year old. That obviously is not the case. I illustrate that by pointing out that my 13 year old is now six foot tall, wears size 13 shoes and can put his mother literally up in the clouds if he wishes. Fortunately he is not an aggressive person, but the point is that it is naive and simplistic to assume that a parent can order or control someone whose physical strength is far in excess of their own. That is particularly true of single parent families.

I believe that the compensatory aspect is somewhat contradictory to the basic thrust of the Bill. I am not saying that I am against all aspects of the compensatory procedure, but the objectives highlighted at the start of the Bill outline that a young person should be aware of their obligations under the law and of the consequences of a breach of the law. It is logical to suggest that the offender, the young person, should bear the brunt and

accept the consequences of their action—and the Bill states that as an objective. It is not the parent but the offender who should pay. We realise that the offenders will not have much money because they are juveniles, but why punish the parent when, in many cases although not all cases, the parent has done everything that is reasonable and responsible. I defy anyone who has had experience with teenagers to challenge that notion.

The Hon. T.R. Groom: What happens to the victim?

Mr SUCH: The traditional response, if a child breaks a window, for example, has been that the parent who has any sense of responsibility pays and would not need to be compelled by a court or anyone else to pay. That would be the decent, honourable thing to do. However, this Bill allows large compensatory payments to be made. Such an open-ended approach could jeopardise the very family we are trying to sustain and reinforce: it could have the opposite effect to that sought by the objectives of this Bill.

The logic that the parents be responsible for the actions of their children sounds compelling, but I believe that we should be cautious as to how we respond to that aspect because, if we are not careful, we could find that rather than reinforcing the family and helping the offender we actually help destroy the family and turn members of the family against each other. As I said, I believe that this Bill contains many good features. It breaks new ground as far as South Australia is concerned. However, I believe that it has scope for improvement with regard to a couple of aspects. I hope that in Committee some of those positive changes can be brought about.

In summarising my contribution, I again commend the committee for what it has done. I do not believe that this is the final or complete solution to the problems we face with respect to juveniles. It is only the tip of the iceberg. Unless these provisions are accompanied by a whole range of measures, including assistance to parents in terms of parenting skills, and unless Government agencies, particularly schools, endeavour to boost the self-esteem of young people, we will find that we are still dealing with the problem rather than solving it at its root. Whilst it is a major step and it is positive, I have some reservations about certain limited sections of it. I look forward in Committee to seeking and realising improvements to those provisions. I commend the Bill to the House. I believe that with its passage, hopefully in a slightly modified form, we will see a major improvement and a reduction in the current incidence of repeat offences amongst a very small minority of our young people.

Mrs KOTZ secured the adjournment of the debate.

ADJOURNMENT

At 10.47 p.m. the House adjourned until Thursday 22 April at 10.30 a.m.