

## HOUSE OF ASSEMBLY

Thursday 14 October 1993

The **SPEAKER (Hon. N.T. Peterson)** took the Chair at 10.30 a.m. and read prayers.

### STATUTES AMENDMENT (ABOLITION OF COMPULSORY RETIREMENT) BILL

Adjourned debate on second reading.  
(Continued from 24 August. Page 428).

**Mr INGERSON (Bragg):** There are some difficulties that may arise from this very positive issue of age discrimination legislation. In supporting this Bill the Opposition notes that it is some two and a half years since this legislation was first brought before the House, legislation which will make a very significant change to the way that people are employed in this State. While positive in terms of the overall community, it presents some very real and distinct problems for the individuals and companies that have to ensure that they can continue to employ people on ability and employ people as they get older.

The Employers Federation and the Chamber of Commerce have not expressed opposition to this change but they have put to me and to others the difficulties that may be developing from the introduction of this type of legislation. As a community we have had for probably almost a century a standard retirement age of 65 years of age for males and 60 years of age for women. Dramatic changes to that very important milestone in a person's life as it relates to employment creates significant difficulties not only for the employer but also as it relates to the worker. The most important difficulty as it relates to the workers is that most of their superannuation and most of their retirement benefits have been geared to that particular age limit. So, they have made some very important decisions in terms of how they are going to meet their financial responsibilities once they are past the age of 60 as it relates to females and 65 as it relates to males. When we make this important change that issue is a very important one for workers and of course for owners who have entered into some superannuation development practice.

The two and a half year period that it has taken to resolve this matter in itself clearly shows to the community and the Parliament the difficulties with rearranging this whole industrial employment condition. In this particular Bill I note that there is a very important decision to amend those awards that have always had traditional retirement ages in them. I note also that a whole range of Acts, which we would all understand as members of Parliament, have also been amended. Probably the most controversial of those have been the amendments required in, first, the Government Management Employment Act and, secondly and the most controversial, those amendments that have been required in the Police Act.

We have received a considerable amount of questioning from the Police Commissioner down arguing that special reasons apply as to why the police in particular should have an exemption under the Police Act. I note that this unfortunately is not supported by the Government, that the Government does not see the need to have an exemption for the police under this Bill. However, I note that a special clause in the Bill sets up the opportunity for people to apply for

exemptions under the Act. In my view that is an important clause in that, irrespective of the intent that we might believe is important in this Bill, some groups in the community will need to have special exemptions.

The need to make sure that employment within the Government sector and the private sector is consistent is also an important issue. I note again, and the Opposition supports this, that the Government has now attempted to make sure that employment in both the public and private sectors is consistent. Having said that, I note that there are still some areas within the community that have a retirement age and that is principally relating to those people who hold judicial positions. The Government and the Opposition support that. We will see how this legislation works and perhaps in the future the Parliament will have to consider whether the guaranteed tenure of people in judicial positions should remain as a standard that we accept today. There is an argument that says that in the future we will see more employment relations done under a contractual arrangement and that that should also apply as it relates to judicial appointments.

Another important issue that was noted in another place by a member of our Party relates to workers compensation. I understand that in the Workers Compensation Act, in essence, we now have an open-ended scheme whereby injured workers or injured employees who are covered under the Act could now be covered for life because of this amendment to the Act. With the changes that were made to the Workers Compensation Act in 1986, I do not think that anyone in this place envisaged that the provisions and the compensation would in fact be for life. I think we all recognise that there should be a closing off in relation to which benefits should be paid under the Workers Compensation Act.

If that is to happen, obviously this Parliament has to consider the options and how those people will be catered for under the social security system. I am not putting any options before the Parliament today. All I am saying is that this Bill now opens up an area which both Parties have to consider, because with this amendment we have set up, under the Act, benefits for life. Many of us would argue that if a person is genuinely injured at work—and I emphasise 'at work'—there should be no question about compensation. The only question is how long the period of compensation should last.

We have had representations from the medical profession; the police, as I mentioned, with a specific issue; the Renmark Irrigation Trust, which had a very specific problem which has now been corrected; the Health Commission; from educationists and, as I said, from industry as it relates to difficulties with employment and, of course, the workers compensation area.

Another major issue of employment, which is not covered under this section and which the Government still has not correctly handled, is the issue of advertising for positions now that we can no longer advertise for a particular age limit. That relates specifically to youth. As the Minister would be aware, there is a massive problem with the employment of young people in our community, because 40 per cent of our youth—that is, people under the age of 25—are unemployed. Current legislation provides, in essence, that no employer can say, 'I would like to employ a young person aged between 16 and 25 in a certain position', whether it be for a garage attendant, a shop assistant—as in the industry that I come from—on the farm, or wherever.

Although this legislation is in place, we still need to look at the practical problems that this sort of legislation creates in the community. In the industrial relations area, which I represent, it is a predominant problem of parents and employers who come to me and say, 'How can we get over this problem that has been created by law?' Whilst, as I said, we support the argument that age should not be a criterion in terms of employment, the community has to deal with the very practical problem of how to advertise for young people and encourage them to apply for jobs. I cite the following example.

A month or so ago a retailer in the petrol reselling area advertised in the *Advertiser* for someone to help on the driveway to sell petrol, clean up the place and wash cars, with generally a low level of skill being required. The owner wanted a young person for this position because they saw it as an opportunity on the driveway for such a person. There were 450 applicants for the job, over 250 of whom were over the age of 40 and, in the owner's view, unsuitable for the job, because he wanted a person between the ages of 16 and 25.

He was placed in the dilemma that he could not say to those applicants aged over 40, 'I am sorry, you can't have this job because I don't want someone aged 40 to 45, I want someone aged between 16 and 25', because he would have been taken to the Equal Opportunity Commission on the ground of discrimination. So, we have this ludicrous situation of 250 of those 450 applicants having no chance of getting the job, because the owner had decided before placing the advertisement that he wanted a young person.

That is absurd. This legislation does not enable that sort of distinct employment opportunity to be properly advertised. This is an issue that Government, the community and the Parliament need to address in order to work out how we are going to deal with this problem under this legislation. It was difficult enough for the employer to interview the 200 young people who applied for the position without having to discard the 250 people who had no chance of getting it. It did not matter what their qualifications were; the owner was not prepared to employ them because he did not want an employee of that age.

That is just one example: there are hundreds of practical examples of that happening on a daily basis. Obviously, that issue must be addressed by the Government. We believe it is an area that needs further investigation—even if it means introducing legislation that allows employers to advertise for a specific age group, in other words over or under 30 years, or something to that effect. At least that would put some practical reality back into the job application system as it relates to specific employers. I would have thought that any legislation would need to be community-based and involve a time constraint, in that, if we have a problem of employment in a specific age group, for example, 16 to 25 years, legislation and the Government's direction ought to be geared specifically to the problem at that time, still retaining the overall principle that age, in essence, should not be one of the major criteria.

As I said, this whole area of youth employment and the fact that employers cannot advertise for young people within a specific age group is a major issue that needs to be addressed. With those few comments, in principle the Opposition supports the Bill. Some important amendments have been made in another place to enable exemptions to apply under the Act.

**The Hon. B.C. EASTICK (Light):** I rise only to make the point that I genuinely feel for those people who have fallen through the crack—the people who were promised by the Government much earlier that the processes would be in place for the issue to come to fruition by June 1993, who entered into arrangements within their Government employment that would see them benefit, and who, instead of going out and taking opportunities that existed in the wide world, fulfilled a responsibility to Government service and now find themselves in difficulties because they happen to have a birthday between 1 July 1993 and 31 December 1993.

Those people—and there may be only a handful of them—have been disadvantaged by the failure of the Government to fulfil its commitment to prepare for the measure we are now supporting. There are people at quite high levels in Government service who, by virtue of their birth date coming within that six-month window, are disadvantaged. The matter was raised on an earlier occasion when the Government sought to defer the Bill for upwards of two years. Fortunately, the members in another House were able to truncate that length of time, and the Government has fulfilled a commitment and is now advancing the effective date over and above that which was originally suggested in another place.

It would be wrong if I did not raise this matter on behalf of such people—and I know three of them in particular who are gravely disadvantaged. Whilst the Treasurer (who gave an undertaking on an earlier occasion when this matter was discussed) said it was possible that such people might be able to negotiate to retain their position, discussions thus far in the case of one quite senior person have been negative in relation to opportunity being available to him. I raise that point so that it is on the official record. The Opposition recognises that some people are being gravely disadvantaged by an inadequacy of Government action and its getting its House in order quickly enough.

**The Hon. G.J. CRAFTER (Minister of Housing, Urban Development and Local Government Relations):** I thank the Opposition for its indication of support for this measure, which brings to a partial conclusion the ability of people to discriminate on the basis of age with respect to employment in particular. I say 'partially' because, as the measure indicates, there are a number of exemptions. Indeed, the member for Bragg was arguing for a much greater breakdown in this measure in future by suggesting that there should be discrimination with respect to the employment of young people. That raises difficult questions about the concept of discrimination on the basis of age in employment. As the honourable member indicated, the industrial relations consequences may be quite significant. By proposing that we should be able to discriminate in favour of a certain age group—in this case young people—the member for Bragg is arguing that others in our community should be discriminated against. He gave the example of a service station proprietor looking for a driveway attendant to do unskilled work. It may be—he did not explain why—that a suitable person could be found to do that work who was from other than the youth age group.

It is of concern that many people in the 45-plus age group are locked into structural unemployment and may not be able to secure employment in the rest of their careers, particularly in the unskilled category. I think that similar social justice arguments can be advanced for the more mature age group as for young people. That is a vexed argument which I suggest probably will be resolved not by way of discrimin-

ation in favour of or against particular age groups but by more enlightened employment practices, more skilful advertising for staff and job descriptions and labour market practices generally in terms of incentives for employers to employ staff from particular target groups in our community. Whilst I acknowledge that there are problems for employers, there may be ways to address those problems.

**The SPEAKER:** Order! Members will resume their seats. The Minister.

**The Hon. G.J. CRAFTER:** There may be other ways to address those problems than the instrument that is before us in applying some form of positive or negative discrimination.

I also acknowledge that people who have been caught in this legislative process are employed particularly in the public sector, although no doubt people employed in other areas of life are similarly caught. I am thinking in terms of current retirement requirements and practices. The member for Bragg indicated that they should be looked at on a case by case basis, but the harsh reality is that the law must be applied as it stands at the time when retirement is due.

I know from my time as Minister of Education that in the Education Department, which is a very large employing agency, very few people were employed over the age of 60, let alone 65. I understand that only a very few people who do not want to take advantage of the generous superannuation provisions that apply would be caught. Those provisions, after all, provide the incentive to retire at an earlier age than otherwise would be possible. In the Education Department concern was expressed mostly on behalf of women who had been forced to retire at an earlier age, because of marriage, and were not eligible at that time to take out superannuation. In fact, they have been able to take out superannuation only at later stages of their careers when they have finished child rearing, and in some cases they could not afford to take out superannuation because the payments were quite hefty at the stage when they recommenced teaching. I think they were in a very difficult situation, so those matters needed to be looked at on a case by case basis. I certainly acknowledge the difficulties that have arisen in those circumstances.

Once again, I thank the Opposition for its indication of support for this important measure. It is, I believe, a breakthrough in the elimination of discrimination in a very important area of our community. It comes at a difficult economic time: employment within our community is in very limited supply, particularly for certain groups of people. In that context it is a difficult decision to take but, nevertheless, it is one that must be taken and must be taken boldly. We must encourage employers to establish practices that will overcome the difficulties which arise as a result of this measure.

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

#### **FISHERIES (GULF ST VINCENT PRAWN FISHERY RATIONALIZATION) (CHARGES ON LICENCES) AMENDMENT BILL**

Adjourned debate on second reading.  
(Continued from 11 August. Page 204.)

**Mr D.S. BAKER (Victoria):** This Bill comes into the House again after another Bill was rejected by a meeting of managers of both Houses. I want to say a few words on the Government's management of the Gulf St Vincent prawn fishery over the past 10 years. The Gulf St Vincent prawn

fishery has been virtually decimated by the management of successive Ministers. Anyone who went through the record, read the *Hansard* report or spoke to the fishermen would be absolutely dismayed at the lack of decision-making and managerial ability of the Ministers concerned. That lack of decision-making has put this fishery in a precarious position. Of course, the more cynical aspect of that—and I will spend a few minutes going through it—is this Government's desire to now try to pursue those fishermen who are left in the fishery—with the fishery not even open—by severally making them liable for the \$3.4 million debt on that fishery. The Government then has the ability to pursue those people through the courts—to sell their boats, their houses, any possessions they like—to recover that debt.

I think it is the most cynical political exercise that I have seen since I have been in this place. I do not know how a Government and a Minister could be so cynical—to be pushed by SAFA and Treasury. They have been caught with their pants down: they are unsecured. I think this whole thing is an absolute financial joke, because if all the fishermen handed in their licences no-one could get the money. It is typical of the financial management in South Australia of the past 10 years; \$3.5 billion is allowed to slip out the back door of the bank. This is a mirror image of it, even if it is only \$3.4 million, but the same ineptitude is going on. This is the second time the Minister has tried to make the 10 remaining fishermen severally liable for the debt. Instead of making some decisions on whether the fishery will open (and I will go through that in a moment) and whether it will ever open again (and I tend to agree, but we will take advice on that at some future stage), he is leaving these 10 fishermen out there and not even telling them whether they can fish this year.

I will quote from the *Hansard* record of the Estimates Committees when the Minister went around in so many circles that he must have got giddy, because he would not answer the question on whether the fishery would open or whether interest would start accruing to the debt. The fishermen are paranoid out there, not knowing whether the fishery will open or whether the interest rate meter will start ticking over. Given all that, the Government and the Minister have the gall to bring in a Bill that will decimate those fishermen because the Minister can pursue them through the courts to recover the debt, knowing full well that the Government has no recourse at present, because it goofed again.

That is the litany of disaster that is coming before this place, and history and *Hansard* show that. However, accepting that most of the financial decisions made by this Government have shown a great degree of ineptitude, we will put that to one side and concentrate on what is in the best interests of the fishery. At present the debt of \$3.4 million is frozen and, although the Minister is trying to duck shove and say that no undertaking has been given (he said that in the Estimates Committee; there is three pages of his going around in circles, saying no undertaking had been given), an undertaking has indeed been given to those fishermen that the interest will not start accruing on the debt until the fishery opens; there is no question about it. The Minister can deny it in this House but Ministers can deny a lot of things in this House which they would not deny on the steps. So, the Minister is quite at liberty if he wants to deny it in this House, but I bet he will not go out on the steps and deny it, because the undertaking has been given.

We have the situation where two weeks before the normal opening of that fishery they do not even know whether it will open or whether the interest will start accruing on the debt,

and we have this Bill introduced in this House. It will be forced through this House—bullied through this House is probably the correct term—and I just hope that when it gets to the other place the members there are awake to what this Government is trying to do. This measure has already been rejected once by the other place.

Because of the mismanagement of the Government over the past 10 years, it desires to make examples of 10 fishermen in that fishery. If this Government desires to bankrupt those people by dragging them through the courts, it is the most cynical political exercise that I have seen. When the Minister gets the chance in this debate, I would like him to get up once again and deny in this House that an undertaking has been given to the industry and to the fishermen that the interest will not start accruing on that debt until the fishery opens, and I would like the Minister to give this House some indication of when the fishery will open.

He set up a management committee. I do not know where the committee's reports are; there is a lot of leaks; a lot of inconclusive things come over my desk—they do not show whether the fishery should open. However, it is the lack of action that is the problem—nothing happens; the fishermen are not told anything. The Minister even refuses to see them. We have 10 of the finest gentlemen one would ever see trying to make a living within the fishery, and they cannot get access to the Minister.

I urge the House to reject this Bill because all it does is carry on the litany of disasters in this fishery because of mismanagement. For a Government to try to cover its own mistakes by pushing through this House legislation to make people severally liable for that \$3.4 million debt is typical of the contempt which the Minister and the Government hold for those people, who are sitting around waiting to try to earn a living within this fishery. The Opposition therefore opposes this Bill most vehemently. Although, of course, we will not have the numbers in this House, we will be urging the Legislative Council to review it and to review it with the cynicism with which it is brought into this House.

**The Hon. T.R. GROOM (Minister of Primary Industries):** It is no wonder that the public are cynical about politicians when contributions of that nature are made by the member for Victoria. If you want to argue a position on the merits then you should do that. But just to use a series of descriptive terms that go nowhere, do nothing and are nothing more than political clichés is extremely disappointing when we are seeking to manage fisheries that have finite resources.

If anyone speaks with a forked tongue it is the member for Victoria, because as Minister, when I sought very decisively to impose a total allowable catch on the southern zone rock lobster based on scientific evidence of 1 650 tonnes to protect the fishery, what did the member for Victoria do? He opposed it and said, 'Let it rip! Grab what you can today and forget about the future.' Here he is in this House cynically speaking on this Bill, seeking to take advantage of the politics of an election occasion to grandstand and pontificate. He has no basis on which to make accusations about this Government in relation to management of the fishery when he carries on like that about a resource such as the southern zone rock lobster fishery, which is worth \$38 million to the State. He tells people, 'Forget about the scientific data. Go out and let her rip. Take what you can. Don't worry about tomorrow.' You cannot have double standards.

The other thing that the member for Victoria has overlooked is that Ministers do not act unilaterally; they do not act on whim any more, as was perhaps the case—

*Mr Lewis interjecting:*

**The Hon. T.R. GROOM:** The honourable member was party to the passage of the integrated management committee—industry self-regulation. There is a management committee in relation to the Gulf St Vincent prawn fishery, and I will take advice from that management committee. I will not shoot from the hip, making unilateral decisions without recommendations and advice from that committee, which is chaired by the Hon. Ted Chapman, a former member of this place. He has provided me with an annual report recently and I released it at the time of the Estimates Committee.

That report set out the general position of the fishery. It is unlikely, based on the surveys that have been undertaken and the general information that I have, that the fishery will open in November. However, I am in the process of talking with the Chairman of that committee, and I will take advice from the committee. However, at this stage I will not paint a positive picture, because it is not positive: the recruitment in the gulf is not what was expected or hoped for. The fact is that it is unlikely that the fishery will be open. It is no good confusing two events, as the member for Victoria does. He mixes up the past with the present. The fact is that fisheries throughout the world are over exploited and the resource is finite. As a result, Governments have to take measures to protect that resource.

You cannot control nature in the way in which the member for Victoria wants to control it. You have to accept nature as it is. If this fishery does not have the resource, we have to take action, but two issues are involved. We have the issue of opening the fishery, which is a stand alone issue, and I will take advice from the industry management committee comprised of industry representatives. They will advise me and use their expertise about whether we should open a fishery in November or whether we should delay that decision for about six months. That is a stand alone decision.

The second issue that is being confused—and no Government is going to pursue the fishery through the courts in the colourful way the member for Victoria described—is that the success of rationalisation schemes hinges on the responsibility that is displayed in many ways by this industry. Back in 1987 the Gulf St Vincent Prawn Boat Owners Association, representing the licence holders, said in its letter to the then Minister of Fisheries:

In addition, the association has accepted the principle relating to the rationalisation of the fleet through removal of five vessels and the levying of remaining operators to achieve this rationalisation. Recent meetings between the association and the department have resulted in firm agreement on the guidelines for the rationalisation program and repayment schedule.

Not only that, but at the end it said:

For these reasons, whilst endorsing the principle of the rationalisation and repayment of the loan [they] seek assistance in obtaining a more favourable interest rate.

It was also represented by solicitors as well. After that letter it further wrote on 31 August 1987:

We should remember that this is an industry reconstruction program which is being funded totally by fishermen within the industry.

Of course, the public and taxpayers paid out a substantial amount in pursuance of that rationalisation scheme and its

solicitors on 1 September 1989 wrote to the then Minister, as follows:

The members of the association recognise their obligations in respect of loan repayments.

It also said:

Our clients neither wish to escape their responsibilities pursuant to the Act nor to exhaust the fishery.

That is the situation. There are two separate issues. There is the question of the opening of the fishery, which is an industry decision. It will be advised to me by the industry. There is then the decision to be made in relation to the debt. The industry has accepted this debt. True, there were deficiencies in the way the debt was constructed, because the Government of the day and the public in paying out the moneys for rationalisation accepted in good faith that the industry would behave properly and honourably in relation to the debt and set a precedent to enable Governments to consider rationalisations in other areas of the fishery, where that was necessary.

Some of the deficiencies with regard to the debt are that it is all or nothing. What we are trying to do is create a base debt for each licence holder of the fishery to enable people to transfer their licence, notwithstanding the present state of the fishery, to be able to quantify their debt and, if they want to get out and sell for less than their licence is worth, they will at least get something for it. At present, any one licence holder has a sanction on everyone else and no-one can get out of the fishery. We have received phone calls from licence holders who want to get out of the fishery but who want something for their licence, yet any one person has a sanction.

It is not a question of pursuing people through the courts of anything like that. The industry and the licence holders received a substantial amount of money from the taxpayers of South Australia. They accepted an obligation to repay and they accepted an obligation to act responsibly. The member for Victoria is saying, 'To hell with the \$3.4 million—scrub the debt.' If that is what he is saying, he should tell us, because that would be an irresponsible thing to do for a prospective Minister in this place, that is, to take advantage of a situation—

*Mr D.S. Baker interjecting:*

**The Hon. T.R. GROOM:** The member for Victoria wants to be consistent about the management of the fisheries. On the one hand, when the Government acts decisively and imposes a quota of 1650 tonnes on the southern rock lobster industry to protect it, the member for Victoria says, 'Let it rip. Let them all get out there and fish what they can and do not worry about tomorrow.'

**Mr LEWIS:** On a point of order, this has nothing to do with the southern rock lobster fishery. The Minister repeatedly referred—

**The SPEAKER:** Order! I understand the point of order. It can certainly be referred to in the expansion of an argument and, as long as the Minister does not go any deeper into that subject, he can certainly use it as an example. I accept that, but the debate of that other issue will not be allowed as part of this Bill.

**The Hon. T.R. GROOM:** I do not intend to debate the other issue. I know it is painful for the member for Murray-Mallee to listen to the logic of a position which simply makes a mockery of the member for Victoria's position. The fishery in South Australia wants decisiveness and decision making, not the meandering and the playing around with the industry that the member for Victoria does. He just meanders

through the industry, makes a good fellow of himself with one industry by opposing what the Government does responsibly, then comes into the House and makes these accusations. But it is no wonder the public is cynical about politicians, because I would have expected the member for Victoria to give the Government credit for its decisive action in relation to the southern zone rock lobster fishery.

But, no, it is in his electorate: so what does he do? Because it is in his electorate he is going to make a good fellow of himself with his constituents, and to hell with the responsibility and the management of the fishery. He is going to get up there and say, 'Look, if it was me I would let you all go and fish and take the lobster today', and have the industry collapse tomorrow. That was his position.

In relation to this fishery I just ask the member for Victoria to be responsible and to recognise that this Parliament placed certain decision making in the hands of an industry based committee, and that industry based committee (headed by Ted Chapman) will advise me in relation to the opening of the fishery. The committee will do that properly and responsibly and I will take the advice from the industry. That is a stand-alone decision.

I do not want to put a false picture in relation to the debt. I have stated quite clearly that, on the basis of the annual report and the surveys that were done last November and June, it is unlikely that the fishery will open in November, but that is yet to be determined (by way of firm recommendation to me) by the actual industry. At that point there are two choices to me as Minister, and any successive Government, if this does not pass. If this does not pass this Parliament, you will have to grapple with this issue of the debt. It would be totally irresponsible to wipe off the \$3.4 million when people have actually been paid out with public moneys, and it is proper for the Government to protect the public interest in this regard and ask the industry to properly carry out its responsibilities.

But two things will occur. At present the surcharge is being met by my department, because the surcharge, which is a part of the capital repayment of the debt and part of the interest, is simply being managed by the Government because the fishery has not opened. There is no question of pursuing people through the courts, bankrupting people or anything else. The Government's record is quite responsible in relation to the way in which this debt has been managed, and because the fishery has not been opened and, because the fishermen do not have any revenue, the Government has been paying the surcharge.

That arrangement with SAFA is only up until November and it needs to be renegotiated with regard to the debt and the surcharge component repayment of that debt, and the Government will act responsibly in relation to that matter. It is quite clear. I am not giving any undertakings, as requested by the member for Victoria, until I have received advice from the management committee.

The member for Victoria says they cannot get in to see me. That is demonstrably untruthful. I see this industry regularly. I have met on several occasions with the Hon. Ted Chapman in relation to his annual report and other issues. I have received correspondence from some licence holders, which I have responded to, and they will get the replies very shortly. I have held a number of meetings in relation to this fishery, so do not give me the nonsense about—

*Mr D.S. Baker interjecting:*

**The Hon. T.R. GROOM:** Do not give me the nonsense about people not being able to get in to see me. You know

that is a lot of nonsense, and I do not think it is proper for you to advance that proposition in this Chamber, knowing it to be demonstrably untrue, because that is something that you cannot accuse me of. I have seen people regularly in relation to this industry when they have sought assistance. It is quite proper for licence holders to seek advice from other members of Parliament. I welcome that.

Other members of Parliament do write to me from time to time. The Government will act responsibly in relation to this matter. We do want to properly enable licence holders to be able to transfer their licence, and that is why this legislation is needed. It is oppressive for any one licence holder to be held effectively at ransom by others if that were the agenda. Some licence holders want to be able to get out of the fishery. The only way that can be achieved is to properly apportion the debt, have variable charges and allow people to dispose of their licence if they want to. But, with respect to the industry committee, this will not be a political decision made on the run or shooting from the hip: it will be based on proper scientific data and on advice from the industry.

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

**MOTOR VEHICLES (DRIVING WHILST  
DISQUALIFIED—PENALTIES) AMENDMENT  
BILL**

Adjourned debate on second reading.  
(Continued from 18 August. Page 350.)

**Mr GUNN (Eyre):** I am not the lead speaker—

**Mr LEWIS:** Mr Speaker, I draw your attention to the state of the House.

*A quorum having been formed:*

**Mr GUNN:** This Bill deals with penalties for people who engage in the activity of driving whilst disqualified. I do not have a great deal of difficulty with this, but I do have a considerable problem with the whole measure of policing the Road Traffic Act and other Acts involving infringement notices and on the spot fines, etc., which directly relate to this matter. People receive these fines and could eventually lose their driver's licence, and we now seem to be caught up in a merry-go-round regarding this matter. This Parliament has a responsibility to come to its senses to some extent.

It is not the right, province or role of the Government to plunder the pockets of the motoring public in an unfair or unreasonable manner, but that is what is going on. It is because of either direct Government policy or the fact that those advising the Government are out of touch with reality and not applying common sense that this whole matter should come to a head. I have an example just to show members what is going on, and if after I have related the details to the House members believe it is a fair, just and equitable situation, I will fly backwards to the moon! I hope those people who are advising the Government are listening. I hope the Police Commissioner realises that this is what his police officers are doing; they are not properly supervised.

On 4 October, a motorist was stopped at a random breath testing point. There is no problem about that whatsoever. She had not been drinking. She was quite happy. The police officer in his wisdom walked around the car and said to her, 'The ball on the tow bar is slightly obscuring one of the letters of the numberplate, if you look at it from an angle. It is all right if you look at it directly from behind.' I point out to the House that a few weeks before that incident this vehicle

had been stolen. After it had been rescued and inspected by the police, no problem had been drawn to the motorist's attention. The officer said, 'I am going to give you an on-the-spot fine of \$210.'

I believe that this is a grave breach of commonsense. The officer's number was 2132/8. What are the supervising officers doing, allowing this plundering of taxpayers' pockets? Not only is it stupid and without commonsense, but people issuing tickets of this nature have voided the right to have that responsibility. This legislation provides for the suspension of drivers' licences and I have no problem with that. However, if this person fails to pay the fine she could lose her driver's licence, so the matter I raise is quite relevant.

I draw your attention, Mr Speaker, to a document which appeared in the library recently and which was written by John O'Neill. Headed 'Highway Robbery', it outlines what is happening by police departments issuing on-the-spot fines. For the benefit of the House I will refer only to South Australia, because we have distinguished ourselves here. When this legislation was originally passed this type of situation was never envisaged.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr GUNN:** That does not mean it is either right or wrong. When we have the opportunity to administer it—and you fellows have excelled yourselves—

**Mr Hamilton:** You agree with it.

**Mr GUNN:** I do not know that I do agree with it. I do not agree with the way this legislation has been administered; in fact, I believe it has been abused, overused and that the law should be changed.

**An honourable member:** You started it.

**Mr GUNN:** And you have perfected it beyond anyone's imagination. So, don't talk nonsense to me.

*Mr Hamilton interjecting:*

**The SPEAKER:** Order! I direct that the member for Eyre not use the word 'you'. If he wishes to refer to members, he must refer to them by their electorate name, the position they hold or by identifying them as members of either the Government or the Opposition.

**Mr GUNN:** Thank you, Mr Speaker. I quite accept that I was out of order and should not have been provoked into answering the interjections.

*Mr Lewis interjecting:*

**The SPEAKER:** Order!

**Mr GUNN:** I will allow members to justify their own actions. This paper written by John O'Neill clearly indicates the massive increase that has taken place in the number of on-the-spot fines imposed, which has eventually led to many people losing their driver's licence. In the type of area I represent a driver's licence is an essential element if one is to conduct a normal lifestyle. If people have a public transport system or taxis available to them this sort of problem can be overcome. The Government appears not to understand the difficulties that this sort of legislation inflicts upon normal law abiding people.

I again return to the on-the-spot fine that was issued on the Main South Road by the officer in question. I believe that action taken to be excessive, unreasonable and unfair. If I could read the signature on the notice I would name the officer. Unfortunately, all I can read is the letters 'D.R.A.' I have no idea of the officer's name. The signatures of issuing officers should be clearly legible so that people can read their name.

**Mr Lewis:** What is his number?

**Mr GUNN:** I have given the number. I have advised senior police officers what I intend to do about this matter, and in future I believe that members of this House have no alternative but to bring to the attention of the House this sort of outrageous behaviour which is plundering people's pockets. There is no justification for this action. What has a slight impediment of a number plate to do with road safety? It is ridiculous—50 per cent of my constituents would be liable for these outrageous tickets every time they go out on the road, because they drive on muddy roads or in dusty conditions (they are not fortunate enough to have paved roads) and this legislation would be inflicted on them. When police officers take it upon themselves to engage in this sort of activity they should expect the criticism that has been levelled at them today.

The greatest thing is commonsense in this world. It has not applied in this instance. I blame the police officer concerned for being too officious and not using commonsense. I also blame his supervisors because they should say, 'Look, it is not the role of the South Australian Police Department to be in conflict with the public. If this sort of behaviour continues then you are bringing the Police Force into conflict with the public.' It is not necessary—

*Mr Venning interjecting:*

**Mr GUNN:** Yes. There has been a long tradition in the South Australian Police Force; it has been highly regarded and it has had the confidence of the public. But this sort of nonsense brings personal antagonism towards the police. There is an over-emphasis on traffic duties, not on serious matters but on this sort of nonsense, because it is too easy to write out these tickets. Therefore, this makes the proposal which I put to the House sometime ago, to have an independent adjudicator, absolutely essential, and the institution of official cautions. In this case, if anyone had had an ounce of commonsense they would have said to the person, 'Look, your numberplate is slightly obscured, I think you or your husband ought to take the ball off the tow bar when you get home.' That is what should have happened and that would have occurred in any other area where commonsense was applied.

In this case the person could afford to pay the fine. But what about a poor battling couple, unemployed and with two or three children getting this sort of treatment? It is all right for the people advising the Minister; they are paid excessive salaries by the taxpayers. It does not affect them; their superannuation is subsidised and they drive Government vehicles—those sort of useless hobos who recommend this sort of nonsense. But if some poor individual, who can hardly feed or clothe his family gets hit like this, their pockets plundered, what will happen? Perhaps you will take their driver's licence away or put them in gaol. There is nothing about fixing stalkers; it has taken you 10 years to do something about that. We have crime figures soaring; we had the Minister go off his twist in the House yesterday in relation to these matters—right into orbit. The only thing he did not do were cartwheels down the corridors—perhaps that is coming today.

People might think I have over-reacted, but this is not the first time. The only way to stop this sort of nonsense is for people to use this Parliament to deal with the matter. If we had commonsense Ministers they would come down like a ton of bricks on the people responsible for this. If those people involved in the Department of Transport had any sense they would make sure that the laws were altered so that this sort of nonsense did not apply.

**The SPEAKER:** Order! I would point out to the member for Eyre that he has had a great deal of leeway in making an argument. However, the Bill relates to driving while under suspension. I would ask the member to relate his remarks to the clause. There are only two clauses in the Bill so it should not be difficult.

**Mr GUNN:** I have read the Bill very carefully and I appreciate that you have been particularly reasonable with me. This opportunity did arise and I believe it is in the public interest for me to pursue this particular matter. All I want to do is protect the public from excessive activities. Therefore, I made the comments and I believe I have explained my position quite adequately and I thank you for your tolerance.

**The SPEAKER:** I call the member for Albert Park—and the honourable member will relate his comments to the Bill.

**Mr HAMILTON (Albert Park):** Absolutely, Sir. I think you are probably one of the most generous Speakers that this House has ever seen, particularly in view of the 10 minutes that you quite properly—and I do not want to reflect on your ruling—provided in terms of allowing the member for Eyre to get on his hobbyhorse about some constituent matter. Whilst I understand that it is the role of a member of Parliament to represent constituents, in this particular case it had nothing to do with the Bill as such. The Bill, for the edification of members opposite, seeks to establish two penalty levels for the offences of 'drive while licence suspended' and 'drive while disqualified from holding or obtaining a licence'. A person's licence may be suspended as a result of incurring 12 or more demerit points under the points demerit system, or a person may be disqualified for a breach of learner or probationary conditions. Alternatively, the person may be disqualified by order of a court.

It also provides that there is no distinction between a first-time offender and a person who repeatedly and deliberately drives whilst suspended or disqualified. That is what this Bill is all about; it has nothing to do with what the member for Eyre was on about—a parochial issue. I understand that he feels that his seat is under threat and that he is trying to make some political capital out of that issue.

**Mr INGERSON:** Mr Speaker, I rise on a point of order. The member for Albert Park is wandering a little away from the Bill and trying to have a go at a member on this side.

**The SPEAKER:** Order! The honourable member will resume his seat. As always, the Chair allows some time in which to build an argument. However, I will listen closely and ensure that the comments relate to the Bill before the House. The member for Albert Park.

**Mr HAMILTON:** Certainly, Sir, and I will not transgress from your ruling: I have no intention of doing that, I am merely saying that the member for Eyre raised this matter because we are leading up to an election, and we all understand that. Some time ago I related to this House the story of a young woman who came to see me. She was distressed because her husband who, to all intents and purposes was a good provider, had a problem: he was driving whilst disqualified. I suggested to her that she get legal advice. I cautioned her that should her husband injure or kill someone he could find himself in very serious trouble and could end up behind bars. This young lady was very distressed. She wanted to know what I could do. I offered a number of suggestions, because I cannot and will not condone a person driving a vehicle whilst disqualified. Such people have no right. I have always believed that it is not a right to have a driver's licence; it is a privilege to be on the road.

*Members interjecting:*

**The SPEAKER:** Order! The member for Albert Park has the call.

**Mr HAMILTON:** I believe that people who want to flout the law should pay the price. Whether it be Kevin Hamilton, the member for Semaphore, or whoever, if they want to flout the law in the community they can be pinged. I say: pay the price; cop it sweet. If they do not want to cop it sweet they can seek legal advice and put their case before a magistrate. There is no way in the world this Parliament can condone those people who want to drive without a licence. I believe they should be pinged.

A person who repeatedly and deliberately disobeys a licence suspension or disqualification should be subject to a greater penalty. They know when they get behind the wheel of a car or a truck or on a motorcycle that their licence has been disqualified and that they are running the gauntlet. They know that they are putting the future of other people in jeopardy. I say that because if they have an accident or if they kill someone the likelihood of an insurance claim would be almost zilch. I condemn any person who drives a vehicle whilst disqualified, whether it be a motorcycle or any other sort of motorised vehicle that requires a licence. They have no right at all.

Parliament, in its wisdom, over many years has always said that if you want to flout or break the law, then you will pay that appropriate price. With regard to the Member for Eyre's comments, the traffic infringement notices were introduced not by this Government but by stealth in 1981-82, just before the Christmas period, and the electors of this State were not advised of that. I want to put that on the record. It took me—because I did not go away during that Christmas-New Year period—to expose that situation. There was no publicity at all, so let us not have these crocodile tears and sob stories that we have been getting from members opposite. They introduced traffic infringement notices, and they are the ones to blame. To my knowledge, they have not thus far tried to amend that.

I support the Bill. I believe that we should crack down on these law-breakers, because that is what they are. Yesterday, we heard members opposite going crook about motor vehicles being stolen and about break and enter offences, which all involve law-breakers. What is the difference between those law-breakers and someone who breaks the law by driving a vehicle when they are disqualified? There is none whatsoever. The member for Eyre's contribution was low on rhetoric and parochial leading up to a State election, and had little to do with the Bill *per se*.

**Mr INGERSON (Bragg):** We often have the opportunity to listen to the member for Albert Park denigrate or rubbish a previous speaker and, as usual, the same old diatribe floats out. It is a pity that that occurred, because I thought the contribution from the member for Eyre was quite brilliant and to the point. It was well representative of his electorate—

**The Hon. H. Allison:** And straight from the heart.

**Mr INGERSON:**—and straight from the heart, as the honourable member said.

*An honourable member interjecting:*

**Mr INGERSON:** He did, actually. I thought it an excellent contribution to this very important debate. It was straight from the heart and about a constituent of his, and that is really what this Parliament is all about. The member for Albert Park, who continually stands up in this House and

represents his constituents, should understand the need to do that.

The Opposition supports this Bill. We recognise that for a long time there has been a need to change the law so that first offenders have a certain level of fine or imprisonment to carry out, and in this case it is six months if you drive your vehicle without your licence. We now have an important amendment that recognises that someone who does it again and again should have a different level of fine, and in this case it is imprisonment for two years. It is a very important change to the Motor Vehicles Act, and we support it for the obvious reason that, if anyone breaks the law continuously, we need a more flexible method to deal with that person. I support the Bill.

**Mr S.J. BAKER (Deputy Leader of the Opposition):** I strongly support the Bill, too. Some of the major problems on the roads are caused by people who deliberately abuse their rights. If one looks at the statistics of those people who were involved in hit and run accidents and those who were involved in high-speed chases, one sees a large preponderance of people driving without licences, and they are killers on the road. The law does not provide enough in this area. This is one small measure, but we need to take others.

We are aware that, under the present law if someone is caught in a speed chase, often the only offence that can be laid is one of exceeding the speed limit. That is not sufficient. Some people, who are potential killers, abuse their rights on the road and abuse other people because of the way that they drive. Therefore, it is time to ensure that the law is quite clear. We have to ensure not only that there are appropriate penalties, but sufficient peer group pressure placed upon such people clearly indicating that such activities are against humanity and proper order.

This Bill is important and appropriate. Those who drive without licences are normally involved in a range of other activities. It is rare for someone who drives without a licence, which may have been suspended for previous activities, to do so unknowingly. Research in other States and jurisdictions around the world has shown that those who drive without a licence and who are involved in speeding or have a high blood-alcohol content, which is often the case, will do everything in their power to escape detection, and that means placing lives at risk. I commend the Bill to the House; it is an appropriate piece of legislation.

**Mr FERGUSON (Henley Beach):** I support the propositions before us. I was not going to speak on this Bill, but I have been prompted to do so by the remarks of the Deputy Leader. The impression that he is trying to convey is that nothing has been done about driving and hit-run offences, which are often perpetrated by teenagers on so-called joy rides. I served as a member of the Select Committee on Juvenile Justice, together with Opposition members, and we agreed to recommend an increase in the penalty for such offences from two years to three years' imprisonment. I felt that I could not sit by and listen to the Deputy Leader giving the impression that nothing has been done.

In recent months the police have taken a particular interest in driving offences. They have extended their inquiries into the homes of offenders to try to find out why they are offending and how to prevent them from reoffending. In recent years there has been a spectacular drop in incidences of the kind to which the Deputy Leader referred. I believe that the South Australian Police Force and Government are in



front of the rest of Australia by way of taking action to deal with this type of offence.

What I have been talking about has nothing to do with the Bill, but I am rebutting the arguments put forward by members opposite—which also have nothing to do with the Bill. The Bill is eminently sensible. It provides for an increased penalty for people who deliberately disobey a suspension or disqualification. It takes up the theme that the Deputy Leader has been talking about with respect to heavier penalties. This measure provides such penalties for those who have had their licences taken away but who continue to drive time and again. The Government has now provided greater penalties than are currently available. We are meeting the wishes of those who continue to sprout about law and order.

I have been surprised by the comments of the member for Eyre, who continues to support law breakers. He has a particular bee in his bonnet about expiation fees, which again, has nothing to do with the Bill in front of us but which was part of the argument put forward by the member for Eyre. I am continually sick of members of the Liberal Party who, on the one hand, are calling for law and order and more penalties—and already in this debate we have had something of that nature—so they can rush out to the electorate and say they are doing their bit so far as the crime rate is concerned but, on the other hand, are talking about those people who have to pay expiation fees, who are sometimes their constituents, suggesting that expiation fees should be eliminated altogether.

If the Liberal Party is fair dinkum about the stance it is taking on expiation fees, let it announce in its policy that it will do away with expiation fees. I am sure that will be the headline in the *Advertiser* tomorrow if the Liberal Party is prepared to do it. But what we are seeing here is a farce. On the one hand, members opposite are not prepared to put anything in their policies about eliminating expiation fees but they are allowing their own backbenchers—who have a particular bee in their bonnet so far as their own constituents are concerned, particularly the members in the country—to stand up and say that the Government is doing the wrong thing so far as expiation fees are concerned. Either you are breaking the law or you are not. If you are breaking the law, you should be prepared to stand up to those penalties.

I am sure that members of the public are sick of this hypocrisy. The remarks on law and order made by the member for Newland were reported in full in the *Advertiser* yesterday. On the same day, a member of the Liberal Party was standing up in this place suggesting that we should go light, that we should walk away from those people who are breaking the laws, and that we should not be imposing expiation fees on those people. I had never experienced such hypocrisy in all my life. Incidentally, I wish what goes on in this place would be properly reported.

I support the proposition in front of us. I know that it will go through, but I hope that from here on the sort of cant that we are hearing from the other side—on the one hand asking for higher penalties and on the other hand asking that those who break the law be let off—will cease.

**Mr LEWIS (Murray-Mallee):** The member for Henley Beach is once again packing up his papers and leaving the Chamber, as is his wont after he has misled the House with the remarks that he made.

*Members interjecting:*

**Mr LEWIS:** I apologise for that. He has not misled the House.

*Mr Ferguson interjecting:*

**The SPEAKER:** Order! There is a point of order.

**Mr FERGUSON:** I wish this to go into *Hansard*. The charge of misleading the House is a very serious one.

**The SPEAKER:** I point out to the member for Henley Beach that the member for Murray-Mallee did withdraw. He apologised and withdrew his comments.

**Mr FERGUSON:** If the honourable member is making accusations, I wish he would put them down in substantive ways so I can answer them.

**The SPEAKER:** Order! The honourable member who uttered that statement withdrew and apologised, and the Chair accepts that.

**Mr LEWIS:** Yes, he grossly misrepresented the case put by the member for Eyre and, in mirth, leaves the Chamber again because he has not got the guts to hear the truth. He is a wimp. His brains are so wet that you can bog a duck in them.

*Members interjecting:*

**The SPEAKER:** I would again point out to the member for Murray-Mallee the need for relevance.

**Mr LEWIS:** His problem is that he cannot differentiate between people who are accused of breaking the law—who are alleged to have broken the law—but who in fact have not been found guilty of doing so and in all probability did not. The member for Eyre was speaking not about whether or not people should drive without a licence but rather about those people who are accused of having broken the law—speeding—by flawed technology. That was his gripe.

*Members interjecting:*

**Mr LEWIS:** It may not have been, but equally the member for Henley Beach responded, accusing the member for Eyre of being a hypocrite. He is not. He was drawing attention, albeit not entirely relevant to the measure, to an anomaly in the law.

It ill behoves the member for Henley Beach, who has gone around this State most of the time he has been in this Parliament in a chauffeur driven car, to accuse other people who have to drive themselves—

**An honourable member:** The member for Eyre?

**Mr LEWIS:** No; the member for Henley Beach—

*Members interjecting:*

**Mr LEWIS:** For a few months, but the member for Henley Beach has had a chauffeur driven car for most of his time in this place.

**The SPEAKER:** Order! Again I emphasise for the member for Murray-Mallee the need for relevance and point out to the member for Albert Park that interjections are out of order.

**Mr LEWIS:** Having placed on record my response to the inaccuracies of the member for Henley Beach and the ill-founded accusations he made about the motives of the member for Eyre, I support the measure before the House and happily acknowledge that people should not and must not drive without a licence, regardless of how they came to be without a licence. It is against the law, and that is wrong.

**The Hon. M.D. RANN (Minister of Business and Regional Development):** I have to say that this is a Bill in which I have a very strong personal interest. I think members would be aware that in 1987 I went to the United States, with the full support of the former Minister of Transport, Gavin Keneally, and with the specific task of looking at road safety measures. I came back—and I think I was attacked by the Hell's Angels, but it did not necessarily do me a great deal

of harm—and advocated in this House the use of daytime running lights on motorbikes as well as in cars, and a whole range of measures in what members opposite would acknowledge was one of the most comprehensive reports on road safety that has ever been seen in this Parliament.

I want to pay tribute to the member for Albert Park, Kevin Hamilton, because there is absolutely no doubt that, in the time I have been around this House, both as a member of Parliament for eight years and before that as an adviser for a similar length of time, I know of no member of Parliament who has committed so much of his life to road safety initiatives and reforms. There is no doubt that when he was a young person he suffered enormous tragedy when his sister was killed in a motor accident. I take the opportunity to commend Kevin Hamilton for his continuing commitment.

**Mr LEWIS:** On a point of order, Mr Speaker: the Minister is being deliberately provocative by displaying his ignorance of the fact that he must refer to members of this place by their electorates and not their names.

**The SPEAKER:** Order! The honourable member will resume his seat. That is the normal procedure; however, the Minister did refer to the member by his electorate and then used his name. His name was not used directly except as an added reference. The Minister.

**The Hon. M.D. RANN:** There is absolutely no doubt that the member for Albert Park has made and continues to make an outstanding contribution in this Parliament and this State on behalf of road safety and on behalf of road safety victims. That is what we are talking about today, and I cannot understand why members opposite have decided to attack this measure. I am pleased to see there is some good sense from the shadow Minister, but are the Opposition ranks really so perverse that they went somehow to defend those who wilfully break the law and who wilfully go out there and put the lives of our children at risk? I strongly support this measure.

What we are talking about is quite simple: the Bill seeks to establish two penalty levels for the offences of driving while licence suspended and driving while disqualified from holding or obtaining a licence. A person's licence may be suspended as a result of their incurring 12 or more demerit points under the points demerit scheme; a person may be disqualified for a breach of learner or probationary conditions; or, alternatively, someone may be disqualified by order of a court. At present the Motor Vehicles Act makes no distinction whatsoever between a first time offender and a person who repeatedly and deliberately drives while suspended or disqualified. We really want to punish those who deliberately, consistently and persistently flout the laws and in doing so put the lives of the citizens of South Australia at risk.

The use of suspensions and disqualifications as a sanction is intended as an aid in the enforcement of road law. A person who drives while his or her licence is suspended or disqualified is deliberately undermining the system that has been devised to protect the citizens of this State. I cannot understand how any member of Parliament would want to go out on a limb to defend those who put the lives of our citizens, of decent South Australians, at risk. I want to take this opportunity to say that it is vitally important that all of us be in touch with our constituents to ask them what they think. Members should ask the mums what they think of those who deliberately seek to disobey disqualification orders and flout the law and in so doing put our children at risk. In my electorate there is a group of people who have lost family

members as a result of road accidents, negligence or drunken driving. Members should ask them what they think about this measure—there will be total support for it.

Therefore, two penalty levels are proposed by the Bill: a division 7 level imprisonment—six months—which corresponds with the present penalty, and a division 5 penalty, involving two years imprisonment for a second or subsequent offence. As far as the Arnold Labor Government is concerned, if someone is persistently deliberately breaking disqualification orders they deserve to be put in goal with the keys thrown away; it is a matter of 'Goodbye pork pie.' I commend this Bill to the House.

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

#### **ENVIRONMENT PROTECTION (SEA DUMPING) (CONSISTENCY WITH COMMONWEALTH ACT) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 19 August. Page 412.)

**Mr INGERSON (Bragg):** This very important Bill dealing with sea dumping is supported by the Opposition. I note that the Bill addresses the timing of the imposition or variation of conditions of permits to dump in the sea; the publication of information in the *Gazette* relating to permits; the removal of any time limit on prosecutions for offences against the Act; expansion of the evidentiary provision relating to evidence of analysts; and an increase in fine that can be imposed for an offence against the regulations, which is a penalty not exceeding \$500 to \$1 500 in the case of a natural person and up to \$5 000 in the case of a body corporate. This Bill is about protecting our sea environment from dumping of all sorts of goods, such as cargo, oil or whatever—

**An honourable member:** Old gearboxes.

**Mr INGERSON:** Yes, old gearboxes, and all sorts of gear that is carried on ships in our sea environment. It is a very logical way of protecting the sea waters that surround our coastline, and I say that for many reasons, not only from the point of view of the environment—of the water itself—but also from the point of view of the fishing industry. It is very important generally that we ensure that the environment of our sea is seen as a very important issue for the whole community. After all, not only is it used in a commercial sense but also it is obviously used in a recreational sense, and a very large proportion of our community would want to continue to do that. If we do not ensure that people do not deliberately dump oil and other types of pollutants into our sea we could have major problems.

The Bill also brings the position into line with the Commonwealth Act. Anything we can do involving agreement between the States and the Commonwealth to provide consistency should be done as quickly as possible. Obviously, in areas such as industrial relations in my view it can be in the best interests of the States to have some differences because of economic reasons, but in this instance, where it is logical to have consistency around the nation, because we have international vessels using our waters, it is an important issue on which to have consistency. I have pleasure in supporting the Bill.

**Mr FERGUSON (Henley Beach):** I support the Bill. I am pleased to see the Bill arrive at last because this matter

has been under negotiation ever since I have been in Parliament. For 11 years we have been trying to achieve complementary legislation with the Commonwealth and all States on this matter. It has taken a long time to get the Bill here. I was a member of the original committee with the then Minister of Environment when we looked at this proposition 11 years ago. Through various committees of this Parliament I have had the opportunity to be associated with various aspects of the Gulf St Vincent.

*Mr Ingerson interjecting:*

**Mr FERGUSON:** I beg your pardon.

**The SPEAKER:** Order! Interjections are out of order. The member for Henley Beach will direct his remarks to the Chair.

**Mr FERGUSON:** I am sorry, Sir, I got carried away; I was provoked. The importance of the Bill has been impressed on me through my activities on various committees of the Parliament. You would know of the position, Sir, because of your deep interest in the Gulf St Vincent. I know you used to sail it and that you have always been associated with the gulf in your electorate. One fact I discovered was that it takes between eight to 10 years for a complete cycle of the water in the gulf. Some people have the impression that the water sweeps into the gulf and out again with the tide. Some people were under the impression that they could dump anything they wanted into the gulf and it would be immediately cleansed because material would be taken out to sea, but that is not so.

It takes about eight to 10 years to change the water in the gulf, and the Select Committee on the Gulf St Vincent Prawn Fishery highlighted the pollution problems in our coastal waters and the dangers there were to fish and prawn stocks, etc., in our nearby waterways. I hope as a Government that we are able to do something about the continuing pollution entering the gulf. For example, the Bolivar outlet is slowly but continuously polluting the whole gulf, and we must now look seriously at resolving that problem. Otherwise, it will be useless for any weekend fishermen to try to catch a fish.

One can go from your electorate, Mr Speaker, or go from Henley Beach and look out to the blue line on Saturday morning or on a beautiful day like this and see literally hundreds of boats out there carrying people trying to catch a fish. The time taken to catch a fish is increasing as the years go by, and this is partly because of pollution in the gulf.

Certainly, we do not want to see the sort of tragic situation that has occurred in Hobart, Tasmania, resulting from big ships cleaning out their bilges and polluting the waterways. We now have an enormous problem which will soon reach the mainland. I understand that the starfish problem is so huge that it will not be long before we are encountering it on the mainland. This all came about because of the Japanese boats coming out and emptying their bilges into the coastal waters in and around the city of Hobart.

This legislation is designed to prevent that sort of activity occurring and fills the gap between State and Federal jurisdiction, and that is why it is so important. I think this legislation will go through with very little fanfare, but it will be one of the major achievements in the latter part of this session of the Parliament, because it covers the gap between trying to produce a better world and a better environment so far as our coastal waters are concerned. I have great pleasure in supporting the proposition before us.

**The Hon. P.B. ARNOLD (Chaffey):** I am pleased to support this Bill. Reference has been made to the St Vincent

Gulf, and South Australia does not have a proud record when it comes to the health and well-being of St Vincent Gulf. Many major cities around the world have in years gone by (and this is still continuing) dumped effluent and sewage into the oceans, but the situation with St Vincent Gulf is far worse in that it is not a high energy coastline; it is a gulf which just ebbs and flows and does not have the ability to disperse the pollutants that we tend to put in there, particularly from our sewage effluent treatment works.

Earlier today there was debate on a Bill dealing with the fishery industry of St Vincent Gulf and, while much damage is done by the approach to and the methods of fishing in St Vincent Gulf, much of the cause of the decline of that fishery can be put down to the effluent and the waste material, whether in the form of sewage effluent or other disposals such as storm water, running into St Vincent Gulf. Certainly, the storm water entering the gulf from the streets of metropolitan Adelaide carries a great deal of pollution.

There is a changing attitude not only in Australia but around the world, and particularly in the more responsible countries. This is starting to become evident particularly in the approach that has been adopted between the States and the Commonwealth in relation to the Murray-Darling river system. I believe that in the past 10 years we have made a great deal of headway, and there is an acceptance now that we cannot just go on forever dumping our wastes, whether into the oceans or into the water courses of this country.

I am very pleased with the progress that has been made in the area of the Murray-Darling Basin. The first major alterations that were made in that particular case were back in about 1981-82, with the new River Murray waters agreement. That was the first real attempt to bring environmental issues into the management of that resource; before that it was purely a water entitlement management formula or agreement which gave the various States certain entitlements to the water and South Australia its allocation under that agreement. But now, with major cities such as Shepparton and Albury, not discharging their domestic waste in the River Murray, there is a dramatic improvement.

One of the very real indicators of the level of pollution of that resource is the Murray lobster which is very intolerant to pollution. In the main, they exist now in the river system only above Swan Hill. When rice farmers in particular use excessive quantities of herbicides, the Murray lobsters literally climb out of the river, up the banks, to get away from that pollution. That is an indication of how sensitive some species are. In fact, an indication of the improvement that is occurring in that resource is the fact that a Murray lobster was caught down at Lyrup in South Australia a week or so ago, which is the first one recorded caught in South Australia for many years. That is an indication that this type of legislation is slowly but surely having an effect.

Certainly the real interest to us in South Australia is particularly St Vincent Gulf, which is very sensitive to pollution because, as I have said, it is not a high energy coastline and we have the bulk of South Australians living on the shores of St Vincent Gulf. That is a major problem for that resource. So, any legislative action and any educational procedure which will help to ensure that the public develop this attitude that the days are gone when we can just dump our waste into the seas or rivers is to be commended. It is a situation where this trend can be reversed. There is not a need for continuing deterioration of our rivers and coastal areas. It can be reversed, and this type of legislation which is complementary to other legislation in other parts of the

world—a bit like the uniform shipping code—brings everyone on this planet into the same arena and is the only way it can operate. I have much pleasure in supporting the Bill.

**Mr HAMILTON (Albert Park):** I just want to briefly place on record my support of this Bill. I agree with the sentiments expressed by previous speakers. For too long we have been complacent in this country about dumping. Being somewhat parochial in the western suburbs, one only has to look at the West Lakes waterway where that waterway in some respects has been a repository of the wastes from as far away as the city. It goes down the port drain into the West Lakes waterway and that has polluted that waterway to such an extent that the taking of shellfish is banned because of the lead that comes off the road. Also the bird and animal droppings that are flushed from that waterway create enormous problems so that one is not allowed to swim there up to three days after the influx of fresh water into that lake.

One could ask: what has that to do with the Bill? It has very much to do with the Bill, because that water is eventually flushed out into the gulf, and we have to be very careful. Also with respect to the Port Adelaide sewage treatment works, this Government has to be commended in relation to the sludge which was once dumped just about anywhere and which will now be pumped out to Bolivar. One of my concerns is the responsibility of State Government departments. In some respects, they have been tardy in not addressing this problem, because the effluent from the Port Adelaide sewage treatment works does go out into the Port River and it must have an impact upon that waterway. I am very much alert to these concerns, as members would know from the Estimates Committee.

The other matter that the member for Henley Beach touched on is the shipping that comes into this country and some of the dumping of ballast that has occurred. I understand that much of the red algal growth that occurs around Tasmania and indeed around part of this coast can be attributed to these practices of overseas ships dumping their ballast. We should not accept that practice. I also recall many years ago watching a *Four Corners* program and being absolutely appalled at the amount of material being dumped by the corporate sector into this country's coastal waters.

So, this Bill is timely, and we have a responsibility not only in relation to our own generation but indeed as members of Parliament to ensure as best we can that the environment is protected for future generations. It is not always easy to protect the environment because there are many powerful forces at work wanting parliamentarians and environmentalists to back off if it is going to cost money to implement measures. Many members of Parliament would experience those sorts of pressures, and I touch briefly on the issue of the recycling plant proposed in my area. It is environmentally unacceptable, but there is pressure from some people to allow that plant to go ahead. Certainly, it will not go ahead until such time as I consider it to be environmentally acceptable. The Bill is long overdue, and I would be surprised if any member of this House opposed it.

**The Hon. M.D. RANN (Minister of Business and Regional Development):** I do not think any of us here would want in any way to downplay the importance of what can only be described as historic legislation. We are talking about the London Convention on the Dumping of Waste at Sea held in 1972, and it is quite clear that this has been 24 years in the

making. We are talking about when Edward Heath was Prime Minister of Britain and when McMahon was Prime Minister of Australia, and we are now introducing what amounts to complementary legislation to the Commonwealth, because the Commonwealth is a signatory to that 1972 international convention.

As a child in Britain I lived very close to the River Thames. I support my colleagues on this side of the House and also the member for Chaffey, who was talking not specifically about sea dumping but about river pollution. The day that we left Britain to come to New Zealand in October 1962, the River Thames was like a filthy, oily sewer and I remember that that particular day had Britain's worst ever smog in recorded history. It is amazing for anyone who goes back to Britain to CPA conferences at the House of Commons, for example, to see the enormous clean-up that has occurred to the River Thames. It is now a viable river with fish in it and it is quite pleasant to behold despite the industry that surrounds it. So, there is no doubt that what we are doing is important. There is no doubt, too, that this measure is essential in terms of giving effect to that international convention regarding coastal waters.

The Bill contains a whole range of different clauses relating to specific penalties together with clauses relating to the Minister's powers in terms of the imposition of permits for dumping at sea. In different ways all of us have lived with this sea dumping issue for many years, and I am pleased to have the privilege of commending this Bill to the House.

Bill read a second time.

#### STATUTES REPEAL AND AMENDMENT (PLACES OF PUBLIC ENTERTAINMENT) BILL

Adjourned debate on second reading.  
(Continued from 26 August. Page 548.)

**Mr S.J. BAKER (Deputy Leader of the Opposition):** This Bill is interesting because since 1913 we have had a Places of Public Entertainment Act in force in this State, and for very good reasons.

*Mr Ferguson interjecting:*

**Mr S.J. BAKER:** I know that when we were all a lot younger than we are today we would have made many visits to the local 'flicks' to see the movies, usually accompanied by news services that came across the screen often showing graphic pictures of dance halls around the world being burnt down and people dying because of inadequate safety measures in those halls. We saw other places of public entertainment, such as sideshows, where major collapses had occurred resulting in great loss of life and injury. In their wisdom our forefathers said, 'We really need a person to be responsible for safety and for the public interest in relation to entertainment.' Without going back into the annals of history and looking at the debate that took place prior to introduction of the existing Act, I can only say that that was a very sound proposition.

We needed Government to oversee entertainment to ensure that safety was made a priority. The Places of Public Entertainment Act has covered a number of aspects of entertainment, including the number of people who can be accommodated within the various structures holding entertainment; smoking regulations; safety in relation to the need for exit doors; and determining the hours in which entertainment can take place. The legislation has an interesting history and still has a great part to play. What we are doing here is,

in a way, providing deregulation but in other ways it is directing the responsibilities for very important pieces of legislation, which have worked well over the years, into various jurisdictions. We will only be able to judge the merits of that change by what prevails after this Act has been repealed.

The Bill seeks to repeal the Places of Public Entertainment Act and transfers certain sections into other legislation. The Places of Public Entertainment Act provides for the licensing of a place of public entertainment, specifying the number of persons who may be admitted to each floor or tier of the place in question and the total number of persons who may be admitted in the period for which the licence is granted. Such licence also extends to drive-in theatres. The Act provides that a person shall not commence to construct or alter a place of public entertainment unless the plans have been approved by the Minister. In relation to such matters it is proposed that they be dealt with under the Building Code.

The regulation of amusement devices is proposed to become the responsibility of the Occupational Health and Safety Commission. The Act also requires the consent of the Minister for any public entertainment between the hours of 3 a.m. and 1 p.m. on a Sunday and there are limitations on public entertainment in a licensed place of public entertainment on Christmas Day and Good Friday. These limitations under the Act are to be repealed. The only control will be over the Adelaide showgrounds, the opening times for which are proposed to be addressed by regulation. In respect of the showgrounds no trading will be permitted before 10 a.m. on a Sunday.

The only other control will be over smoking in auditoriums. Under the Tobacco Products and Control Act that has become the responsibility of the Minister of Health, Family and Community Services. Under that Act, it is proposed that a member of the public must not smoke a tobacco product in an auditorium in a place of public entertainment at any time before the entertainment commences, during the entertainment or after it concludes. 'Place of public entertainment' is defined as a building, tent or other structure in which entertainment is provided for public enjoyment and in which the audience is seated in rows.

The Law Society has drawn attention to the fact that the definitions may include, for example, the members' stand at Football Park and the Adelaide Oval through the outer, although certain interpretations given in another place suggest that that interpretation is wider than the Act is meant to cover. An interesting aspect of this legislation is that we will no longer have one person or one entity responsible for the safety aspects of places of public entertainment. Personally, I have reservations about that. I believe there is substantial benefit in having one designated Minister. If we have not an inspector but a Minister responsible for those aspects, I believe they will be more comprehensively covered.

I have some concerns about the extent to which places of public entertainment will be visited to ensure that they comply with the building code. We are all aware that councils have primary responsibility for the building code and we are also aware that councils do not necessarily provide enough employees after 5 p.m. on any day to police the laws for which they are responsible. In a number of council areas it is difficult to have parking infringement notices issued for people who have transgressed. If there are difficulties after 11 p.m., it is impossible to have such matters addressed by council officers in most council areas. The more effective councils are those in areas where there is a lot of entertain-

ment, with concentrations of parking where it is economically beneficial for the council to employ an inspector after hours. Adelaide City Council is a prime example, but in other council areas that does not occur. I do not believe that some of the changes in this Bill may be capable of being enforced in the same way as previously. I do not oppose the proposition, but I believe that a lot more work has to be done on it before it becomes fact.

It is important to understand that a number of changes still have to take place before this Act can be proclaimed. They relate to the Development Act, because that Act defines structures which relate to the building code. A very important part of this Act concentrates on which structures shall be covered by the rules prevailing in the area of entertainment. So the definition of structures becomes an important component of this Bill as does the responsibility for ensuring that those structures are safe, clean and healthy. We are all aware that councils inspect all buildings in their areas at various stages. We are also aware that prior to a dwelling or structure being erected, council permission is required: a development application must be made and an investigation of that application must take place.

So we are well aware that for the structures themselves there are rules to ensure that they are safe and, as I said, healthy and clean. In relation to entertainment, what goes on inside them happens after the normal working day. In my area—and in everybody else's area—we have entertainment. Some weddings go until 3 a.m. and some discos go until 2 a.m., which makes residents quite irate. Of course, there is some provision under the Liquor Licensing Act to specify the hours under which those licences can operate. I have actually used those laws to pull back on some of the tearaways who are running what I call rather dubious practices in my area and allowing local entertainment to disrupt the peaceful lives of my constituents.

**Mr Ferguson:** What do you mean by 'dubious practices'?

**The Hon. M.K. Mayes:** Unley Football Club!

**Mr S.J. BAKER:** The Minister has the Unley Football Club in his area and I am sure that, as a strong Sturt supporter, he would be very supportive of it. There are areas in which the rules that are provided under other Acts can be used to police some of the transgressions. The concerns relate to those after-hours activities. For example, in terms of entertainment, I am not sure who will continually police the showgrounds. I am not aware whether the responsibility to ensure that the structures there are safe and sound goes back to the council. I have not been down there in recent times to look at sideshows such as the Mini Mouse—

*An honourable member interjecting:*

**Mr S.J. BAKER:** I think the Department of Labour has been mentioned. It was also inspected previously by the Inspector of Places of Public Entertainment to ensure not only that the structures were safe but also that the number of people who could be accommodated in those entertainment devices was appropriate. So two areas provided a check and balance. The Department of Labour ensured that the Gee-whiz, the Mini Mouse, the hurdy-gurdies, and so on, were structurally safe and the Inspector of Places of Public Entertainment used to check to ensure that there was no overcrowding on those entertainment devices. Under this Act, I am not sure who will undertake the latter responsibility. Perhaps it stays with the council or does it go to the Occupational Health and Safety Commission? It is an important issue, and I would like some response to that in Committee.

The issue of overcrowding at 1 o'clock in the morning is a serious one. I know that the number of people accommodated in some very interesting Adelaide venues is far in excess of what the law allows. We know that, if a place is trendy—and I do not know much about trendy entertainment places, but certainly the 16 to 30 year-olds know where all the action is—there is no doubt that there is overcrowding in those premises. I have been to pick up my daughter on occasions at those premises, and I have seen wall-to-wall people. I am concerned that there could be a disastrous situation should a fire start, with people unable to exit quickly.

In the debate on safety in another place, the question of fire exits was raised and a response given, but the response seems to be unsatisfactory. The demand was that exits should be able to be opened. The Minister responded by saying that exits were not allowed to be opened with a key. If people are trying to exit quickly for whatever reason, finding a key and setting it in the lock would hardly assist their escape. The question of a drawn bolt was raised and glossed over in the response. Will the Minister explain whether we are to see a change with respect to drawn bolts?

*Mr Ferguson interjecting:*

**Mr S.J. BAKER:** I am not sure that they are allowed to be operated electronically. That is another question. Perhaps the Minister will respond to whether exit doors can be operated electronically. I hope that if the electricity fails we shall not have doors that are stuck as a result. These important issues previously came within the province of the Minister with responsibility for places of public entertainment.

Smoking is important. The proposed amendments seem to create some difficulty. An auditorium is mentioned. In the explanation in another place it was said that Football Park does not fall within these provisions. If the large area in Football Park behind the grandstand is used as a place of public entertainment, I presume that the provisions would apply. If an entertainment is held in an enclosed structure, it would come within the definition of a place of public entertainment and be drawn into the aspects of the Bill that are being translated into other legislation. In another place it was clearly shown that when people watch a football match they can smoke in that area. However, if a concert is held in that area, I question whether those premises come under the—

*Mr Ferguson interjecting:*

**Mr S.J. BAKER:** I think they also come under tobacco products. I question whether it then becomes an auditorium and is therefore covered by these provisions.

A number of aspects in the Bill, because of the changes that are taking place, raise further issues. Most of the queries raised by the Law Society have been answered in another place. Concern has been expressed about the lack of requirements regarding entertainment hours. Under the Places of Public Entertainment Act specified times would be attached to an entertainment activity. That is now to be repealed; it is not being translated into another measure and there is concern about it.

I understand that an amendment is proposed to the definition of 'film' as it is too tight to cover the various types of entertainment that can now take place. It is felt that there is a need for a wider definition to cover other areas of video activity. That at least is being addressed in a proposed amendment. Whilst we understand that there is a need for change and updating, instead of one body having responsibili-

ty for the safety of people involved in entertainment, that is now to be spread into a number of areas.

I do not know whether the Occupational Health and Safety Commission will have people visiting these premises on a regular basis to check for overcrowding or to check whether the regulations relating to smoking are being observed. I do not know, for example, whether the Metropolitan Fire Brigade will be doing regular checks during performances to ensure that the fire safety regulations are also being observed, or whether the fire equipment and exit doors measure up to the regulations.

Whilst we have had a responsibility placed in one area, we now see that there are a number of other players in the system. It could well be that the system itself falls down. With those few words I express some reservation about the legislation. I do know a little bit about this area, having been involved in it many years ago, and I just put those concerns on the record.

**Mr FERGUSON (Henley Beach):** It is with some nostalgia that I support this proposition, which will repeal the Places of Public Entertainment Act. The Places of Public Entertainment Act used to make life a misery for the teenagers of Adelaide. You would well recall, Mr Speaker, the old rule run in conjunction with the Liquor Licensing Act whereby it was not possible to have a drink of an alcoholic nature when one went to the old places of entertainment here in Adelaide. In those days the place where boy used to meet girl was at those old dances. You, Sir, would remember the Largs Bay Sailing Club where the old Johnny James used to give an impression of Johnny Ray and would fall on the floor crying.

The people who attended those dance halls in those days had to find ways and means of alcoholic entertainment, and this could be done only by taking themselves and those people to whom they wished to extend the invitation for a drink (who were usually members of the opposite sex) 200 yards away from the dance hall. You would well remember, Sir, that Gladstone bags were extremely popular in those days. Half the male teenagers of Adelaide used to walk around with Gladstone bags of various sizes that were big enough to take a bottle of brandy, a bottle of rum and a bottle of beer.

It made life extremely difficult, because in those days teenagers never had the opportunity to obtain a motor car. That made life very difficult because, carrying around the old bag full of alcohol, one had to team up with a mate who had a motor car. Of course, those people who had a motor car, dare I say it, were the most successful people in relation to gathering partners with whom to drink. If the person with the motor car moved off down the road, he would take with him that little Gladstone bag that you had brought along to the dance, and the negotiations that went on from then—and usually into the next week—were extremely difficult.

You, Sir, probably remember the Semaphore Palais when it was at its height and when rock and roll was first established; that was a long time ago. At that time it was difficult for young teenagers in the western suburbs to attend that particular environment and get a drink without having their little Gladstone bag—for which they would have to go down in the sandhills 200 yards away from the dance hall. The old Places of Public Entertainment Act was used by the bouncers—and they were extremely large gentlemen, as you would remember, Sir, down in those western suburbs. You would remember Geoff Motley and Chicken Hayes, who used

to come to the Semaphore Sailing Club after they had played football, and they were fine physical specimens. So, the people who used to control the action on the front door had to be very capable indeed. So, the persons who controlled the action on the front door had to be very capable indeed.

Those very capable gentlemen usually had attached to a wall near the doorway a copy of the Places of Public Entertainment Act and I can assure you, Sir, that they used that Act more often than anybody in the Parliamentary Library would have used it as far as controlling the movement of the people who went into that public entertainment area was concerned. There was some reduction of this situation during the latter parts of the Playford era, when the Liquor Licensing Act was so changed as to allow cabarets to be arranged. I attended many a cabaret at the old Palais in North Adelaide when the Act was first changed. It was not until the Dunstan era, with changes to the Liquor Licensing Act, that we had a more civilised and better way of providing a venue where people could both dance and drink at the same time.

So, it is with some degree of nostalgia that we see the old Places of Public Entertainment Act disappear. One would never have imagined in those days when one was trying to get into the Glenelg Town Hall for the Friday night dance that one would ever see the day when that Act would disappear. So in a sense we are faced with a historic moment at this time as we see it disappear into the distance.

I support the motion. I believe that the deregulation that is occurring with this measure is right and proper. However, I do agree with some of the concerns that have been raised by the Deputy Leader on the other side about the safety aspects, particularly in relation to the fire provisions. Although I know that I am not allowed to refer to this at any length, I also would like to extend my concern not only to places of public entertainment as far as this issue is concerned but also to shopping centres, because complaints have been made to me—and those complaints have been proved to be correct—that fire doors in shopping centres have been deliberately locked in order to prevent people coming from outside in to steal goods; some proprietors have taken the opportunity to lock their fire doors, and this prevents escape in the event of a fire.

The problem of control in this area is that it falls into three different categories: the local council, the fire brigade and the Department of Labour and Industry. It appears that the safety factors are falling between two stools and not a lot of effort is being put into this. I will not take all the time available to me: I simply express my support for the motion before us.

**The Hon. M.K. MAYES (Minister of Environment and Natural Resources):** I thank the Opposition for its support and my colleagues for their comments, and I will refer those questions with regard to matters of safety to the Minister for her direct response to members. I share their concerns. I think for example that the operation of fun and entertainment areas—the amusement facilities at the showgrounds—is now the responsibility of the Minister of Labour Relations and Occupational Health and Safety, but I will certainly refer on the questions in regard to the safety of other buildings and numbers relating to showgrounds operation.

From my point of view, the management of the showgrounds has been impeccable, and I know that the Chief Executive Officer of the Royal Agricultural and Horticultural Society would be absolutely vigilant in his compliance with any regulation to ensure the safety and well-being of all those who use the showgrounds. Mr Campbell is an outstanding

manager in my view and would, I am sure, be only too willing to brief any member who sought information on the way in which public safety and community well-being was ensured. The use of the showgrounds is ongoing; every day of every year, except Christmas day, the showgrounds is used for some form of convention, display or whatever. I do accept that point.

My colleague the member for Henley Beach raised the question of fire doors. I have never heard that there are electronic switches on fire doors. I will certainly refer that matter to the Minister for her consideration and response. If that is the case and, as the honourable member said, if there is a power failure and no emergency service to provide backup, we will have a disaster on our hands. Be that as it may, I will have those questions answered for members.

I thank the Opposition for its support. I have an interest in this measure, particularly in terms of the hours of operation of the showgrounds. The Minister has satisfied my concerns about this and therefore I am very pleased to see the passage of this Bill through the Lower House.

Bill read a second time.

In Committee.

Clauses 1 to 11 passed.

Clause 12—‘Amendment of s. 6—Interpretation.’

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

Page 3, line 13—Leave out ‘films are screened’ and insert ‘a film, a video tape or any other optical or electronic record is screened’.

**Mr S.J. BAKER:** The Opposition supports this amendment as a result of an inquiry in another place. I would like the Minister to ask his colleague in another place whether there is any penalty, because a number of these places have been licensed previously. If there is no licensing system, is there a penalty if they should fail to comply with the regulations? Perhaps that question can be added to the list that I mentioned previously.

**The Hon. M.K. MAYES:** I will certainly take that question on notice.

Amendment carried; clause as amended passed.

Clause 13—‘Amendment of s.4—Interpretation.’

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

Page 3, line 22—Leave out ‘films are screened’ and insert ‘a film, video tape or any other optical or electronic record is screened’.

Amendment carried; clause as amended passed.

Clause 14—‘Amendment of s. 3—Interpretation.’

Page 3, line 32—After ‘a film’ insert ‘, a video tape or any other optical or electronic record’.

Amendment carried; clause as amended passed.

Clause 15 and title passed.

Bill read a third time and passed.

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

#### CITIZEN INITIATED REFERENDA

A petition signed by 820 residents of South Australia requesting that the House urge the Government to conduct a referendum in conjunction with the general election on the question of citizen initiated referenda was presented by the Hon. D.C. Brown.

Petition received.

### OMBUDSMAN'S REPORT

The **SPEAKER** laid on the table the report of the Ombudsman 1992-93.

Ordered that report be printed.

### POLICE DEPARTMENT

The **Hon. M.K. MAYES (Minister of Emergency Services)**: I seek leave to make a ministerial statement.

Leave granted.

The **Hon. M.K. MAYES**: The member for Bright has made a number of statements, in this House and in other public forums, that metropolitan police services were reduced by 49 persons in last year's budget, and that the reduction has been continued in this financial year. In the Estimates Committee hearings, I advised the member for Bright that in fact a reduction of 49 persons in metropolitan operational police numbers did not occur last financial year, and I explained to him why he was incorrect in his reading of the Program Estimates and Information. Despite that explanation the member for Bright has continued to make this allegation, culminating in an attempt in the media yesterday to link the alleged reduction with the crime statistics released in the Commissioner's report, tabled in this place yesterday.

For the information and reassurance of members and the general public, I wish once again to indicate the true position with regard to operational police numbers. The member for Bright has based his allegation on the Police Department program information on page 222 of the Program Estimates and Information 1993-94. On that page it is indicated that there was a decrease of 49 personnel between the proposed General Metropolitan Police Services for 1992-93 and the actual result.

As I explained in the Estimates Committee, on the advice of the Commissioner of Police, that apparent reduction is quite simply explained. A change in Police Department allocation systems last year meant that a number of officers were allocated to other areas of operational services in the statistics. I point out that this reallocation under the new human resource management system was statistical only: there was no physical relocation of officers to other areas of operation.

Bearing this in mind, I suggest that the overall operational numbers are then quite simply checked in the Program Estimates by examining the proposed and actual results across the full range of operational services, including such areas as crime detection and investigation, community liaison, road safety and determination of criminal proceedings.

The total of all those programs shows that there were a proposed 3 478 operational personnel for 1992-93, and in fact an increase on that figure of 3 487 was actually achieved. In the 1993-94 year it is proposed that the overall operational staffing of the department should be 3 482, again an increase on the proposed figure for last financial year.

The Police Department under this Government has developed the most number of active police per capita of any State in Australia. We have maintained that operational strength, and we will continue to maintain it. The member for Bright, not for the first time, is quite simply wrong in his allegation that we have decreased operational numbers.

*Members interjecting:*

**The SPEAKER**: Order!

### ECONOMIC AND FINANCE COMMITTEE

**Mr QUIRKE (Playford)**: I bring up the ninth report of the committee on the economics and finances of the operations of the MFP Development Corporation for the year ending 30 June 1993 and move:

That consideration of the report be made an order of the day for Wednesday 20 October 1993.

Motion carried.

### QUESTION TIME

#### ABORIGINAL COMMUNITY COLLEGE

The **Hon. DEAN BROWN (Leader of the Opposition)**: My question is directed to the Minister of Aboriginal Affairs. Is he aware that student attendances at the Aboriginal Community College this year have plummeted from 120 at the beginning of the year to 80 in June and are now down to 30? Does he concede that the inadequacies of the courses and the lack of meaningful accreditation have caused this alarming fall in attendances? What assurances can he give that the Aboriginal Community College, which is unique in Australia, will not collapse next year through inadequate ministerial control and accountability?

I have been informed that last year, when the college was providing non-tertiary courses, the classes were full and there were even queues of potential Aboriginal students wishing to advance their learning and career opportunities. Extracts of a report that the Liberal Party has been shown state that the college is now a tertiary institution with only 23 per cent of this year's original enrolment still in attendance, with some staying at home on full Abstudy allowances with the endorsement of the curriculum services management.

**The Hon. S.M. LENEHAN**: Well, Mr Speaker—

*Members interjecting:*

**The SPEAKER**: Order!

*Mr D.S. Baker interjecting:*

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

*The Hon. Dean Brown interjecting:*

**The SPEAKER**: The Leader is out of order.

**The Hon. S.M. LENEHAN**: Some of the comments coming across the Chamber are inappropriate with respect to the areas of responsibility. The reason I am taking this question is that the Aboriginal college comes under my broad range of responsibilities and not under the direct responsibility of the Minister of Aboriginal Affairs. The honourable member has raised points about specific enrolment numbers, and a fairly serious allegation has been made whereby one of the members of staff of the Aboriginal Community College has suggested that the students should be in fact breaking the law. That is what the honourable member is claiming, of course, under parliamentary privilege. I wonder where the honourable member would be prepared to repeat that allegation outside.

However, I will treat the question as one being genuine and asked in good faith and I will obtain a detailed response for the honourable member in terms of the specifics of the question that he has asked. I will have the matter looked into as a matter of urgency.

*Members interjecting:*

**The SPEAKER**: Order!

**The Hon. S.M. Lenehan**: Why didn't you come and speak to me?



**The Hon. Dean Brown:** The report was sent to you two months ago.

**The SPEAKER:** The Leader of the Opposition—

**The Hon. Dean Brown:** The report was sent to you—

**The SPEAKER:** I warn the Leader of the Opposition. Day after day the Leader speaks over the Chair, and that will not be countenanced. The honourable member for Walsh.

### SAGASCO

**The Hon. J.P. TRAINER (Walsh):** My question is directed to the Premier. Why did the Government accept Boral's offer and not float or widely distribute the Government's shareholding in SAGASCO?

**The Hon. LYNN ARNOLD:** I can certainly announce today that the Government has accepted a revised offer from Boral for the balance of the Government's shares in SAGASCO. We have accepted an offer of \$3.90 per share-cum-dividend which will bring a return to the Government and therefore to South Australians of \$269 million for those 69 million shares.

The point I have made on many occasions about the SAGASCO shares that we hold is that we were not about to be part of any fire sale activity or be part of any sale activity that would undermine the return to South Australians. I might say that we were under considerable advice to do those sorts of things, including advice from the Leader of the Opposition who, last year, said we should have sold the shares straight-away last year. I remind members that the prevailing price at that stage was \$2.70 for the shares and the Leader's view was, 'That is good enough, go for it. Grab the \$2.70. Take your money and run.' That was his kind of approach.

*The Hon. Dean Brown interjecting:*

**The Hon. LYNN ARNOLD:** I am coming to what you said later, just bear with me, because we will get to that too. The Leader reminds me, although I had not forgotten, that later he talked about floating it. It is true that just a few weeks ago, may be a couple of months ago, the Leader said that the shares should be floated and that that is what the Government should do to dispose of the 69 million shares that we still had in SAGASCO until this morning. Work was done on that option about whether or not a float would be a viable alternative. It would have returned better than \$2.70 a share—that much I give the Leader of the Opposition. I acknowledge that point. He had upped his own price that he believed should be received, but the figure that would have been obtained for that was close to \$3.06 a share. The Leader wanted us to take \$3.06 for the shares. The Leader was happy to see South Australians lose out on what would have amounted to tens of millions of dollars simply because he was obsessed with the concept of the float. The Leader has the same concept for the State Bank, that that is what should happen with the State Bank. Again, he would be throwing away large amounts of money if that option was ever to be taken up. The reality is that Boral made an offer of \$3.50 after the first 19 per cent was sold—

*Mr S.J. Baker interjecting:*

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

**The Hon. LYNN ARNOLD:**—for \$3.40, and I will come to that in a minute. Boral made an offer for \$3.50. The marketplace then assessed that offer and SAGASCO came up with its own assessment of what the shares should be worth. The marketplace made its final assessment that the shares seemed to be worth somewhere between \$3.70 and \$3.80,

given that that is the level at which sales were taking place. It is interesting to note that some financial analysts at the time of the Boral \$3.50 offer said that we should have accepted that offer. The Leader was not going to say we should have accepted it, because he was still sitting back on his \$3.06 position that he thought we should accept.

We rejected the advice of those financial analysts because we believed that that would not get the best return for South Australians if we accepted the \$3.50. We waited to see whether other offers would come in to provide a higher bid and in this morning's paper I noticed some assessments that the South Australian Government was going to be manoeuvred into a position of accepting \$3.80. However, an offer has been put to us and we seriously considered that offer in terms of all the other options that might have been available and it is clear to us that it is in South Australia's best interest that the offer of \$3.90—not \$3.06 or \$2.70, which is what the Leader was prepared to sell the shares at—be accepted as it is a very good offer indeed.

Finally, we now have confirmation again by Boral that SAGASCO remains as a trading entity here in South Australia—headquartered here in South Australia—in answer to the Deputy Leader's out of order interjection—and that they will enhance the SAGASCO entity by adding in their other gas operations from the southern States of Australia. The SAGASCO that comes out of this situation is enhanced on the one that went into it. The Opposition does not like the way that this business has been done, but clearly, as was the case this morning when a journalist questioned the economic nous of the Leader of the Opposition, given his willingness to go from \$3.06 and \$2.70 last year, had the Leader been in a position to make the decision about SAGASCO shares, South Australians would have been much worse off.

**Mr S.J. BAKER (Deputy Leader of the Opposition):** Will the Premier say precisely how much of the \$400 million plus that the Government has received from the sale of its SAGASCO shares to Boral will be used to reduce State debt? Will he confirm that, notwithstanding this sale, net debt at the end of the financial year will still exceed \$8 000 million? And we have just lost another head office?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. LYNN ARNOLD:** First, SAGASCO remains as an operating entity in South Australia. I said that a few moments ago but the Deputy Leader was so excited about getting the chance to ask his own question—

*Mr S.J. Baker interjecting:*

**The SPEAKER:** The Deputy Leader is out of order.

**The Hon. LYNN ARNOLD:**—that he could not even wait to listen to the answer to the previous question. I would also like to know what the Deputy Leader of the Opposition would have wanted to happen to SAGASCO. Does he also support the position of the Leader that it should have been floated? Does he also support the fact that that would have been at a cost of 84¢ a share had that happened to the Government's shareholding? In other words, the cost would have been, as I said a moment ago, tens upon tens of millions of dollars. If that is the line he is taking—

*Mr S.J. Baker interjecting:*

**The SPEAKER:** Order!

**The Hon. LYNN ARNOLD:**—I guess he ought to stand up and say so.

*Mr S.J. Baker interjecting:*

**The SPEAKER:** Order! The Premier will resume his seat. The Deputy Leader is warned. Time after time he has been cautioned. He is warned.

*Mr Hamilton interjecting:*

**The SPEAKER:** Order! The member for Albert Park is also warned.

**The Hon. LYNN ARNOLD:** Last year, when the Government announced that it was selling SAGASCO, or it was considering the sale of SAGASCO, subject to getting a fair price, and we have now got a fair price, an announcement was made by my predecessor that a proportion of the funds in excess of the shares entered into the books of the State would be used to fund the \$40 million economic development package that was announced last year and the \$40 million that has been announced in Meeting the Challenge this year. People asked at the time, 'Is it going to be funded?' We said, 'Yes. The way these shares are written in the books of the State—in other words, how they are accounted for in the assets and liabilities of the State—will enable us to use some of the premium to fund this important stimulatory package for economic development.'

I would be interested to know whether the member for Bragg takes exception to that; whether the member for Bragg says that there should not be any stimulatory activity; whether he says the economic development package should not have been done. If that is the line he is taking then I suggest that he make that well known to all South Australians. People questioned us at the time and said, 'No, we do not think you will be able to fund that.'

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. LYNN ARNOLD:** In fact we have done precisely that. The balance of the value of the SAGASCO shares was put into the debt management strategy that we have announced and, in this year's budget, figures were put in for that outcome assuming a certain return from the SAGASCO shares. In fact, the assumptions that were built into the budget that my Treasurer brought down a few weeks ago, in terms of what prices might have been possible—and you cannot be unrealistic about assumptions in budget papers; you have to be very realistic about these things, otherwise legitimately we would be questioned and criticised if the assumptions were too optimistic—were \$40 million less than the return we have actually got for the shares from SAGASCO. The question then becomes: what will happen to that \$40 million? I know the answer the Deputy Leader wants to hear. He wants to hear the answer from the Government that it will spend that extra \$40 million. That is not the case. There is a very simple arithmetic equation. We have, in the receipts of the Government in this financial year, \$40 million more than the assumptions indicated we would get in. We are not going to be increasing the expenditure by that \$40 million. Therefore, the simple arithmetic of it—and the Deputy Leader is not particularly good at simple arithmetic, let alone anything more complex than that—indicates that that \$40 million will add further to debt reduction in this State.

#### STATE FINANCES

**The Hon. J.P. TRAINER (Walsh):** My question is directed to the Treasurer. Bearing in mind the information just put before the House regarding the value of the Opposition's financial proposals of various types, what would have

been the effect on State finances if SAFA had followed the advice that was given by the Opposition?

**Mr Ingerson:** What about the State Bank?

**The SPEAKER:** Order!

*Mr Ingerson interjecting:*

**The SPEAKER:** Order!

**The Hon. FRANK BLEVINS:** The Opposition has been very good at giving financial advice to the Government over the past few months. In fact, they have been prepared to put on the record precisely what this Government ought to do in certain circumstances. It was interesting in the Estimates Committees last year that the Deputy Leader should lecture me and SAFA officials on what we ought to be doing about our debt management and investment policies. In relation to interest rates and how SAFA ought to be investing, given the interest rate regime that applied at that time, the Deputy Leader, on 16 September 1992, said:

Without going on with it, there is a big difference in where one locks in and for what term. I take note of the previous statement made by Dr Bethune—

the then CEO of SAFA—

when he was talking about going short in the market. I trust that we are now going long in the domestic market because of the present state of interest rates.

In all fairness, the Deputy Leader was prepared to stand up and give us an example of the kind of financial expertise that we could expect should he ever be in a position not just to give advice but to act. What would have been the result had SAFA taken the advice of the Deputy Leader?

*Members interjecting:*

**The SPEAKER:** Order! I cannot hear the response.

**The Hon. FRANK BLEVINS:** Twelve months on, time has tested the Deputy Leader's advice. Had SAFA followed the advice of the Deputy Leader, it would have locked in long-term interest rates at 2 to 2.5 per cent higher than those available now. That would have led to an additional interest cost of at least \$120 million a year extra. On top of the advice that we have had from the Opposition about what we ought to do with SAGASCO shares, we had the benefit of its advice on SAFA. I am only too pleased to say that on both occasions we ignored the financial advice of both the Deputy Leader and the Leader, and the State is consequently about \$200 million a year better off.

#### ABORIGINAL COMMUNITY COLLEGE

**Mr SUCH (Fisher):** My question is directed to the Minister of Education, Employment and Training. What action has the Minister authorised two months after being notified that the Aboriginal Community College at Port Adelaide lacks the accreditation for its courses required of it as a tertiary institution; and does she concede that the \$600 000 allocated by the State Government and the \$600 000 allocated by the Federal Government has been inappropriately spent?

I have received extracts of a report sent to the Minister in August alleging what has been described as an 'astounding lack of management practices at the college, misappropriation of funds, the absence of accreditation courses and nepotism in the choice of lecturers'.

It has been pointed out to me that, after the expenditure of \$1.2 million by Federal and State Governments, the courses have not been accredited, meaning that the Aboriginal students will not have recognised credentials to transfer their fields of study. I have been informed that, despite being

notified of these complaints two months ago, the Minister has done nothing more than reply to the report with a six-line acknowledgment.

*Members interjecting:*

**The SPEAKER:** Order! I should explain that I have a personal interest. I am on the board of that college, so I am very interested in this response. I ask all members to pay keen attention. The Minister.

**The Hon. S.M. LENEHAN:** As you would therefore be aware, Mr Speaker, having declared your interest, the legal responsibilities for the management of the college rest with the college council. Indeed, I have been made aware of and seen the report. The honourable member asked what I have done about it. What I have done about it is to have my officers contact the various people involved, and I have also—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.M. LENEHAN:** It is interesting; they ask the question but they are not interested in hearing the answer.

**The SPEAKER:** I can assure the Minister that, if they are not interested, the Chair is. The Minister.

*Mr Becker interjecting:*

**The SPEAKER:** Order! The member for Hanson is warned. The Minister.

**The Hon. S.M. LENEHAN:** I have sought legal advice with respect to the allegations. The allegations have been made by four people working in the college with respect to a supervisor. As would be the case in any responsible management decision, one has to ascertain the veracity of the claims that have been made. This is the same Opposition that has raised in this House as recently as yesterday the principles of natural justice with respect to claims that are made, so I would have thought that the actions I have taken are not only appropriate but also totally in line with the principles of natural justice. I have sought legal advice, and that legal advice is on its way to me. I think it would be quite inappropriate for me to usurp the proper responsibilities of the college council. The very member who asks the question—

*The Hon. D.C. Wotton interjecting:*

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

**The Hon. S.M. LENEHAN:**—has the shadow portfolio responsibility for college councils and would therefore, I would have imagined, be very conversant with the responsibilities that are delegated by this Parliament to college councils. Indeed, he is quite correct: as a State Government we do fund a substantial amount—about \$600 000—and to that extent I most certainly will be keeping a very close eye on and a monitoring approach to ensuring not only that the money is spent effectively but also that it is in line with our philosophy and policy with respect to Aboriginal education. Let me remind the Opposition that currently in this State we have 500 Aboriginal students in tertiary institutions. Our record is second to none in this country, and the Opposition sits there denigrating Aboriginal people, denigrating the college—

**The SPEAKER:** Order! The Minister will resume her seat. The member for Fisher has a point of order.

**Mr SUCH:** On a point of order, Mr Speaker: the honourable member is reflecting on members of the Opposition, including me, implying a racist element.

*Members interjecting:*

**The SPEAKER:** Order! It is normal practice with a point of order to request a course of action. Does the honourable member request that the Minister withdraw?

**Mr SUCH:** Yes, Sir.

**The Hon. S.M. LENEHAN:** I will not withdraw, Mr Speaker, because the question comes after the Leader of the Opposition's question, in which there was clearly a rush to apportion blame not only to the college council but also to the lecturers who are working in that college, without giving people an opportunity to pursue the course of natural justice, which is what this Government is doing and what I am doing as the Minister. If the honourable member is interested in pursuing natural justice, I am very happy to make available to him the information that I receive by way of the legal advice from Crown Law. But I would have thought that, to rush in on the advice of a number of people working in the college without being prepared to give people and the college council, of which the Speaker is a member, the opportunity to have their side of the story heard, is nothing but behaving like a kangaroo court, which is obviously what the Opposition wants to see happen. So, yes, I am aware and I am taking the appropriate action on behalf of this Government.

*Members interjecting:*

**The SPEAKER:** Order! If the Opposition is to play the game of pass the interjection, the Chair will have no choice. There is no way I can warn and caution all members so, if they are to play the game of pass the interjection, the warnings given to the previous interjector will be passed on. The member for Albert Park.

#### AUTOMOTIVE INDUSTRY

**Mr HAMILTON (Albert Park):** Will the Minister of Business and Regional Development outline the performance of our automotive industry in achieving exports? The Government has previously announced multi-million dollar assistance programs to the automotive industry. I am aware that the Leader of the Opposition's 'Make a change' document pays scant attention to the automotive industry, with tuna farming being the first priority in terms of industry development. I seek to ascertain whether the automotive industry is worth the State Government's money being put into it.

**The Hon. M.D. RANN:** I am pleased to answer that question, and I hope that members on both sides of the House will be pleased with the very good news regarding the car industry. South Australia's car exports increased by a massive 300 per cent in the six months to June 1993 compared to the six months to June 1992. This represents an increase in exports from \$80.1 million to \$242.2 million. Employment is also up in the automotive industry in South Australia and as of June 1993 Mitsubishi and General Motors-Holden's together employed 9 160 people compared with 8 480 people in June 1992.

Sales of vehicles increased by 23 per cent over the period, with productivity rates increasing by 7.9 per cent, or by \$120 to \$1 630 per employee per day among vehicle manufacturers, with a substantial increase also in the component industry. The South Australian Government has approved \$10 million in assistance to the automotive industry over the past 12 months or so through the South Australian Centre for Manufacturing and has allocated over \$20 million to the industry through the South Australian Development Fund.

Certainly it is clear the automotive industry is a driving force in this State's economic development and recovery. It

recognises quite clearly that we must be globally competitive and globally active. Now we have to ensure that a greater focus on exports is applied throughout the State's manufacturing sector to further strengthen our position in the world market place.

I take this opportunity to pay tribute to members of the automotive task force in this State, comprising senior representatives of all Australia's automotive assemblers and not just those in South Australia. We thought it was important to have a task force that could speak with a clear voice to the Commonwealth on automotive industry matters. It includes General Motors-Holden's, Mitsubishi, Ford and Toyota, with representation from major component suppliers and the trade union movement. The task force, which I currently chair and which was formerly chaired by the Premier, is developing a Vision 2000 statement designed to look at both the problems and opportunities confronting the automotive industry as we move towards the twenty-first century, and to look at a picture of where we want to be.

Certainly, through the Centre for Manufacturing there has been a very close relationship through the automotive program. Millions of dollars has been allocated by this State Government to assist the industry to become world competitive. We want to continue that very cooperative relationship between the State Government and industry in this regard. The stench of playing the racial card is under my nose from members opposite, but I hope that all members of this Parliament will support the automotive industry.

#### ABORIGINAL COMMUNITY COLLEGE

**Mr GUNN (Eyre):** Does the Minister of Education, Employment and Training support the appointment at the Aboriginal Community College, at the beginning of this year, of a non-Aboriginal woman as curriculum service manager who has since failed to deliver any of the accredited courses required of her; and has the Minister notified her Federal counterpart, the Hon. Kym Beazley of the complaints against the supervisor of the college administration concerning the inappropriate staff appointments, misappropriation of funds and inadequate curriculum services?

**The Hon. S.M. LENEHAN:** I thank the honourable member for his question. Perhaps it would be relevant to these questions to put on the record that the college has no fundamental organisational responsibility or accountability to the State Government. In fact, the college is a non-government organisation incorporated under the Associations Incorporation Act and, as such, the affairs of the college are managed by a council established under the constitution. So, while I will certainly pursue the matters with respect to the money put into the college by the State Government, it must be clearly put on the community's agenda that I cannot march in with or without hobnail boots and make decisions in a unilateral way. I would not choose to do that, even if I had direct responsibility for all the affairs in the day-to-day running of the college.

The honourable member asks whether I have informed the Federal Minister's office. I believe that we have sent to Minister Beazley's office in Canberra a copy of the report that came from the college (from the four people who raised these matters). I would be pleased to ascertain the exact date of sending that report and any other relevant details the honourable may find important. I am aware that a curriculum officer was appointed. I did not have responsibility for the appointment of that officer and, as to question of Aboriginal

descent or any other ethnic origin, I am not sure that that is directly relevant if the proper processes—and if the college council was satisfied that those processes—were gone through. I am not sure whether the honourable member is suggesting that I should somehow intervene when I have no legal right to do so. Allegations are made about particular people put into particular positions. I can certainly ask questions, as I am quite sure the college council itself would have asked questions about particular appointments, especially—

*Mrs Kotz interjecting:*

**The Hon. S.M. LENEHAN:** That is the sort of question I have already asked and on which I sought legal advice. We have dealt with this matter in the most appropriate way. It is a sensitive issue and it behoves every member of the Parliament to treat it as such, rather than try to turn it into some kind of racial issue with respect to the racial origins of the people employed and the matter of whether they are of Aboriginal or non-Aboriginal descent.

#### SCHOOL CLOSURES

**Mr QUIRKE (Playford):** Will the Minister of Education, Employment and Training advise whether she has any plans to close schools with enrolments of 200 children or fewer? Many school communities are very concerned about rationalisation along these lines. In my electorate one such school, the North Ingle Primary School, has a population of 170 students and is very concerned about its future after the Victorian experience.

**The Hon. S.M. LENEHAN:** I can categorically inform the honourable member that this Government has not and certainly will not unilaterally close schools based on an arbitrary number of students, which is exactly what has happened in Victoria. Every amalgamation or, indeed, a closure of a school in this State has been based on full consultation with the community—

*Members interjecting:*

**The Hon. S.M. LENEHAN:** —and the honourable member who interjects very well knows that that is the correct position, unlike the Victorian experience where the Government unilaterally on 20 November last year closed 56 schools and, I am told, is about to close between 100 and 200 more schools.

**Mr S.J. BAKER:** On a point of order, Standing Orders relate to repetition. We have already had this information presented to the House.

**The SPEAKER:** I uphold the point of order.

**The Hon. S.M. LENEHAN:** I can provide the honourable member with some new information, and that is that I understand that the Victorian Premier and indeed all Ministers in Victoria have been banned from appearing on the *7.30 Report*, particularly the Victorian Education Minister, Mr Howard, who has been told that he is not allowed to make any media statements or appear on the *7.30 Report* to discuss the plans to close between 100 and 200 schools. I am talking of further closures in Victoria. I find this amazing and one would have to ask: will this be the kind of approach that a possible Liberal Government would take? The people of this State have a right to know whether the Liberal Party has a policy of banning its—

*Members interjecting:*

**The SPEAKER:** Order! I ask the Minister to resume her seat. The member for Heysen consistently interrupts. Again,

let me just caution members about their conduct. The honourable Minister.

**The Hon. S.M. LENEHAN:** As I was saying, the people have a right to know whether the Opposition has a policy of banning its Ministers from actually disclosing information on an issue as vitally important to the community as education. Again, I will put on the record that we will not adopt the unilateral closure of schools based on arbitrary numbers. I am sure the member for Eyre—

*Members interjecting:*

**The SPEAKER:** Order! I ask the Minister to wait a moment. I warn the member for Morphett. Does the member for Morphett hear me? I warn the member for Morphett. The honourable Minister.

**The Hon. S.M. LENEHAN:** As I am sure the member for Eyre would agree, we have continuing in very remote communities an excellent quality of education with very small numbers of students, particularly in our outback areas, as well as in some of our smaller communities a little closer to the city of Adelaide, and to adopt a policy as the Victorian Government has done and say that 200 is the cut off number and we will close all schools under 200 is nothing short of educational bankruptcy. It is based on no educational policy, no educational philosophy—

**The SPEAKER:** Order! There is a point of order.

**Mr S.J. BAKER:** On a point of order, the Minister is debating the matter.

**The SPEAKER:** I agree. I uphold the point of order. I think the Minister may have fully answered that question. The honourable member for Chaffey.

#### RIVERLAND CROPS

**The Hon. P.B. ARNOLD (Chaffey):** My question is directed to the Minister of Primary Industries. What support will be made available to primary producers in the Riverland whose operations have been affected by frost damage in recent days to enable them to carry on for the next 12 months? Officers of the Department of Primary Industries have assessed this week's crop damage, which comes on top of recent hail damage, and have declared that crops have been wiped out for some growers.

**The Hon. T.R. GROOM:** It is true that a very significant amount of frost damage occurred on Monday 11 October and widespread damage, with loss in almost every district, occurred in the Winkie, Monash, Cobdogla, Loveday, Loxton North, New Residence, parts of Waikerie and parts of Renmark, which are all usual frost prone areas, as the honourable member knows. Winkie, Monash and New Residence were particularly severely hit. I understand that my department is assessing the amount of damage. The majority of loss is between 10 and 50 per cent as a result of the frost and hail. It is true that some growers have lost a very significant proportion of their grape crop. It is too early to predict the loss on apricot crops, which were already at very low crop levels.

As I have said, my department is assessing the amount of damage involved, and I am very concerned about the situation. All primary producers are eligible for rural assistance. The rural assistance provided in 1992-93 involved an expenditure of approximately \$30 million, whereas in this case the outside parameter of rural assistance in various forms, from loans through to normal RAS interest rate subsidies, is probably in the vicinity of \$70 million. To assist the rural sector, apart from exceptional circumstances, I will

be increasing the amount of loan moneys available, which will involve various interest rates from commercial rates down to very low interest rates, subsidised rates, from \$6 million expenditure last year to approximately \$25 million. All primary producers are eligible for ordinary rural assistance.

My department is working out for me an assessment of the amount of damage. Once that assessment is in, I will meet with the appropriate senior officers of my department and bring down an appropriate response. The honourable member can be assured that my department will be doing everything that is reasonable and proper to assist the constituents in the honourable member's electorate, because it is a particularly important primary production area of South Australia, and my department will do everything that is necessary to ensure that the problems being experienced are addressed.

#### HOUSING TRUST TENANTS

**The Hon. T.H. HEMMINGS (Napier):** My question is directed to the Minister of Housing, Urban Development and Local Government Relations. Could the Minister tell the House what level of South Australian Housing Trust tenant debt was outstanding from the 1992-93 financial year? I have been approached by constituents who have expressed to me their concern about an article in the *Sunday Mail* in which the Opposition spokesperson for housing alleged that two-thirds of that debt was due to absconders.

**The Hon. G.J. CRAFTER:** I thank the honourable member for his question. I am aware of his interest in this matter as a former Minister responsible for the Housing Trust and as a member whose electorate contains many Housing Trust homes. I am pleased to be able to set the record straight here because once again a grave disservice has been done to the reputation of the Housing Trust. If the Opposition is the author of the information given to last weekend's *Sunday Mail*, then it simply got it wrong, and got it badly wrong.

As at 30 June 1993, \$628 000 was outstanding as a result of tenants absconding with arrears in rent. The proportion of absconders therefore represented 6 per cent of the overall rental operation debt, bearing in mind there are some 63 000 trust rental properties. While there is obviously room for a reduction in this figure, it is not even close to the absurd figure quoted in the *Sunday Mail* and presumably authored by the member for Morphett. The total tenant charges raised in the trust's rental properties for the 1992-93 financial year was \$193.5 million, of which \$10.9 million was outstanding as at 30 June 1993. However, \$10.28 million is able to be recovered. In that financial year, the South Australian Housing Trust wrote off 1.5 per cent of the overall debt charged to tenants for the year. So, that is an amount substantially less than that which is written off in the private sector in similar circumstances.

I will agree with the member for Morphett that the introduction of the Commonwealth Privacy Act in mid-1992 has had a detrimental effect on the processes of the trust in identifying the whereabouts of absconders. Prior to the introduction of this Act, the trust through the use of credit reference association agencies had a 50 per cent success rate in locating absconders. The current success rate has now unfortunately been reduced from that figure. However, let me assure the House that the South Australian Housing Trust continues through its own resources to actively pursue tenant debts, and I believe it does a very good job in that regard.

I am concerned that the Opposition has once again attacked the Housing Trust in a very public way and caused concern among tenants by saying they are paying for the debts of absconders. The Opposition seems hell-bent on deriding the Housing Trust and bringing it into disrepute in the community. It is a very valuable organisation in our community. It enjoys, I believe, a reputation second to none in this country as a public housing authority and deserves the support of the Opposition and the broader community for the very important and difficult work that it does in the community. If it is the strategy of the Opposition to attack the Housing Trust in this way, I can only say that the Opposition ought to be revealing its policies about the future of that important institution, which I have said on previous occasions the Federal Opposition had indicated it was only too keen to privatise.

#### FAMILY AND COMMUNITY SERVICES

**The Hon. D.C. WOTTON (Heysen):** My question is directed to the Minister of Health, Family and Community Services. Does he concede that the demand for support services from his department has escalated with the recession? If so, why has he allowed the FACS office in Elizabeth, in his own electorate, to close up to half a day a week, and why are FACS staffing levels being cut in Whyalla? A welfare worker has written to me giving the example of a woman faced with serious domestic violence escaping from her home to seek help from the Elizabeth office, only to find it closed. The woman was terrified that her husband would find her missing, but fortunately she found assistance through other departments. I have received a copy of a letter sent to the Minister from members of the Whyalla voluntary support group stating that staff cuts to the local FACS office would remove vital services and undermine morale at a time when callout costs relating to child protection have almost doubled in the past year.

**The Hon. M.J. EVANS:** The honourable member is asking two questions, but I am happy to deal with both of them. First, the office is not closed for half a day a week: it is closed on Wednesday morning until 10.15 a.m., which is not half a day.

*The Hon. D.C. Wotton interjecting:*

**The Hon. M.J. EVANS:** It was closed until 10.15 on a periodic basis on a Wednesday morning to provide for staff training and communication exercises, and to ensure that the maximum advantage is taken of that staff time so that people are not pulled out of work and teams on an inefficient basis during the week, which used to occur. This is taking place on a trial basis to assess the efficiency of the process. However, there should be no reason for any individual to be deprived of an emergency or any other service, because at the door of the FACS office is a large sign indicating that, if emergency service is required or if people wish to speak to a senior officer—

*Mr Olsen interjecting:*

**The SPEAKER:** Order!

**The Hon. M.J. EVANS:** There are two questions and I am dealing with them in the order in which they were asked. I do not think there is a problem with that. Outside the front door of the FACS office is a large sign indicating: 'If you require emergency assistance or wish to speak to a senior officer of the department (and one is always available during that hour long period from 9 to 10 in the morning) you

merely have to make contact through the bell provided.' Indeed, each week—

*Members interjecting:*

**The SPEAKER:** Order! I advise the Minister to wait until order comes to the House.

**The Hon. M.J. EVANS:** Each week at least one member of the public will take advantage of that opportunity and the staff at the office have assured me that that is working extremely effectively. There is no reason at all for any person to be deprived of emergency attention because senior staff members, including the management, are on duty during that period to receive telephone calls and to make contact with any member of the public who wishes to seek emergency assistance. Therefore, the most effective use of that officer's time is achieved.

Certainly, this Government has not deprived Family and Community Services of appropriate resources. If we want an example of that to follow, we can look at the recent report in Victoria and the millions of dollars that have been taken out of family services there and slammed by that recent report. That is FACS under attack, which is not the situation in South Australia.

#### EDUCATION SPONSORSHIP AND PROMOTION

**Mr HERON (Peake):** Can the Minister of Education, Employment and Training inform the House of the Government's policy in relation to sponsorship and promotion in school education and whether guidelines are available for schools on this important matter?

**The Hon. S.M. LENEHAN:** I thank the honourable member for his question. Sponsorships and promotions must be consistent with the generally accepted values, purposes and goals of school education in Australia as set out in the agreed national goals for schooling. South Australia has adopted the national code of practice for sponsorship and promotion in school education developed by the Australian Education Council earlier this year. The code includes principles for both sponsoring organisations and for schools themselves, so there are two sets of principles, which of course have been distributed widely, certainly to all schools in South Australia, and to many companies and commercial organisations in this State.

I assume that the same has happened in other States because the code was actually developed nationally by all Ministers of Education in this country, who agreed to such a code. For example, the principles for schools include that sponsorships and promotion should be used to enhance educational programs and not displace other funding arrangements on which school and school systems depend. It is also a requirement that sponsorships or promotions do not generate undue pressure on children, parents or schools to purchase particular products or services. I believe the code is a balanced one: it allows schools to accept sponsorship that may provide, for example, additional computer equipment and, at the same time, it also protects education values from crass commercialisation.

It was interesting to note yesterday that the Opposition spokesperson on education was unable to join me in a discussion on ABC Radio about this issue and I wonder whether this was because the Opposition just does not have a policy on it, or indeed it may have a secret policy in line with that of the New South Wales Government, which has allowed a number of commercial organisations into schools. This is now being raised nationally by parents, community

groups and educators as a vital concern with respect to some of these organisations and the way in which they are pressuring young children, particularly in families, to buy certain products that we would have to question in terms of health and their overall benefit to students within our education system.

### CRIME RATE

**Mr MATTHEW (Bright):** Following the recently released Police Commissioner's report, which shows increases in a range of violent and other crimes in South Australia, does the Minister of Emergency Services still insist that the rise is attributable to increased reporting and detection by police, and not because of more crime being committed? If this is so, how does the Minister account for the Police Commissioner's statement published in this morning's *Advertiser* that, despite the increase in the crime statistics, 'a very high number of crimes were not being reported to the police'?

**The Hon. M.K. MAYES:** I would have thought that the honourable member would have had his share of being exposed for what he was saying yesterday, having watched the television last night—

*Members interjecting:*

**The Hon. M.K. MAYES:**—and he bobs up again today.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.K. MAYES:** He has got it wrong about the numbers and he will not accept that.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.K. MAYES:** The honourable member keeps coming back and saying we have 49 fewer police officers in operational. He cannot understand the basic Estimates figures provided on page 222.

*Mr Matthew interjecting:*

**The SPEAKER:** Order! I warn the member for Bright. The Minister.

**The Hon. M.K. MAYES:** Thank you, Mr Speaker. I refer to what I said last night when we were interviewed on the *7.30 Report*—and the honourable member may care to go back to the comments made by Dr Moody yesterday morning on the 5AN program. Dr Moody, who is someone with hands-on experience in dealing with victims of sexual offences, said herself that there is an increased level of detection. This Government has been at the forefront nationally of bringing forward all those issues.

*Mr Meier interjecting:*

**The SPEAKER:** Order! The Minister will resume his seat. Time and time again the member for Goyder has been cautioned. I would seriously advise him to watch his behaviour for the rest of this session.

**The Hon. M.K. MAYES:** Thank you, Mr Speaker. As I was saying, Dr Moody's comments to Leigh McClusky in the interview yesterday morning highlighted the fact that such comments can only come from someone with hands-on experience in this area daily, from someone who deals with the trauma and stress of those people who suffer as a consequence of sexual assault or abuse. Dr Moody's comments were clear, that in her view the numbers have not increased but have steadied out at the Queen Elizabeth Hospital. This area is as exposed as any other area of the city to those crimes as they occur.

Clearly, what Dr Moody said was that in her opinion—and I would take recognition of that opinion myself because Dr Moody is a person working at the forefront and dealing with this problem daily—there was increased detection of the crime. Her comments were, and we see in numerous reports from criminologists around the country and overseas as well, that in a democracy such as ours we encourage people to come forward. We have broken down the taboos and allowed the family to come forward and bring these issues to public attention so we can deal with them. We are now seeing a problem that has been hidden in our society for many decades. It is now being exposed as a consequence of the excellent work done by our agencies, particularly by the police who are working with the Sexual Assault Unit and with the units that are working in support services for victims of crime.

It must be an enormous struggle for people to make some of these decisions; to come out of their family environment and talk publicly about what has happened to them and within their family. They are coming forward with confidence because they know that they will receive support within the community and they will receive support from the Police Department. Quite clearly we are now seeing, and the Commissioner is seeing, that what was happening for years and years—as he himself would have experienced as a young police officer, coming through the ranks to become Commissioner—is that many of those so-called crimes were not being reported; they were not being brought forward.

The Commissioner, myself as Minister, my predecessors and other people involved in the Police Department are now seeing an increased detection level. I am not ashamed of seeing those figures reported because now we know the size of the problem and we can address it. I hope the Opposition understands that and that it will join with us in addressing this issue with all of our agencies—not sitting here and trying to score points off us, but trying to work together as a community to address this serious problem so that we can get to the cause. I think that is a much more productive and sensible way of going about it than trying to score a point or two in this Chamber.

### SHEEP LICE

**Mrs HUTCHISON (Stuart):** I address my question to the Minister of Primary Industries. Can he give the House details of the problems relating to sheep lice currently being experienced by some farmers? I understand that compulsory annual dipping of sheep for lice has not been required since 1991. I have received advice from constituents that lice have become a quite severe problem and they have asked what can be done or what is being done about this.

**The Hon. T.R. GROOM:** I appreciate the question from the honourable member. In fact, I thought it might have come from the member for Custance who recently put out a press release saying that there was a lice plague and he blamed the Government cut-backs for it. The fact of the matter is that sheep lice is a serious problem but the levels are comparable with other States. What occurred in 1991 was that the regulations were changed to remove the compulsory annual dipping of sheep for lice. This was done at the request of the Farmers Federation, the Advisory Board of Agriculture and industry generally, because there is a great cost attached to farmers being required to annually dip if it is not necessary. They wanted to take responsibility and as a result of that

change owners have an obligation and sole responsibility to treat their own sheep.

It is a continuing problem and it is one that my department is most concerned with. At the present time we have a joint committee of the sheep industry and Department of Primary Industries reviewing the situation. The South Australian Farmers Federation has already stated its commitment to reducing the level of Government imposed lice quarantines on farms and has said that owners have the responsibility to treat their own sheep lice problem. While the problem is a serious matter and does require special attention—and that will be given to the industry—the levels are comparable with other States. It has nothing whatever to do with any staffing issues.

The member for Custance put out a release in which first he blames us for the locust plague; he blames us for a mice plague; and now he blames us for a lice plague. He gave us no praise when it rained recently, which increased the harvest prospects for farmers. He gave us no praise whatsoever for that, but if there was a flood he would blame us. So there is no lice plague in South Australia but there is a serious situation which is being addressed and it has nothing to do with staffing issues. He issued a release saying, effectively: Lice plague, Venning blames Government cut-backs', but it has nothing whatever to do with staffing issues.

*Members interjecting:*

**The SPEAKER:** Order!

### CRIME RATE

**Mrs KOTZ (Newland):** I direct my question to the Minister of Emergency Services. Why did the Minister ignore a letter he had written to the Leader of the Opposition concerning several attacks on youths in Rundle Mall when he replied to questions yesterday and said that he had received no representation about these attacks? Does he now recall responding to the Leader in a letter dated 10 September, saying that the incident of a teenage boy being bashed appears to be a reasonably isolated matter. Yesterday in this House the Minister—

*Members interjecting:*

**The SPEAKER:** Order!

**Mrs KOTZ:**—while replying to me about a series of attacks in Rundle Mall that have been reported to the Opposition, stated: 'I cannot recall a letter coming across my desk.' The Leader of the Opposition received a letter from the Minister written on 10 September in response to the Leader's letter, which was written on 7 July in which the Minister acknowledged that many assaults go unreported and then stated, and I quote:

The incident referred to in your letter was most unfortunate but appears to be a reasonably isolated matter.

*Members interjecting:*

**The SPEAKER:** Order!

**Mrs KOTZ:** Five incidents were brought up.

**The Hon. M.K. MAYES:** I suggest that the member for Newland actually find out the full facts of the story, because there is another letter which I had not seen and that was the one I was referring to. I found out yesterday that there was a letter dealing with the incidents—not with an incident but dealing with the incidents, dated 8 October. I was not aware of that letter. I have since had a reply prepared, and I will be forwarding that to the Leader of the Opposition, dealing with the incidents mentioned by the Leader. That was the letter I thought the Leader was referring to. The member ought to go

back and check her facts before she starts standing up here and accusing people of not knowing what they are doing. Quite clearly, she has not co-ordinated herself with the Leader's office because there are two letters and the last letter was dated 8 October dealing with a summary of the incidents referred to by the Chairman and Executive Officer of the Independent Schools Association. I suggest to the member for Newland that she go and do her homework properly.

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** The House will come to order and we will proceed with the business.

*Mrs Kotz interjecting:*

**The SPEAKER:** The member for Newland is out of order.

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### GRIEVANCE DEBATE

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

**The Hon. D.C. WOTTON (Heysen):** Earlier today I asked a question of the Minister of Health, Family and Community Services about the closure of his office in his own electorate at Elizabeth on Wednesday mornings. The Minister indicated that the office was closed to enable officers to have a meeting. I would like to refer to a letter that has been written to me by a welfare worker in the Minister's own electorate. The writer has indicated that it has recently come to his attention that the Elizabeth office of the Department of Family and Community Services is closing in order to hold meetings on a Wednesday morning. He points out that he has a number of clients who have been inconvenienced by this decision and he wishes to bring it to my attention in case there is anything I can do in order to rectify this injustice.

The writer goes on to say that no other Family and Community Service office is closing its office to the public in order to hold meetings and it therefore seems inappropriate that, in an area of such high need, clients are again being further disadvantaged. It also appears ironic that this is occurring in the very area in which the current Minister has been elected and suggests that the Government's current commitments to the values of social justice and customer services are no more than lip service.

**The Hon. T.H. Hemmings:** Hear, hear!

**The Hon. D.C. WOTTON:** I am glad the member for Napier agrees with that, because it means that the Government services are nothing more than lip service. An example of the increased—

**The Hon. T.H. HEMMING:** Mr Speaker, I rise on a point of order.

*Members interjecting:*

**The SPEAKER:** Order! What is the point of order?

**The Hon. T.H. HEMMING:** Mr Speaker, the member for Heysen was reflecting on me. You did not even have a chance to hear it because the Deputy Leader was talking to you; but the member for Heysen reflected on me, Sir.

**The SPEAKER:** Order! The member for Napier will resume his seat. The member for Napier has not made his point of order. He has said he was reflected upon. He is



correct, my attention was diverted momentarily. If the member identifies the reflection and if he requests a withdrawal, I will ask the member for Heysen to withdraw the offending comment.

**The Hon. T.H. HEMMINGS:** I was out of my place, sitting next to the member for Henley Beach—

**The SPEAKER:** If the member for Napier does not get on with his point of order, I will ask him to resume his seat and we will get on with the debate.

**The Hon. T.H. HEMMINGS:** The member for Heysen said that I agreed with him. I did not agree with anything.

**The SPEAKER:** There is a point of order that the Chair will take: if the member for Napier takes one more frivolous point of order, he will be named. The member for Heysen.

**The Hon. D.C. WOTTON:** I want to refer to an example of the increased difficulties caused to residents as a result of this office being closed recently. A woman in a serious domestic violence relationship was seeking help with financial assistance and counselling to help her to move out of a very violent relationship. She was being kept a virtual prisoner in her own home and managed to get out for a short time only on this day. She went to the office, only to find it closed. The woman was terrified that her husband would discover that she was missing and was greatly distressed when she turned up at the agency. I believe it is totally inappropriate that a FACS office should be closed at all to enable officers to have a meeting particularly in an area of such high need.

I also refer to a cut in services in the Department for Family and Community Services in Whyalla, and I want to quote from a copy of a letter that has been sent to the Minister by the Whyalla Voluntary Organisations Support Group. It states:

The above group is appalled at the proposed funding cuts to the social and also the health services in Whyalla. We do not have to remind you of the depressed conditions in this area and of the overwork of social workers to combat the problems created by unemployment, recession and the number of disadvantaged families domiciled in Whyalla.

To further cut the staffing levels in the local FACS Department may need this branch to cause the cessation of various preventive services that the department is currently offering, especially as the call-outs for child protection situations have almost doubled in the last year.

Again, it is totally inappropriate that funds should be cut in an office where there is such a high need. I support the claim that has been made by the Whyalla Voluntary Organisations Support Group, and I call on the Minister—I do not know whether he has yet responded to that letter—to ensure that—

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

**The Hon. D.C. WOTTON:**—that funding is retained.

**The SPEAKER:** Order! The member for Heysen will not speak over the Chair. The member for Playford.

**Mr QUIRKE (Playford):** I think it is rather bizarre that the member for Heysen goes on about the closure for an hour and 15 minutes of the Elizabeth FACS office, yet his colleague the member for Hanson does not even want those people to use a car outside office hours. The Opposition is complaining that the office is closed for an hour and 15 minutes on a Wednesday morning. What happens after 5 o'clock at night or before 9 o'clock in the morning? If this is the only issue that the honourable member can dredge up, it is pretty pathetic. Indeed, the Opposition wants it every which way. We have heard before that Opposition members want

two bob each way. Now we find that the office should not be closed during business hours. If I heard the member for Heysen correctly, they should be ready for a call-out. What are they going to do? Are they going to catch a bus? It is bizarre.

The real purpose of my address is not to answer the arrant nonsense of Opposition members who, at the end of a long session, are short of issues and are not allowed to speak on policy. I say that every time I get an opportunity: they are not allowed to speak on policy. In fact, they are muzzled on policy.

I want to talk about some of the problems regarding roads in the Playford electorate, this time with a different focus from that of the Department of Road Transport. The Salisbury council spent a great deal of money opening up Nelson Road. Some years ago Nelson Road was a major road through my electorate. It was a dirt track, it went up and down a series of gullies and, for reasons of safety and other purposes, it was closed about 20 years ago.

The road was progressively reopened in sections with a high quality road being built in about six phases. Since early 1992 that road has been opened in its entirety. The problem is that many roads join Nelson Road, some of which carry a considerable volume of traffic. One of those roads is Kesters Road. Traffic travelling east on Kesters Road approaching Nelson Road is blind on the left hand side. I put to the Salisbury council that at the very least there ought to be traffic control measures there, such as a stop sign.

Other roads come down to Nelson Road, namely, Billa-bong, Murrell, and one or two other roads such as that where again the visibility is very poor because of the undulating surface on which Nelson Road is built. Again, I believe that on these roads traffic devices, such as give-way signs, stop signs and other measures, including in some instances road closures, should be looked at before serious accidents take place.

At this stage the recently opened Nelson Road is carrying a fair amount of traffic. In my view, when the residents in my area and in other areas realise how convenient this road is as it connects Modbury straight through to Salisbury East, that road will be used much more in future and that will increase the danger to my constituents. I hope that the Salisbury council will take some remedial action. I also hope that it will have another look at the opening of this road and see that a further phase of work is necessary which should include the installation of traffic control mechanisms at a number of very dangerous key points on that road.

**Mr GUNN (Eyre):** I wish to raise a matter of concern which has been—

*Mr Atkinson interjecting:*

**The SPEAKER:** Order!

**Mr GUNN:** The honourable member is, as usual, in cloud cuckoo land or looking for fairies in the garden. However, I will continue, because I wish to raise a matter which is of concern to my constituents relating to the proposed cuts in staffing levels at the Ceduna Area School. I have been provided with a copy of the school council minutes of 29 September. In view of the isolated nature of the area, I think it is important that the best standard of education should be provided for the people who live there. It is unwise and unnecessary to interfere with the secondary staffing levels at that school, because the students are entitled to have the same wide range of curriculum as is available anywhere else in the State. The minutes state:

In a nutshell, this means that possibly up to five secondary staff may not be placed next year, but, because of the 45 km limit, they cannot be moved from Ceduna—unless they wish to move. (There is no pressure for them at present to be moved).

If these staff members decided to stay in Ceduna, they would become TRTs. Some are concerned that this possible change would affect self-esteem, job security, etc. The affected teachers would still be on full pay, but 40 per cent of their time would be as TRTs and the other 60 per cent, if they wanted to, would be to assist with special projects, help in larger classes or as support to students. If there are no special projects, they would not have to do anything else.

It was put to the meeting that this situation would severely affect the school. . . that several matters had not been taken into account by the Education Department. . . and was this decision to be accepted—or fought?

The minutes go on:

The first step was to ask if any teacher wanted to move on—no volunteers. Second step to identify those teachers exempt; e.g. after a teacher has completed 10 years service, he/she has to transfer out but if transferred back in is exempt for three years. . .

It goes on to state:

The problem is aggravated by introduction of open access which has already 'swallowed up' an extra teacher—the school used to be allocated for years 11 and 12 students.

It then goes on to state (and this is very important):

Another fact to consider is the large school card holders at CAS (approximately 55 per cent). Isolation is another. If Ceduna loses its high school, the closest would then be Port Lincoln, Whyalla or Port Augusta (all 400 km or more away). This would mean separation from the family unit, as well as additional cost of sending child away to school. At present schools are compensated for high school card numbers, Aboriginal students and distance. Ceduna Area School is benefiting but so are all affected other schools. To the Education Department, Ceduna Area School is just another statistic, costing money over those schools in the city area. Formulae are used to work out staffing numbers to the number of students, but. . .

Then it goes on to give a further explanation in relation to the difficulties which would apply in relation to the school when this proposition took place. I would ask the Minister of Education, Employment and Training and her officers to give this matter very serious attention as a matter of urgency, because I do not believe the course of action as set out in the minutes of the school council would in any way benefit education in the Far West of South Australia, and it certainly would cause a great deal of dissatisfaction within the community, particularly the school community. I therefore call on the Minister to take urgent action. I intend to continue to follow up this matter, because I am particularly concerned. I do not believe it is necessary or wise that people living in the isolated parts of the State continue to be penalised. We have already had the attempt to take away the water on the Barrier Highway.

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

**Mr HAMILTON (Albert Park):** I was born into a working class family, and I am proud to say that. I have been a worker all my life, still consider myself a worker and will die a worker, and I am proud of the working class of this country. I say this in relation to an industrial relations issue—a matter that members opposite do not have the intestinal fortitude to discuss—because we on this side of the House are well aware of what their cohorts and their ilk in Victoria and Western Australia have done to the workers. They have slaughtered workers' conditions in those States.

Let me give an illustration. When I was talking to the shadow Minister of Industrial Relations in Western Australia, I almost cried, and I will tell you why, Sir: this is what

happened in Robe River, with the sort of people the members opposite support—the New Right, the extreme right in industrial relations in this country. This is what happened. In its relentless pursuit of higher profits, Robe River management forced the reclaimer (a piece of equipment at Robe River) to work at higher speeds and greater capacity until it tore itself apart and killed a father of two young boys. I was there; I show emotion and I make no apology to the House. I was there and I saw the photographs and spoke to people involved.

Why do I get upset and angry when I stand in this place and talk about industrial relations? It is because members opposite, who are dictated to by the employers in this State, will not come out and release their policies and will not tell workers what conditions they will work under. They will not tell workers, for example, at what sort of minimum rate youth will be engaged; will it be, as under Hewson's plan, \$3 or \$3.50? Will they allow employers to negotiate away penalty rates, overtime rates, shift allowances and holiday loadings? No; we do not hear anything from members opposite. Not a bit of information do we get from them. They adopt an attitude of 'Keep silent, give the workers the old mushroom treatment', because we know the move by the extreme right in this country is to suppress workers' rights.

For over 100 years in industrial relations we have had a system that protected workers and those people who could not afford to go into the courts or to engage a lawyer to protect their interests. So, by association with the trade union movement, by gathering together as an organisation—a union—they have been able to protect their rights and interests. In my lifetime I cannot remember one thing that any conservative organisation or a Liberal Party has given to the working class in this State or nation.

*Members interjecting:*

**Mr HAMILTON:** The member for Custance may well mock me, but I know from my experience as a working class boy—and I am proud of it—that nothing has been given to the workers of this country by a conservative organisation or the Liberal Party. They want to slaughter the conditions of working class people.

Recently I went to Western Australia and talked to the shadow Minister. The Opposition had proposed and wanted to discuss in the Parliament more than 200 amendments to industrial relations legislation. What did the Court Government do? It brought down the guillotine in a matter of eight hours. I challenge the Liberal Party, if it has any guts at all in industrial relations matters, to come out and tell the workers before the next State election what it intends to do, how it will slaughter them, because we on this side of the House know that, if it does that, it will not be elected. Members opposite want to give workers the mushroom treatment. I believe the workers are far more intelligent than to accept the garbage that members opposite want to up to the working class people in this country. Profits before workers' safety: profits before working class families.

*Members interjecting:*

**The SPEAKER:** Order! The member for Custance.

**Mr VENNING (Custance):** I will not even comment on the previous speech, because it is a speech from the past. Yesterday we heard in this House the concerns about the MFP and the lack of confidence of the Japanese counterparts. I was very concerned about what I read in the morning paper. The answer that the Premier gave in this House did not give me any confidence that what I read was not the actual fact.

We have heard much about this project and I am afraid it is turning to ashes in the mouth. The pity of it is that the MFP is to become yet another lost opportunity, joining many projects before it. I remember way back the project of Monarto. This Government has shown yet again—and it is not a laughing matter at all—that it can be relied on for only two things: it is incapable of managing anything, and it lacks even the courage of its own convictions to get things done. It seems to be incapable of getting its own decisions off the ground. The continued resistance or hesitation of potential participants to commitment is entirely predictable. We cannot blame the people involved with this concept, but it could all have been overcome with prompt, direct, decisive action by the Government. As usual, this Government prevaricates and allows the seeds of doubt to be planted and then to grow. It looks as though the bitter harvest is about to be reaped. It looks as though this Government is about to become yet again the victim of its own shillyshallying. We know so many examples of this. The MFP, the concept of which I believe in, is to be another victim of that.

The Government demonstrated the same sort of attitude to the Entertainment Centre; we all know the history of that. Many called it a white elephant. The gestation period went through three elections. At the first election we saw the Government down there with the TV cameras and a shovel; at the second election we saw members down there with a few posts and a bit of wire; and at the third election we actually saw them down there with a few stones. The Entertainment Centre went through three elections. While it was being built, what happened? An alternative was built, and the problem now is that we have two entertainment centres and that is part of the reason of why it is not viable.

The MFP is about to be overtaken by another election. I wonder whether it will withstand a third election. With a change of Government it certainly will not. Either it will be built in the proper way with the appropriate planning or it will not. When Sir Thomas Playford left office in this State we saw a completely different type of Government, with the Dunstan, Bannon and Arnold Administrations ushered in. It was an era of chronic bureaucracy, red tape and vacillation on hard issues. We saw a straight-out lack of ability over the years to make the hard decisions and implement them. They fiddled while our economy burned to the ground. No wonder the electorate has no confidence in them any more. No wonder the Japanese are about to pull the plug on their involvement with the MFP.

Time is of the essence in dealing with high technology. By the time this Government moves or builds the MFP, the planning will be totally out of date. Yet again this Government totally lacks real leadership in getting on with the job and has left us out in the cold. How much has been wasted on the project? The Government has highly paid people in various positions. I do not hold them responsible for that, but money is being spent hand over fist. One can go to Gillman and have a look. What has happened on the ground physically that we can see? Absolutely nothing! No wonder the people of this State, its industries and overseas people do not have any confidence in this Government. People will decide the fate of this Government. It has vacillated for too long. We have been boxing in the air. It is time we got a Government with good ideas and put them into practice.

**The Hon. D.J. HOPGOOD (Baudin):** I want to carry on briefly a theme that I introduced in an earlier debate. The possibilities inherent in the new technology involving GMOs

are quite overwhelming and it is a far cry from when an Austrian monk, Gregor Mendel, first began his experiments with pea plants, which led to our modern knowledge about genetics. We have gone far beyond that because of our capacity to manipulate that genetic information.

In a recent statement dated 15 October 1992 the Commonwealth Minister for Science and Technology, Ross Free, claimed that something like 70 Australian companies and research institutions were actively developing genetically manipulated organisms for a wide range of applications including food production, agriculture, forestry, environmental management, pharmaceuticals and animal health care. In fact, the CSIRO, he went on to say, is using genetic engineering in almost half its research divisions. The regulatory climate for GMOs is important for the successful development of these applications, which may have enormous implications for business investment in this country, enormous implications for agriculture, forestry or horticulture and, indeed, in the whole area of human health.

The report concluded that the existing voluntary guidelines that have been in process now for at least 10 years have been effective but, because of the explosion of interest and activity in this area, it is time that the voluntary regime was replaced by a regulatory regime, particularly with the commercial introduction of the technology in a number of countries.

The principal aim of the legislation as I understand it will be to provide for mandatory assessment and management of identified risk at each stage from research proposal through scale-up and field trials to the release of an organism. I guess members would understand why there should be dangers in all of this. First, there are the dangers to the research workers themselves. It is important that their safety and welfare be protected at all times. Secondly, there are the dangers of release into the wider environment of genetically manipulated organisms, which could have quite dire effects. We have seen the dire effects of the release of natural organisms into environments which provided a lush environment for their propagation. We now have quite strict regulatory controls on that. It is important that they be maintained also in the area of genetic manipulation.

It is also important that we make clear that what we are talking about are the techniques of modern molecular biology and not about traditional selective breeding. That is well understood and something that has been effectively controlled for quite some time. It is important that a clear distinction be made between the approval to develop or release an organism and the approval and end use of products. It is suggested that an authority be set up to control this. The authority would not have the power to approve the importation of organisms. At present the Australian Quarantine Inspection Service procedures are to seek advice from GMAC with regard to requests to import live GMOs. That approach should be continued and formalised.

The committee recommends that the Commonwealth Government pursue with the State and Territory Governments the need to give legislative force throughout Australia for the Australian code of practice for the care and use of animals for these purposes, and I support that.

*[Sitting suspended from 3.38 to 4.23 p.m.]*

### ENVIRONMENT PROTECTION BILL

The Legislative Council intimated that it did not insist on its amendment No. 13 to which the House of Assembly had disagreed; that it had agreed to the amendments made by the House of Assembly to the Legislative Council's amendment No. 38 without amendment; and that it had, in lieu of its amendment No. 18 to which the House of Assembly had disagreed, made the following alternative amendment, to which the Legislative Council desired the concurrence of the House of Assembly:

Page 32, line 27 (clause 38)—After 'Subject to this part' insert 'and the regulations'.

Consideration in Committee.

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

That the alternative amendment made by the Legislative Council in lieu of amendment No. 18 be agreed to.

As I understand the wishes of the other place, the amendment will encompass various actions and will be incorporated within the regulations. In other words, we shall have the capacity to have regulations within the Act to which the Act refers. I think that will satisfy the needs expressed by the other place. There will be a reference to regulations within the clause, and that can be established by the due processes of the Parliament.

**The Hon. D.C. WOTTON:** The Opposition supports the amendment. This has been a very complex issue. There was considerable debate on that clause in this place and I understand there was a debate of similar length in another place. The proposition that has come to us from another place is a sensible compromise. I know that some in the community would have preferred the original amendment moved in another place to have been included in the final legislation. That was not possible, but the compromise that has been reached is sensible.

As I have previously said, this legislation is very important. This is one of the most important Bills on environmental

issues that we have had to deal with. A future Liberal Government would want to look at it very closely. Some amendments that were moved in this place were not agreed to and there was a similar situation in another place. Therefore, we would want to look at the legislation on coming to government. However, at this stage, the Opposition supports the amendment that has been sent to us from another place.

**The Hon. M.K. MAYES:** I thank the Opposition for its support. I endorse the comments made by the member for Heysen about the importance of this Bill. I think this is a very significant day for this Parliament as this is one of the most important pieces of legislation to be passed in this Chamber and the other place.

I cannot mention some officers, but I thank all those who have been involved in the process. I am delighted that we have reached a satisfactory compromise. I would have preferred the original proposition, but one has to be pragmatic in these situations in accepting the outcome, and I certainly do. I am pleased to join the Opposition in finally agreeing to this amendment in this place.

Motion carried.

### ABORIGINAL COMMUNITY COLLEGE

**The SPEAKER:** Order! I wish to clarify a point that was raised in Question Time today about the Aboriginal College at Port Adelaide. I have been on the board of the Port Adelaide College of TAFE for 10 years which has an Aboriginal component, and I misheard the question. I wish to clarify that I am not on the board or the council of the Aboriginal College. I mistook the question to be about the TAFE college where, as far as I am aware, there is absolutely no difficulty at all.

### ADJOURNMENT

At 4.35 p.m. the House adjourned until Tuesday 19 October at 2 p.m.

## HOUSE OF ASSEMBLY

Tuesday 12 October 1993

### QUESTIONS ON NOTICE

#### STATE BANK

73. **Mr BECKER:** Did the State Bank of South Australia lose \$500 000 as a result of articles written by the *Advertiser* journalist David Hellaby and published on 7 and 8 August 1992 and, if so, how did the bank incur this loss?

**The Hon. LYNN ARNOLD:** It is not possible to calculate precisely the loss incurred by the State Bank as a result of Mr Hellaby's article but based on evidence provided by the bank's branch managers and head office staff, I am advised that \$500,000 is a reasonable estimate of:

- the loss of earnings on investments and loans which did not proceed as a result of the article; and
- the time spent by bank officers in investigating and defending the allegations.

#### EGG INDUSTRY

127. **Mr BECKER:**

1. Further to the answer to Question on Notice No. 429 of the previous session, what is the percentage of laying hens on commercial farms in South Australia?

2. How many laying hens have been rehabilitated and now live in clutches?

3. What action has the Government taken to increase the space in cages for laying hens in line with the Australian Model Code of Practice for the Welfare of Animals No. 2, Domestic Poultry, Second Edition; and is the Government prepared to 'tax' eggs produced by laying hens so that the free range eggs become more popular thus phasing out the system of laying hens; if not, why not?

**The Hon. T.R. GROOM:**

1. In South Australia it is estimated that about 75 per cent of laying hens are on commercial egg farms. This is a very tentative figure based on an estimate carried out by the former South Australian Egg Board in the 1980s. The remaining 25 per cent of laying hens are in small domestic poultry flocks mainly in urban areas and there are no records collected for such flocks. There are no indications that the situation has changed in recent years.

2. The question is difficult to answer because 'clutches' relates to groups of eggs laid by birds. However, in view of the previous reference to Question on Notice No. 429 the answer refers to alternative systems of housing laying hens. As far as is known there has been no major move to house hens in alternative systems of housing such as aviaries and percheries which are used to a limited extent in the European Community. Hens not housed in laying cages in South Australia are generally housed in traditional deep litter systems.

3. Australian Model Code of Practice for the Welfare of Animals No.2, Domestic Poultry, Second Edition, with respect to recommended space allowances for laying fowls in cages states that the revised stocking densities will be introduced on 1 January 1995 unless research completed by that day demonstrates there are no animal welfare gains to be derived from adopting the new standards.

The matter is currently being considered by the Agriculture and Resource Management Council of Australia and New Zealand which has requested a report by February 1994.

The Government is not prepared to 'tax' eggs produced in laying cages. If egg prices rose in South Australia following the application of such a tax, cheaper eggs would enter South Australia from other States. This would place local egg producers at a competitive disadvantage and result in the demise of a large part of the South Australian egg industry with little, if any, net benefit to the welfare of hens in Australia.