HOUSE OF ASSEMBLY

Wednesday 20 October 1993

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

ANIMAL HUSBANDRY

A petition signed by 28 residents of South Australia requesting that the House urge the Government to phase out intensive animal husbandry practices was presented by Mr Becker.

Petition received.

LEGISLATIVE REVIEW COMMITTEE

Mr McKEE (Gilles): I bring up the ninth and tenth reports 1993 of the committee and move:

That the reports be received.

Motion carried.

QUESTION TIME

STATE BANK

The Hon. DEAN BROWN (Leader of the Opposition): Why has the Treasurer rejected recommendations of the Economic and Finance Committee that the Government should review the salaries of State Bank executives and to require Cabinet approval for any significant rises in salaries? The Economic and Finance Committee has recommended that the Treasurer review the basis that the State Bank uses for determining executive salaries and that Cabinet approval should be sought for any significant increases in salaries. The committee expressed the clear view that executive salaries should be reduced. However, the Treasurer has rejected the committee's recommendations by saying that the salaries exceeding $600 000 are, in the Treasurer's own words, a bargain.

The Hon. FRANK BLEVINS: The Government has not done anything of the sort, in answer to the first question, of rejecting the Economic and Finance Committee's report at all. As regards the total remuneration paid to these officers in global treasury, that is not their salary to start with; their salaries are well under $200 000. The Economic and Finance Committee as I understand it—I have not had time to discuss it with the Chair or any other members—had a look at this area quite extensively and I understand that the bank put its position on global treasury salaries, the way they were put together with incentive payment, and as I understand it the Economic and Finance Committee was quite happy with the information it got. I assume that—

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: I am not quite sure how the Leader or the Deputy Leader knows. As I understand it, the evidence was taken *in camera* and therefore none of us know. Without knowing any of the details, I do know that full information was given to the Economic and Finance Committee. If indeed it was not, then the Economic and Finance Committee—

Members interjecting:

The Hon. FRANK BLEVINS: Well, you should not be divulging information here. If it was not, the Economic and Finance Committee is quite free to call the bank back again if it wants further clarification. The Deputy Leader says that the Parliament has been misled. The Deputy Leader has a reputation for tossing around that comment quite frequently. Never does he come up with the slightest bit of evidence to substantiate his wild statements. Let me say this about these packages: had the outcome for these gentlemen been less than it was, it would have been for only one reason, namely, that the profits they had made would have been lower and they would have to make many multiples of their salary to achieve their bonuses.

Members interjecting:

The SPEAKER: Order! The Minister fully answered this question yesterday, so I ask him to bring his response to a close.

The Hon. FRANK BLEVINS: I thought that all the questions had been asked yesterday also—

The SPEAKER: Order!

The Hon. FRANK BLEVINS: —but apparently not. I am afraid that I will have to go through some of the evidence again in response to the question. These people are on a salary which to me seems quite large, but apparently in the banking industry it is not. But it is much less than $200 000. I asked several months ago for an external audit of both the security and prudential measures that were in place for the operations of global Treasury, and also for these salary packages to be assessed. Whilst the board of the bank was very keen to assure me that it was within industry standards and appropriate, as did the management of the bank assure me, being a cautious person I thought that the private sector ought to look at it.

Specifically for that purpose the bank did engage KPMG Peat Marwick, which I am sure all members opposite would know well and would agree is a reputable outside organisation. If they do not believe that, they can say so. These people made an assessment and came up with a report which confirmed what the board and management had said, namely, that these packages were within industry standards and all the prudential and conservative steps in the operation of global Treasury were indeed appropriate. If people are not inclined to agree with the view of the board, that is fine. If they are not inclined to agree with the view of management, that is fine, but if they are not inclined to agree with the private sector consultants, I am not sure where the Opposition or indeed the Government goes from there. The Government has done everything appropriate to ensure that salary packages as well as prudential provisions in the operation of global Treasury are sound. That has been confirmed by KPMG Peat Marwick. If members opposite wish to take issue with it—

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

Mr S.G. EVANS: Mr Speaker, the point of order is that the Minister is being repetitive and has given a long enough answer to the question.

The SPEAKER: The Chair believes that the question was asked and answered yesterday. I draw the Treasurer's attention to the fact that the question was answered yesterday. If the Opposition asks similar questions it will get similar answers. The Chair has no power over that.

TEACHERS

Mr QUIRKE (Playford): Will the Minister of Education, Employment and Training inform the House of details of an

agreement with the South Australian Institute of Teachers for a new teaching award?

The Hon. S.M. LENEHAN: I thank the honourable member for his question. I am pleased to be able to inform the House that an agreement has been reached and the documents have been lodged with the Industrial Commission. The agreement is in three parts—

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: —and includes teachers, the Education Department award covering conditions, which are now set out in six separate awards, and leave conditions. A registered industrial agreement covering matters such as transfers, fall-back, country incentives and the allocation of promotion positions is the second tier of the agreement. It also includes a memorandum of agreement, which records the status quo of other matters including class sizes, and that will act as the base for enterprise bargaining. I believe that these agreements are among the best in Australia and that they provide a secure industrial environment for teachers and will ensure continued delivery of the highest quality of education services to all students.

Only last week the Opposition spokesperson asked a question seeking information on Cabinet's position on this issue. I am sure he would be aware that Cabinet discussions are something which are not shared with the rest of the Parliament or the community. I know that the Opposition is most concerned because it does not support agreements which protect the conditions of employment for teachers. It would like to tear the system apart and turn education into an economic rationalist cost cutting exercise.

Members interjecting:

The SPEAKER: Order! Obviously we will have points of order taken on questions; we will do them slowly. Two members are on their feet with a point of order. I believe the member for Davenport was first—

The Hon. T.H. Hemmings: Ladies first!

The SPEAKER: Order! The member for Napier will watch his behaviour. The member for Davenport.

Mr S.G. EVANS: The Minister gave the three conditions and then she debated them.

The SPEAKER: Order! The honourable member does not have to explain the situation. Has the Minister completed her response?

The Hon. S.M. LENEHAN: Just about, Mr Speaker.

The SPEAKER: I would ask the Minister to complete her response as quickly as possible.

The Hon. S.M. LENEHAN: I would like to conclude by saying that, in reaching the agreement with the Institute of Teachers, the Government believes that this is now a very firm foundation upon which we can build, in terms of ensuring that we protect not only the industrial and professional conditions of teachers but also, most importantly, the quality of education for every child in South Australia, and we will ensure that that continues under this Government.

PUBLIC SECTOR REMUNERATION

Mr S.J. BAKER (Deputy Leader of the Opposition): My question is directed to the Treasurer. What role has the Government had in the oversight of State Bank executive remuneration? Is he aware that details have not been fully disclosed, and what assurances can he give that information has not been withheld because of the imminence of the election?

Mr Hamilton: What about the Cawthorne report?

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

Mr S.J. BAKER: The State Bank annual report discloses that one executive earned between $600 000 and $610 000 last financial year, and the Treasurer has said that a substantial portion of this was a bonus. I have been informed that the executive involved earned $900 000 last financial year.

The Hon. J.P. TRAINER: I rise on a point of order, Mr Speaker. A tradition of this House is that we do not normally accept questions which repeat in substance questions already answered, or to which an answer has been refused, or questions multiplied with slight variations on the same point.

Members interjecting:

The SPEAKER: Order! I believe the question was a little more extensive than the others because there was an aspect of the question relating to a cover-up, which nobody but the Treasurer can find out. However, the questions are becoming, if not repetitive, similar and, therefore, the answers, I would suggest to the House, will be, if not repetitive, similar.

Mr S.J. BAKER: I hope the answer is not similar to the ones we have already heard.

The SPEAKER: Order! The Deputy Leader is being called on to ask his question, not to debate it.

Mr S.J. BAKER: I have been informed that the executive involved earned $900 000 last year—$600 000 of this as a bonus. However, because of the sensitivity of this issue, it was agreed that $300 000 of that bonus should be paid last financial year, with the other $300 000 to be added to whatever remuneration was payable this financial year.

The Hon. FRANK BLEVINS: To start with, I should make it clear that the gentleman concerned is not an executive.

Members interjecting:

The SPEAKER: Order! The Deputy Leader had the full time to ask his question. If he has any further question, I suggest he asks another question.

The Hon. FRANK BLEVINS: The State Bank, totally in line with the Government's wishes, exceeds the requirements of the Corporations Act in its disclosure of salaries. We insist, over and above the Corporations Act, that all employees of the bank who earn more than $100 000 are to be listed in the annual report. No other bank does this; they stick with the minimum requirements of the Corporations Act. That is why it is not possible to compare the number of 'executives' who are listed in the State Bank's annual report with, for example, the Commonwealth Bank. If they were calculated on a comparable basis, the State Bank's total of executives who are the equivalent of the Commonwealth Bank's executives is 12 compared with the Commonwealth Bank's 55. I think we ought to clear that up first, because it is important.

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: Secondly, has there been a cover-up? There has certainly been no cover-up by me, and I doubt whether anybody else has covered up anything. Nevertheless—

Mr S.J. Baker interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: If I knew, it would not be a cover-up, would it? I would know about it. It may be that the Deputy Leader's definitions need tidying up. The bonus is paid over a period, and it always has been. My guess—and it is a guess—is that within this year's figure, which was

outlined in the annual report, there was some bonus that was not paid last year. That is nothing to do with elections; it is merely that the package is structured so that the profits have to be confirmed, and part of the bonus is paid three or six months later and the rest nine months later. It is a rolling thing to make sure that the performance is not for one year but is a rolling good performance.

I will have the question examined. I would expect that the State Bank or some of its employees, or maybe even some of its executives, will already be working on a response to this question. I expect that by the end of Question Time they will have a detailed response. The packages are put together so that there is no instant payment for any of these officers; it has to be when profits are confirmed six or even nine months later. It has nothing to do with the election. The packages were not constructed with an election in mind. The individuals who work in this area at this level do not really care about elections, and we can understand why.

GRAND PRIX

The Hon. J.P. TRAINER (Walsh): I direct my question to the Minister of Tourism. Is the Minister aware of the bid announced by Melbourne to try to secure the rights to stage the Australian Formula One Grand Prix for 1997 and beyond; and can the Minister inform the House of the progress to date of the Australian Grand Prix challenge against an Indy car?

The Hon. M.D. RANN: I am aware that Melbourne intends to make a bid to steal the Grand Prix from us beyond 1996. However, it will not be successful.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: I know that 'Sir' Jeff Kennett, who is a very good mate and close friend of the Leader of the Opposition, is supposedly right behind this bid which was announced on Sunday. I am very surprised that Opposition members, who have been doing their best to white-ant the Grand Prix for a long time, were not aware of it. However, I shall not be losing any sleep over it, because Melbourne's bid will be about as successful as its bid to win the Olympics. It will make a good try, but it will not succeed.

The current contract for the Grand Prix in Adelaide is up to and including 1996, and I have instructed the Executive Director of the Grand Prix, Mal Hemmerling, to begin discussions with FOCA and FOCA President Bernie Ecclestone regarding extending the contract beyond that date to the year 2000 and beyond. Dr Hemmerling met with Mr Ecclestone in London on 4 October regarding extending the contract for the Grand Prix in Adelaide and further meetings will be held between the parties, including me, whilst Mr Ecclestone is in Adelaide for the event. There will be further discussions in London involving me and Dr Hemmerling in late January and early February.

It is nothing new at all. We know that members opposite have a motion about the Grand Prix on the Notice Paper for tonight, but it is very interesting to note that they said they supported the Grand Prix but would not respond to the challenge of whether they had confidence in the board that includes the Lord Mayor, Ross Adler (the head of Santos) and, of course, Ian Cocks. But as for the bid by Melbourne, it is nothing new at all. Ever since 1985, when we first won and staged the Grand Prix in Adelaide, we have heard suggestions that Sydney—

Members interjecting:

The Hon. M.D. RANN: They don't like it: they are not patriots.

The SPEAKER: Order! The Minister will resume his seat until the House comes to order. The member for Hanson is out of order. The Deputy Leader.

Mr S.J. BAKER: I rise on the same point of order that we have raised previously. The Minister is debating the issue and wasting the time of this House.

The SPEAKER: I uphold the point of order and would ask the Minister to complete his response as quickly as possible.

The Hon. M.D. RANN: Certainly, in terms of this bid by Melbourne, it is nothing new. Various bids have been announced or foreshadowed since 1985. We have heard suggestions that Sydney, Melbourne, Brisbane, the Gold Coast—you name it—will be putting in a bid for the Grand Prix and, certainly, anyone is at liberty to bid. Indonesia has built a $50 million or $60 million track; we heard from Malaysia; and China has actually engaged South Australian consultants to build a $60 million track. China does not have the rights to stage the race but, presumably, is not building the track in order just to stare at the concrete. It is true that there will be bids, but we will win because we do it well; we do it better; we do it best.

As for Indy, they have fallen on their sword. We all remember the invitation. Bill Stockhan, the world head of Indy, wrote back and said, 'What a marvellous idea. I have been really wanting to do this for years. Let us put in place some of the details.' We offered rolling starts and standing starts; I offered it to be a handicap race, to give them a head start. But they have fallen on their sword. They have squibbed: they have rolled over or, as the member for Napier would say, they have done a runner. But it is very interesting that 16 Indy officials are coming to the Grand Prix in three weeks on an off the job training exercise to learn how to put on a decent world class event.

GULF LINK FERRY

Mr BLACKER (Flinders): My question is directed to the Minister of Housing, Urban Development and Local Government Relations and relates to the proposed Gulf Link Cowell-Wallaroo ferry. What is the latest position in relation to the supplementary EIS and when is it expected that planning approval will be considered? My constituents in the electorate of Flinders and, I understand, those of the member for Goyder are anxious that the project be commenced as soon as possible so that job opportunities can be created in the building industry, the retirement housing industry, the transport industry and, in particular, the tourist industry so that the efforts of the Eyre Peninsula Tourist Association, recently acknowledged as the only South Australian recipient in the national tourist awards, can be further expanded.

The Hon. G.J. CRAFTER: I thank the honourable member for his courtesy in notifying me of his intention to ask that question so that I could obtain additional information for him. This is a very significant project which involves expenditure of some $20 million and which will provide an important service link and basis for tourism infrastructure in that important area of South Australia. The Spencer Gulf ferry proposal is for a ferry crossing of the Spencer Gulf between Wallaroo on Yorke Peninsular and Franklin Harbor on Eyre Peninsular. The ferry will be capable of carrying cars, semitrailers and other heavy vehicles. The proponents, Gulf Link Pty Ltd, based in Queensland, has completed the

environmental impact statement process required under law in South Australia. This has involved the production of a draft EIS and supplement to the draft EIS which responded to all the questions raised by the public and the various Government agencies.

The final stage of this process is the assessment of the social, economic and environmental impacts of the project and the assessment report. This has been produced by the Department of Housing and Urban Development and assesses the main issues. The assessment report will be released on Monday 25 October and will be available from the council offices at Cowell and Wallaroo and the information centre here at 55 Grenfell Street, Adelaide. The recommendations from the assessment report indicate that the social, economic and environmental impacts of the project are indeed manageable and should not cause significant environmental problems. However, there are a few residual issues which remain to be addressed and they will be attended to expeditiously. The next step in the process is for the proponents to finalise their development plans and now apply for final planning approval.

SCHOOL CLOSURES

Mr FERGUSON (Henley Beach): Can the Minister of Education, Employment and Training advise the House of the number of primary and secondary schools in South Australia with less than 300 students? On Friday 15 October the Opposition spokesperson on education said on radio 5AD that a Liberal Government would continue with the program of school closures but would not look at schools with 300 students enrolled in them.

The Hon. S.M. LENEHAN: In fact, there are 363 schools in South Australia with fewer than 300 students and every one of those schools will be deeply and extremely concerned that a Liberal Government will follow the lead of the Victorian Government and order mass closures.

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: Indeed, prior to the Victorian election the Victorian Liberals promised to scrap the compulsory closure of schools—

Members interjecting:

The SPEAKER: Order! The Minister will resume her seat.

Mr S.J. BAKER: I rise on a point of order, Mr Speaker. Not only is the Minister debating the issue but also she is repetitive. We have heard the same information three times.

Members interjecting:

The SPEAKER: Order! The Deputy Leader will resume his seat. The Minister is debating the issue in her response and I would ask her to be specific in her answer as the question related to South Australia, unless there is some pertinent case that can be made to support the South Australian case.

The Hon. S.M. LENEHAN: Yes, Mr Speaker. The radio report to which the honourable member refers clearly stated that a continued program of closures and amalgamations would take place. It is important to note that, after such a commitment given in the *Herald Sun* on 27 August last year, after the election 214 schools have been closed in Victoria. It is interesting to note, and this is information—

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: —that the member for Goyder will find enlightening after his performance yesterday—

Members interjecting:

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

The Hon. S.M. LENEHAN: The member for Goyder will be interested to know that 18 of the 27 schools in his electorate will be on the Liberal hit list and 12 have fewer than 100 students. So the member for Goyder is obviously deeply concerned about the policy being enunciated by a member in another place that they will not close schools that have more than 300 students, but what about the 363 schools that have enrolments of fewer than 300?

The Hon. JENNIFER CASHMORE: I rise on a point of order, Mr Speaker. I believe that the Minister was flouting your ruling by continuing to debate the question.

The SPEAKER: I do not uphold that point of order. The Minister has completed I hope, but I do not uphold the point of order.

Members interjecting:

The SPEAKER: The member for Kavel.

STATE BANK

Mr OLSEN (Kavel): Has the Treasurer approved the expansion of the State Bank treasury operations in London, including the relocation of senior staff from Adelaide; what controls are in place to protect taxpayers in the State Bank's treasury operations; in particular, what is the maximum limit of any transaction that an individual treasury executive can expose the bank to; and what now is the maximum amount of the bank's assets at risk as a result of the expansion of the treasury operations?

The treasury of the bank is involved in foreign exchange dealings, options trading and a range of other sophisticated transactions which carry significant risk. The magnitude of the bonuses received by treasury executives indicates that the bank's treasury operations have significantly expanded and now dominate the balance sheet. In London alone the treasury is now managing in excess of US$3 billion in foreign exchange exposures and becoming an increasingly active player in the European treasury market.

The Hon. FRANK BLEVINS: I was advised by the CEO of the bank this morning—

Mr S.J. Baker interjecting:

The Hon. FRANK BLEVINS: I beg your pardon!

The SPEAKER: Order! The Deputy Leader is continually interrupting. If you know the answer, do not ask the question. The Treasurer.

The Hon. FRANK BLEVINS: As I was saying, I was advised by the CEO of the bank this morning that foreign exchange risks taken on by the bank are minimal: it is not an area they wish to be in to any significant extent.

Mr Olsen: Not significant!

The Hon. FRANK BLEVINS: You said it was $3 billion —that does not make it right.

The SPEAKER: Order! The Treasurer continues to—

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: I have to confess that I do not carry in my head the limit that any individual trader has.

Members interjecting:

The Hon. FRANK BLEVINS: You have to be careful. I will read to the House the controls that are in place for

global treasury operations, but members should bear in mind— although I will repeat it at the end if members opposite have forgotten—that these controls have been subject to private sector analysis as to their appropriateness, and Peat Marwick have said, 'Yes, they are appropriate.'

As I mentioned earlier, the bonus payments are subject to exceeding budget. Therefore, at the start of every year a budget is set for global treasury and, if that budget is exceeded, it is only then that the bonus payments come into place. That is reviewed and agreed by the board annually—

Members interjecting:

The SPEAKER: Order! The Treasurer will resume his seat. The member for Bragg is out of order with that course of action, and I suggest that he get that paper back. That action would be considered as displaying material in this House, and that is not in order. I suggest that he take that document back now.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: The member for Bragg will resume his seat and the Treasurer will respond to the question as quickly as possible.

Mr Olsen interjecting:

The SPEAKER: The member for Kavel will come to order.

The Hon. FRANK BLEVINS: As I was saying, the mere achievement of budget requires dealers to produce multiples of their salary cost by way of income in excess of market standards. The dealing and recording systems for global treasury have been subject to close scrutiny by the bank's auditors to ensure reliability of profit reporting. The ability of global treasury to earn profit is constrained by a number of prudential limits on dealings imposed by a special committee of the board, the Board Credit and Treasury Risk Committee, and the limits are monitored by a sophisticated reporting system. Consistent with the bank's continuing cost reduction program, the bonus potential global treasury scheme for 1993-94 has been reduced by about 20 per cent compared to the 1992-93 scheme, assuming achievement of the same level of profits. Market conditions over the past year have been particularly conducive to global treasury achieving very high returns, if the operators of that global treasury are the best in Australia.

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: Ours are definitely that, but what we have done through this exercise—

Mr S.J. Baker interjecting:

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

The Hon. FRANK BLEVINS: I thought the way this was handled by the Economic and Finance Committee was the proper way to handle it.

The Hon. Dean Brown interjecting:

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

The Hon. FRANK BLEVINS: That committee made a decision, which I understand was a unanimous one involving both Labor and Liberal members, to deal with this issue *in camera*. It did not have to do that—it could have dealt with it in the public way—but I understand that the reason the matter was dealt with *in camera* was that all members of the committee, including Liberal members, realised that to discuss these issues publicly would be to hand a competitive advantage to the bank's opposition. That is what we have done. In effect, we have pinpointed the nature of the contracts that our treasury operators enjoy. Head hunters make money out of precisely that kind of thing, and it is a great pity that the information has been misused in the way that it has been. If it chooses, the Parliament does have a right to know—I have no argument with that—but this illustrates again the extreme difficulty in operating any public sector enterprise, including the bank—

Members interjecting:

The Hon. FRANK BLEVINS: You don't have to trust me; do you trust Peat Marwick?

The SPEAKER: Order! I ask the Minister also to bring his reply to a close.

The Hon. FRANK BLEVINS: Yes, Sir. It does highlight the extreme difficulty, because these people who operate in these areas are not the least bit interested in whether they work for the State Bank, Westpac or any other bank. If somebody offers them $40 000 or $50 000 a year more, they will go; it is as simple as that. I think it is a great pity that the bank can be damaged in that way. However, if the Opposition chooses to treat the matter publicly rather than dealing with it through the Economic and Finance Committee, I suppose there is really nothing we can do about that, but it highlights again that operating under Government and parliamentary scrutiny makes it almost impossible for these trading enterprises to carry out a commercial role. I suppose that is another argument for selling these operations, provided the price is right.

NEIGHBOURHOOD WATCH

Mr HOLLOWAY (Mitchell): My question is directed to the Minister of Emergency Services. What action has the Government taken to ensure that the Neighbourhood Watch program operates free from political interference? It has been brought to my attention that the Liberal Party has been attempting to have political material distributed at Neighbourhood Watch meetings. In particular, the area coordinator of a Neighbourhood Watch group within my electorate recently received a letter from the shadow Minister of Emergency Services, the member for Bright, seeking political support and seeking to have Liberal Party political material tabled at Neighbourhood Watch meetings. The letter was addressed 'Dear Neighbourhood Watcher' and began:

> Accompanying this letter are details of the Liberal Party community policing strategy jointly launched by Liberal Leader Dean Brown and myself on Sunday 19 September 1993. Our policy to put police back in the community is being sent to you as a Neighbourhood Watch leader. We would be grateful if you could table this correspondence at your next Neighbourhood Watch meeting. . .

My constituent has raised this matter with me as he is concerned that this attempt to politicise Neighbourhood Watch will undermine the credibility and effectiveness of this important community program.

Members interjecting:

The SPEAKER: Order! I call the Minister of Emergency Services to respond as briefly as possible.

The Hon. M.K. MAYES: I think this is an important issue and I will deal with it as expeditiously as possible. I thank the member for Mitchell for raising it with me. Clearly, the Attorney-General, who has had carriage of Neighbourhood Watch as part of the process of the community safety program, which the Government has established and which was reinforced by Government policy, set out the arrangements under which Neighbourhood Watch should operate.

The Neighbourhood Watch program was established in a bipartisan, neutral way and was intended to involve and get support from the whole community, and quite clearly the actions which the member for Mitchell has highlighted are in breach of that arrangement.

Mr Matthew interjecting:

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

The Hon. M.K. MAYES: I think the honourable member protests too much. There is an arrangement with Neighbourhood Watch which has been rigorously respected previously by political Parties of all persuasions that we would not involve ourselves or the Neighbourhood Watch community structure in any Party-political activities or non-bipartisan approach to these issues. What has happened here, with the member for Bright passing on material with a covering note requesting distribution to other members of Neighbourhood Watch, has jeopardised that bipartisan approach and undermined what we have seen as an apolitical approach involving Neighbourhood Watch as a whole. I am concerned about that and I am sure the Attorney-General will also be concerned. I am certain that the Neighbourhood Watch movement and the Police Department are as concerned as I am about the way in which this has happened. It is unfortunate, but I am pleased that the member for Mitchell has brought this matter to Parliament's and my attention and to the attention of those people involved in the Neighbourhood Watch program throughout South Australia.

MORTGAGE GUARANTEE

Mr SUCH (Fisher): Does the Treasurer approve of actions taken by the State Bank in forcing a mother of four out of her home to recover debts on her *de facto* husband's fish and chip shop, and will he take action now to protect the home of her pensioner father which is threatened with sale because he went guarantor for the business? I have been contacted by Sharon Holland, who has four children, the youngest being six months old, and whose total liabilities to the State Bank amounted to $102 000 through house mortgages on her Aberfoyle Park home and the loan on the failed business. After she had painted and improved her home in an unsuccessful attempt to sell it and pay off the debt, the bank forced her out and sold it for $81 500, which was $10 000 below the market value, locking her out of the house when she had a two-week-old baby. The bank has now given my constituent seven days to pay the outstanding $24 900 debt or it will take action against her pensioner father's home. I am told that Sharon Holland has informed the bank that a WorkCover claim is almost due which would more than cover the debt, but the bank has insisted on immediate payment.

Members interjecting:

The SPEAKER: Order! The Treasurer.

The Hon. FRANK BLEVINS: Obviously, I know nothing of the individual case. All I can say is that individual cases have been brought to me by many members of Parliament and I have made the same offer to all of them, namely, that, provided the individual concerned agrees, I am very happy to have the debate over the individual's financial affairs in the public arena. It is not my choice, but if that is how members opposite want it and that is how the individual wants it, it is fine by me, obviously. Not one member of Parliament (and I am talking about members on the other side) has ever come back once they have known the full circumstances of the case. I will do on this occasion what I have done previously: I will refer the matter to the bank to get some further information. Nevertheless, I would have thought that every member opposite worked on the premise that, if you go guarantor and the principal goes bust, the lender has the right to call in—

Members interjecting:

The SPEAKER: Order! The Treasurer will resume his seat. Does the Leader realise that he has been warned?

The Hon. Dean Brown: Yes.

The Hon. FRANK BLEVINS: The lender has the right to call in that guarantee. I would have thought that that was one of the basic tenets under which members opposite worked. It is not necessarily my view, but I would have expected that it was the very firm belief of every member opposite that, if you borrow money or go guarantor for somebody, you are then under an obligation to pay it back. I will have the matter examined and, if there is still an ongoing banking relationship between this individual and the bank, clearly there will be some constraints in making the individual's financial affairs public without their permission. I will certainly attempt to obtain that permission, as I have on every other occasion, so that all these things and the financial affairs of the individual concerned, the former chip shop owner and the pensioner father-in-law can all be laid out on the table for the public to pick over. As always, that is my offer.

PLANNING COMMISSION

Mr HAMILTON (Albert Park): Will the Minister of Environment and Natural Resources advise the House whether he is in a position to intervene in decisions made by the South Australian Planning Commission? Whilst not advocating intervention in the decisions of the South Australian Planning Commission, the Liberal candidate for my area is criticising the Government's actions—

Members interjecting:

The SPEAKER: Order! The member for Albert Park will resume his seat until we have some order.

Mr HAMILTON: He who laughs last, laughs loudest. The Liberal candidate in my area has criticised the Government's actions with respect to the Royal Park recycling and transfer facility and, by implication, suggested that the Minister intervene in the decision-making processes of the South Australian Planning Commission.

Members interjecting:

The SPEAKER: Order!

The Hon. G.J. CRAFTER: I do not think that there has been a more energetic series of representations on behalf of constituents than by the honourable member on behalf of his constituents with respect to this development in his electorate. I understand that he has made some 14 separate representations in one form or another. I notice that none has been forthcoming from the Opposition on this matter. I thought that we had an Opposition that was going around this town telling people that it will take Government out of business, yet here it is boldly attacking the Government for its failure to block a recycling and transfer station in Royal Park. Clearly, we have a message about the Liberal Party's intentions to intervene not only in the planning processes but also in the judicial structures established in this State in order to determine the merits of individual development proposals.

I will explain the process to the House in matters where the South Australian Planning Commission is indeed the

planning authority, as it is in this case. The seventh schedule of the planning regulations dictate the types of applications for which the Planning Commission is the relevant planning authority. In the case of the Royal Park recycling plant, the commission is the planning authority because it is waste matter with which it deals. Objectors have the right to be heard by the Planning Commission prior to its making its decision. Once a decision has been made, aggrieved parties have only one course of action, namely, via the Planning Appeals Tribunal.

If the application is the subject of a public notification process—that is, regulation 38 types of development exempt from notification—no provision exists in the Act or the regulations whereby the Government can intervene or block a matter of this type, as has been suggested by the Liberal Party to the community and, particularly, to the electorate of Albert Park. I am concerned that the Liberal Party is insisting through its candidate that the Government intervene in the processes of an independent commission established to decide on these matters, or maybe it is heralding a change of attitude, in which case the Liberal Party should be telling the community in its policy statements that it does intend to intervene in the established processes whereby planning decisions are made in this State. Indeed, it should admit that it intends to intervene very much in the marketplace, contrary to what it is telling the business community that it intends to do if it attains government.

GLENSIDE HOSPITAL

Dr ARMITAGE (Adelaide): My question is directed to the Minister of Health, Family and Community Services. What is the nature of the industrial bans preventing the conversion of South Glen at Glenside into a closed asylum unit, and what immediate steps is the Minister taking to protect the safety of patients who need security but who are now at risk, because of the increased demand for acute closed beds on the Glenside campus relating to changes at Hillcrest? Following the changes to the mental health system at Hillcrest, modifications to facilities at Glenside were planned and were to be completed before the transfer of patients.

I have been told that, because of industrial bans at Glenside on the conversion of South Glen into a secure unit, a young female patient has been able to leave the grounds and, as a result, she has been assaulted across the side of the head in a dress shop and thrown to the ground; she has been hit by a car and returned to Glenside in a dazed condition; and, one day last month, she went on an unaccompanied shopping spree and spent $1 000. Her father, Mr Frank Grindlay, has written to me with real concern about his daughter's safety and has sent me a copy of a letter he has received from the CEO of the South Australian Mental Health Service, Dr Jennifer Bowers, which refers to delays in modifications to Glenside because of a series of industrial bans.

The Hon. M.J. EVANS: The work being undertaking in our Mental Health Service is very important, and I am happy to take up the individual case raised by the honourable member and see what has occurred in that circumstance. Obviously the matters set out for the House would be of significant concern and bear further investigation. The overall process through which we are now going with mental health in South Australia, with the new board and the new CEO, is indeed a very effective response to the difficulties we faced last year. The patients will benefit from the whole process. The whole process is directed towards the benefit of the patients.

Members interjecting:

The SPEAKER: Order! Members who interject are not safe, either.

The Hon. M.J. EVANS: That process is under way now, and significant construction work is occurring at the Lyell McEwin, Hillcrest and Glenside. Clearly it will take some time to complete, and in the transition period there may be difficulties such as this. I undertake to have the case investigated and, if necessary, report back to the House.

PUBLIC SECTOR REMUNERATION

Mr FERGUSON (Henley Beach): Has the Treasurer any more information on the Deputy Leader's assertion earlier in Question Time that a State Bank employee earned $900 000 last year?

The Hon. FRANK BLEVINS: Yes, I have some more information supplied to me by the bank. I am advised by the bank that no officer employed by it earned $900 000 last financial year. Furthermore, remuneration for the period ended 30 June 1993 is as reflected in the bank's annual report released yesterday. No bank officer received or was due to receive a $600 000 bonus, as stated by the Deputy Leader, in the 1992-93 financial year. I am advised by the State Bank that it has no arrangements to transfer a bonus payment due in one financial year into another financial year.

SCHOOL GRANTS

Mrs KOTZ (Newland): My question is directed to the Minister of Education, Employment and Training. On what grounds, other than wanting to look after ministerial colleagues in marginal seats, does the Minister justify her decision to approve a grant of $100 000 given by mistake to a school in the marginal seat of Florey held by the Minister of Labour Relations and Occupational Health and Safety? In last week's allocation of back-to-school grants the Minister mistakenly gave $100 000 to a school in the marginal electorate of Florey. This school did not qualify for a grant under the department's criteria. The department's advice was to correct the mistake and retrieve the money as it was not spent. However, the Minister decided to approve the expenditure and provide another $100 000 to a school in the marginal seat of Torrens held by the Minister of Public Infrastructure.

Members interjecting:

The SPEAKER: Order!

Mrs KOTZ: As a result, schools in more need of maintenance expenditure, other than those in marginal Labor electorates, have missed out once again.

The Hon. S.M. LENEHAN: As the honourable member asked the question she talked about the allocation of back-to-school grants last week. I want to explain that no back-to-school grants were issued last week. I can only assume that she meant the back-to-school grants determined by an independent committee and allocated by my predecessor more than a year ago. Quite frankly, no back-to-school grant moneys have yet been allocated from this budget. In fact, an independent committee has been established to allocate the back-to-school grants, and I spelt out clearly to the House the criteria under which the back-to-school grant money will be allocated this year.

I talked about three separate categories. All schools will receive some funding, except those schools that have recently

been redeveloped or new schools built within the past couple of years. I can only assume that the honourable member is talking about something that is more than a year out of date. I can assure the House that I am not allocating funds to colleagues in any way, shape or form because of their particular—

Mrs Kotz interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: May I finish the answer? I am not doing that based on whether or not they are marginal seats. I wonder whether, if a school in the honourable member's electorate had been allocated funds and then for some reason it was discovered that there had been a clerical error, she would have wanted to hand the money back. The desperation of this Liberal Party is interesting, because it is raising matters that are over 14 months old—14 months out of date. The moneys have now been spent by the school communities, as I understand.

Members interjecting:

The SPEAKER: Order!

The Hon. S.M. LENEHAN: Some schools have not spent their back-to-school moneys, but we have corresponded with those schools, asking how they propose to spend the money. Just for the record, is the honourable member saying that she does not believe that the schools that received the money should not have received it?

Mrs Kotz interjecting:

The SPEAKER: Order! The member for Newland has been speaking as long in interjection as she did in the question. I caution her: the next step is a warning.

The Hon. S.M. LENEHAN: It is quite obvious from the honourable member's question that what she is suggesting is that neither of the schools should have received the money. It should go on the parliamentary record that the Opposition believes that those two schools—and I am very happy to have the matter looked at—should not receive the back-to-school money. That is very interesting. I am sure that the relevant members will ensure that their schools are informed about the Liberal Party's position on this.

It will be interesting to see, when the back-to-school grants money to the various schools is announced this year, whether Liberal members opposite have the same approach in terms of supporting a general distribution to all schools, supplemented by a needs-based distribution to those schools most in need of this extra support. It will be interesting to see how they respond. We will be watching their response with great interest.

Dr Armitage interjecting:

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

ABORIGINAL COMMUNITY COLLEGE

Mr De LAINE (Price): Can the Minister of Aboriginal Affairs indicate to the House the reaction of the Aboriginal community in general, and the Aboriginal Community College in particular, to the allegations against the college raised in this place by the Opposition last Thursday?

The Hon. M.K. MAYES: I thank the member for Price for his question on this very serious issue about the way the matter was (a) pursued and (b) raised in this place. I believe from the information supplied to me that unfortunately the Opposition did not contact the appropriate people to check the information. As a consequence it has not only embarrassed and undermined the good work of the Aboriginal Community College but it has also defamed one of those officers who is working there as a curriculum service officer. That is a serious situation. The Opposition has not given that person an opportunity to put her side of the case; therefore, in my view, it has denied her natural justice.

The college issued a media release post the questions raised in this House last week. The acting Principal, Mr Bill Wilson, was the author of this media release, which states:

> 'Just another form of boong bashing' was the general reaction of council members, staff and students of the Aboriginal Community College, Port Adelaide, at a meeting convened today. They refuted media allegations that the college was in crisis and that there was any basis of truth to the alleged misappropriation of Government funds.

The media release also states:

> Nevertheless, it is a serious slur on the integrity of the college and Aboriginal people and all efforts will be made to get to the core of the issue. In the end, we hope that justice and healing will prevail.

The person whose reputation is most impugned by this outrageous attack by the Leader, the Member for Eyre and the member for Fisher is the curriculum service officer at the college. That person had no contact from the Opposition—she was not given an opportunity in any way to place her case on the record—and she was not asked about any report. It seems to me that what occurred is that the Liberal Party believed that it had a report to the Minister when it was actually a report prepared by four staff who apparently were in some dispute with the college administration and the college council. The way in which the Opposition raised this was despicable. It has not given that individual any right of defence, and I intend to do so.

I acknowledge that the shadow Minister of Aboriginal Affairs did not become involved in this, and I recognise that fact. The person concerned has been accused of being involved in fraud, misappropriation of funds and of not providing appropriate curriculum advice or services to community members. It is a very serious allegation. That individual has asked me to put on record her response to some of those comments. The total enrolment for the year as at 14 October 1993 was 134 students. As at that date, 64 per cent of those students attend on a regular basis. Classes last year were far from full—

Members interjecting:

The SPEAKER: Order!

The Hon. M.K. MAYES: In fact, attendances were exceptionally bad. Only 30 per cent of enrolled students attended on a regular basis. There was definitely not a queue of students awaiting places in courses. She goes on to outline—and I think this is important for the record, because this individual has not had an opportunity to defend herself in public; nor has she been given the opportunity to advise the Liberal Party of her views prior to being denounced by it in this place—that all the certificate courses currently on offer at the college are accredited courses. That puts the lie to the allegation by Opposition members that the courses are not accredited.

The cultural identity of the curriculum service manager was not a factor in the appointment of that person to that position by the college council; that person has delivered the accredited courses required of her. This year the college has employed 13 Aboriginal persons in both full-time and part-time positions; the majority of these positions are funded under Aboriginal employment schemes. This, nevertheless, demonstrates that the college is creating employment opportunities for Aboriginal people which could otherwise be denied to them. One has to say: what is inappropriate

about that? The courses currently being offered by the college reflect the findings of a report on the educational and training needs of the local Aboriginal community.

The major finding of that report was that the college delivered certificate courses which were recognised nationally and which would provide identifiable employment skills. The employment outcomes achieved by the college are testimony to the fact that the college is responding to the needs of the Aboriginal community within the guidelines of its funding allocation. Finally, I believe that the members who made these accusations—and one of them, unfortunately, has left the Chamber—should apologise to that individual and the college.

GRIEVANCE DEBATE

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

The Hon. B.C. EASTICK (Light): I want to complete my Keneally, which was part and parcel of the grievance debate last evening because, as I explained then, this might be the last occasion on which I speak in this place. I indicated the interest that I had received from serving on a number of select committees and on the Public Works Standing Committee. Another one which I found quite interesting was the Industries Development Committee, a committee which is not made up entirely of members of Parliament and which, again, puts a member face to face with the real world, the developments and the interests expressed by a number of commercial organisations in making their mark in the community.

In the time left to me last evening I had to truncate the statement which I had read from a former Speaker of the House of Commons in relation to the importance of the traditions which go hand in glove with the parliamentary system. Today we make use of a number of procedures which are steeped in the history of the Westminster parliamentary system, and they are quite important.

The Mace is a replica of the old war club which was provided to the Serjeant at Arms, who safeguarded the Speaker when, as the spokesperson of the Parliament, he took messages from the Parliament to the Crown and, in turn, sometimes had a message that various people in the Parliament did not want delivered, so a number of those early spokespersons finished up in two parts—a head and the rest. To make sure that their future was relatively well based, they were given protection by the Serjeant at Arms.

We also have the posse which goes to Government House at least once per annum to make sure that the message given by the Speaker to the representative of the Crown is the message which has been forthcoming from the House itself. That posse arrangement was in existence many years ago to make sure not only that the Crown got the right message but that the right message came back from the Crown to the Parliament.

There are a number of very important issues in that regard. I had picked up the point that Arthur Onslow, during 1728 to 1761, when he was Speaker of the House of Commons, stated that 'the freedom, the dignity and authority of this House may be perpetual'. A more recent Speaker, Laindy, restated the sentiment: 'The surest way to uphold the dignity of any institution is to preserve its historic continuity.'

I leave that thought with members beyond my term here, because I believe we should recognise the historic importance of what we represent and that, at our peril and the peril of the parliamentary system, we wipe the slate clean and get rid of a number of those features which give us a base from which to work.

Last evening I had no opportunity to thank members of the staff of this House from all avenues of services provided to members. I have always found them courteous and helpful in the provision of services to constituents and, indeed, to the member himself or herself. I have had the opportunity of appointing some of the people who are on the staff today, and I have no problems whatsoever with the decisions that I made in respect of those persons.

I also want to take the opportunity to say thank you to members of staff in my electorate office. In the years since 1974 when electorate offices first came into being, I have had only two secretaries. One, a male, worked for me for about 20 months and the other one has worked for me since then, and when I retire she will retire by her own decision. However, she has been a tremendous source of benefit to the people of Light during the 17 years that she has been there. I also take the opportunity of thanking all the members of my own family.

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

Mr HAMILTON (Albert Park): The member for Henley Beach on a number of occasions in our Caucus has said that no issue is too small and no cause is too big for the member for Albert Park. During Question Time today I asked about the proposed recycling plant at Royal Park and explained that the Liberal candidate had made certain assertions in a leaflet that he put out about the Government's failure to block the recycling and transfer station at Royal Park. Liberal members laughed at the issue. I know they were not laughing at me, so one can only guess why they laughed. I do not want to denigrate their candidate. Suffice to say that the Minister laid to rest once and for all that this Government will not and does not have the power to intervene arbitrarily in the Planning Commission's decision-making process. That is for very good reasons, which time does not permit me to enunciate in the House.

The latest information in relation to this matter indicates that all agency reports have been forwarded to the newly formed Hindmarsh and Woodville council—I understand to Mr Tony Clisby—plus copies of all the representations received by the Planning Commission for the Hindmarsh and Woodville council to consider—and quite properly. I understood that all those submissions and representations forwarded by the Planning Commission would be discussed by the Hindmarsh and Woodville council and that the council's report on this matter would be forwarded to the Planning Commission with the council's views on the recycling plant proposal. As the Minister adequately explained, if the Planning Commission gave the go-ahead for this proposal—and I hope to hell it does not—my constituents would have the right to use the appeal processes and take the matter to court.

It is unfortunate that some people have attempted to make this a political issue. Too much is at stake for the people in that community, the overwhelming majority of whom are from ethnic backgrounds. Because of what had taken place in their homelands and what took place during and after the war, a number of them were fearful of making contact with the authorities. But on this occasion they had no fear at all, because they did not want to see their suburb put down and

be the subject of ridicule or to see their property devalued by this ill-conceived proposal.

It is not a laughing matter. Members opposite thought it was a hell of a joke, but it is not a joke. The biggest investment made by an overwhelming number of Australians is in their homes and they seek, quite properly, to protect their homes. Whilst I am in this Parliament I will support my constituents, particularly in relation to this matter, in protecting their property values and homes.

The Hon. JENNIFER CASHMORE (Coles): This may be my last opportunity to make my farewell to the House and, therefore, I want to put some thanks on the record. First and foremost, I want to thank my constituents who have supported me over the years. I think with special fondness of the group who assisted me to be elected and, in particular, of the Kensington Gardens women's branch of the Liberal Party, which branch, I believe, ensured my preselection in 1977. It is sad for me to think that many of the members of that branch are no longer with us: it was an elderly branch at the time. I think they wanted a woman member to succeed their previous member, Mrs Joyce Steele.

In this job we have twin roles: the role of legislator and the role of representative. I can honestly say that it has been the role of representative that has always been the most rewarding role for me. I have been continually impressed by the basic decency and helpfulness of the broad electorate and, of course, of those in the Liberal Party, my supporters, my own staff and my family who over the years have helped me in what is an incredibly demanding role. Very few members of the general public understand the demands that are made on members of Parliament or the extraordinarily demanding hours that we keep.

One of the things that I am looking forward to most when I leave this place is fresh air: and I mean fresh air in every sense of the words. It will be a pleasure to feel the sun, to see the sky and to know whether it is summer, winter, night or day. Too often in this place we are removed from the realities of the world, and I look forward to getting back to those realities. Thirteen of my 16 years in Parliament have been spent in opposition. My three years in the ministry were rewarding indeed. If I look back on any achievement, particularly in the health field, I suppose in the legislative sense it would be the introduction of the Radiation Protection and Control Act, which was the companion legislation to the Roxby Downs indenture.

Very little has ever been said about that Act yet, in its importance as the partner Act to the indenture, it has certainly assisted not only the health but also the economic well-being of South Australians. The role of Opposition, of course, is frustrating indeed and very often it is the luck of the draw, not everything having to do with the political competence of the individuals who make up a Party, that condemns a member of Parliament to a long period in Opposition or a long period in Government. One thinks of those members of the Federal ALP who endured so many years of opposition when the Menzies and coalition Governments of that period had ascendancy. One also thinks of those who have been in opposition during Labor's more than two decades of supremacy in South Australia.

One of the key roles of an Opposition is to scrutinise the activities of Government. The issues that will abide with me in that respect are the State Bank, Wilpena and the MFP. I say with all sincerity that, in respect of each of those, I feel vindicated for the stand which I took virtually from the outset and which I held consistently from the outset until the conclusion, one might say, or the redevelopment of those issues. I retire without regret, confirmed in my belief that, as a private individual, one can exercise as much influence for good in society as one can as a member of Parliament.

I am reminded of the words of Walter Bagehot, the nineteenth century British political commentator and constitutionalist. He said that in no other occupation can one enjoy such a broad range of contacts, can one learn so much so quickly, as in that of a member of Parliament. I feel very grateful and humble that I have had this opportunity, and I thank the House for listening to what I have had to say.

Mr FERGUSON (Henley Beach): I must express to the Parliament my deep concern at the secret agenda of members of the Liberal Party, particularly in respect of education, where it appears that they will close 363 schools in South Australia. The Liberal Party spokesperson on education stated the following on the 5AD news program at 12 noon on the 15th of this month:

> If there are a small number of schools that have got very small numbers of students then, under both Governments, I guess, there will continue to be a small program of school closures, but we are not going to look at schools with 300 students in them.

There are 363 schools in South Australia with fewer than 300 students, and I would be absolutely appalled if the Liberal Party were prepared to go ahead, as it has in Victoria, and close down 363 schools. Country members in particular should be very concerned at this statement. The member for Goyder, who has been very vocal on this subject, denying that the Liberal Party has such a program and insisting that it will continue schools, has in his electorate 27 schools, of which 18 have fewer than 300 students. So even in the country there appears be some form of retribution if the Liberal Party's way of reducing State debt is to be put into operation. The shadow Treasurer has told us that it is his intention—

The SPEAKER: Order! The member for Henley Beach will resume his seat. The member for Eyre.

Mr GUNN: I believe that Standing Orders do not allow a member to impute improper motives to a member of the House. Therefore, I contend that the member for Henley Beach is imputing improper motives in relation to members on this side of the House, because he is inferring courses of action that are quite untrue and, therefore, reflecting on members on this side of the House.

The SPEAKER: Order! The honourable member will resume his seat. The Chair cannot foretell the future; the Chair cannot know whether or not there will be school closures. I cannot uphold the point of order. It is certainly quite within order to postulate in a debate in this House anything that may happen, as long as it does not reflect on an individual as such as a member of Parliament.

Mr FERGUSON: Thank you, Sir, for your protection. It is no wonder the member for Eyre feels that he should jump to his feet to try to stifle this debate, although I have only five minutes, because he would well remember the situation in Victoria where the Victoria Liberals promised, and I quote from the *Sun* of 27 August, 'to scrap the compulsory closure of schools', and immediately after the election the Liberal Government in that State broke that promise and closed down 214 schools, putting out of work something like 8 000 to 10 000 teachers in that State.

That is an incredible turnaround. How could we believe that the Liberal Party does not have a secret agenda so far as education is concerned, when Premier Kennett in Victoria

promised that he would leave the schools untouched yet at this time has ordered the closure of 214 schools? And it has not finished there. As the rest of the financial year proceeds, we will probably hear about more school closures in Victoria.

Why will we not get school closures under a Liberal Government in South Australia when a Liberal Administration in the next State, less than 400 kilometres away, is prepared to do that? The shadow Treasurer has promised that he will reduce the State debt by $2 billion in the first term. Where will that money come from? It is obvious that it will come from the education budget. We know that successive Liberal Administrations have not put much store in education. Under the previous Liberal Administration we witnessed the very first strike ever conducted by teachers in South Australia, and that was because of the cutbacks made by the Tonkin Administration, when the hours of work of school assistants were cut dramatically, and we restored those hours when we returned to Government.

The SPEAKER: Order! The honourable member will resume his seat. I am not sure whether I heard the member for Murray-Mallee say that someone was a liar or was telling a lie. If the Chair misheard I would like the member for Murray-Mallee to say that is so.

Mr LEWIS: I did say that the assertion made by the member for Henley Beach was a lie.

The SPEAKER: Therefore, the inference is that the member for Henley Beach has told a lie and the member for Murray-Mallee is well aware that one cannot make that statement.

Mr LEWIS: I withdraw that comment, Sir.

Mr FERGUSON: The member for Henley Beach does not care whether or not the member for Murray-Mallee withdraws the comment, because what he says in this House is of very little consequence.

The SPEAKER: Order! That is totally out of order. The member for Henley Beach is also stretching it; it is not a point of order. The honourable member for Bright.

Mr MATTHEW (Bright): In Question Time in this House today the member for Mitchell and the Minister of Emergency Services moved Neighbourhood Watch into the political arena by raising matters as they did in this House. The member for Mitchell referred to a letter which I sent to some Neighbourhood Watch area coordinators and/or secretaries giving those people details of a Liberal Party policy announcement relating to community policing. That letter indicated that I would be grateful if those people tabled the correspondence at the meeting. I did not on any occasion ask those people to circularise Liberal Party material, nor did I politicise the process of Neighbourhood Watch by sending out that letter.

However, the same cannot be said for the government. Some two weeks after my letter was sent out the area co-ordinator of one of the groups in my electorate came to my office concerned with a letter that was sent out by an employee of this Labor Government. The letter, which appeared on a Neighbourhood Watch letterhead and was sent to every Neighbourhood Watch co-ordinator in South Australia, states:

> Dear Area Co-ordinator,
> Have you recently received a copy of the latest community policing strategy from a certain political Party? I have received a number of complaints in the last week from area coordinators concerned at how their names and addresses were released. We, at the Crime Prevention Services do not release your names or addresses to members of the public irrespective of which political Party the member is with or organisation they may represent. When inquiries are made we refer the caller on to the area's police co-ordinator. Neighbourhood Watch is apolitical. Section 4.1.3 'Political Comment' in the Neighbourhood Watch manual covers this point. Please disregard any political messages you receive and if possible return the material to the sender as soon as possible. Feel free to contact me on telephone 204 2223 if you have any questions.
> Yours faithfully
> Anna Dominelli,
> Administrator, Neighbourhood Watch.

This Government's employee wrote to area coordinators telling them to send back our material. That is a direct infringement of the freedom of speech. I telephoned the Police Commissioner angry at the letter that had been sent out and I am pleased to say that the Commissioner shared my concern. As a consequence, the Commissioner directed the Government employee to send out another letter. The last paragraph of that letter, which was sent out to all area coordinators on 18 October, states:

> However you, as an individual, have the right to decide how to act or react to the receipt of non-official Neighbourhood Watch material in any manner you deem fit.

In other words, they are admitting that they had no right to tell people to send back that correspondence. I sent copies of our policy to people who would be interested in matters pertaining to police. It is only natural that the public officers of Neighbourhood Watch bodies, secretaries and area coordinators whose names and details appear in their regular newsletters have their names there as contact points. I wrote to those people and make no apologies for doing that, and I will do so again. To talk about politicising Neighbourhood Watch is an absolute joke, especially when it comes from the same Government that inserts in *Neighbourhood News* articles of the kind appearing on page 18 in the latest edition, September-November 1993, to which I shall refer. It is a community information article, headed 'Juvenile Justice Reform—News on the Young Offenders Act', which states:

> The Children's Protection and Young Offenders Act is expected to be repealed later this year and will be replaced with legislation that will significantly change the juvenile justice system in this State.

That article in itself is announcing Government policy and was put together before the passage of the Bill in this Parliament. If anything is politicising the process I contend that is. The fact of the matter is that this Government obviously directed its employee to have the Liberal Party policy be sent back—I may add that out of 350 only three came back—because they did not want the message to get out. They did not want it to be highlighted to Neighbourhood Watch groups that this Government has failed; it has failed in the area of law and order; 3 000 more South Australians were victims of a violent offence last year than was the case 10 years earlier. We are making moves to address those problems.

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

The Hon. T.H. HEMMINGS (Napier): Over the past couple of weeks much has been said by the Opposition about Government and what is done in haste about salaries and pay-outs, etc., prior to an election. I was recently given a message from the past. It was an article published in the *Australian* on 6 October 1982 under the heading 'In defeat, prosperity', and it states:

> David Tonkin and his South Australian Government are preparing for the worst as the probable election day of 20 November (or even 27 November) moves closer. The Government *Gazette* of 30 September carries notice about nine press secretaries, six

ministerial assistants, three executive assistants, a principal ministerial officer, a research assistant, a personal appointments secretary and a stenographer (both working in the Premier's office) exempting them from the Public Services Act. This will ensure that, in defeat, they will be eligible for large pay-outs under contracts signed in haste on 30 August instead of a bare two weeks notice. Press secretaries who are on the top journalist award rate plus from 10 to 25 per cent extra in lieu of overtime are understood to be able to pick up 16 weeks pay if . . . John Bannon takes over. Another list of apparatchiks is expected to be rushed through in the next *Gazette* to cover the rest.

Having been given that, I went to the Parliamentary Library and found out who those people were. There are members opposite—not those sitting there at the moment, as I see no ex-Minister, although I do see a former Chairman of Committees who did not sit in the Cabinet room—who are well aware of this massive pay-out, this con, that was arranged by the previous Liberal Government to help its mates get on the gravy train. Let us see who they were. First, there was Len Nowak. Do you remember him, Mr Speaker? He was an ABC radio reporter. Lynton Crosby was another one. He worked for the former Minister of Education and now works for the current member for Mount Gambier and is also the Liberal candidate for Norwood. Then there were Bruce Lindsay, Brian William Kennedy, Penelope Sue Stevens, Clarence Ross Story and William Rex Jory, who not only got a 16 weeks pay-out but then proceeded, when this Government came into office, to work for the *Advertiser* and mastermind all the lousy articles appearing in the *Advertiser* under the heading of news which have been designed wholly and solely to bring this Government down. William Rex Jory received a big pay-out and no doubt if the Liberals get into government at the next election he will get another major pay-out by the Liberal Government.

Others include Vivien Mary Lamb, James Victor Kimpton, Robert Travers Ingleby Worth (who is still around), Richard Greg Yeeles, Robert Clifford Shearer, Geoffrey Arthur Stewart, Robin Rickards, Dean Russell, Rick Burnett (another one who went on to greener pastures after leaving the Liberal Party), Chris O'Connor, Arndrae Luks, Colin Reginald Rudd and Nigel Clement Ogilvie Starck. The final person named in the *Government Gazette* of 30 October 1982, just one week before the prorogation of the Parliament, is Diana Vivienne Laidlaw, and we all know how she got her reward later on.

Members opposite make hypocritical statements about this Government's acting to help people who work for us, when there has been no evidence of that whatsoever, but let Opposition members be reminded of what the former Liberal Government did by pushing that measure through just three weeks prior to the prorogation of the Parliament. It took me about 20 minutes to find this information in the *Government Gazette* because it was so cleverly hidden. The then Liberal Government was so ashamed of what it was doing it tried to hide its actions from the general public. Let me remind members opposite that anything that goes on such as I have described eventually comes back to haunt them.

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

NOTICE PAPER

The SPEAKER: I have been informed that an Order of the Day: Committees/Regulations has been inadvertently omitted from today's Notice Paper. When tabling the ninth report of the Economic and Finance Committee last Thursday, the Presiding Member of the committee moved that consideration of the report be made an order of the day for today. Accordingly, it should appear in Orders of the Day: Committees/Regulations as No. 10—'Consideration of the Report of the Economic and Finance Committee on Economic and Financial Aspects of the Operation of the MFP', and I will have it called on as such at the appropriate time.

GAMING MACHINES (SERVICE LICENCES) AMENDMENT BILL

Mr QUIRKE (Playford) obtained leave and introduced a Bill for an Act to amend the Gaming Machines Act 1992. Read a first time.

Mr QUIRKE: I move:

That this Bill be now read a second time.

First, I thank the Opposition for agreeing to have this matter dealt with now. I will try to be as brief and succinct as I can be on the measure, which is one of those issues that will be debated for a considerable time. The Bill deals with only one small part of the gaming machines legislation that was so prominently debated in this place in 1991 and 1992.

The Bill does nothing to affect the basic controls imposed by this House and another place in respect of gaming machines, the provision of gaming machines and the servicing of them as provided for in the principal Act passed in 1992. This measure looks closely at one of the aspects in the principal Act, namely, the monopoly of servicing and installation of gaming machines in South Australia. When the principal Act was passed by this House it was the will of this place and the Legislative Council that strict controls be placed on gaming machines in South Australia. Indeed, it was a major issue. In many respects the legislation passed is much tighter and exercises greater control than any similar legislation of which I am aware elsewhere in Australia. In some cases the legislation probably went too far but in this Bill I have respected the wishes of the Parliament.

However, in the area of servicing of gaming machines we have the situation of one licence operating and held by the State Supply Board. I have no problem with that: it is the will of Parliament and it involves a system that will work reasonably well. However, as from the very first day on which these machines will be operating in hotels and clubs in South Australia, only one service contractor can be contacted by the owner of a machine when it breaks down. That is an unnatural monopoly and a situation that should be rectified, and this Bill seeks to do just that. Obviously, if the whole area were opened up so that anyone could service the machines, it would be against the spirit of the original Act. In this Bill I seek to create a situation providing for three principal service contractors or licences, thus providing a choice for management or the owners of a machine when it breaks down.

One person asked me what was the real background to the Bill. Let me indicate what I said to that person. I asked that person whether he owned a motor vehicle and, of course, he did. Only one person of whom I am aware does not own a motor vehicle and that is the member for Spence, and I can

eliminate him as one of the persons who spoke to me about this matter.

Mr S.G. Evans: He owns a pushbike.

Mr QUIRKE: As he does own a pushbike perhaps the example is appropriate in that case too. I asked the person concerned whether he has his car regularly serviced, and he did. I asked what happened when the car was not serviced to his specifications and not fixed properly, and he said that he would take it back to the repairer in the first instance and ask the repairer to correct the faults that he saw in the vehicle. I then asked what happened if he got no satisfaction and whether he had ever been in that situation, and he said, 'Yes, I have been in that situation and I go down the road to another garage.'

That is the background to this proposal. I believe that many of the bureaucrats involved in this situation will not like it. The reason they will not like it is that they like monopolies; they like a situation where the thing is easy for them. My proposal is that the clubs and pubs that go into having gaming machines should at least have some sort of competitive choice. I do not intend to proceed with this Bill until probably well into next year. I understand that it will need to be reintroduced after the election, and I will do that. Currently a contractor has tendered to do this work and, in fairness to them, they should be the agent, even though I do not like the system. They should cover the running of this system up to the beginning, when the machines are turned on, and for some time into the future. I give a commitment to the House that I will seek to reintroduce this, probably in the 1994 budget session, and in the meantime I will seek wide consideration in a number of areas. This proposal seeks to give the pubs and clubs at least some area of choice in an attempt to hold the basic integrity of this legislation together.

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

STOCK (SHEEP DIPPING) AMENDMENT BILL

Mr BLACKER (Flinders) obtained leave and introduced a Bill for an Act to amend the Stock Act 1990. Read a first time.

Mr BLACKER: I move:

That this Bill be now read a second time.

Members will recall that the Stock Act was first introduced into this House in 1990, and at that time it was an amalgamation of a number of Acts of Parliament that were brought together for good purposes. However, a controversial provision in that Bill abolished the then compulsory dipping of sheep. Along with a number of members on this side of the House, I expressed some concern about that provision, and a number of the members, particularly those in country areas and those with some involvement in stock, expressed similar concerns. Since that time we have had three seasons, and I think it is fairly common knowledge that the infestation of lice has now become rampant.

For that reason I am endeavouring through this legislation to attempt to make it again compulsory that all owners dip their sheep within 42 days of shearing. The reasons for that should be obvious: where there is widespread infestation of lice, drastic measures are required. I contacted a number of people in my area about this. I contacted a number of shearers, and one particular group who shear in a large number of sheds advised me that in their opinion 50 per cent of the sheep flocks they shear are infested with lice. I asked whether that related primarily to hobby farmers or whether it was the larger wool growers and they said it was a mixture of both. More often than not the hobby farmers who do not understand the complexities of caring for sheep have been negligent in the past, and quite often that has resulted in lice infestation.

The matter is very serious. Regrettably, because of the low price of wool, not much attention has been paid to the care of the stock, and this is aggravating the position even more. I note that at the time when the legislation was introduced into the House in 1990 a number of organisations said that the old Act did not necessarily control the infestation of lice and that it was sometimes difficult for the department to monitor it. I do not believe that that is sufficient excuse to object to this provision in the Bill. It is clear that, unless there is an obligation on behalf of stock owners at least to make the effort to control lice infestations, we will see a downgrading in the quality of the flock and the quality of the wool product that is being sold.

Another provision within the Bill is designed to overcome a problem that presently exists in the reporting of lice-infested flocks. I am advised that, if an individual reports that a neighbour or somebody else has lice infestation, a claim for defamation of character can be taken out. The Bill seeks to take that away so that any person acting in good faith in the belief and knowledge that there is lice infestation on a particular property is protected. I believe that people are very reluctant to report infestations where they know that they occur, because they are liable to a claim of defamation of character. That is the principal reason for clause 3 of the Bill.

Clause 4 refers to the compulsory treatment of sheep, and it provides that before any sheep can be sold, consigned for sale or given away they must be dipped within a 42 day period. The dipping takes into account the preparations registered under the Stock Medicines Act 1939 as treatment approved for the destruction or control of parasites on sheep. The Bill exempts sheep going to immediate slaughter from this provision.

The Bill provides that there should be up-to-date records of prescribed particulars relating to the sheep that have been subject to the treatment in accordance with this section. Furthermore, a chief inspector, if satisfied that by reason of drought, shortage of water, weakness of sheep or any other factor it is unreasonable to require the owner of sheep to comply with this section, may exempt conditionally or unconditionally an owner of sheep from compliance with this section in respect of the specified sheep for a specified period. This exemption must be in writing.

The reason for this Bill is very practical and logical, and it is designed to overcome a problem that has grown out of all proportion since the original Stock Act 1990 was introduced. I trust that the House will treat this as serious. I was concerned at the time—and I expressed those concerns—that people were casting a vote without the knowledge of the requirements of the sheep industry, and because of that we were outvoted for extraneous reasons. I am drawing to the attention of the House a very practical and real concern that affects probably millions of dollars worth of product in this State. I believe that farmers should be compelled to carry out what I believe is a practical and realistic precautionary measure with respect to the management of stock.

I ask the House to support this Bill. As I said, it is a simple Bill; it reinstates what was in place three years ago, and it is designed to overcome a problem that is now growing out of all proportion. Little is known about the extent of it, although I heard the member for Custance talk about it recently on

radio. He was making other assertions about the reason for the spread of lice. I believe the infestation is occurring purely because farmers are no longer obliged to carry out this precautionary measure. I invite the House to support the Bill.

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

STATUTES AMENDMENT (OFFENCES BY INSPECTORS AND OTHER OFFICERS) BILL

Mr GUNN (Eyre) obtained leave and introduced a Bill for an Act to amend the Highways Act 1926, the Motor Vehicles Act 1959 and the Road Traffic Act 1961. Read a first time.

Mr GUNN: I move:

That this Bill be now read a second time.

The purpose of this Bill is to give the public of South Australia fair and reasonable protection against overzealous and overbearing inspectors.

The Hon. T.H. Hemmings: Looking after his mates again.

Mr GUNN: If the honourable member opposite, who is drivelling on with a lot of nonsense, does not think that this is fair and reasonable, he obviously does not know for what he votes because on a number of occasions Parliament has accepted this proposal in various pieces of legislation. It was difficult to get the first one accepted, but late one night a Minister decided that the way to get home early was to accept it. That is probably the reason for its original acceptance. I am also aware that one of the officers involved in drawing up legislation was not particularly pleased about it. However, once the principle was accepted—and it has been included in a number of pieces of legislation, including the Soil Conservation Act and others—it set a precedent.

I have introduced this Bill because recently a constituent had a particularly nasty experience with some people who acted quite improperly. I will briefly explain to the House. My constituent has a roadhouse which a number of people in the trucking industry frequent to fill their vehicles with fuel, have a meal and shower or wash. The incident to which I refer occurred at 1 a.m. when certain Government officials came along and banged on the windows of trucks and demanded that people wake up. They wanted to weigh the trucks. They woke up my constituent, who got out of bed. He was far from impressed with the activities of the inspectors, who were rude and abusive, and they made a number of remarks that were quite unfair and unreasonable. As a result, my constituent took umbrage.

I have received a number of complaints across a broad range of areas in respect of people who hold legislative authority. Where people reasonably exercise authority, there are no problems. Only a minority of people make it bad for the majority who operate under various Acts of Parliament and are given authority to interview people. No reasonable person would complain about people acting responsibly in the course of their duties, but the unfortunate occasions that arise require citizens who are placed in this position to have recourse so that they are on equal footing. Therefore, this has prompted me to bring this measure to the Parliament. I sincerely hope that it goes through within the next few days.

I am realistic enough to know that we will have to wait until the next session of Parliament before it can pass all stages, but this is the first step in a course of action which will ensure that people's rights are protected, and those who exercise their authority under various Acts will be fully aware that their conduct has been noted and that the Parliament has taken the first step to legislate to protect the average person.

Clause 1 is the short title. Clause 2 is the interpretation. Clause 3 inserts section 29aa of the Highways Act. This clause amends the Highways Act 1926 by inserting a new section 29aa. The new section provides that it is an offence for an inspector or authorised officer to use offensive language to another person while exercising or purporting to exercise a power under the Highways Act 1926. It is also an offence for an inspector or authorised officer to hinder or obstruct, or to use or threaten to use force against, some other person, knowing that he or she is not entitled to do so or without a belief on reasonable grounds that he or she is entitled to do so, while exercising or purporting to exercise a power under the Act.

The maximum penalty for an offence against the section is a $2 000 fine. These offences apply to any inspector appointed or deemed to be appointed under the Highways Act 1926 and to any officer authorised by the Commissioner of Highways pursuant to any provision of the Act to exercise a power specified in that provision. The same provision applies to the Motor Vehicles Act and to the Road Traffic Act. I seek leave to insert the remainder of the explanation in *Hansard* without my reading it.

Leave granted.

Clause 4: Insertion of section 139aa.

This clause amends the Motor Vehicles Act 1959 by inserting new section 139aa. The new section provides that it is an offence for an inspector or authorised person to use offensive language to any person while exercising or purporting to exercise a power under the Motor Vehicles Act 1959. It is also an offence for an inspector or authorised person to hinder or obstruct, or use or threaten to use force against, some other person, knowing that he or she is not entitled to do so or without a belief on reasonable grounds that he or she is entitled to do so, while exercising or purporting to exercise a power under the Act. The maximum penalty for an offence against the section is a Division 7 ($2 000) fine. These offences apply to any inspector appointed under the Motor Vehicles Act 1959 (or any Part of provision of that Act), persons assisting inspectors, persons authorised by the Registrar to examine motor vehicles for the purposes of the Act and inspectors appointed under the Road Traffic Act 1961.

Clause 5: Insertion of section 165.

This clause amends the Road Traffic Act 1961 by inserting new section 165. The new section provides that it is an offence for an inspector or authorised person to use offensive language to another person while exercising or purporting to exercise a power under the Road Traffic Act 1961. It is also an offence for an inspector or authorised person to hinder or obstruct, or use or threaten to use force against, some other person, knowing that he or she is not entitled to do so or without a belief on reasonable grounds that he or she is entitled to do so, while exercising or purporting to exercise a power under the Act. The maximum penalty for an offence against the section is a $2 000 fine. These offences apply to any inspector appointed under the Road Traffic Act 1961 (or any Part or provision of that Act), persons assisting inspectors and persons authorised pursuant to any provision of the Act to exercise a power specified in that provision.

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

ROAD TRAFFIC (DRINK DRIVING PENALTIES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 13 October. Page 881.)

The Hon. T.H. HEMMINGS (Napier): Before addressing the Bill I point out that I speak as an individual member

of this Parliament. I do not represent the collective view of this side of the House, although it may well be that in the final analysis that is the case. I am not the lead speaker, so I require only 10 minutes. Having said that, I point out that, despite the way I sometimes josh with the member for Eyre about looking after his mates with some of the private member's Bills he brings before the House, I have the utmost respect for him, and I believe he knows that.

Having put those two points on the record, I will now outline to the House why I oppose the Bill. Despite the very fine principles that the member for Eyre enunciated to the House in support of this piece of legislation, it is the thin edge of the wedge. Once we start making exceptions or giving rights of appeal or classifying drink driving offences as trivial, trifling, not important, important, serious, dramatic or whatever, we are starting to defeat what the legislation and the penalties are all about.

I will not make capital by referring to the honourable member's second reading explanation in which he only talked about country people. We must recognise that, for every country person who is disadvantaged by having their licence taken away from them, there would be an instance of someone who lives in the metropolitan area being disadvantaged. Of course, what the member for Eyre is saying (and he is correct) is that there are no bus services in country areas of the type that we enjoy in the metropolitan area. He makes the point that there are not too many trains in the rural areas as opposed to the metropolitan area. But the message to those people who live in the country areas is the same message to every one: if you go down the track of drinking and driving, you are liable, if caught and found to exceed the limit, to pay the ultimate price.

People who have known me for a long time in this Parliament know that there was a period in my life when I indulged rather more than was good for me. That is a thing of the past. I say that because I do not want to be seen as a wowser. I still enjoy standing in the front bar of any pub enjoying the atmosphere and the friendship. But, in the area of drink driving, you pay the penalty if you break the law. Whilst the magistrate should take into consideration the personal circumstances of the individual, there should be no chance that the door is opened—that this is the thin end of the wedge. Let me give an example. If the member for Stuart was not in this place but was a shift worker, there could be a reasonable excuse for her to say, 'I need to have this offence treated as a trifling one.'

Members will notice that the word 'trifling' occurs time and time again in the Bill. By the same token, if my colleague the member for Stuart was a shift worker—and in her capacity in Parliament she is a shift worker—then she should make sure that she does not partake of alcohol. The member for Eyre refers to children with medical problems and asthmatics, but from asthmatics you then develop down the line. It is up to the person hearing the appeal to determine whether the offence is trifling. We could eventually get to a situation where a person says, 'I have periodic headaches.' I am not being flippant, but the asthmatic condition could be developed—

Mr Ingerson: You are one big headache.

The Hon. T.H. HEMMINGS: I would have thought that the member for Bragg would see that this is one of the few Bills that I am treating very seriously. I would have thought that, following the speech he made last night with regard to breathalysers, he would realise that the carnage on our roads is due to one thing, and one thing only: people drink too much and cannot control the vehicle they are put in charge of, and someone dies. Unfortunately, the person who dies is usually either a young child or an elderly person; they are the victims of people who drive vehicles that they cannot control. I would suggest to the member for Bragg that he treat this Bill with the same degree of seriousness that I am giving it.

The member for Eyre says that this legislation is not the answer. The next time the whole question of traffic offences, drink driving, breathalysers, and so on is considered by the Government of the day—and it may well be that the Government of the day will be of the same political persuasion as the member for Eyre—the member for Eyre may be the Speaker of this House. May I digress? In one way I am reflecting on my colleague the member for Stuart, but I am talking about a hypothetical case. It would then be up to the member for Eyre to bring the matter to the attention of the Minister of his political persuasion.

I would hazard a guess that, if those circumstances arose—a change of government; the return of the member for Eyre (and, as I say, my colleague the member for Stuart does not want that to happen, and I will be helping her to make sure that it does not happen); and the member for Eyre sitting in the Speaker's chair—the Minister of the day would not have a bar of this piece of legislation. It flies in the face of everything that Governments, the medical profession, the police, the RAA and even the Australian Hotels Association have done to reduce the road carnage due to drink driving.

There is no excuse. If you commit the offence, you pay the price, and it is your own fault if your personal circumstances are such that the taking away of your licence creates personal problems either for you or for your family. You will make that mistake only once. This Bill gives you a chance to make the same mistake time and time again. I oppose the Bill.

The Hon. B.C. EASTICK (Light): Strange as it may seem, I find myself in much the same position as the member for Napier, who has just resumed his seat. One of the unusual experiences I had when I first came to this place was that somebody came through the door of my home—that was before members had electorate offices—and said, 'My son, XYZ, has just lost his licence. He needs it. You have got to do something about it.' I asked, 'On what basis should I be doing something about it?' He said, 'Well, I am a member of the Party.' I am quite frank about that.

It was like the situation with another gentleman; I treated his pig and it died, and he thought that because he was a member of the Agricultural Bureau he should be charged half price. When my wife said, 'No, that is not enough', he said, 'I will pay him in wheat.' She said, 'No, we do not have any chooks.' There is a public perception amongst some people that you ought to be able to do something. In fact, it is a belief that you will do something. I would like to say that, whilst I have made representations on behalf of a number of people to a solicitor suggesting that they go back to court to seek a licence to enable them to travel to work under very strict rules and regulations, it has not been a direction that that take place: I was directing them to an opportunity which is theirs by law under some circumstances.

I come adrift from the view of the member for Napier in terms of if you get caught, you pay the penalty and you ought to learn. Regrettably, if one reads the columns of the paper circulating in my electorate, one finds people up for the third and fourth time—and not for small amounts but for increasing amounts. That is the other area that is a real problem. Some people do not know how to learn and are caught the

second or third time whilst disqualified from driving. Having represented a rural electorate, I am fully conversant of the problems associated with people who are isolated and do not have the alternative of public transport. The individual might be a single employee going in one direction and there might be no opportunity for somebody else, other than family, to take that person to work.

I was recently advised that it was just as well that I was not going on, because I would have lost the vote and whoever I put up in my place would have lost the vote too. The mother of a 17 year old lad—there were two strikes there: under age and drunk—said, 'You have got to do something to allow him to get to work or he will just go on the dole, and if he goes on the dole I will kick him out.' That was the third problem that he had. I suspect that there was not as much motherly love as there ought to have been. However, when I suggested that he go to work, which was only 3½ miles away, by pushbike, one would have thought that I had started World War Three.

Mr Holloway: I have had that experience, too.

The Hon. B.C. EASTICK: The local member, who was going to do something quick and positive, had the audacity to suggest that the lad should get a pushbike to take himself to work! The final comment from the mother was, 'I would not be able to get him out of bed early enough.' That was another aspect of the problem that we were dealing with.

I am aware of the views that have been expressed by the member for Eyre, but I told him earlier that I could not support the measure in the way in which it has been presented. I believe that the matter needs further consideration more specifically for the genuine person who is caught the first time and learns by being given the opportunity in some circumstances of getting to work, but not as a matter of course.

Some years ago when we were first dealing with drink driving legislation, I recall the former member for Tea Tree Gully (Mrs Molly Byrne) pleading on behalf of her constituents to her own people who were in government, 'This is too severe. We ought to be doing something to let them off the first time.' I was very naughty, Mr Speaker, because I interjected across the floor, 'But the person they kill is just as dead as the one they hit the second time.' The member for Tea Tree Gully spoke about four more words and sat down, not by virtue of anything untoward having been said but having suddenly realised that that is a truism of life. That is a real danger and the statistics show it. The facts of life are that more than 50 per cent of young people in country areas who are involved in fatal or serious accidents have consumed alcohol, and we have to face that reality. It may be that our education program should be different from what it is now.

I welcome the fact that this debate will highlight other aspects of the various issues that have been brought out by the members for Eyre and Napier and by me, and by whoever else might take part in the debate. However, I could not in all conscience support the measure as it is presented by my colleague the member for Eyre.

Mr HOLLOWAY secured the adjournment of the debate.

SOCIAL DEVELOPMENT COMMITTEE

Mr HERON (Peake): I move:

That the third report of the Social Development Committee on the risk of HIV transmission in health care and other settings and the rights of infected and non-infected persons be noted.

This report is Part I of the committee's findings from its investigations into HIV and AIDS and deals with the risk of HIV transmission in health care and other settings and the practice of universal precautions for the prevention of HIV transmission. Part II of the report, which will be tabled shortly, deals with the rights of HIV-infected and non-infected persons.

Few diseases have had such a dramatic global impact as has HIV/AIDS, which is now regarded as one of the most formidable public health challenges the world has faced. The World Health Organisation estimates that 13 million adults and 1.5 million children in 162 countries have been infected with HIV and that 2.5 million people have AIDS. It has been estimated that by the year 2000 some 18 million to 20 million people worldwide will be infected, with as many as 10 million adult cases of AIDS. In Australia, approximately 17 000 people have been diagnosed as HIV-infected with 4 000 being diagnosed as having AIDS. In South Australia, 500 people have been infected with HIV and about 160 people have been diagnosed as having AIDS.

The committee took oral evidence from 40 witnesses at 25 meetings and received 33 written submissions. This, the first report, addresses the risk of HIV transmission from health workers to patients; the risk of HIV transmission from patients/clients to health workers; the practice of universal precautions by health workers; the practice of testing patients for HIV; and HIV/AIDS and the Aboriginal community. In addition to providing recommendations that the committee hopes will be the catalyst for legislative reform, the objective of the committee's report is to encourage and stimulate informed debate about HIV and AIDS. The committee received evidence that it is quite common in South Australia (particularly before surgery) for patients to be tested for HIV without having given informed consent for a test to be done. For instance, the committee was told that the first some patients knew of being tested was when they were told that they were HIV-positive. The committee was also told that antenatal testing for HIV commonly occurred without the patient's informed consent. This was especially true for public patients.

Orthopaedic surgeons believed they should be able routinely to test all patients for HIV because their work placed them at a high risk of acquiring HIV from a patient. The committee was told that orthopaedic surgeons had an exaggerated perception of the risk of HIV transmission during surgery.

It was stated that, because of the window period, routine testing could promote a false sense of security and place health workers at a greater risk of infection by leading to complacency. All evidence received by the committee indicated that health care workers had an extremely low risk of occupationally acquired HIV and that routine testing was not justifiable. The probability of a health care worker becoming infected with HIV after sustaining a needlestick injury is approximately one in 300, or .3 per cent. In Australia only two health care workers have acquired HIV following occupational exposure to the virus. This represents .1 per cent of all known cases of HIV in this country.

The committee received disturbing evidence about infection control measures used by dentists in South Australia. Although the Australian Dental Association recommends that a freshly autoclaved handpiece be used for each patient, most South Australian dentists practising routine restorative dentistry do not autoclave handpieces between patients and many do not even have heat sterilisers. The

committee was told that the autoclaving of dental equipment was important to prevent not only the transmission of HIV but also hepatitis B and C, herpes and tuberculosis. These infections are much more transmissible than HIV. The committee's report included the following recommendations: that all dental surgeries should have autoclaves; dental handpieces, ultrasonic scalers and related equipment should be heat sterilised between patients; handpieces that cannot be sterilised should not be used; and, as occurs in the United States and Britain, there should be infection control audits of dental surgeries.

On universal precautions, the committee received evidence that some health care workers do not comply with those precautions as closely as they should. It is frequently the most senior medical staff who are the worst at complying with universal precautions, for example, taking blood without wearing gloves and not washing their hands before examining a patient. The committee was strongly of the view that senior medical staff should be setting a good example to junior staff; failure to do so perpetuates bad practices. It was reported that medical officers generally had a lower level of compliance than nursing staff.

In relation to HIV/AIDS and the Aboriginal community, there was widespread agreement among witnesses that if HIV took hold it had the potential to devastate the Aboriginal population because of the high rate of STDs; binge drinking (which is closely related to indiscriminate sex); the absence of cultural sanctions against multiple sexual partners; sharing behaviour inherent in Aboriginal culture; and high mobility levels between cities and different communities. The committee was also told that the Aboriginal community was at risk of HIV transmission from ceremonial practices that involved bloodletting (for example, 'sorry business' or mourning).

Health care workers have experienced difficulty in getting traditional Aboriginal communities to modify ceremonial practices that involve bloodletting. At the same time as it was acknowledged that HIV posed a significant risk to the Aboriginal population, there was an agreement by witnesses that HIV/AIDS programs for the Aboriginal community were under-resourced. The committee was told that there were four Aboriginal health workers providing HIV/AIDS education programs for the Aboriginal population of South Australia. It was also reported that there was a high turnover of Aboriginal HIV/AIDS educators because of low wage levels, poor employment security and limited career opportunities.

The report's 35 recommendations cover: the need for education programs for the public and health workers that dispel the enduring myths and misconceptions about HIV transmission; reviewing the current method of HIV notification in South Australia; introducing a coded system for laboratory testing for HIV; ensuring that HIV testing takes place only with a patient's informed consent; improving infection control procedures in dental and doctors' surgeries; improving health worker compliance with universal precautions; and reviewing funding arrangements for Aboriginal HIV/AIDS education programs.

Finally, I would like to put on record the good work done by the members of the Social Development Committee in bringing this unanimous report to the House, those members being the Hon. Carolyn Pickles, the Hon. Legh Davis, the Hon. Ian Gilfillan, the member for Spence and the member for Newland. Special thanks should also go to John Wright (the Research Officer) and Vicki Evans (the Secretary of the committee) for their excellent work on this report. I ask all members to support the motion.

Mrs KOTZ (Newland): As a member of the Social Development Committee I am pleased to support the noting of this report. It is now 10 years since the first case of AIDS was diagnosed in Australia and, as noted in the preface of this report, HIV/AIDS remains a major health challenge. As the title of the report ably defines, the Social Development Committee has addressed the area of the risks, rights and myths surrounding HIV/AIDS, its transmission, its effects and the precautions necessary to protect our society from epidemic proportions of the disease which, if uncontrolled and misunderstood, could decimate future generations.

I would like first to express my thanks to the members of this committee, drawn from a cross-section of political Parties, whose bipartisan support enabled what was at times spirited debate and overall a consensus approach from which this important document, part I of the report, tabled in Parliament today, was formed. I would also like to place on record my thanks to our research staff, particularly Mr John Wright and the Secretary to the committee, Ms Vicki Evans, for their most professional approach to their duties on our behalf. As a team, their efforts to support the requirements of the committee were both capable and efficient. I doubt that the first part of this report would have been available to be tabled at this time if not for their diligence and expertise.

I would also like to record my thanks to the members of *Hansard* for their support in recording the many volumes of evidence taken during the sittings of our committee on this matter. The committee has presented some 35 different recommendations in the first part of this report, which I trust members of this House will support, and I urge the Government to seek to implement the recommendations as soon as practically possible. It is important to have educational programs for members of our total community to be made aware of the necessity for a universal approach to the precautions and a focus on prevention relating to health, hygiene and safe sex measures.

Our report shows that heterosexual transmission of HIV in Australia is relatively uncommon. To the end of 1992 only 3 per cent of people with AIDS had been affected through a heterosexual contact. Most women in Australia infected with HIV heterosexually are believed to have acquired the virus from male injecting drug users, whereas most men are believed to have been infected with the virus from heterosexual activities overseas. Although heterosexual transmission of HIV in Australia is relatively uncommon, it has increased. In 1984 none of the people in Australia diagnosed with AIDS had contracted the virus via heterosexual sex but, of the cases of AIDS diagnosed in 1992, 6.7 per cent had been infected with HIV as a result of heterosexual sex. It should be noted that the classification convention adopted for the reporting of AIDS may under-report the extent of heterosexual transmission.

The sharing of contaminated injecting equipment was responsible for 2 per cent of AIDS cases; a further 3 per cent of cases were among homosexual-bisexual men with a history of injecting drug use; while 4 per cent were caused by the receipt of HIV infected blood or blood products. To the end of 1992, 28 children, representing .7 per cent of all reported AIDS cases in Australia, had been diagnosed as having AIDS. The largest number had developed AIDS as a result of receiving contaminated blood or blood products. There are relatively few women with AIDS. To the end of 1992, women

made up only 3.1 per cent (or 122 cases) of all adult AIDS cases in Australia.

The dominance of male homosexual or bisexual contact as the principal mode of HIV transmission in Australia is shown further in the male to female ratio of AIDS cases. At present there are almost 31 adult male cases of AIDS to every one adult female case. The greatest number of adult women in Australia with AIDS (32.8 per cent) were infected as a result of receiving contaminated blood or blood products. That was closely followed by heterosexual contact, representing a proportion of 31.9 per cent. The group involved in injecting drug use represented 27.1 per cent. Of those males in Australia with AIDS only 2.1 per cent were infected heterosexually. A vast majority, 88 per cent, were infected as a result of male to male sex. AIDS is heavily concentrated in the most sexually active ages, that is, 20 to 49 years of age, and that is indicative of the chief mode of transmission. Owing to the time lag between infection with HIV and progression to AIDS it is believed that most people in Australia with AIDS were HIV when aged between 15 and 35 years.

Other areas of our concern, which prompted some of the recommendations to be found in the report, addressed the problem of HIV within the Aboriginal community. An immediate assessment of HIV infection in the Aboriginal population is required. The committee also believed that there was a pressing need for reliable epidemiological data about HIV infection in the Aboriginal population. This information is needed to assess the spread of infection into the Aboriginal community and to help evaluate the effectiveness of HIV/AIDS education and prevention programs. HIV/AIDS education programs should also incorporate sexually transmitted diseases and drug and alcohol education to be developed for the Aboriginal community. The committee believes that this approach would acknowledge the link between HIV transmission, sexually transmitted diseases and alcohol and drug use.

The committee also looked at the area of continuing education for health care workers and private medical practices, specifically involving the principles and practice of universal precautions. It was also thought very necessary that the training of medical students in universal precautions should be upgraded. The committee arrived at this recommendation in the light of evidence that particular medical officers have a lower level of compliance with universal precautions than nursing staff. This was also evident in a survey that was taken in March of this year. Although Australia has been successful in limiting the spread of HIV there is no reason for complacency. Programs to prevent the spread of infection must continue.

The second part of this report, which addresses the major terms of reference presented to Parliament by the Hon. Bernice Pfitzner, is almost completed and I trust will be available to the Parliament and the public in a matter of weeks. I support and recommend this third report of the Social Development Committee which is part 1 relating to the terms of reference on AIDS.

Motion carried.

LEGISLATIVE REVIEW COMMITTEE

Mr McKEE (Gilles): I move:

That the final report of the Legislative Review Committee on an inquiry into matters pertinent to South Australians being able to obtain adequate, appropriate and affordable justice in and through the courts system be noted.

Much has been written and reported on the cost of accessing justice in Australia. Having spent a considerable amount of time on this inquiry, the committee appreciates that issues related to reform within the justice system are complex and cannot be brought in overnight or through the recommendations of only one report: it requires the commitment of all sides on a continuing basis.

This inquiry was expected to highlight what members have long believed: that access to the justice system is too complicated and too costly. In some ways the report supported this idea and the committee has made recommendations to mitigate costs and reform practices where necessary. However, I believe that committee members were honestly surprised by the substantial amount of work already under way in this State at least to reform the system. In South Australia much has already been done and continues to be done to address the worst excesses and inefficiencies. In recent years a positive area of cooperation and commitment to reform has arisen between the profession, judiciary and Government, and this cooperation has led to reforms, some of which have been introduced during the course of this inquiry.

However, it comes as no surprise that entrenched negative perceptions towards the justice system exist and are widespread within the community. Media reports such as the *Investigators* report aired on the ABC on 4 May this year have painted a very black picture of legal costs and work practices. It may then come as a surprise to members to note that in this report the committee has made no specific recommendations on lawyers' fees. Given the universally held belief that lawyers' fees are too high, some people may find the absence of recommendations in this area rather strange. I include myself in that particular area, Mr Acting Speaker.

Reports from the Commonwealth Senate Committee on Legal and Constitutional Affairs and the recent Trade Practices Commission draft report on the legal profession have been damning of the lawyers' restrictive work practices and the level of fees. The committee is well aware of these reports and has considered them during the conduct of its inquiry. While the legal profession in South Australia cannot escape all the criticism levelled at it, the committee came to the conclusion that many of the abuses of the eastern States either never existed or have been rectified under amending legislation or removed from the Law Society's professional conduct rules. The South Australian Government and the Law Society have done much together and separately to bring about this situation, and the committee congratulates both for their initiative in this area.

Nevertheless all members of Parliament receive complaints from time to time against lawyers and I would not like to give the impression that the committee condones all the practices that take place and all the fees presently charged. Undoubtedly there are still cases where fees have been outrageous and have caused significant hardship. The committee of necessity has had to take a broader view. Generally it found that, given the nature of the work, the substantial overheads associated with keeping abreast of the law and the cost of running a practice, the majority of lawyers charge fees which are reasonable and which can be justified.

Generally the committee agreed that ignorance of procedures and costing arrangements or a breakdown in

communications between client and lawyer played a significant role in complaints against the profession. The committee believed it was very important that individuals have a basic awareness of court procedure and be confident in comparing quality and costs when requesting services from the profession. This was particularly important as the committee notes that charges between legal firms vary considerably.

Changes in the professional conduct rules to allow advertising and the fact that a number of lawyers now participate in the 'first interview scheme', which provides individuals with a 30 minute interview with a lawyer to determine the likelihood of success and costs at a minimal charge, should give greater opportunity to compare costs and services and to remove some of the mystique associated with the legal system. The committee believes that users of the legal system are entitled, and should be encouraged, to shop around and compare the services offered and the costs charged between firms in much the same fashion as a prudent purchaser would when buying any other goods or services.

The committee looked long and hard at the courts, particularly in regard to delays and costs. It found the courts to be both efficiently and effectively run. Again, the horrendous delays in the eastern States in bringing a matter before the court were not to be found in South Australia. The case flow management procedures which were introduced into the State's courts and which were recently amended in July this year have provided for an efficient system which has reduced and will continue to reduce costs and delays for both the litigant and the courts. The committee was concerned, however, with the level of fees charged to take a matter to court, and the report highlights the substantial increases since 1989-90 and considers the impact these costs have had on the litigant and on would-be litigants. The committee recognised that fees and charges only recouped about 24 per cent of the running costs of the courts and that the taxpayer substantially subsidises costs. However, the committee was concerned at the size of the increase in fees over the past few years. While acknowledging the financial commitment of the Government to resource the courts, the committee has recommended that fees be held at existing levels until an independent consultancy is appointed and reports on court and transcript fees and on any detrimental effects these fees have on those involved in the court process.

Furthermore, the committee noted with particular concern the cost of transcripts for persons charged with criminal and, more specifically, indictable offences. Persons prosecuted for indictable offences face the prospect of a gaol sentence if they are found guilty beyond reasonable doubt. The committee noted that persons who were accused of indictable offences but who were found not guilty suffered a significant cost burden in lawyer and transcript fees without the opportunity of having costs awarded against the Crown.

In view of this, the committee recommended that persons accused of indictable offences should be provided with the transcript free of charge during their trial. The committee, which also looked at legal aid, believes that adequate legal aid is an essential component of legal justice. Clearly, a person without the means to enforce their rights has no effective rights. The committee expresses concern that the provision of legal aid has become increasingly restrictive and that fewer persons in need of legal assistance are able to satisfy the eligibility criteria.

Also of concern are the possible consequences of the recent High Court decision in the Dietrich case. The committee found that the present level of legal aid funding is demonstrably insufficient to meet the reasonable needs of the Australian community for legal aid and recommended that funding for legal aid should be increased. In conclusion, I reiterate that the committee believes that South Australia has one of the best justice systems in Australia. It applauds the progress so far to improve the system. The South Australian legal system, together with recent reforms, has ensured that the worst excesses of the eastern States do not and cannot exist.

South Australia has been recognised nationally as a leader in this area. The committee hopes that this report will continue the reform process and complement the present debate. At this point I would like to thank the members of the committee, which is comprised of the Presiding Member (Hon. Mario Feleppa), the Hon. John Burdett and the Hon. George Weatherill from another place, the member for Eyre, the member for Goyder and me from the House of Assembly. I thank the member for Fisher for bringing this matter before Parliament so that it could be referred to the Legislative Review Committee. It gives me great pleasure to present the final report of the Legislative Review Committee into 'Matters pertinent to South Australians being able to obtain adequate, appropriate and affordable justice in and through the courts system'. I commend the report to the House.

Mr GUNN (Eyre): I am pleased to participate in the debate because I found the exercise that the Legislative Review Committee undertook to be interesting and productive. There is no doubt that many people in our society urgently require the assistance of legal representation when they appear before the courts. For many of them the process of appearing before the courts, even if no penalty is imposed on them, involves in itself a serious financial penalty. It is clear that we need to look at the court system and ensure that it is appropriate to a modern society. Perhaps some of the procedures and traditions should be questioned to determine whether they are really necessary.

Some years ago this Parliament thought it would streamline the system and save people costs by introducing on-the-spot fines. In my judgment the whole objective of that exercise has been defeated because that process has been used excessively, unfairly and has become nothing more than a revenue collecting exercise organised and instituted by State Treasury. The police have become tax collectors and not enforcers of the law and, unfortunately, in this role they are being drawn into conflict with the public. That area in itself needs close examination.

I have no doubt that access to legal representation in Australia is far too restrictive. There are not enough members of the legal profession in my electorate and in other isolated parts of the State, so people in those areas do not have access to adequate legal representation. The committee was fortunate to be given excellent evidence by a practitioner, who indicated that he and his partner were not overpaid and were not overcharging. In fact, I believe that principals and deputy principals in country schools receive a higher weekly income than the two legal practitioners, yet their workload is much greater.

On the one hand we have specialised practices which charge for the specialised services they provide and, on the other hand, we have lawyers battling to survive and who play an important role in the community. I sincerely hope that arrangements can be made as soon as possible for more lawyers to be provided in isolated parts of the State. It will be necessary for Governments to provide more money for

legal aid, and there is no doubt about that. If that does not occur, people will be treated in an unfair and unreasonable way by the courts.

If the prosecution is represented by people with a legal background or by trained prosecutors, no matter whether or not one is innocent, an unrepresented person is at a disadvantage. Not only are such people at a disadvantage but, as the Chief Justice rightly pointed out, people defending themselves because they are not able to afford legal representation slow down the whole legal process. That in itself increases costs, is unfortunate and quite unnecessary.

The high transcript costs is a matter that concerns me greatly. This matter was brought to my attention by a legal practitioner in the criminal jurisdiction who indicated that on one occasion she had to borrow the judge's transcript because her client could not afford to pay hundreds of dollars per day to obtain a copy of the transcript. I put it to the House that few people in the community would be aware that that most unsatisfactory state of affairs exists. If they were aware, they would believe that it is unreasonable and that the situation should not be allowed to continue.

During the committee's deliberations we were ably assisted by the secretary of the committee, David Pegram, and at a later stage, after some difficulties, we were fortunate enough to get a research assistant, Linda Graham, who provided valuable assistance and help to the committee. I would place on the public record my appreciation and that of all members of the committee for the work that our secretary and research assistant did in compiling this report.

It is a document with which the committee can be well satisfied. The Parliament should take note of it, and I hope all members read it, because it is an informative document. I hope that members of the community read the report because it may help to dispel the view abroad in the community that members of Parliament are not overactive people and do not apply themselves. If people read the report they will see that we have given due attention to the matters brought before us. We did our homework and we were pleased to hear witnesses. I believe the committee has performed a very useful role. I am of the view that the committee will play an important role in parliamentary proceedings in the future, and I sincerely hope that it is able to spend some time examining the question of citizen initiated referenda which is currently before it. I hope it is in a position to give that matter due attention in some detail in the relatively near future. It has already started that exercise.

In conclusion, I found this to be a most interesting exercise. In my view, the matters that were brought to our attention are very important. I think it is important that the Parliament has an ongoing brief to give its attention to this issue, because we really do have to find a better way of handling people who appear before the courts. The committee also ought to examine the on-the-spot fine fiasco which is now being inflicted on the community and which is completely out of control. That matter is a logical follow-on from the high cost of legal services in this State. I thank the Presiding Member and other members of the committee for the manner in which the committee conducted its affairs. It was a particularly happy committee. Members did not have any real difference of opinion, and I believe that we all worked diligently to bring down a report of which the committee can be proud. I have enjoyed my participation, and I am most pleased that I had the opportunity to serve on this committee. I am also very grateful for the assistance given to us by the staff.

Mr MEIER (Goyder): I am pleased to have the opportunity to debate the noting of the final report of the Legislative Review Committee on an Inquiry into Matters Pertinent to South Australians Being Able to Obtain Adequate, Appropriate and Affordable Justice in and Through the Court System. As the previous two speakers have mentioned, the committee spent considerable time looking at this matter, and I was pleased to be one of the committee members involved in the review.

Whilst I do not intend to highlight all the various points that are in the review, there are some matters which I think are of interest and which need to be considered further. The first relates to the cost of court and transcript fees. It is very interesting to see how the transcript costs for each page of evidence or part thereof increased for the Supreme Court from 1989-90 through to 1993-94. In fact, the cost has increased from $2 a page to $4.50 a page—more than double. If we look at other costs, we see that similar increases have occurred. In fact, in some areas, such as the daily trial fee for each day or part thereof during which the trial is heard by the court, the cost has gone from nothing in 1989-90 through to $187 per day now.

Evidence presented to the committee indicated that on occasions plaintiffs pay more in Government charges than they pay to their legal representatives for their court appearance. That is something that has to be addressed. The member for Gilles mentioned the amount that people pay through the user-pays system. In the 1991-92 financial year, the South Australian Court Services Department recouped over $12 million in court fees and charges, but this amounted to only 24 per cent of its total budget for the financial year. So, we realise that, whilst people might be paying more in Govern-ment charges than they are paying in fees to their legal representatives, that by no means covers the court costs.

As a member of the committee, it became increasingly obvious to me that the user-pays concept has a question mark over it. The Government must provide a service in all cases, but increasingly the cost of that service must be paid by the Government if it wants fair and equitable justice to be available to all people in this State. Several hundred years ago there was no way that Government charges would have exceeded the cost of legal representation; in fact, I guess the Government charges were virtually zero.

Quite a lot has been said about transcript fees. I know the member for Eyre has a motion opposing some of the increases, and I fully acknowledge that. The important thing is that the committee has recommended that an independent consultancy be appointed by the Government to analyse, observe and review the matter of court and transcript fees. Time did not allow us to go further into this problem, or, if we had decided to take that matter further, our report certainly would not be before the Parliament today. However, that is a matter that needs further consideration.

I also wish to highlight the fact that persons who are accused of indictable offences have to pay for their transcript fees; in fact, I will deal with the whole cost of seeking justice for these people. We heard examples where people were brought to trial for an indictable offence. I well remember one instance where it was alleged that a person had misappropriated money. His legal costs amounted to many tens of thousands of dollars, and in the end the person was found to be innocent. This is a difficult area, I guess, because we do not want the cost of court administration to blow out altogether.

The committee has recommended that persons accused of an indictable offence should be provided with a copy of the transcript free of charge during their trial. I think this is the very least that we can do, because the committee was told very clearly that a solicitor cannot represent an accused person properly unless they have a copy of the transcript of evidence. Our suggestion is one step in the right direction, and it will at least alleviate some of the significant costs.

On the matter of lawyers' fees—and again the member for Gilles commented on this—there is no doubt that the cost of solicitors continues to be a worry, and the committee does not pretend to have come up with recommendations that will solve all the problems in this area. In all probability, many of the problems will never be solved, but some things in the report go some way towards alerting people to the pitfalls. We certainly recommend that users of the legal system should shop around and compare the services offered and the costs charged between firms, just as the prudent buyer does now when buying any commodity. It is one thing for us to recommend that; it is another to do it, particularly if you are living in the country. I recognise that this is a difficulty. However, at the same time I would say from my knowledge and experience of country solicitors that probably country people have not been overcharged in the past. The fees charged by solicitors in rural areas are lower than the fees charged in the city.

An education program needs to be undertaken with regard to people shopping around. It is one thing to say that you must ask for a fee before you proceed, but another thing to do it. Recently I needed to use the services of a solicitor for a minor matter. I was already five minutes into the discussion when I made the comment, 'And I guess this will cost me an arm and a leg for this half an hour or one hour discussion with you'. I was a member of this committee and I knew what one of the recommendations would be. At that stage the solicitor said, 'Good point. Before we go any further we should discuss the fees.' So, we did that there and then. He identified what it would cost, I was satisfied with it and we proceeded from there. It is quite possible that I might have gone through the whole of the interview without knowing the cost until afterwards. He might have taken the opportunity, as I stayed beyond the recommended time, to charge me more. This is something the people will have to become used to asking. Much of the onus rests with the solicitor to identify to the person what the cost will be.

I also compliment the research assistant, Ms Linda Graham, and the secretary of the committee, Mr David Pegram, for the work they did. I thank my parliamentary colleagues who served on the committee. The report is a valuable document.

Motion carried.

FIREARMS

Adjourned debate on motion of Mr Gunn:

That the regulations under the Firearms Act 1977 relating to fees, made on 29 April and laid on the table of this House on 4 May 1993, be disallowed.

(Continued from 13 October. Page 887.)

Mr GUNN (Eyre): I move:

That this Order of the Day be read and discharged.

Order of the Day read and discharged.

EXPIATION FEES

Adjourned debate on motion of Mr Gunn:

That the regulations under the Summary Offences Act 1953 relating to traffic expiation fees, made on 1 July 1993 and laid on the table of this House on 3 August 1993, be disallowed.

(Continued from 13 October. Page 887.)

Mr GUNN (Eyre): This matter has been widely canvassed and the House is now in a position to make a judgment. I do not believe that it is necessary for me to say anything else. It is time for members to clearly indicate where they stand on this issue.

The House divided on the motion:

AYES (22)

Allison, H.	Armitage, M. H.
Arnold, P. B.	Baker, D. S.
Baker, S. J.	Becker, H.
Blacker, P. D.	Brown, D. C.
Cashmore, J. L.	Eastick, B. C.
Evans, S. G.	Gunn, G. M. (teller)
Ingerson, G. A.	Kotz, D. C.
Lewis, I. P.	Matthew, W. A.
Meier, E. J.	Olsen, J. W.
Oswald, J. K. G.	Such, R. B.
Venning, I. H.	Wotton, D. C.

NOES (23)

Arnold, L. M. F.	Atkinson, M. J.
Bannon, J. C.	Blevins, F. T.
Crafter, G. J.	De Laine, M. R.
Evans, M. J.	Ferguson, D. M.
Gregory, R. J.	Groom, T. R.
Hamilton, K. C.	Hemmings, T. H.
Heron, V. S.	Holloway, P.
Hopgood, D. J.	Hutchison, C. F.
Klunder, J. H. C.	Lenehan, S. M.
Mayes, M. K. (teller)	McKee, C. D. T.
Quirke, J. A.	Rann, M. D.
Trainer, J. P.	

Majority of 1 for the Noes.

Motion thus negatived.

COURT AND TRANSCRIPT FEES

Adjourned debate on motion of Mr Gunn:

That the regulations under the Supreme Court Act 1935 relating to court and transcript fees, made on 1 July 1993 and laid on the table of this House on 3 August 1993, be disallowed.

(Continued from 13 October. Page 888.)

Mr GUNN (Eyre): These regulations, to which the House has given some consideration, is a matter that encompasses the whole ambit of our democratic process. When people are brought before the courts system, surely they ought to be able to have a transcript of the proceedings without being financially penalised to the degree where in many cases they have no alternative but to plead guilty. If we allow regulations of this nature to proceed through the system without asking questions about them, we are putting beyond people the ability to defend themselves in court, and in many cases they have to plead guilty to avoid excessive costs. I therefore do not believe that this matter should be left and that the House should make a judgment on it.

Motion negatived.

FIREARMS

Adjourned debate on motion of Mr Gunn:

That the general regulations under the Firearms Act 1977, made on 29 April and laid on the table of this House on 4 May 1993, be disallowed.

(Continued from 13 October. Page 889.)

Mr S.G. EVANS (Davenport): The member for Eyre raises the concerns of many people in our community who own and use guns in a responsible manner. A few in society use them irresponsibly or to inflict injury upon others, and when I say 'irresponsibly' I refer mainly to those people who use guns to hold up others for money or goods, to threaten people or to achieve a goal that is unlawful. If we passed laws that were as stringent as are these regulations in other areas where people use some object irresponsibly either to gain a benefit or to maliciously mow somebody else down—and I refer to motor cars—very few people could afford to own or operate motor cars.

Until recently I had in my possession six guns. They were not mine, although they were registered in my name. They belonged to a lady whose husband had been killed in a traffic accident and, because her son was 14 years old, she preferred to have them out of the house until, in her opinion, he was of a responsible age. I had the guns registered in my name. That situation continued until the lad was 18.

This person had those guns because her husband had been killed in a motor accident. She wanted to give her son the same opportunity his father had. I believe that they are a responsible family. The son might have mates who, if they got hold of the guns, would use them irresponsibly, but I cannot make that judgment. When we make it difficult for people to obtain ammunition or to use a weapon, as some people refer to it, as a tool in a sport, or as part of sporting equipment, we make it very difficult for responsible owners or those who wish to be responsible owners.

I well remember the case of the New Zealand rifle (the name of which I forget) that was used by the New Zealand Army. People were able to purchase this rifle and modify it cheaply so that it was semi-automatic. I had a White Russian Ukraine working for me at the time this gun received publicity and he said, 'Give me a lathe and the right equipment and I will make a weapon very quickly that can kill somebody. I will be able to use it in hold-ups or whatever.' It is not difficult to make a firearm that can kill somebody at close range. Longer range is more difficult because of accuracy problems. We now have a society which, every time there is an incident with a gun, calls for a ban, even for those who want to own a gun for sport.

I note that recently the Queensland Minister for Environment and Conservation, who is in charge of the national wildlife parks, was considering allowing the killing of native species by indigenous people. The definition of 'indigenous person' includes a person whose great-great-grandmother or great-great-grandfather had an affair with or was married to a person of a different colour: today their great-great-grandchildren are considered to be Aboriginal. One only has to have an empathy with the culture.

Queensland is now moving down the track where it will be all right to kill native species in national parks if you are Aboriginal as defined in most of the States of this country. It would be done by permit: I am not saying it would be open slaughter. But imagine a national wildlife park which people were allowed to enter, sometimes having to pay, and in which some other person was walking around with a permit to kill certain species. I think that would be a very interesting situation. That shows the two extremes of the laws we can make.

The point has been made that in recent times many murders involve knives. Australians are a bit gung ho: they are apt to use a firearm. However, some of the new people who come from lands not so far from our shores as Europe very seldom use firearms: they use the knife because it is silent. Of course, you have to get closer to the victim, and it is more difficult to prove scientifically the exact weapon used, although in some cases it is possible if the knife is serrated. In recent times the knife has become a predominant weapon in inflicting injury.

The incidence of strangulation has not increased, and the level of straight out battery, where someone is battered to death with an axe or a hammer and the skull is split open, is about the same. The weapon that is being used more often is the knife because of the custom of people from certain lands who are coming here. I remember that the Finnish seamen who worked for us wore long, thin bladed knives, about nine inches long, in a sheath down the side of the leg and into the top of the boot. When working with gangs of people coming from 19 different countries, if an argument blew up there was a swift tendency on their part to go for this long, thin-bladed knife, which was no doubt part of the equipment they used as sailors on merchant ships.

What are we doing with these regulations? We are making things more difficult for genuine gun owners. We are saying to people that we would like to see them banned altogether but we will not do it openly; we will gradually make it tougher. We allowed a certain Chinese gun into this country. It is described as a sporting gun, but it is equivalent to the AK47, I think it is. Hundreds of those guns were allowed to come into this country. They are very dangerous weapons, equivalent to those which were used in war. However, because it was described as a sporting rifle, it was allowed in. That has happened within recent years.

In moving the disallowance of these regulations, the member for Eyre is saying that we need to stop and consider our real goal. Is it to ban guns altogether and not to do it openly; or is it in the genuine hope that it will stop the evil-minded from obtaining them? We are not doing that. In our law, if it can be shown that a person is of unbalanced mind, then the gun can be taken away from that person. That is the only move that we have made in that area in recent times. If we are saying that only those who are responsible can have guns, the irresponsible will try to steal them. The criminals will get them anyway, so we have a problem. Some people say that guns should be locked up either in a person's home under some security system or in a store somewhere.

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

Mr HOLLOWAY (Mitchell): Last week the member for Playford, speaking to this motion, pointed out that if these regulations were disallowed there would be no regulations in place with respect to firearms because the previous regulations under the Act have already been repealed. Of course, that would be an intolerable situation, and for that reason the Government will be opposing the motion.

Nevertheless, I want to use this opportunity to record some of my concerns about the way in which the firearms laws have been applied. My problem is not so much with the regulations in question as with their administration, particu-

larly in relation to the renewal of firearms licences. A number of my constituents have approached me with problems relating to that aspect. It is clear that there are some problems in that area and the police, who administer these regulations, really have not yet got their act together. Indeed, there is much to be desired in relation to the way in which gun licence renewals are being handled.

I have raised these matters with the Minister, and the Minister answered a question from the member for Stuart several weeks ago in which he pointed out that he had asked the Commissioner of Police to inquire into the administrative procedures. I look forward to the results of that inquiry, because, from the representations that have been made to me by my constituents, it is evident that such an inquiry is necessary. I will not go over all the problems because, as I said, the member for Playford covered many of them last week and I have had experiences similar to those related by him. However, the Minister having asked the Commissioner of Police to undertake a review of the administrative procedures, I look forward to the report coming through quickly so that some of these problems can be ironed out and the procedures streamlined.

For the reasons I have given, I oppose the disallowance of these regulations, because that would leave an intolerable vacuum in relation to firearms laws. However, I do so with the reservations I have expressed.

Mr BECKER secured the adjournment of the debate.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

Adjourned debate on motion of Hon T. H. Hemmings:

That the Report of the Environment, Resources and Development Committee on the Hindmarsh Island bridge project be noted.

(Continued from 13 October. Page 891.)

Mr De LAINE (Price): The Hindmarsh Island bridge project was a difficult reference for the committee to consider. It was a very complex issue involving financial matters and legal implications and the large numbers of witnesses who gave evidence and who had their own vested interests and agendas. I do not blame those people for their views. Some of them live on the island and want the integrity of the island and their privacy preserved. I can also understand the views of other people who live on the island and own substantial amounts of land which they are keen to subdivide in order to make money, and I do not blame them for that. Nevertheless, all those agendas made the task of investigating them very complex.

Some of the arguments against the bridge were quite valid, especially in relation to the protection of the fragile and complex ecological environment of the island and the whole of the River Murray mouth area. However, the committee correctly recognised that the protection of the fragile environment must be addressed whether or not the bridge is built. Whether or not the bridge goes ahead, these issues must be addressed for the future of that fragile area.

I did not appreciate the extreme importance of the area until this inquiry took place. It is a world heritage listed wetlands area with incredible and diverse numbers of migratory birds which fly here from the far north of China and Japan each year. In any future development of Hindmarsh Island, such issues must be addressed not just for the environment of Hindmarsh Island and Goolwa but for the preservation of this bird life for the entire world.

A major concern for me as a member of the committee was that there were no firefighting facilities on the island. Commonsense tells us that, in the event of a major fire or fire in a home and a ferry breakdown, the place would be burnt to the ground before any assistance could be rendered. I asked witnesses how often the ferry broke down. Those who were against the bridge said that it rarely broke down. However, when I posed the question to representatives of the Department of Road Transport, I was told that in the period 1 July 1991 to 31 December 1992 the ferry service had been closed 36 times for repairs or maintenance and had been out of action for 27 hours. Anecdotal evidence supports the view that the ferry is not coping with the present demand. Therefore, they are important issues in the consideration of the whole matter.

Another point to which I took exception was in the Connell Wagner consultant's report. It stated that at peak periods the existing ferry carries 12 cars and that it makes 20 trips per hour. That equates to three minutes per trip. While I am not a traffic expert, I can say with confidence that it would be impossible to load 12 vehicles on a ferry, close the gates, cross to the island and unload in three minutes. It would take at least twice that time.

That was another rather dubious piece of information that the committee received. I will not go through the summary of findings now, since I am running out of time, but the committee recognised the incentive for the Government to build the bridge to Hindmarsh Island and made certain recommendations.

I support my colleague the member for Napier, who is also the Presiding Member of the committee, in relation to the insufficient resources that the committee has at its disposal. Some consideration was given to the fact that the report was late coming out, but this was because of insufficient resources, something that must be addressed by the Government.

Basically, the new committee system is a very good one, but it is hamstrung by the fact that there are insufficient resources to employ the research people necessary to undertake these sorts of tasks. One must bear in mind the very wide-ranging references that the Environment, Resources and Development Committee deals with, unlike its predecessor. The Public Works Standing Committee had fairly tight guidelines and looked at just one project at a time. This new committee has very wide-ranging references to look at, such as the MFP and the Mount Lofty Ranges catchment area, and therefore sufficient and additional resources must be given to these committees, this one in particular, to operate correctly.

I conclude by commending my tripartisan committee colleagues for the way in which this very complex investigation was conducted. I thank the committee staff for the tremendous job that it did gathering the mountains of information and drafting the report.

Debate adjourned.

The bells having been rung:

BOSNIA

Mrs KOTZ (Newland): I move:

That this House supports the actions of Mrs Sonia Duval and the women members of the Modbury YWCA in collecting donated personal items to be sent to the women and children in refugee

camps in Bosnia, and congratulates them and Mrs Lena Caporaso OAM who organised the distribution through Austcare of these items from South Australian women to ease the hardships endured by Bosnian women and children.

In a country such as Australia we as a nation are generally isolated and unaware of the horrors inflicted upon our fellow human beings in other parts of the world. A glimpse of those horrors has been brought into our homes through media telecasts, but the full horror of this human tragedy is only understood fully by those who either experience or witness the inhumane and barbaric actions committed in the name of war. Austcare spokeswoman Blanche d'Alpuget and Ms Robyn Groves, the United Nations High Commissioner for Refugees external affairs officer in Australia and New Zealand, went to the country that used to be Yugoslavia to find out for themselves just what the situation was, after receiving telephone calls not just from Yugoslav women resident in Australia but from women from all Australian cultures who had heard of the rape-death camps in Bosnia-Herzegovina.

They found at that time that the most conservative estimate of the number of rape survivors totalled somewhere around 20 000. That was stressed as a conservative estimate, as reports from doctors in Zagreb have put the figure as high as 50 000 to 70 000. Last November there were about 15 rape-death camps where Bosnian Muslim women and girls ranging from about 10 years old to the quite elderly are incarcerated. That number has swollen to roughly 45. Some of the camps are comparatively small, holding perhaps 20 or 30 women; one in particular holds 600 women. Ms Robyn Groves reported in an article written after she came back:

> They are purely horrifying places where women are systematically raped every day by a large number of men. . . and frequently they are detained until they are pregnant beyond the point at which they can get a legal abortion in the surrounding countries, which is, I guess, another indicator that this is a concrete policy designed to tear apart the fabric of an ethnic group.

She goes on to say that if Muslim women are impregnated with a Serbian child it is assumed that they would not be welcomed back into their community. In an article written by the woman who accompanied Ms Groves, Blanche d'Alpuget stated that ethnic cleansing entails not simply seizing territory but wiping out the leaders of Bosnian Muslim society. The educated and socially active are being sought out and killed, the intention being to destroy the fabric of social life.

The mass rape of women has as its purpose the ruin of women as future wives and mothers or the wrecking of their marriages, because in Islamic society modesty is still highly prized. By tradition, many women still will not allow themselves to be seen naked even by their husband. One can imagine the attitude towards a woman who has been raped by many men daily for months, and her despair. She writes:

> You could see it on the women's faces in the camps and in the disturbed behaviour of their children, and you realise as you draw closer to it that raping is a sort of black magic, man against man. One hears non-Muslim men say that Muslims have their strength in their sperm, meaning they breed easily. By putting a curse on Muslim women, the strong sperm of their man is magically robbed of its power.

Many tens of thousands of horror stories have come out of Bosnia, once Yugoslavia. One that is recorded by Blanche d'Alpuget is that of the young woman of 35 who is not in a camp but who now lives with her sister in Zagreb. Ms d'Alpuget writes:

> She is married, with a 12-year-old daughter, but has not seen her husband or child for eight months, and does not know if they are still alive. A year ago she was seized by Serbian forces and spent three months in a rape camp. She escaped, with 15 other women, and made her way home. But soon after arriving she realised she was pregnant. Her husband, she was sure, would find her pregnancy unbearable. She determined not to tell him and went to her local hospital to try to get a termination but discovered that the necessary drugs were unavailable. . . She went to the next town—but by the time she arrived there its hospital, too, was out of drugs, and, what's more, her home town was now surrounded by Serbian forces and she could not return. She set out, with 500 people, to walk through the mountains to the Croatian border. Fortunately it was summer.

They lived off nature; they ate grass when there was nothing else. She lost more than 10 kilos in weight. The trek took a month. They slept for only 15 minutes at a stretch, always in fear of being caught. The article continues:

> By the time she reached safety in Croatia she was far gone in pregnancy. Some months later, when labour began, her obstetrician realised she would have to have a caesarian. She refused consent. 'How will I explain the scar to my husband?', she asked. Finally, medical staff said, 'You and the baby will both die if you do not have a caesarian—so we're doing it.' The baby was stillborn. The obstetrician wrote a note saying he had removed an ovarian cyst.

Not all the stories that come out of that area are about women and children, although they are specifically the ones against whom the atrocities are committed. But men and boys also suffer. One of the stories told was about a young man who was taken and put in the Karlovac camp just outside Zagreb. He had been in detention in Bosnia and was freed, thanks to the outcry of the world community about the treatment of detainees, after pictures of them half-starved were seen on TV. For three months after he arrived in Karlovac he did not speak but sat staring at his boots. He had been raped while in detention in Bosnia and was the last in a line of prisoners required to beat another prisoner as he stumbled past them. The young man's task, as last in line, was to rip off the man's testicles with his teeth.

The unimaginable is the most unbelievable, but these are the realistic experiences of women and children in today's so-called civilised society. The object of this motion is to thank and commend the women of South Australia who rallied to support a call from Austcare to provide small parcels of intimate items, including female hygiene products, soap, deodorant, talcum powder, shampoo and other basic toiletries that we in Australia, no matter how impoverished, take for granted. Those items were sent to the women, girls, men and boys of Bosnia-Herzegovina as a message that, in the words of Ms Robyn Groves, 'Someone on the other side of the world is watching and wants to do something practical to help.'

We cannot take away the hurt or the humiliation, the pain or the anguish, but we can let those who have been treated so abominably know that there are people who care. Austcare and the Modbury YWCA and many other South Australian women have now sent out that message. In calling upon the members of this House to support this motion I put on public record that a further Austcare initiative to raise funds, which will be used to purchase gynaecological supplies and medicines for the Rape Crisis Centre in Bosnia, will be held on 13 November this year. The fund-raiser is to be a dinner dance held at the Molinara Social and Sports Club, Windsor Gardens, and a telephone call to Austcare will provide further information.

The horror of genocide defies human rationale. As history repeats itself, it is never so obvious that we fail to learn from the actions of our past. Impotence is not only a physical manifestation; it is also manifest in the inability of the world's most experienced negotiators whose ineffectual

attempts to intervene have left us all distressed, angry and helplessly impotent. I urge the House to support the motion.

Mr HOLLOWAY secured the adjournment of the debate.

HMAS ENCOUNTER

Mrs KOTZ (Newland): I move:

That this House condemns the Federal Government's moves to close the Adelaide naval base HMAS Encounter, which supports the South Australian Naval Reserve, Naval Reserve Cadet forces and many other important functions and calls on the Federal Government to retain the base for both its historical and operational functions, which are important to this State.

It is some years since I have had the opportunity to visit the naval land base HMAS Encounter, but I have friends who have served as members of the permanent naval force, friends and constituents who are members of the Naval Reserve and constituents who are currently members of the Naval Association of Australia, South Australian section. I was made aware of the intended closure of Encounter through these sources.

During the Federal Parliament's budget Estimates sitting Liberal Senator Hill from South Australia asked a series of questions related to cost saving projections expected by the Federal Government as a result of the closure of Encounter. I obtained a copy of the *Hansard* transcript detailing those questions and answers and, without reading word for word from the transcript, the Federal Government suggests the closure of Encounter will save about $700 000. Senator Hill's questioning of the cost structure relating to the alleged $700 000 saving elicited answers which on the one hand appeared surprising and on the other I can only deem somewhat fatuous.

The $700 000 mentioned relates to the operating costs of the establishment as identified by the Government, such as the personnel, light, power, repair and maintenance. When I say 'surprising' I am talking about the fact that the personnel component of that cost will continue to service a whole series of functions and operations that will remain in South Australia, and therefore will leave the maintenance portion of that cost as a very small part of the cost structure. When I say 'fatuous' I am talking about the fact that the Government admitted it did not know the real savings in terms of dollars as it had not yet finished its investigations. Even more incredible, the Government had no idea whether it would save on the personnel component, which is the greater proportion of the cost, as it had not yet prepared a rationalisation program.

Just what type of *ad hoc* economic rationalisation is being perpetrated by Canberra? It has been suggested to me that not only has the Federal Government embarked on a wholesale closure of naval bases around Australia without proper and detailed analysis but the costs of running the Encounter depot have been suggested to be more realistically estimated at around $310 000 and not the $700 000 as suggested. I have also been informed that the Department of Defence has spent a very large chunk of taxpayers' money to upgrade the depot in recent years, and I understand that to be in excess of $1 million, which will barely compensate the resale value of the site if the depot is closed. The depot's drill hall is State heritage listed, which further decreases the value for a developer who I am quite sure would want the entire site.

I am sure we all remember when the then Minister of Defence, Mr Beazley, sold off the fleet air arm to New Zealand for $28 million but then had to rent back the Sky Hawks from New Zealand for $70 million. The retention of HMAS Encounter in the overall scheme of dollars is minuscule compared to previous financial mismanagement.

I would like to detail some of the background on HMAS Encounter and its functions. In the mid-1930s the depot was established and named HMAS Cerberus IV. It was renamed in 1939 as HMAS Torrens and was used as a recruiting depot during the Second World War. It was renamed HMAS Encounter in about 1965 when the destroyer escort HMAS Torrens was commissioned. In 1985 the personnel manning the base included six officers, 19 ratings, 120 reservists, 300 cadets and 50 civilians. In 1993 that personnel employment establishment consisted of 42 officers, 113 ratings, 123 reservists, 318 cadets and 59 civilians. The increases in this area are largely due to the building of the submarines at the Adelaide Submarine Corps. That also begs the question: what will happen to the 80 submariners who are expected to be billeted and trained over the next five to six years?

Also, I draw attention to the fact that we are looking at 318 cadets who are supported by this unit at a time when young people need guidance, skills, training, discipline and work ethic procedures, at a time when youth unemployment in South Australia is the highest in the nation and at a time when juvenile offending costs all of us millions of dollars. We are about to stand by and watch the plug being pulled on a support base that is addressing all of these problems.

The primary function of HMAS Encounter is the administration of all permanent naval personnel serving in South Australia and HMAS Encounter, and that takes into account pay, accounts, removals, housing, welfare and clothing. If the depot closes, some of these functions will be transferred to Keswick Barracks, where activities such as pay and accounts are themselves part of the cost structure still inherent in the system.

I am told that if certain new parts of uniforms or equipment are required, forms will have to be sent to HMAS Kuttabul in Sydney and then returned to Adelaide. I find it difficult to regard that as a cost saving exercise. Also included are administration and logistical support training functions for the Naval Emergency Reserve, administration and support functions for the Naval Reserve Cadet Units of South Australia, administrative support for service undergraduates undergoing advanced tertiary studies, liaison support between all sailors whose families live in South Australia, liaison on naval matters to the State and Federal Governments' representative in South Australia, public relations liaison for visiting naval ships of all allied navies, and logistical support for locally based patrol boats and support craft, although we are all aware that just recently HMAS Aware was decommissioned. I do not believe that we will be able to train naval personnel if we do not have a ship. At some stage a ship will have to be provided.

It also includes the RANR Band, which for decades has been of great support to the elderly and handicapped by travelling around the State and giving free band recitals. It is the central focal point for the former naval community to attend commemoration services to honour those sailors who made the supreme sacrifice. That brings me to another special area within the depot, that is, the memorial gardens. In 1985, on the initiative of the then Executive Officer, Lieutenant Commander Paul Shiels RAN (Rtd), with assistance from the RANR Band, the Port Adelaide subsection was invited to hold its commemoration services, including ANZAC Day, within the depot's grounds. From there evolved the idea of the memorial gardens, and the services of Father Lawrie

Timms were commissioned. He consecrated the site set aside for the memorial gardens and the first of 21 plaques—more are still to come—was dedicated by the then commanding officer for the South Australian area, Commander Philip Hardy RAN.

Today for the first time the entire former naval community, including members from all the subsections, all the ships' associations, current serving personnel, reservists, cadets, former naval men and women, whether they belong to an association or not, RSL members, family and friends, can attend days of commemoration and services to honour those sailors who have no monument, no headstones or the like but who lie at the bottom of far-off oceans as a result of service for their country. Surely they deserve better, as well as preserving the sacred memories that they invoke. As a result of these gardens, which incidentally were funded by members of the association and various ships' associations, the ANZAC Day service and march now ranks as the second largest outside the city in terms of the numbers who attend and participate.

Whatever happens to this depot, the memorial gardens must remain intact with the guarantee that the integrity and security of the gardens is part of any criteria for whoever takes over the site in the event of the navy leaving and must be part of the site's blueprint. I am also told that the CWF union has placed a black ban on the site until a suitable resolution can be reached by all parties involved in the retention of the memorial gardens site.

Where do the people of South Australia go to claim justice on a matter such as this, when the Federal Government in Canberra dictates the terms of survival or desecration of our heritage? Where do the people of this State go to claim title to their commemorative sites? Where do the people of this State go to claim title to their sacred memorial sites and have the sincere opportunity to be heard? Many people in South Australia are proud of their heritage and many aspects of our history. They are proud of our traditions, not because they are hand-me-downs from some far, foreign place but because they were Australian participants in that history and tradition, and because their parents, grandparents and other relatives were all participants in that history and tradition.

It is not the history and tradition of foreigners and people alien to our shores. It is the history and tradition of today's Australians and South Australians. Commemorative sites are sacred memorials to all Australians, and to sell them off and incongruously demolish them for whatever short-term alleged economic gain is not only short sighted in the extreme but also offensive and unconscionable to all service personnel who now wear the uniform of this nation's defence forces, to those who have retired and who have worn the uniform and to those who died wearing the uniform.

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

Mrs KOTZ: Prior to the dinner break I said that the commemorative sites, particularly the memorial gardens, located within the depot of HMAS Encounter are sacred memorials to all Australians. The sale of this depot is incongruous; to sell off and demolish for short-term alleged economic gain is not only short-sighted in the extreme but offensive and unconscionable to all service personnel who currently wear the uniform of this nation's defence forces, to those now retired who have worn the uniform and to those who have died wearing that uniform.

There are people all over the State who are highly irate and concerned and who have made very strong protest to many members of Parliament about the closure of this base. The member for Goyder tells me that the Wallaroo RSL has made strong protest and has proposed that the base be kept open. On behalf of all those citizens, I want to hear the Premier of this State loudly demand that the Federal Labor Government preserve and maintain the history and the heritage of this State and its people by calling for consultation and negotiation to prevent closure of HMAS Encounter, at the very least to prevent demolition of the memorial gardens. I call on members of this House to support this most important motion.

Mr HOLLOWAY (Mitchell): I support the thrust of the motion moved by the member for Newland. I wish to move a minor amendment to emphasise the importance of the memorial garden to which the honourable member referred. I move:

> After the word 'functions' first occurring, insert the words 'including the memorial gardens'.

I believe this is a most important part of this issue and it should be emphasised in the motion. The member for Newland has covered the broad issues relating to the closure of HMAS Encounter. It is simply a cost cutting measure by the Federal Government along with a number of other naval bases around this country which the Commonwealth Government is closing, and I think that is most regrettable. It is not just the loss of a naval base: HMAS Encounter is part of our history and, if this base goes, part of our history will go with it.

In view of the limited time available to me, I wish to emphasise the importance of the memorial gardens at HMAS Encounter, and I would like to read onto the record a letter I have received, written by the President of the HMAS Australia Club and addressed to the Federal Minister for Veterans Affairs. I received a copy of this letter from the Secretary of the HMAS Australia Club, Roger Copeland, who resides in my electorate, and it states:

> Sir, as President of the South Australian HMAS Australia Club, I must protest the decision regarding closing the naval establishment 'Encounter' at Port Adelaide. Our great leaders during and following World War II made promises to ex-servicemen that their welfare and needs would be attended forever, and that this country would never forget the deeds and sacrifice that so many of our mates made.
>
> The decision that was made in the recent budget to close the above historic 'Naval Depot' was a money decision only. The repercussions of this closure is that over the years ex-naval personnel have developed a memorial garden with plaques of ships and associated organisations within the naval family. This memorial garden has been the centre for religious remembrance of our shipmates who lost their lives in conflict and for those who have died since.
>
> Families of these wonderful men have used this garden as a means of getting close to lost ones whenever a significant event is remembered. The closing of this naval depot may simply be a sign of the times but the closing of the memorial park is going to be a sign to the naval family that the current Government has not the conviction nor the desire to honour the promises of our past leaders.
>
> I note with complete agreement the recent honouring of our dead at Gallipoli and in France for First World War servicemen and would point out the very great service that our navy gave to Australia during World War II. The Coral Sea battle, Leyte, Lingayen Gulf, the Solomons were all scenes of great sea-air battles of this war. The great service that our Corvettes gave to our country should also never be forgotten.
>
> I would expect you, sir, to bring these matters to the Prime Minister and Treasurer and arrange some sort of dialogue with concerned naval associations in this State. We do not want to relocate this memorial for lost shipmates in any other area. This is the traditional place for our history. We regard this memorial area

as sacred ground. In honour of all our ships, and women/men of the Royal Australian Navy, I ask you to take action at the appropriate level to arrange a conference regarding the matters above.

The letter is signed by Mr Robert Keen, who is the President of the HMAS Australia Club. I believe that letter eloquently expresses the importance of the memorial gardens to ex-servicemen, particularly former members of the navy, and I believe it also eloquently expresses the case for retaining the base.

We do not have a lot of time in this debate but I think it is important that this motion pass, because it is my understanding that submissions have been called by the Federal Government in relation to the future of the memorial gardens and they close on Friday 29 October. It is important that this House express its view that HMAS Encounter should remain at Port Adelaide and in particular that the memorial gardens should continue to fulfil their important function—to remember those ex-naval personnel who lost their lives in previous wars. With the minor amendment, I ask members to support the motion.

The Hon. P.B. ARNOLD (Chaffey): I strongly support the motion which was moved by the member for Newland, and I congratulate her for taking this action; I think many other South Australians will do likewise. As a member of the Naval Association, I know the feeling of the association towards the closure of HMAS Encounter. Only two weeks ago I attended the memorial service during Navy Week at HMAS Encounter and there was a great deal of feeling among the ex-naval personnel at that service: people were staggered at the Federal Government's decision that this base should be closed, particularly at the time like this. If ever there was a need for HMAS Encounter, particularly with the advent of the submarine project and the fact that over many years to come there will be a significant number of naval personnel in the Port Adelaide district in preparation and training to take over the submarines from the project as they are commissioned into the navy, it is now.

It is beyond belief for anyone who has had anything to do with the navy in the past that the Government, in a straight-out cost cutting exercise, as has been said, would do away with a facility such as HMAS Encounter. It is not as though it is a run down, ramshackle base; it has excellent facilities and substantial buildings, and it ought to be kept in operation. I can only express my own personal views and those of the Naval Association that we would do everything in our power to see that that base remains open. I hope that the motion moved by the member for Newland will be carried unanimously by this House and that it will be forwarded to the Federal Minister for Defence in the hope that it will have some impact on the Federal Government and that we may see a reversal of that decision.

Mr De LAINE (Price): I will be brief because of the time constraints. I support the amendment moved by the member for Mitchell to the original motion of the member for Newland. I agree with the sentiments expressed by the member for Newland. At the risk of being critical of my Federal colleagues, I strongly support the motion and the amendment. It is a ridiculous decision by the Federal Government. HMAS Encounter is in your electorate of Semaphore, Mr Speaker, but it also affects many constituents in the District of Price. A lot of strong feeling exists around Port Adelaide. As a person who served time in the Royal Australia Navy, I am outraged by the proposal. I have been approached by the Ex-navalmen's Association, the N Class Destroyer Association and other individuals protesting about this short-sighted move. I have had discussions with the Federal member for Port Adelaide, Rod Sawford, and I wrote a strong letter to the Minister for Defence, Senator Robert Ray, on the issue.

In my view, the decision is illogical. With the Submarine Corporation being situated in Port Adelaide, there should be an increased naval presence at the Port rather than a decreased presence. Where in the world would we find a major submarine facility where submarines are built, serviced and sea-trialled without any naval marine back-up and support?

Another parallel issue raised by the member for Newland and my colleague the member for Mitchell relates to the future of the historic drill hall on Fletcher Road and the dedicated memorial gardens situated in the existing establishment. Some assurance has been given by the Federal Minister that the gardens will be relocated or retained in whatever future development takes place on the site. I am strongly opposed to the relocation of the gardens, as are many of my colleagues. They are situated on dedicated ground and must stay there. There are problems with security, access to the gardens, vandalism and so on, but they should stay there and, as the member for Newland said, they are the site of the second largest Anzac Day memorial service in the metropolitan area.

You, Mr Speaker, have intimated that the Port Adelaide and Semaphore RSL sub-branches and the Port Adelaide branch of the Ex-navalmen's Association are keen to enter negotiations with the Federal Government to look at ways to assist with site management and maintenance. My colleague the member for Napier, who would have liked to speak in this debate were it not for time constraints, worked on HMAS Encounter as a technical officer with the Inspector of Naval Ordinance, Adelaide, for some years prior to entering Parliament. I will not say much of what I was going to say because of lack of time, but with those few words I strongly oppose the closure of the base and relocation of the gardens and support the amendment moved by the member for Mitchell. I agree entirely with the sentiments expressed by the member for Newland.

Mrs KOTZ (Newland): I accept the amendment moved by the member for Mitchell. I did identify the importance of the memorial gardens but, if the honourable member feels that it has to be specified or defined further, I am happy to support it in the form of the amendment. I thank other members who have shown their strong support through their contributions to this debate, in particular the members for Mitchell, Chaffey and Price. I know that other members support the motion but, due to the lack of time in this debate, they will not have the opportunity to express their feelings. However, I know that they support the motion before the House at the moment.

In conclusion, it would be most fitting to read into the record a letter to the Editor in this morning's *Advertiser* written by Albert W. Dorsch, veteran of HMAS Sydney II, HMAS Adelaide I and HMAS Australia II. He lives at Seaton and his letter states:

'We will remember them.' But who are we expected to remember as the Garden of Remembrance at HMAS Encounter at Port Adelaide is to be dug up because of the closure of that naval depot. The Nazis who sank HMAS Sydney with all hands have a cairn near Port Hedland where they landed on Australia soil after their ship *Kormoran* went down. Also, there is a memorial on Garden Island navy depot in Sydney to the Japanese who raided Sydney Harbour.

But now the Government wants to deprive us of the memorial in honour of our sailors who served and died saving the freedom of Australia, so cherished by us all.

That is the epitome of the motion before us at the moment. I thank all members in anticipation of their support for this motion.

The SPEAKER: As the local member for the area, it is my desire to speak on this matter. I have probably spent as much time at that base as anybody in this House—probably more time than anybody else. Three generations of my family have trained at that depot. I spent some time there before they woke up to me and asked me to leave. Both my sons trained there. I have spent a lot of time there as the local member on various occasions. I do understand the base. Some points have been made that are not quite right but, because of the time limitation on this debate, I will not try to correct them; they were not significant points. We must look at two aspects. First, can we save the base as an operating base, or can we save the important functions of the base that we think should be saved? We should concentrate on the second, as I believe there is a problem in terms of an operating base. We must also realise that it is a two part base in that we have a drill hall and facility and the riverside base, which will continue as a berth for the recovery craft on the submarine project and who knows what beyond that. It has to be saved.

The drill hall, the memorial centre and gardens (which the member for Chaffey and I attended for a service the other day and which I have attended on other occasions) must be saved. We cannot move that sort of facility: it is there. I suggest that all members of this House support the motion, as it is a correct motion and the amendment makes it better. The member for Newland missed that point, although I do not believe it was intentional. It is important that reference to the memorial gardens be included. I believe that all members will support the motion. We should look at some way of perpetuating what is there. I suggest that all members look at working as individuals, as members of Parliament and as parties to cooperatively working with the associations in the area as a starting point.

The Port Adelaide branch of the Naval Association (of which I am a member), the Port Adelaide and Semaphore RSL (of which I am also a member) are strong local groups. These people are prepared to look at taking over some parts of the base. If part of it is to be sold, they will perhaps take over the memorial gardens and enough of the facility to form some sort of association. I am not sure what it would be, but it would be some form of association. No reason exists why the Federal Government could not put part of that area onto either the State or local Government on a peppercorn rental system that could be passed on to some association. We should be looking at this rather than wasting our energy trying to keep it working as an operating base. On that basis, I fully support the amended motion and ask every member to support a motion to keep the base there at least in part to preserve the memorial gardens and the function that may be used by the returned servicemen perhaps not only from one service—the navy—but also from the army and the air force.

Amendment carried; motion as amended carried.

GOVERNMENT'S PERFORMANCE

Adjourned debate on motion of Mr Meier:

That this House condemns the Government for its abysmal record of financial mismanagement, record unemployment, deterioration of essential services and broken promises and urges the people of South Australia to vent their anger on the Government through the ballot box at the next State election.

(Continued from 6 October. Page 743.)

Mr BECKER (Hanson): This motion is well thought out and constructed, and I commend the member for Goyder for his concern on behalf of not only his constituents but the people of the whole of South Australia. It is an absolute tragedy that this State has suffered the worst financial mismanagement in the history of the colony. South Australia was formed so that we would not fall into the trap of other States. The purpose for which Government, in conjunction with the Westminster system of Parliament, was established in South Australia was to ensure that the citizens of this State would receive the best opportunities. For decades South Australians enjoyed a wonderful standard of living; South Australians proved, throughout the Commonwealth of Australia, that they had the skills, the drive and the initiative to be the best manufacturers in the Commonwealth and, of course, the best rural producers.

We have now seen that all destroyed. The people who worked so hard, who put their faith and trust in the State Administration and their savings in the trust of the State Government owned and backed State Bank witnessed the potential to lose everything. When the Auditor-General brought down his report recently he could not tell us what were the contingent liabilities of the State. Most people would not understand what a contingent liability is, but what the State Government has been doing is giving out guarantees for loans and guarantees for its operations. In other words, we suspect that this Government has been making guarantees in the vicinity of $42 billion, although we do not know the full amount.

In his report the Auditor-General made it clear that over the past 12 months he has asked the Ministers to state the full amount so that he can assess the true financial situation of South Australia. That is not going to be forthcoming; it will not be forthcoming before the election. It means that the assets of the State could well and truly be hocked way above their real value and that the economic future of South Australia could even be far worse than now appears. What we have to do, as I said before, is reduce those liabilities. The Premier and the Deputy Premier have indicated that the operations of the State Bank will go over to the Banking Act under the Reserve Bank, and that will remove from contingent liabilities something like $17 000 million.

We still have the South Australian Financing Authority, which borrows money on behalf of the State with the use of those guarantees. We then have all the other commitments made by other statutory authorities as well. The impact of these contingent liabilities on the State's assets and on its credit rating is such that we are paying dearly for the money we have to borrow. We have to lighten that load, and the only way to do so is shift the State Bank. I hate to see the State Bank sold off. I would rather see it privatised and some private shareholders brought in—let every South Australian have the chance to buy shares in the bank.

As the Premier has often said, he does not care who buys it; he does not care whether or not it goes to a foreign banking organisation. I have nothing against Asian financiers, but I do not want to see the State Bank, which incorporates the Savings Bank of South Australia, go to Asian control. I would not want to see the mortgages on the vast number of properties in this State come under foreign control. This is

South Australia. This is our State. Let us get in there and work to ensure that we control and own our own bank.

The mismanagement, of course, came about through very poor supervision by Treasury. Treasury has to take the kicks, as does also the former Premier, as well as the current Government, for the lack of supervision; for the lack of ability to understand the monthly and quarterly reports and the assessments that were coming out regularly from that bank. They also came out via the Reserve Bank.

The warning signs were there. The Reserve Bank knew very well what was going on. There was the weakness on the part of the Federal Government also in not coming down on the State Government as hard as it could to get its own bank in order. So, everybody has to take the blame. As far as the Opposition is concerned, it warned the Government. I started asking questions in 1985 about the State Bank's lending money for shopping centres interstate. Every time we asked a question, every time we queried the operation of the bank, we were jumped on from a great height. We were abused; we were insulted; we were intimidated and deterred from probing into what was going on.

That is the same line of approach and attack we receive today if we question or query anything about the Entertainment Centre, if we question or query anything about the holy of holies, the Grand Prix, or any other Government operation. The message for the Government is: get out of these organisations; get out of these operations and let private enterprise run them for you, and make it clear that they must be run on a profitable basis. There is no bottomless pit, as far as pumping money in or giving guarantees is concerned. These organisations can be made profitable; they can be run properly if they are put into the right hands. You do not have to pay mega-buck salaries to these people. That is the greatest furphy of all time.

The greatest tragedy now evidenced for the State Bank is the release of the information that highlights that one person in the bank has been responsible for profits of about $50 million by dealing in the short term money market. The banks do not make very much money on day-to-day transactions. In my time in banking we made our money on the import and export transactions. We made our profits in the early 1950s by buying and selling wool contracts. Our job in those days was to chase the short term money market from Sydney through Melbourne, Adelaide, Perth, London and New York.

I was telling the member for Coles that in those days if we were successful, yes, we got a bonus at the end of the year. You might receive £15 or £25 and you thought that was absolutely wonderful. You certainly never got a bonus of $400 000 or $500 000. That is ridiculous. You pay somebody a fair and reasonable salary to do a job and if they do that job well I do not see why they should receive a bonus well over and above their salary.

The warning signs are still there. If 50 per cent of the bank's profit comes from these dealings, there is a problem with the operation and management of that organisation. The senior executives should be looking long and hard at what they are doing because the margins must be far too short. If the money market dealers make a mistake, they can wipe out the bank's profit overnight. We do not expect the State Bank to operate on a gamble on margins on the short-term money market. That is where mismanagement and poor supervision come in, and that is where we are being well and truly conned.

My heart bleeds for people in the new electorate of Peake where unemployment has been as high as 20 per cent—one of the highest rates in the metropolitan area. I can understand the frustration and anger of people who want work. I can also understand the frustration and anger of people who have jobs but are underemployed. Tens of thousands of people have some form of employment but they are not fully engaged or satisfied with the employment that they must take. The real problem is that they want jobs and they are taking lower standard jobs for lower pay, and that reduces their standard of living. We have seen the Government create a terrible situation—

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

Mr HOLLOWAY secured the adjournment of the debate.

MOUSE PLAGUE

Adjourned debate on motion of Mr Blacker:

That this House calls on the Government to immediately declare the current mouse plague as a natural disaster and in so doing acknowledge that the problem is of a proportion beyond the capacity of individuals to absorb and therefore becomes a total community problem and further, this House recommends that the cost of strychnine and the cost of Department of Primary Industries supervision be met by the taxpayer and that the cost of grain and the cost of the spreading of bait be borne by the grower.

(Continued from 25 August. Page 491.)

The Hon. T.R. GROOM (Minister of Primary Industries): While I understand the sentiments behind the motion moved by the member for Flinders, in the current context it is regrettably nothing more than a gimmick. There is no question but that in ordinary terms the mouse plague was a disaster of nature and a natural disaster in that context, but for the purposes of the national agreement relating to natural disaster funding it does not fall and never has fallen within the definition of natural disaster.

The natural disaster agreement between the Commonwealth and the States relates to a cataclysmic event, such as an earthquake, bushfire, floods and things of that nature. A mouse plague, while in ordinary terms a disaster of nature, is not a natural disaster for the purposes of the natural disaster agreement.

I want to make that quite plain because, in calling for it to be declared a natural disaster, it has an emotive connotation. First, no State Government unilaterally can call a natural disaster. The natural disaster agreement is administered by the Commonwealth Department of Finance, and that requires agreement between the Commonwealth Government and the State Government—in fact, the State Minister of Finance—in relation to this matter. The State Government cannot unilaterally call a natural disaster.

Even if the mouse plague had fallen within the definition of natural disaster, what consequences would flow from it? We have to ask ourselves: in declaring a natural disaster, what benefit is there for farmers? Absolutely none. Under the natural disaster agreement the only grants available are for local government and State Government by way of infrastructure grants, involving damage to essential services. If people think that by emotively declaring a natural disaster suddenly it will become totally compensatory, they are completely mistaken. The only bodies that can get grants under natural disaster relief are State and local government, and those grants are for damage to essential infrastructure.

What could farmers get, assuming that by some chance the mouse plague fell within the definition of natural disaster? People can get loans. What are those loans for? They are for 10 years. Under rural assistance, people can get loans for up to 15 years and at a better or comparable interest rate. Therefore, there is nothing available under the natural disaster agreement that will better assist farmers at all. That is why I say it is nothing more than a gimmick to call for a natural disaster.

Senator Chapman, who is running around with some sort of Senate committee trying to probe and find some political ammunition to use for his side of politics, was tackled on this matter by Murray Nichol in a recent program. Senator Chapman has never come near me and he has not written to me asking for my views, although, when he went to Yorke Peninsula recently, I made a report available to him through my officers. As I said, he has never formally written to me or anything like that, because he is on a gimmick.

Why the Opposition wants to do this to farmers I shall never know. If Opposition members cannot be straight with their own rural constituency, where can they be straight? It is no use saying, 'Let's call a natural disaster', knowing that nothing will flow from it because, first, it does not fit within the criteria of natural disaster definitions under that agreement for relief; secondly, there are no grants available to farmers; and, thirdly, the State Government has to pay the first $11 million. It is not until $41.2 million has been expended that the Commonwealth and the State have contributed equally. After that figure is reached, the Commonwealth continues to provide funds on a 3:1 basis. The State Government has to find the first $11 million in any event, and there is just no benefit under the present agreement to declare a natural disaster.

When Murray Nichol tackled Senator Chapman, he asked the crunch question, 'And if you manage to get it cleared as a natural disaster'—this was a radio interview on 13 October —'where does that take the farmers?' Of course, he had to come clean. He hummed and hah-ed and went on, 'Well, the State Government has to provide $10 million of relief from its own resources', and so on. He just waffled on.

This has been nothing more than a gimmick. I am sorry that the member for Flinders has taken up this gimmick, because it has been going around the community. Everybody thinks that it is simple to declare a natural disaster and that there will be a compensation fund. It is nothing of the kind. It is misleading the rural community to suggest that it will benefit from declaring a natural disaster.

The agreement for natural disaster relief is between the Commonwealth Government and State Governments of all political persuasions. I am very comfortable with a process of reform that would look at these issues and the agreement properly, but that is not what Senator Chapman started doing. He was going to use this as a gimmick simply to raise an issue. The Government cannot unilaterally declare a natural disaster. First, it needs the consent of the Commonwealth Government in any event; and, secondly, under the present natural disaster agreement the mouse plague does not fall within the definition of 'cataclysmic event', although in ordinary usage of the term 'natural disaster' there is no question but that it is.

That is where the misleading takes place in relation to the rural constituency. I do not know why Opposition members want to mislead the rural constituency in this way. Why can they not simply be straight and say, 'We want a complete review and rewrite of the natural disaster relief arrangements, we want to examine the criteria, we want to examine the definition and we want to look at the funding arrangements'? Even if it did fall within that definition, as I said, the State Government has to find the first $11 million. At the moment there are no grants; it is not a compensatory fund. The motion goes nowhere and does nothing.

I want to draw a distinction between the locust plague campaign and the mouse plague, because this is another area where the Opposition has been misleading its rural constituency. The locust campaign is fully funded by the State Government and the Australian Locust Plague Commission because locusts come from outside into pastoral areas and into agricultural areas; but mice spring up from local paddocks, and that is part of ordinary pest control measures. That is the way this has traditionally been looked at by State and Commonwealth Governments of all political persuasions—it springs up and is part of ordinary pest control. Farmers spend about 3 per cent on ordinary pest control measures, but the test is to compare what we did in South Australia with what a Liberal Government did in Victoria.

Our mouse plague campaign has been extremely successful. I know members opposite said, 'Why didn't you start it earlier?' I have top officers advising me in relation to this matter, and they were monitoring the situation—

Members interjecting:

The Hon. T.R. GROOM: The test is what your side of politics did in Victoria, and I will make a comparison. I had very responsible officers monitoring the situation through May and June. Ordinarily, nature would have stepped in and delivered the knockout blow that is necessary by way of cold weather and plenty of rain and drowned the mice in their burrows. That did not take place: we had a very mild winter. They were monitoring the situation. When it reached a certain level, very firm action was needed, and that is why we authorised the use of strychnine. I authorised the use of strychnine when I was persuaded that this was the only responsible course to save this year's harvest.

Victoria took an extra month before it authorised the use of strychnine, yet members opposite have been running around saying that we should have done all this earlier. This was a very courageous decision, make no mistake about that, because strychnine is a poison; it is dangerous to humans and could cost lives. It was a responsible decision, and it was followed by Victoria—a Liberal Government—one month later, because it dilly-dallied. So, let members opposite not accuse us of taking too long, because it is not true. The use of strychnine could have caused death, because it is a poison, but it was strictly controlled. The Opposition's political counterparts in Victoria took an extra month.

We allowed ground baiting and aerial baiting straight away: Victoria was still dilly-dallying, and it was only late last month that it authorised ground baiting. Victoria is in all sorts of strife. There is still a mouse plague in Victoria. New South Wales, which used anti-coagulants and not strychnine, is also in strife. Perhaps the cold weather has helped in recent days but, until about a week ago, it was in big strife. We had a 95 per cent mice kill in South Australia. We baited 350 000 hectares and saved $100 million in crop losses as a result of our program.

At the start of the campaign the mice were causing quite a serious problem. Towards the end of June the losses started to accumulate, and that is when strychnine was authorised as the only responsible way to proceed. In relation to the damage caused by the mice, it amounted to $20 million or $30 million at the start of the campaign, depending on what

components you add in, but the final figure is of the order of $40 million at the outer parameter. We have saved $100 million. We could have had $150 million in crop losses, but we saved over $100 million in crops.

Of course, we stopped the mice coming into areas like the northern Adelaide plains. When I visited the growers in the northern Adelaide plains just recently, they told me how effective our campaign had been and stated that, had the mice got into the northern Adelaide plains, another $100 million of damage would have been done to the horticultural industries and the floriculture industry in the northern Adelaide plains. I was at Paskeville in the member for Goyder's electorate just recently, and all the farmers came up to me, and they were very emotional. They said, 'Our crops have been saved and we are able to re-sow as a result of the program'.

That $40 million outer parameter will come down, because we are now headed for a much better than expected harvest as a result of recent rains, and that damage bill is expected to contract. That outcome is as a result of the authorisation of the strychnine. Had I not authorised it in South Australia Victoria would not, because it dilly-dallied and had trouble in the Cabinet about making the decision, as it is a very dangerous poison. However, Victoria followed us one month later. So, do not let members opposite say that we started it too late, because we did not. We started it at a responsible time.

There has been a 95 per cent kill, and we kept down the off target losses. There have been 47 Animal and Plant Control Commission officers involved in the mouse plague campaign, with 73 State Government employees. We used about 350 tonnes of bait, and we subsidised the supply of strychnine. In South Australia towards the end of August, because nature was not delivering all the knockout blows we wanted, I authorised a 50 per cent subsidy in relation to the strychnine. The people on the Opposition's side of politics in Victoria did not subsidise the baiting program at all.

Victoria charged $8 per hectare in relation to aerial baiting: we charged $5.50. Victoria charged $3.50 for ground baiting: we charged $3. And, for the last part of August and all of September, we subsidised 50 per cent to enable farmers to pay for bait. That is how you judge our mouse plague campaign in South Australia. You judge it on results and, if you are going to make criticisms, you judge it by what the Opposition's political counterparts did in Victoria: they followed us. Victoria and New South Wales have come to us for advice on how to manage a mouse plague campaign, and we willingly gave that advice. Only two countries in the world have mice plagues: China and Australia. I think a multi-State task force needs to be sets up to share the research and information, because it will occur again.

We do not know all the factors that induced the plague. We do not know exactly what precipitated the explosion in births. We know how to control the plague, and we know how to make decisions. We did that in relation to the mice plague campaign, and that is why we had a 95 per cent kill. That is why it is under control, and that is why we saved $100 million in crop losses. It would have wiped out the northern Adelaide plains, the growers told me. Make no mistake: I travelled extensively in the northern Adelaide plains, and the growers are very grateful. I make no apology for it, because the reason why I authorised the use of strychnine was to ensure that we kept it under control, contracted it and kept on top of it, and we had a 95 per cent kill.

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

Mr VENNING (Custance): I feel compelled to speak to this motion because, first, it is very close to my heart and, secondly, I want to respond to some of the things the Minister just said. I bring the House back to the words of the motion, as follows:

> That this House calls on the Government to immediately declare the current mouse plague as a natural disaster. . .

The word 'current' is very relevant, because the disaster is still there, and we are still seeing some renewed damage on the mouse front: they are breeding back. The motion continues:

> . . . to absorb and therefore becomes a total community problem and, further, this House recommends that the cost of strychnine and the cost of Department of Primary Industries supervision be met by the taxpayer. . .

As the Minister just said, there has been very heavily subsidised baiting, and the Minister and the department quite correctly have allowed many growers, particularly on the West Coast and in the Far West, to defer payment until next year after harvest. The Minister must know, as I know, that many growers will be unable to repay the Government. What will the Minister tell those who have paid? The fairest way is to declare this a natural disaster and for the Government to pick up the tab.

Also, akin to this and behind the motion from the member for Flinders, I am sure that Mr Blacker would like this plague to be included under the exceptional circumstances provisions, so that those affected become eligible for assistance through loans and grants.

That may be why the Minister is so violently opposed to allowing this motion to pass. This natural disaster has cost South Australian farmers very dearly, probably more dearly than they realise. The crops look particularly good at the moment but when you fly over them, as I did with the Hon. Peter Dunn last week, some of them look very thin from the air. When you look down into them you see a lot of ground, so many farmers are going to be disappointed, even though at this time of the year they look rather good. They are green but they are thin.

What about those who deferred the payment until after harvest? I am sure the Minister realises that it will not be his worry anyway: it will be the next Minister's worry. It will be the member for MacKillop's problem. The Minister knows that, so why does he not allow this to pass so that we can solve the problem?

The second part of the motion is very relevant when we realise that 350 000 hectares were baited. I will give the Minister credit that he did allow strychnine to be spread, because it is a very emotive issue. I would have preferred it to occur at least three weeks before it did, but it did occur and it has been effective. I would have liked to see the follow-up occur a month earlier, because that would have meant that instead of a 95 per cent kill we would have had a 98 per cent kill.

Members interjecting:

The SPEAKER: Order!

Mr VENNING: I give the Minister credit, because he fought for this. It is an emotive issue, as strychnine is a dangerous product, but he did get it through. So, the Minister has won a few things before Cabinet. However, in the past three or four weeks he has won very little, and that is why he has been very testy in this place, and that is also why he and

the member for Victoria have had so many vicious onslaughts in the past two weeks.

I brought a matter up during the Estimates, and I have not had a satisfactory reply. I refer to Dynamice, a product which has been around for some time and which many farmers, including myself, have bought. The product used to be sold in 2 kilogram packs. There are about 10 000 tins of that product out there for sale—and unsold—yet it is now illegal to sell it in a 2 kilogram pack. Why has the Government now said it must be sold in a 5 kilogram pack? This is absolute nonsense. The Minister tells me that they want it packaged in 5 kilogram containers to make it more expensive so that the average person cannot afford to buy it. The reality of this situation is that people are banding together and buying a 5 kilogram pack in accordance with the new law, and then bringing out margarine and ice cream containers to divide it up. The result is that we have deadly poison in unmarked containers. Whoever had the stupidity to go along with that little act wants to have another look at it.

An honourable member: Sack them!

Mr VENNING: I would more than sack them—I would give them the Ratsak. Seriously, I want the Minister, in the last few days he has left in the job, to solve that problem because Dynamice has been a very effective product. I want that product to be sold in 2 kilogram packs so there is correct labelling. I thank the Minister for what he did, but I only wish that he had done it much sooner.

Mrs HUTCHISON (Stuart): I move:

Delete all words after 'House' first appearing and insert in lieu the following:

'1. acknowledges the successes of the State Government's mouse plague campaign;
2. congratulates farmers, Government agencies and departmental officers, SAFF, local government and the Animal and Plant Control Commission for their contributions and cooperative efforts;
3. considers that a multi-State task force should be established to enable research and information to be shared between States to assist in combating future plagues.'

In moving this amendment I would like to make a few comments on the contribution by the member for Custance. I do not like to comment and say that it was much better than his written speeches. It is a shame that the member was not in the House when the Minister was speaking, because he would know why a natural disaster cannot be declared. I would have thought that, as a member who purports to represent a rural electorate, he would be aware of the guidelines with respect to the declaration of a natural disaster. It really does surprise me that the member for Custance does not know those guidelines, and I would suggest that it would behove him to read them and find out why it was not appropriate for the Minister to declare a natural disaster.

Members opposite were interjecting when the Minister was speaking, but none of them could deny that the strychnine baiting was successful. As the Minister pointed out, there was a success rate of over 95 per cent, so it would have to be regarded as a most successful campaign. I would like to pay credit to the member for Flinders for moving this motion, because he obviously has a very real concern in this area. As a member who represents a rural constituency, it is an issue of great importance to him. However, when he moved the motion I do not think he was aware of the degree of success that had been achieved through the ground baiting. If he had been made aware of its success, he may have decided that the motion was not quite appropriate. Also, the member for Flinders may not have known about the prerequisites needed in order for the Minister to declare a natural disaster.

I am aware that the time is limited, and I would like to thank the Opposition for allowing me to have a few moments to speak to this motion. I urge all members of the House to support the amendment, because I think it encompasses what has actually been achieved. I also ask that all members opposite support the consideration of a multi-State task force, because it is very important that we continue to carry out research and to share information across State borders. Very often these things do cross State borders and, if the right thing is done in one State and not in another, it has a devastating impact on the State that does the right thing. So, I ask the House to support the amendment.

Mr S.G. EVANS (Davenport): It was not my intention to speak in this debate. However, the amendment has no relationship whatsoever to the motion. The motion asks that we declare the plague a natural disaster, that we fight for that and that we fight to get some help. The amendment simply says that we are great people, everybody should be congratulated and let us do some research. We know we have to do research. The amendment is not an amendment at all—it is an abolition of the motion. It turns the motion into a political point scoring effort instead of acknowledging the problem and urging the House to fight to get some help from another source.

Mr BLACKER (Flinders): The member for Davenport has just raised concerns similar to my own in relation to the amendment. In any other forum that amendment would have been ruled out of order, and it is for that reason that I think this Parliament should have a good look at the wording of the amendment under these circumstances. The motion was worded and designed to overcome a problem which my constituents and I believe is a community problem. In responding, the Minister raised the issue and used the technicality of natural disasters. Whilst I—

The Hon. T.R. Groom interjecting:

The DEPUTY SPEAKER: Order!

Mr BLACKER:—acknowledge the Minister's claim that the terminology does not meet the criteria of a 'natural disaster' as defined by the Federal Government, the average man and woman in the street understands what is meant by 'natural disaster'. They are not concerned about the Federal Government's definition. The Minister insulted my constituents and me in claiming that the motion is a gimmick. That is not on. The motion is not a gimmick, because a real problem exists out there. There are farmers—admittedly big farmers—who have had to spend $30 000 to combat a problem that is not of their making.

The Hon. T.R. Groom interjecting:

Mr BLACKER: The Minister is now drawing in other issues. We can all go along with that. I agree that it is time for a complete review of the program.

The Hon. T.R. Groom interjecting:

Mr BLACKER: Exactly. That is what the Minister is saying, but he had the chance to do that when the issue was first raised. The Minister also claimed that he was insulted because no acknowledgment was made of his efforts, but I invite him to read my second reading contribution (*Hansard*, page 495) wherein I commended the Government on its fast action. Some members have claimed that the Government was slow in reacting. I know what the Minister had to go through to get this issue through the Parliament, and all

members would recognise that it was no mean feat to get the matter through Cabinet. While everyone might say that action should have been taken earlier, it should be recognised that the Minister's activity was well done, and I do not mind adding my congratulations to the Minister for his work and acknowledging Cabinet for going along with the plan in the circumstances that prevailed at the time.

That aside, the issue gets down to the ability of those people seriously affected to absorb and manage the cost at the time. I am sure that, if the mouse plague had hit a metropolitan residential area, the problem would have been solved quickly. There is no question about that. Because the mouse plague is out of sight and out of mind, it seems to be a different problem. The Minister referred to a 50 per cent subsidy. I recognise that that was offered less than 24 hours after I raised the issue in the House. I thank the Minister for taking the issue to Cabinet the next day and getting approval, but I claim some credit for raising the issue and getting that support for the Minister so that we could get the matter through Cabinet.

Some people have argued that that action is not sufficient. I still argue that that is not the full intention of my motion but, nevertheless, it was of support to some people. The mouse plague is not over; relatively small isolated pockets, by the standards of a few months ago, are still causing much concern in the State. Time is running out, but I thank those members who participated in the debate for what they have said. I reject the amendment: I do not reject the intention of the amendment but I do not believe the amendment is compatible with the motion now before the House. The motion and the amendment should be treated as two separate matters and I believe the House should support both of them. The House should not strike out my motion with an amendment that is not directly relevant to that motion. I call on the House to do that.

Amendment carried; motion as amended carried.

SOUTH AUSTRALIAN FILM CORPORATION (ADMINISTRATION) AMENDMENT BILL

Received from the Legislative Council and read a first time.

LAND TAX (RATES) AMENDMENT BILL

Returned from the Legislative Council without amendment.

STATUTES REPEAL AND AMENDMENT (PLACES OF PUBLIC ENTERTAINMENT) BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) AMENDMENT BILL

The Hon. R.J. Gregory for the Hon. G.J. CRAFTER (Minister of Housing, Urban Development and Local Government Relations) obtained leave and introduced a Bill for an Act to amend the Local Government Act 1934. Read a first time.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

A collaborative approach to the upgrading of local government's primary legislative framework is proceeding. It is anticipated that a Bill dealing with the constitutional aspects of local government will be tabled as a basis for further consultation and discussion within the current sitting, and that packages of amendments dealing with operational matters will be proposed progressively throughout 1994.

In the interim there are certain amendments required to the Local Government Act and it is desirable to deal with these amendments in advance of the wider review.

The Bill does not seek to make major reforms in the legislative relationship between state and local government. The amendments have been initiated by, or developed in consultation with, the Local Government Association which has requested that these matters be dealt with now rather than awaiting the broader review.

I will briefly outline the various provisions of the Bill.

Process for creation, abolition, amalgamation or alteration of the boundaries of a council

Firstly, I refer to the current provisions relating to the process for the alteration of council boundaries. Concern has been expressed by the Local Government Association that the existing provisions are ambiguous with regard to the percentage and distribution of electors needed to initiate a proposal, or poll, or to give a poll binding effect.

The Bill only seeks to clarify Parliament's original intent which is that when two or more councils are involved 10 per cent of the electors of any one of the areas may initiate the process of a boundary adjustment, and that for any subsequent poll to be binding, no less than 25 per cent of electors from the combined areas is required.

Further, concern has been expressed that the current provision which does not allow a legally qualified person to act as a representative of electors, or a council, in the process of developing and examining a proposal for boundary change, is unnecessary and unfair in its attempt to exclude one category of person, who may be a resident, ratepayer, or elected member from fully participating in local government matters.

The original provision was intended to avoid the potential for adversarial processes developing in the examination of boundary change. However, the actual process itself does not promote an opportunity for an adversarial situation to develop.

The Bill repeals the current restriction on the participation of legally qualified persons as representatives of parties in the boundary change process.

Council liability insurance

Secondly, I refer to council liability insurance in this state. The Local Government Association Mutual Liability Scheme provides unlimited cover to member councils for civil liabilities which include both public liability and professional indemnity.

All councils in this State are members of this voluntary scheme at the present time.

The Local Government Association Mutual Liability Scheme was established in 1989 by a deed of trust between the Local Government Association and the council purchasing authority which is the trustee of the scheme.

Members of the scheme contribute to a fund established under the deed and claims for indemnity made against the fund are assessed by a board of management.

The Local Government Association Mutual Liability Scheme is a success. Since its commencement it has, from a zero base, accumulated reserves of about 2.4 million dollars, and unlike interstate local government insurance arrangements suffering steep increases in premiums, contributions to the South Australian scheme have remained relatively stable.

Its success is largely attributed to an emphasis upon prevention achieved through pro-active initiatives to ensure potentially hazardous situations are identified and that actions are taken to minimise risks.

This has kept claims at a low level and had the positive effect of protecting the community from injury in the first instance.

An amendment to the Local Government Act has been requested by the Local Government Association to provide a statutory base for the scheme. The Local Government Association is seeking to simplify the scheme's administrative structure and provide for greater transparency and accountability in the operation of the scheme.

The Local Government Association's desire to review the operation of the scheme has also been reinforced by technical concerns expressed by the auditor for the council purchasing authority about the original trust deed.

The Crown Solicitor has examined the trust deed and advised that it does not provide for the winding up of the fund, so that the trust created by the deed may be void under the common law rules against remoteness of vesting, otherwise known as 'the rule relating to perpetuities'.

Advice has been received that these problems can be overcome by providing for the scheme to be conducted by the Local Government Association, and by ensuring that the rule against perpetuities does not apply and has not applied in the past.

A further potential problem with the current arrangement relates to continued exemption of the scheme from paying tax on its retained earnings. It is possible that the role of the council purchasing authority may expose the scheme to tax liability. The Crown Solicitor has provided advice that the scheme's case for tax exemption might be reinforced if in addition to providing for the scheme to be conducted by the Local Government Association, the association was instituted as a public authority.

Because of the nature of the Local Government Association, its only potential benefit from being described as a public authority will be tax status. It would not, for example, be considered an agency of the Crown or enjoy exemptions from statutes generally.

In general these amendments to the Local Government Act clarify and update the association's role in providing insurance services to Local Government in South Australia.

Equal employment opportunity

Thirdly, I refer to the Local Government equal employment opportunity provisions which were introduced into the Local Government Act in 1991. The Bill extends the sunset on the provisions from the 30th June 1994 to the 30th June 1997.

The provisions introduced in 1991 established the Local Government Equal Employment Opportunity Advisory Committee to assist councils in developing and implementing equal employment opportunity programs, to collate information on the activity of councils in this area, and to promote the principles and purposes of equal employment opportunity within local government administration.

The Advisory Committee has developed equal employment opportunity guidelines and produced implementation packages. It has also been responsible for extensive equal employment opportunity awareness training including conducting regional workshops in the city and country areas to assist councils in formulating and implementing their own programs.

The equal employment opportunity provisions also require councils to submit draft equal employment opportunity programs and annual reports to the Advisory Committee. The first reports were submitted in November 1992.

All councils reported to the Advisory Committee but notwithstanding the progress that has been made, the 1992 reports demonstrated that more than 60 per cent of councils were yet to develop strategic planning processes and equal employment opportunity programs. It is recognised that the substantial changes required to the policies and practices of councils in this area will take some time, and it is proposed, therefore, to extend the sunset clauses for a further period of 3 years to 30 June 1997. This will enable consolidation of the work already commenced and guard against the potential waste of the effort and resources already invested in this program.

Clause 1: Short title

This clause provides for the short title to the Bill.

Clause 2: Commencement

The measure will come into operation on a day or days to be fixed by proclamation.

Clause 3: Amendment of s. 17—Initiation of proposal

This clause clarifies the operation of section 17(1) of the Act, especially in relation to a proposal which involves two or more areas (as defined under the Act). In particular, it will be made clear that in a case which involves two or more areas (or a portion of two or more areas), a proposal may be initiated by 10 per cent or more of the electors for any one area or, if the proposal directly affects a portion of the areas (but not the areas as a whole), a proposal may be initiated by 25 per cent or more of the electors for that portion of the areas (as if it were a distinct area).

Clause 4: Amendment of s. 19—Representatives of parties

This amendment provides for the repeal of section 19(2) of the Act. (This provision prevents a legal practitioner acting as a representative of the parties for the purposes of subdivision 1 of Division XI of Part II).

Clause 5: Amendment of s. 20—Consideration of proposal

This clause clarifies the operation of section 20 of the Act in relation to the percentage of electors who are entitled to demand a poll under subsection (14), and in relation to the effect of such a poll under subsections (26) and (27).

Clause 6: Amendment of s. 34

This amendment provides that the Local Government Association is constituted as a public authority, so as to strengthen its case for tax-exempt status under Commonwealth law.

Clause 7: Substitution of s. 34a

This clause expands the power of the Local Government Association in relation to the establishment, conduct and management of indemnity or self-insurance schemes relating to local government. The Local Government Association is to manage the Local Government Association Mutual Liability Scheme and continue to conduct its workers compensation self-insurance scheme. It will be able to establish other similar schemes. The rules of a scheme will be published in the *Gazette*. The Local Government Association will be allowed to transfer the management of a scheme to another body if its members (by an absolute majority) resolve that such a transfer occur. The legislation will provide that a scheme under the section is not subject to the rules relating to perpetuities or the accumulation of income, in a manner similar to section 62a of the Law of Property Act 1936 in relation to trusts of any employee benefit fund.

Clauses 8, 9 and 10

These clauses amend sections 69b, 69c and 69e of the Act to extend their 'sunset' provisions to 30 June 1997.

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

SOUTH AUSTRALIAN HEALTH COMMISSION (MEDICARE PRINCIPLES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 9 September. Page 691.)

Dr ARMITAGE (Adelaide): I signal that the Opposition supports the Bill in the same way that a drowning man grabs at a raft as it drifts past in a shark infested sea only to find a number of hungry cannibals sitting on the raft asleep but, at the first movement of the man on the raft, he is likely to get taken in a most unlikely and unseemly manner because, unfortunately, the Bill is about an agreement that in all respects is like the curate's egg. It is about an agreement that is good in some parts and absolutely rotten in others.

The Bill talks about the Medicare system and, as is well known to members of the House, I as the shadow Minister of Health and other members of the Opposition support the basic principles of Medicare such as universal access, because they stop the devastatingly horrible situations such as occur in America where up to 25 per cent of people have no health insurance at all. However, in supporting the basic principle of Medicare, which is universal medical cover, we recognise that Medicare definitely needs some changing at the edges, and we are not alone. During the Estimates Committee I was able to read into *Hansard* a part of a speech from the Chairman of the South Australian Health Commission, a luminary no less than that, who said amongst other things that it was his view that Medicare definitely needed some changes, and indeed the Minister agreed. However, in agreeing to this Bill, we certainly recognise that South Australia has gone out of the frying pan and into the fire.

I would like briefly to review the history of this Medicare agreement. Late last year, shortly after the then coalition member, the new Minister of Health, had been sworn in, he was asked to be part of a Medicare agreement signing. Unfortunately for South Australia, the new Minister signed. It is unfortunate that he did, because he should have shown more prudence and not rushed in where angels feared to tread. The angels in this case, as far as their constituents went, were definitely the Ministers of Health for New South Wales and Victoria because, by playing a smarter political

game and not just signing a document that was thrust in front of him, the Minister could have saved South Australia millions and millions of dollars.

The New South Wales and Victorian Health Ministers waited until the Federal Government blinked, and of course it blinked just prior to a Federal election when it was in the Federal Government's political interest to have every State sign the Medicare agreement. And what happened? They were given extra money to accommodate them, whereupon they signed joyfully because their constituents had done better than ours. It was a pity that the Minister was inexperienced and it is a pity that the Health Commission was able faze him or perhaps it was fazed by the complexities of the agreement. The nub of the matter is that, by signing early, South Australia was dudded.

The Financial Statement (page 5.2) refers to recent trends and developments in finance and the 1993 Premiers Conference. Regarding outcomes, it lists other major decisions made at the 1993 Premiers Conference and refers to funding of $109 million in Medicare guarantee payments to New South Wales and Victoria from within the pool in 1993-94. The persons who are paying for that $109 million from within the pool are every public patient in every other State of Australia, because that is where the money is coming from. It is an unfortunate fact. Surely the Minister could not have foreseen the problems or he would not have signed. He must have foreseen the problems, in which case the only conclusion is that the Minister, in agreeing to sign the Medicare agreement, and the Premier, in signing the agreement earlier this year formally for South Australia, have let South Australia down.

The Bill talks about a number of matters and it glosses up a number of long-term shibboleths. It talks, for example (and we will deal with others later), about currently acceptable health standards. Whilst that seems good, so does motherhood and apple pie. But in talking about currently acceptable health standards, I would suggest that all the 9 500 people on waiting lists in South Australia have a legitimate right to ask, 'Standards acceptable to whom?' To them? To the Minister? To the bureaucrats who are doing the will of their political masters? To the ALP Government which delights in closing yet more public hospitals?

Let us look at the Medicare agreement itself, which we are ratifying by the passage of this Bill. I would emphasise that, whilst the Opposition will be voting for this Bill, it does so only because it recognises that there is no other way that the immediate money for running the hospitals will be granted under the agreement. What we are saying is that the agreement should be better. Let us look at the actual Medicare agreement or the most contentious area of it. I would remind the House that this is what the Minister of Health, Family and Community Services has foisted upon South Australians.

The most contentious clause, undoubtedly, covers the ratio of private to public patients which public hospitals are expected to reach and upon which the hospitals will be penalised if they do not come up to scratch. The ratio is basically private to public bed days. Let us look at what happens at each of the four possibilities for private and public patients—in other words, if the hospital goes over the number of private patients, if it goes over the number of public patients, if it is under the number of private patients or if it is under the number of public patients. In looking at this, let us never forget that this is what the Minister has foisted upon the hospitals of South Australia. Let us realise that the hospitals of South Australia are caught in a four-way pincer movement from which there is no escape. 'Thank you, Minister', I hear them saying.

If a public hospital has an increase in private patients, it is faced with a penalty of $405 per occupied bed day. In other words, the hospitals lose immediately. The administrators might decide to try to make the ratio equilibrate to what their political masters have dictated; they might say, 'In fact, we have more private patients than we are allowed; we will make the ratio better by increasing the number of public patients.' That seems to be a the reasonable response, until one thinks, 'Oh, no; that is impossible as well without jeopardising the system.' The reason why that is impossible is that every single public patient who is treated in the hospital above the number that is expected is a direct call on the fee-for-service budget within the hospital.

So, in other words, if a patient is seen and the hospital fee-for-service budget is already at its fullest extent and the doctor says, 'Thank you, I would like to be paid for that service', somewhere the medical administrators and the system have to find the money and services are cut in other areas. They are the two penalties if the numbers increased—$405 a day for every private patient over the list and a loss of the fee for service for every public patient over the ratio.

Let us look at this disaster foisted on the people of South Australia from the viewpoint of what happens if the private or public ratios decrease. Let us look first at what happens for every private patient under the ratio. Here the administrator may well say, 'It seems we are heading down the track towards a penalty; I must decrease the ratios to ensure that the health care system of my community does not get into so much trouble. I'll decrease the number of private patients.' What happens then is that an enormous amount of revenue is forgone from the hospitals, because every private patient treated in a public hospital clearly brings money into the system. That is urgently needed money—money which as little as 12 months ago the Health Commission was expecting and encouraging hospitals to go out and earn on the basis that there was not enough public money. Hospitals were asked to earn private money and told that they could keep it and do little bits of capital improvements or whatever they wanted.

I have been to hundreds of hospitals around South Australia where that private patient money has been used for projects as simple as providing a pergola over the old folks' area where patients with Alzheimer's sit during the day. It is all provided by private patient income. The system that the Minister has foisted on South Australians will deny hospitals the right to earn that income. It is not the fault of the hospitals or the patients but the fault of this Government. For every private patient not admitted to hospital we see a loss of income from that patient. On a hit list thus far of things that might happen to patients on the ratio, patients will lose out in three ways. Three out of three ain't bad!

However, it gets worse because it will be four out of four. Under this senseless, stupid and idiotic system foisted upon the people of South Australia, if the administrators decide to decrease the number of public patients so that they are not again contravening this crazy ratio the Minister decided would be appropriate, and decide to decrease the number of public patients and the number falls below the ratio, they are penalised $405 a day. Only four things can happen and for every one of those things the hospitals lose, the patients lose, the systems lose, and the only winner is senseless bureaucracy. The Minister was only too happy to say that. The system thus far is looking at where it might be towards the end of the year.

In the Estimates Committee we were told that we were 28 million private bed days over the ratio at this stage. That equates to a $13 million or $14 million loss to the system. Hospitals are devastated by the potential penalties. To rephrase that, they are not potential penalties at all because in Question Time last week I read out a letter from the Country Health Services Division of the Health Commission which stated quite categorically that these penalties will be imposed. They are not potential penalties but actual penalties that the hospitals are facing.

I inform the House that a number of hospitals have been quite concerned about this potential devastation of their ability to provide health care to their communities. Some of the boards of directors and administrators have informed people as follows:

> The scenario is much better than the writers of the Goon Show or Monty Python could ever come up with. There is no obvious reason for it—ideological or otherwise—and its effect on this hospital will be catastrophic.

That quotation ends there and I can hear the person who wrote it saying, 'Thank you, Minister, for foisting this on our hospital and on our community.' The second quote states:

> I implore you to pursue and seek abandonment of the imposition of this ridiculous formula which is based on one year's experience and does not allow for trends, fluctuations, preventative health, primary health care or basic commonsense.

Again, the echoes come back, 'Thank you, Minister.' Quotation No. 3 states:

> At some point we will run out of money if the penalty is passed onto us and our whole service will never recover.

The echoes ring true again, 'Thank you, Minister, for foisting this ridiculous system on the health care of South Australians.' Here is the nub: I have left this quotation until last, because it really sums up the whole effect of this crazy system that the Minister has unfortunately given South Australians:

> I consider the new arrangements to be a complete travesty of rational, logical outcome-based health planning and I am ashamed to be working in an industry that tolerates such insanity.

Is it not amazing that not long ago we had a health system in which South Australians were proud to work and, because of a bureaucratic slash of a pen, because of the need to try to bring down private health cover and private health insurance, in one fell swoop we have made people ashamed to work in that industry. We have made people believe that the whole service will never recover and made people say that the whole scenario is better than the writers of the Goon Show or Monty Python could ever dream up. It gives people no pleasure to work in such a system and that is obvious.

When one talks about how people feel about working in the system, this illogical and stupid agreement has caused the system to be turned completely on its ear. By signing the agreement the Minister and the Premier have made the system completely turn 180 degrees within 12 months. Not 12 months ago encouragement was being given to bring private income into the system because it was needed. Now people are being told, 'Don't bring in private patients because we can't afford it.' Indeed, as I read out during the Estimates Committee a month or so ago, hospitals are now saying that they can no longer afford all the efficiency measures they have been asked to bring in through these incredibly expensive management and efficiency reviews, and so on.

In many instances it is better for these people to leave patients in hospital longer because that way they can manipulate the ratio. Instead of thinking, 'It's good to get patients discharged quickly and back into the community', hospital administrators are saying—not me, not the shadow Minister of Health, not the Liberal Party, but people at the coalface, the people who make the decisions to discharge patients or not—'We can no longer afford to be efficient.' What a stupid system; what a crazy system. The Minister and the Premier brought it on South Australia and they apparently are proud of it. It is quite amazing.

I have talked about hospitals being asked to increase revenue in previous years, and that was from a minute the previous Minister sent around. There was a note which went around the Royal Adelaide Hospital 12 months ago, as part of the Chief Executive Officer's newsletter, which instructed people that all patients admitted who are privately insured will be admitted as private patients. Yet, here we have these Medicare principles in this Bill saying that people can elect to be private, public, or whatever. The point is that the Royal Adelaide Hospital, South Australia's largest hospital, was informing the doctors, 'All privately insured patients will be admitted as private patients because we need the money.' Yet the system has been turned completely around.

This includes private hospitals, because private hospitals make up part of that number. I would ask: what control does the public system, which is the system being penalised by this agreement, have over the private hospitals? Absolutely none, yet it is the public hospitals and the public patients who are in the gun. Looking at the actual effects on the hospitals in this agreement, I indicated in Question Time recently that Victor Harbor stands to lose $1 million. Its budget is $3.3 million, and it stands to have a penalty which is nearly 30 per cent of its total budget. In the case of Port Augusta it is a penalty of $750 000; and Barmera, a penalty of $400 000. Port Pirie informs me, although it does not know the exact penalty at this stage, that it will run out of money early next year and there is no further money coming. What will happen to the health care of those patients?

We have already seen the Health Commission minute which states that penalties will be imposed. It is not a matter of, 'Please try to get as close to the ratio as you can and we'll see what we can do later in the year.' The penalties will be imposed. How will Victor Harbor cope with a penalty of 30 per cent of its budget? Of course, it cannot. It is my view that this whole plan is part of a greater but more secret agenda. We have known for a long time that the Health Commission and the ALP Government are intent on closing country hospitals. There is no question it has been doing that and, until it makes a commitment to make up the funds or alter the system so that these penalties will not be paid, it is quite clear, as the administrators have said in letters I have quoted, 'At some point we'll run out of money if the penalties are passed on to us and our service will never recover. We'll run out of money.'

When a hospital runs out of money it closes. It is as simple as that. It cannot keep running. The Minister has said frequently in Question Time that there are minor administrative changes; that is all right. That is what we heard in the Estimates Committee, but it is clearly not the case. This is part of a grander plan. With regard to waiting lists there has been a year by year growth since 1982. At present there are three patients waiting to get into every bed in every public hospital in South Australia—three patients waiting to get into every bed! What happens at the moment is that although waiting lists can be given other names—booking lists, or whatever you want to call them—the fact is that patients are waiting and sick people's lives are being ruined.

Their lives are being ruined because—although their lives are not at risk, and I fully accept that—if they need a knee

operation and they have to wait for two years to have it done, and it means that they are unable to go to the Red Cross with friends, they are unable to go to the RSL, or they are unable to go to the shops with their wife, it means that their lives are being ruined. This Government has done lots of reporting on waiting lists. We have the Coster Report and the Hunter Report, to mention two. The fact of the matter is that waiting lists continue to grow and South Australians continue to suffer. The numbers have been decreasing dramatically for private health insurance.

The previous Federal Health Minister, Mr Howe, did not care. At a meeting of Health Ministers at which he was asked, 'What do we do about the private health insurance numbers?' he was quoted as saying, 'Private health care has no part to play in the future of health care in South Australia.' That is all very well if you are coming from the ideological position of a former extreme left minister of religion, but the fact of the matter is that private health insurance is a vital component of health care in South Australia. The present Federal Minister, at least, appears to be prepared to listen to argument, although he does not seem to agree with many of the principles which people have been espousing for a long time.

At a recent hospital administrators conference the present Federal Health Minister, instead of giving his prepared text, threw away his notes and gave a very candid address about private health insurance and the future of private health care and, indeed, the future of health care in Australia. He acknowledged the importance of private health care. He indicated to the meeting that he would not introduce tax deductibility for private health care contributions. The reason given by the Federal Minister was that he would not get the changes through the Party room—not, 'The system is no good', or, 'We have a better system', or anything like that. He was quite frank: he said, 'I wouldn't get it through the Party room.'

That means that all of the people—the pensioners for whom Medicare was designed; the pensioners who cannot afford private health insurance; the pensioners who are on waiting lists (and they are one of the three people waiting for beds occupied by people earning $50 000, $60 000 and $70 000 who are not privately insured because there are a number of impediments to being privately insured)—are suffering because of the ALP ideology.

Whilst we are talking about waiting lists, of course, a booking list policy has been announced with a great deal of gusto. I look forward to the Minister telling us in summing up what has been the exact effect of that policy; how many operations have been done; which hospitals have benefited; which areas have benefited, and so on.

I also look forward to his defining for us, because it is so much a part of this Bill, what is an acceptable waiting time. I look forward to his telling us whether such a waiting time is acceptable to the person who needs a hip operation; whether it is acceptable to the hospital; whether it is acceptable to the bureaucrats; or whether it is acceptable to the Government. I would put it to the Minister that the only acceptable waiting time for an operation when someone is in pain is the shortest time possible to get the patient into hospital.

The Bill talks about a public patients' hospital charter and announces that work is well advanced. I look forward to the Minister telling us who has had input into this public patients' hospital charter, how it has been done, what were the criteria upon which it was expected to be developed, what community consultation has been undertaken, and so on. These are the sorts of questions that public hospital patients might like to ask themselves. They might say, 'We are the ones who have to sit around and wait; we are the ones who have a two and three-month wait to get into outpatients before we get onto the waiting list. Have we been consulted; what input have we had?'

The Minister, in his second reading explanation, also talks about a discussion paper on a complaints body which will be released soon. Again, I ask: who has had input into that, when will it be released in relation to this Bill, and so on? Another question that certainly needs to be answered is: will the complaints body operate for private patients also or will it be confined to the public system?

Looking at the Bill, principle 1 talks about eligible persons being given the choice to receive public hospital services free of charge as public patients. Let us not dwell on the fact that the Royal Adelaide Hospital minute of last year clearly contravened that principle. The explanatory note says that hospital services include primary care where appropriate. Does that mean general practitioner care? Does it mean that general practitioner services in the country will be overtaken? Is this a signal of what will happen in future in relation to this Bill? Everyone to whom I have spoken knows that primary care means general practitioners, amongst other things.

Principle 2, in relation to the Medicare agreement, says:

> Access to public hospital services is to be on the basis of clinical need.

The explanatory note then points out:

> None of the following factors are to be a determinant of an eligible person's priority for receiving hospital services. . .

One of those factors is 'an eligible person's financial status or place of residence.' Where does this leave the Noarlunga Hospital? The Noarlunga Hospital has a zone from outside which it will not admit patients. Why is someone who lives just outside the zone not eligible to go to the Noarlunga Hospital? It is because some bureaucrat has drawn a line. Yet here in the Medicare principles it says that 'an eligible person's financial status or place of residence' will not be a determinant in making that person a priority for receiving hospital services. Where do we stand with respect to Noarlunga? Does every patient admitted to Noarlunga contravene the Medicare agreement? Will all patients have a $405 penalty imposed on them because they are going against the Medicare agreement? I look forward to the Minister telling us.

Three months ago, towards the end of the financial year when the fee for service budget had reached its fullest extent, the Mount Gambier Hospital Chief Executive Officer wrote to patients saying, 'We cannot accept you as a public patient because our fee for service budget has expired but, if you want to have your operation before the end of the financial year, come in as a private patient.' Those were the days when private patients were encouraged to come in because the Mount Gambier Hospital would get the money, but not any longer, so the Mount Gambier Hospital is trying to tell private patients not to come in.

Where does that put the Mount Gambier Hospital in relation to this agreement? It clearly says that an eligible person's financial status will not be a determinant of that person's priority for receiving hospital services. Yet the Mount Gambier Hospital said, 'If you are a public patient, wait. If you are a private patient, please come in.' The agreement is full of holes.

Let us look at the effects of this crazy agreement on another country hospital. I have received a letter from the

Moonta Health and Aged Care Centre. Amongst other things, the CEO says:

> My concern is that this penalty system has the intent of limiting the number of private bed days that can be admitted to the public hospital system. Public hospital administrators that are exceeding the quota of private bed days may be persuaded to encourage patients who would normally be admitted as private to elect to be public. I am already aware of one public hospital that is discouraging private admissions because of a fear of exceeding its private bed day target.

Where does that leave country areas? Over the past three or four years, because of the ALP's hidden agenda to close country hospitals and the continual contraction of finances to them, country people, being resourceful, have gone to their local communities and said, 'Please join private health insurance schemes because, if you come into our public hospital, we can charge the private health insurers and make money and you will be of benefit to the community.'

The Hon. H. Allison interjecting:

Dr ARMITAGE: Indeed. Many country people have done their darnedest to afford private health insurance. Times are very tough in the country at the moment and many people have made great sacrifices in order to be privately insured. Here is a prime example of one public hospital, not Moonta, discouraging private admissions because of a fear of exceeding its private bed day target. There is no doubt that the long-term effect of this crazy, ill-thought-out move will be to discourage people further from being privately insured. I ask again: is this part of the Labor Party's secret agenda to get stuck into the private health insurance industry? There is no doubt that hospitals will be disadvantaged by private patients.

The CEO from Moonta, being anxious about the number of private patients, goes on to say:

> I am concerned that for us, a small community private hospital, should the number of persons with private health insurance cover drop even further than its current level, our ability to maintain viability would be in jeopardy.

As I said, we already know that the penalties will be imposed. The Minister has had ample opportunity to tell us what he proposes to do to overcome it, and clearly the answer is 'Nothing'. Yet, we have hospitals whose financial viability is at risk. This is a further example of a secret agenda by the Labor Party to close country hospitals.

Principle 2 talks about waiting lists. It states:

> The phrase 'waiting times' means waiting times for access to elective surgery from a hospital waiting or booking list.

At least this Bill has the good sense to call it a waiting list rather than try to give it a euphemistic name. I should like to quote some maximum times from one hospital waiting list. I know that the Minister will say, 'Oh, they are only maximum times. They have had the opportunity to come into hospital. It is their fault that they are waiting.' Of course, no-one in private waits for these lengths of time. Some of the times that people have waited for operations include 4 508 days, 4 584 days, 3 680 days, 3 478 days, 3 489 days, 2 152 days and 1 348 days. In case the Minister says, as I am sure he will because I have heard everyone on the other side of the House say it before, 'They are not important'—

Mr Atkinson: I haven't said it.

Dr ARMITAGE: You've thought it. I have heard them say, 'They are not important; don't worry about them, because they're only minor operations'. Let us look at some other days. Of course, they are minor only because members on the other side of the House want them to be. They are not minor if you are the patient waiting; they are not minor if it is your mother; and they are certainly not minor if you are a private patient, because if you are a private patient, as everyone knows and as members opposite who are privately insured know—and I know there are plenty of those—

Mr Atkinson interjecting:

Dr ARMITAGE: I certainly do. I do know that, because many people come to see me for medical advice.

Mr Atkinson: Not me, though.

Dr ARMITAGE: Not you, no. I have a choice as to whether or not I receive patients. People who are privately insured know only too well that they can be seen tomorrow. Let us look at some of the waiting times. The first one I come upon at this hospital is the maximum waiting time for a total hip replacement. That means, basically, that you are at the stage where life is no fun because you are unable to get around. You do not have a total hip replacement because you have a day to spare and nothing to do; you have it because you are in pain and it causes immobility and your lifestyle is affected.

The maximum waiting time at this hospital is 654 days. I am no mathematician, but that is nearly two years: two years of waiting for a hip replacement. Let us look at another operation, a TUR prostatectomy—a transurethral resection, that is, a prostate operation, for those of my colleagues who do not know. The waiting time for that is 752 days. That may not be of concern to a number of members in the House, but to others it may be because, if you need a prostate operation, what it means is that you are probably getting up six, eight or 10 times a night to go to the loo, and under this system you are waiting 752 days. And they are talking about your not being allowed to go into hospital because you are a public patient and the hospital would be penalised $405. The waiting time for a sterilisation is 892 days. Again, I am no mathematician, but that is a 2½ year wait for a sterilisation.

The Hon. H. Allison: It is four pregnancies!

Dr ARMITAGE: As the member for Mount Gambier says, it is four pregnancies; let us look at it that way. They are some of the waiting times that this system imposes on the people of South Australia. I quote those times because they are on a list dated February 1993. Members may say that is six months ago, and I accept that it is.

Mr Atkinson: I would not say that.

Dr ARMITAGE: You would say it is eight months ago. It does not matter how many months old it is: they are the latest figures I have because, in the true Orwellian system that this Government has instituted, the same statistics come out without the maximum number of days identified any longer. What is the system scared of? Why has it changed? Why does the system no longer put in the maximum number of days? Is this Government embarrassed that people wait for 892 days for a sterilisation? Is the Government embarrassed that people wait nearly two years for a total hip replacement? If not, why not tell people? They used to do it, but suddenly it has become a potential electoral issue. Let us hide it: let us put it under the carpet and not tell people, because if we do not tell them they might not know.

Mr Atkinson: What's your policy?

Dr ARMITAGE: Our policy is to get rid of you lot and get some decent health care in! Why not tell people? It used to be done, but that is no longer the case. The South Australian Health Commission (Medicare Principles) Amendment Bill is, as I mentioned at the beginning, a curate's egg. Essentially, it has some good parts but the vast proportion of the agreement is rotten.

Mr Atkinson: Tell us the story about the curate's egg.

Dr ARMITAGE: I mentioned before a number of things that will need real definition by the Minister. Principle 3 provides:

> To the maximum practicable extent, a State will ensure the provision of public hospital services equitably to all eligible persons, regardless of their geographical location.

I would talk about some of the words used in that principle and the explanatory notes and ask: what is 'to the maximum practicable extent'? How will that be defined? Who will define it? That means that, when the money runs out, you do not get any more. In fact, this money will run out very quickly because of this dud agreement we have hanging over our head like the sword of Damocles. What is 'reasonable public access'? Is 'reasonable public access' in the country 150 kilometres across a dirt road with potholes, at night, with kangaroos coming across in the rain, or is 'reasonable public access' 20 kilometres away? Who will define that? I am sure that everyone would have a different definition, so I look forward to the Minister telling us exactly what it is. Explanatory Note 2 provides:

> In rural and remote areas, a State should ensure provision of reasonable public access to a basic range of hospital services which are in accord with clinical practices.

Who will define the 'basic range of hospital services'? In asking that question, I go further and say that, if they are basic, to be made in accord with clinical services, clearly the clinicians will have a large say. I think that the Minister would receive a shock if he asked clinicians in some areas whether the basic range of hospital services is being provided at the moment. I have already talked about the public patients' hospital charter, so I shall not go on about that. The member for Spence asked me earlier about the curate's egg: I presume he thinks I am not a reader of *Punch*.

Mr Atkinson: That's right.

Dr ARMITAGE: Well, I am. I know only too well about the curate's egg, but I shall not belittle the House in this debate—

The DEPUTY SPEAKER: Order! If the member for Spence would cease interjecting and the member for Adelaide would address his remarks through the Chair, we would get on a bit better.

Dr ARMITAGE: I didn't think we were getting on at all poorly, Mr Deputy Speaker.

The DEPUTY SPEAKER: It is all a matter of opinion.

Dr ARMITAGE: It certainly is, Sir. The South Australian Health Commission (Medicare Principles) Amendment Bill must be agreed to, because the State and the public patients in public hospitals are looking right down the barrel of a gun. The Opposition has no option but to agree to the passage of the Bill but, in doing so, indicates and will continue to indicate—and vehemently portray—its disagreement with many of the effects of the agreement and, as I mentioned before, one can only ask why the Minister and the Premier have subjected South Australians to such a dud agreement.

Mr VENNING (Custance): I support this Bill, albeit begrudgingly indeed, because I know that we have no choice in the matter. I have great opposition to the occupied bed days ratio and the penalties that apply. The shadow Minister capably put the case, and I stand on this issue for the country people whom I represent. I do not know whether I am getting more experienced in this place or whether this Government is getting sloppier and completely falling apart. The agreement signed by the Government defies any logic whatsoever. I am totally aghast. The effect of this provision is to deny country people in particular the right to treatment in their local hospital, which in many cases they helped to build. It is an absolute disgrace and an injustice. It appears to have been done without any consultation with the country hospitals despite the fact that it will impact heavily on many of them.

This little agreement snuck in very quietly and insidiously without people realising it. It was finally agreed to in February this year. It is only now when the penalties are starting to pile up that we realise the seriousness of the problem. I have been told that the South Australian Health Commission has advised country hospitals that the bed day ratio is not negotiable and that, if they exceed the private occupied bed days or fail to achieve the public occupied bed days, they will incur a penalty of $405 per bed per day while the ratio is exceeded. No country hospital can afford that sort of penalty. Will privately insured people find that they are refused admission to hospital because that will take the hospital over the bed ratio? Can you imagine arriving at a hospital in the country—and usually it is an emergency because country people are renowned for not going to the hospital unless they absolutely have to—and being told, 'Sorry, you are a private person. We are over the ratio and we cannot admit you.' This just defies logic. Is this 1993? Is this modern Government? Is this social justice?

I am amazed that the Minister could sign such an agreement and I will be listening with great interest to the Minister's reply. I am absolutely aghast at what has happened. I have been told that these ratios could cost some larger regional hospitals upward of $750 000—to $1 million. We heard the figures mentioned by the member for Adelaide a little earlier. Even a small 20-bed hospital—and there are many hospitals of that size in my electorate—will face average bills of at least $100 000 or more, and that is to this stage. I know that all the hospitals in my electorate would be above the ratio unless they have taken some action. Clearly, the Government is guilty about the agreement as it appears to have been signed without any publicity or consultation. I am told that other States hung out on this agreement and would not sign it, and at least two of the States received a much better deal than South Australia. I understand that our Minister was only too happy to sign the agreement; he could not do it quickly enough. He sold us down the drain.

I notice that the Minister is not sitting on the front bench. I wonder why, because this is his Bill. He is back there taking some flack, I hope. I notice that the member for Stuart has come back into the House. I wonder what she thinks about the penalty on Port Augusta. This is probably the second last day of the Parliament. What a gem for us to use in the seat of Eyre where the member for Stuart had a faint hope of returning. I know the representation that the member for Eyre has given these people. If there was any doubt whatsoever about the seat of Eyre, it is clear that this will finish it off: this will be the master stroke.

This provision upsets me greatly in relation to the Port Pirie Hospital, and parts of Port Pirie are currently in the District of Custance. We are not aware of the penalty in relation to the Port Pirie Hospital but, given the ratios, it would have to be at least as great as that for Port Augusta or more, so it would be close to $1 million. Let us look at the seat of Frome. We have an election on our doorstep. How stupid is the Minister to sign an agreement such as this? I want to hear from the candidate for the Labor Party in Frome, Allan Aughey. What does he have to say on this issue? Is he going to go along with this policy? I want to hear from him, because I am sick to death of hearing these candidates hiding the fact that they belong to the Labor Party; they do not even

use it in their advertising. They go out into the community saying,'I am standing for the people of Port Pirie', and the Party they represent puts up rubbish like this.

I get pretty agro when these penalties come along. Nobody is denying these penalties exist and they are liable to be paid one way or the other. I invite the members of the Government to deny it. I want to hear a denial from somewhere, but it is not forthcoming. I will use this issue with all my strength during this campaign. If the people of Port Augusta have not heard about it yet, they certainly will. I am sure the member for Eyre will remind them, and I will remind the people of Port Pirie about that as well. How can these hospitals even have a hope of paying back these sorts of penalties? I particularly refer to the Port Pirie Hospital, which needs the money: it is going to run out of money. I know that many constituents in the electorate of Stuart have joined a private health service to help that hospital. What will happen? They will be penalised because of that.

People in the country are already conscious of their limited options in health care and most are privately insured because of that. Now they will be hit again and robbed of their freedom of choice while country hospitals are deprived of the opportunity to raise additional revenue from private patients so they can treat more public patients and reduce waiting lists. They are there mainly now because of their own membership and their own business acumen. I remind members that this system is a four times loser. It is very simple. Even the average members opposite can understand it, with or without a brain scan. We know that, in relation to the occupied bed day ratio, if the number of private patients increase, there is basically a penalty of $405 a day—bang, straight out, $405 a day. If the number of public patients increase—and I have been on a hospital board so I know what happens in these circumstances—the hospital blows its budget fair out of the sky, and it has to wear that. So, the hospital loses twice.

What happens if there are decreases? If the number of private patients decreases, you lose income and every hospital board knows about that. If the number of public patients decreases, the ratio gets out of kilter and it goes back to a $405 per day penalty. So it is a four times loser. How do you manage your books like that? This agreement is encouraging hospitals to fiddle their books, or it will encourage hospitals to over-service by either admitting patients because they need them to balance their books or by keeping them in the hospital longer. Sir, you know that as well as I do. Commonsense does not seem to prevail in the dying days of this Parliament, and I get pretty upset because this is basic commonsense. This agreement is absolutely ridiculous. I remind the House of the cost of $750 000 to the Port Augusta Hospital and I would say a similar amount would be involved in Port Pirie. I want to hear what the candidate Allan Aughey and the member for Stuart—and she wants to be the member for Eyre—have to say about this.

Members interjecting:

Mr VENNING: I am not running scared, Sir; far from it. I am in this place to bat for country hospitals. I was batting for the Blythe Hospital, which has been closed. The upshot of all this is that this Government has a hidden agenda to close country hospitals. It wants to centralise health completely. It wants all services carried out in Adelaide, Port Pirie and Whyalla—forget the rest. That is the hidden agenda of this Government. No way will that happen.

It is obvious to any lay person with even an ounce of commonsense that private health care has to remain in the system in order that the system can work. Private health premiums should be and have to be tax deductable in order to encourage people to obtain private health insurance. It is the only commonsense system that will work. The State Government and the Federal Government both know that, but they have not the political will to put such a system into practice. The system they have pushed over the past 10 years has failed and the member for Adelaide has given the House a list of the backlogs. The present situation is ridiculous. Do members believe the present situation is acceptable or tolerable? No way. I know people who are ill but who have been told their condition involves elective surgery so that they should come back in 2½ years.

Members interjecting:

Mr VENNING: The member for Albert Park is making a bit of noise because he has nothing constructive to say. He can join the debate. I will be on the track with the member for Albert Park seeking to raise money for the health system. It is a disgraceful situation that I have to put myself at personal risk of injury for our hospitals. The member for Albert Park makes a big effort every year, but even he cannot be happy with the present condition of our health system and it is high time he spoke from his heart rather than from his backside. It is high time the member for Albert Park, in his final days in this place—and that does distress me, but I will encourage the member for Albert Park to continue his charity run—

The DEPUTY SPEAKER: Order! The member for Custance will resume his seat.

Mr ATKINSON: Mr Deputy Speaker, I rise on a point of order. I seek your ruling whether the expression 'speaking from one's backside' is parliamentary.

Members interjecting:

The DEPUTY SPEAKER: Order! You are wasting your own time. The language is crude but it is not unparliamentary. If the honourable member has taken offence, he is permitted to ask the member speaking to withdraw those words.

Mr VENNING: Mr Deputy Speaker, I did not wish that remark to be offensive. I simply meant that the honourable member should have been speaking from his seat. If he spoke from the heart, I am sure the member for Albert Park would have a different point of view. I apologise. He has been interjecting out of his seat as well. When the member for Albert Park becomes a civilian, I am sure he will continue the walk that he has undertaken every year. Certainly, I will hold him in no lesser status and I will join him as a private citizen on the run in January and February. I will enjoy that just as much as if I were running with him as a fellow member of Parliament. I look forward to that event with great interest. Indeed, I pay a tribute to what the member for Albert Park has done. For the whole time that I am in this House—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr VENNING:—I will trumpet the cause of rural people, particularly our hospitals in this instance. During the forthcoming election I will muster support with all the strength I have in the seat of Frome, part of which area I sadly vacate. I know what the people of Port Pirie think about this issue, because they have had a raw deal on many things, and health is just another one. I will be reminding the people of Port Pirie what has happened. I will remind Port Pirie about Allan Aughey, the Labor Party candidate, and about what the Labor Party intends to do. I will be reminding the people of Port Pirie what we intend to do and highlight that our candidate is Mr Rob Kerin, who is a good candidate with an excellent track record.

Mr Atkinson: What's his name?

Mr VENNING: Mr Rob Kerin. Thank you for that opportunity. He cares about many things and, if any members opposite are lucky enough to get back, they will be blessed with his presence and be inspired by the representation that he will give the people of Port Pirie. Certainly, I will continue to fight for country hospitals. I am amazed that a person's financial status can determine whether or not they are admitted to a hospital. Such a situation is a disgrace. People seek admittance to a hospital because they are ill. Under the letter of the law, hospitals have to say that people should not be admitted. The Government is asking hospitals to be dishonest, and it is an absolute disgrace.

What was the Minister doing when he signed the agreement? I remind the House that other States did not readily sign the agreement but hung out until just before the Federal election and so obtained a much better deal than we did. Why did the Minister just sign the agreement as he did? He was careless, inept or spineless. I want to hear the Minister's response. We know that the Minister was crawling his way back into the Labor Party. He is back in the Labor Party and it looks as though he will be the new Deputy Leader or Leader of the Opposition. The Minister has planned ahead, but I do not think he had his mind on what he was signing. That does not excuse him for signing this disgraceful agreement.

I await the Minister's second reading response with great interest. If we cannot renegotiate the agreement, country people and all hospitals in South Australia will have to pay a high price. I support the Bill, albeit begrudgingly.

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

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

Motion carried.

Mr GUNN (Eyre): One of the most important matters that a member of Parliament should give attention to is the provision of health services. In a large district such as the one that I represent, it has been fundamental to the welfare of the people in outlying areas that they have adequate health services provided by hospitals and medical practitioners in those areas. We have been through a difficult time defending hospitals against attempts to close them or to alter their positions, and I find it difficult to understand why rational and intelligent people put together agreements that create situations which the average person finds difficult to comprehend and understand.

My district relies heavily on the Royal Flying Doctor Service for the provision of health services in the isolated areas of the State. Of course, all those members of the public who travel in those areas rely on services provided by the Flying Doctor Service at Port Augusta. I am amazed that a hospital which has been set up in the most efficient and prudent manner and which has put its affairs in order can suddenly have the rules changed halfway through the game and find itself in a position where it could lose $750 000. When the Minister responds to the debate, will he please explain how he expects hospitals in that position, or hospitals at Victor Harbor or any other hospital in that position, to cope.

It was suggested to me the other day that some hospitals will have to close wards. In a modern society the community just cannot understand—I cannot understand either—why so-called grown people, intelligent people having the benefit of advice, would enter into such a nonsensical agreement. For years we have been trying to get our health services right and there are a number of fundamental activities involved, but it seems that commonsense has gone through the window.

Every time I get a doctor's account, I am amazed that I have to write a cheque for $2 or $3, yet I cannot have the account processed by the private health service. Our health system has been tied up in ideological concepts—a lot of nonsense. People have put a political philosophy before commonsense.

Once you do that, logic goes out the door. Having been briefed by the Port Augusta Hospital board, I find it absolutely amazing that they are now in this difficult situation. Let me bring to the Minister's attention (and I do not know what action the Minister has taken) a set of briefing notes which I have been given and which was first provided to the member for Stuart, who said some unkind and inaccurate things about me in here earlier. She sneaked across the House and did not have the courage to stand up and say them to me, but that is the nature of this place, I suppose, and I am not easily offended. I want to know clearly what action the Minister will take to rectify these difficulties to ensure that patient care is in no way affected and that the budgets of those hospitals are not thrown out the window.

These hassles and difficulties put unnecessary pressure on and cause unnecessary difficulties for good, responsible people who sit on these hospital boards. The situation then arises where responsible citizens—people with skills—get sick of it and say, 'There's too much hassle, why should we put up with this sort of nonsense when we've tried very hard to do the right thing by this community? We've gone down the line; we've taken the community with us; we've got people to take out private health insurance; we've provided private beds in the hospital and they've been well utilised; they're popular, not extravagant, but reasonable. We've done all this and now we will get penalised for it.'

It is very difficult for those people to keep up their enthusiasm, because they also have to make a living. It is no wonder professionals throw their hands in the air and think that politicians are not the wisest people in the community.

Members interjecting:

Mr GUNN: The member for Stuart is obviously enjoying her last few hours in this building and far be it from me to want to make it unpleasant for her in any way. I would not do that. Let the electorate do that, because what I want to see clearly—

Members interjecting:

The DEPUTY SPEAKER: Order! Interjections are out of order.

Mr GUNN: Yes, and I do not want to take a lot of time with them. I want to bring one matter to the attention of the House in relation to this. I got some briefing notes which state:

Messrs Payne and [another gentleman] inquired as to the reasons for the significant increase (117 per cent) in private patients projected in 1993-94. Responses included the following: significant cooperation from the staff and medical practitioners; a higher than average level of private health insurance in the community; market research indicating a preference for single rooms by most members of the community; while not yet statistically demonstrated there appeared some evidence that elective surgery previously performed in Adelaide was being performed at the Port Augusta Hospital; the improved range of specialist services available particularly after hours—

All those things are good and sensible. Not only are those extra services available to people in Port Augusta but they are

also available to all those people served by the Flying Doctor Service, which is important. Mr Payne inquired about the criteria for allocating single rooms and the provision of additional services to privately insured patients and then the hospital responded. They were all quite reasonable things, in my judgment. In further correspondence that I have had with the hospital it states:

In summary of the situation as the hospital sees it is: cost pressures of $385 000 are applicable to the 1993-94 year; current private patient activity levels suggest a penalty of $750 000 will occur, because of the full year effect of the revenue strategy adopted last financial year.

Being penalised last year—what nonsense! The document continues:

A number of economies have been identified as achievable in 1993-94. . . cuts in service have been identified as possibilities but at this time not fully supported by management or the board of directors—

and we can understand why—

Any further reductions in occupancy levels will preclude the hospital from achieving the activity levels required by its operating budget.

For goodness' sake, surely we can come to a sensible arrangement where we can encourage people providing essential services to their communities to let them get on with the job they are doing to provide both public and private beds without all this unnecessary hassle and nonsense. Answering all these questions and providing these submissions are taking the time of management and the board when they should not be involved, and we are creating unnecessary hassles. We should be using commonsense, and it does not appear that this agreement now before us contains provisions which allow commonsense to prevail. I believe that is unfortunate.

I believe we have reached a stage in this country where we ought to be able to sit down and design a health service which allows people to participate in public or private health arrangements without all the hassle and all the unnecessary duplication of paper and, at the end of the day, to provide an effective set of services for the people who require them. I sincerely hope that these cutbacks—

An honourable member interjecting:

Mr GUNN: I will be here as long as the honourable member is here. I hope that these provisions will not be used to make another attack on the small country hospitals or the executive officers who provide services to those hospitals, or to get rid of the boards of those hospitals which have managed them in a good and sensible manner over many years. There is a place in our health care system for executive officers in our country hospitals and there is a place for local boards of health and boards to run our small country hospitals. I am concerned about these arrangements and I look forward to the Minister's response at the appropriate time.

The Hon. H. ALLISON (Mount Gambier): It is always a pleasure to follow the member for Eyre. I know that he, like I, is awaiting with eager anticipation the address of the member for Stuart, who must surely be as concerned as is the member for Eyre at the fact that her local hospital at Port Augusta stands to be penalised by about $750 000 under the present Medicare agreement. I wonder whether she will explain that away satisfactorily or whether she will simply accept that extremely difficult situation for her hospital. We on this side are certainly aware from comments made within our Party room that the member for Eyre does not accept that situation and he will fight as hard as he possibly can for the best deal for his electorate. Members on both sides of the House can rest assured of that.

City members have in their electorates very large hospitals which are capable of manipulating bed numbers between private and public patients. Manipulation is not necessarily to the best advantage of the South Australian taxpayer; it certainly is not to the best advantage of the neediest patients in South Australia. However, it concerns all of us in rural South Australia that the Minister appears to have signed the Medicare agreement on the false premise that first in is best dressed.

In fact, had the Minister taken the time that the shadow Minister of Health, the member for Adelaide, has taken in analysing the full implications of that early signature of the Medicare agreement, I am sure he would have delayed the signing and done a little more negotiating with the Commonwealth Government, as did the very experienced and very canny Health Ministers for New South Wales and Victoria. As the member for Adelaide said, they delayed signing the agreement until the very last minute before the Federal election and came out much better dressed as a result of signing that agreement belatedly.

They won substantial extra funds for their States. Government members can grin as much as they wish, but the simple fact remains that South Australia, the South Australian taxpayer, the South Australian Health Commission, and the South Australian hospital patients are worse off as a result of the early signing of the Medicare agreement. That is unquestionable because who gains and who loses? Everyone in South Australia loses because of the several different ways of penalising hospitals which have been clearly enunciated by the shadow Minister of Health. The Federal Government gains because in each case funds are not paid over to South Australian hospitals and whether it gains this year or deducts those penalty amounts next year, as in the case of the $750 000 to be deducted from the Port Augusta Hospital, is irrelevant—the Federal Government still wins.

What are the four penalties under the Medicare agreement? As regards private and public bed rate penalties, if there is an excess of private patients $405 per bed day penalty goes back to the Federal Government. If there is an excess of public patients there is a call on the hospital's fee-for-service budget, the doctor asks for payment, the hospital has to pay and that is a loss to the hospital on its budget, which means it can handle fewer patients, so South Australian patients lose. Decreased private bed numbers is revenue forgone by the hospital and, therefore, it is more difficult to cater for the everyday needs of the hospital. With decreased public patients, another $405 a day penalty reverts to the Federal Government when it chooses to impose that penalty.

It is hard to see who are the winners other than the Federal Government under the Medicare agreement as signed by South Australia. The Medicare agreement makes every hospital budget a moving penalty and it is impossible for the hospital to win. The penalties are not simply a threat but a fact. Absolutely no flexibility is built into the system to help the hospitals and there is no logic behind the Federal Government's imposition of these penalties, because the Federal Minister is acknowledging that the number of private health subscribers in Australia is down on what it was a few years ago, from 70 per cent to 37 per cent—a dramatic reduction with the number of members having almost halved over the past decade.

I have been a member of the private health system since 1955 when I came from Great Britain. The Brits were deducting health care money from my salary, meagre as it was in the steel industry, before I came here. So, I automati-

cally subscribed when I came here. Now I am wondering what are the advantages, because the agreement allows me to pay the gap fee as a private subscriber. I already pay $2 500 for a family subscription. I am also entitled to pay the gap fee, whereas if I was a public patient I would not be worried by anything other than the Medicare levy, which I already pay. Therefore, I pay twice.

No wonder the Federal Minister is worried. What does he do apart from talk about the need to encourage people to go into private hospitals? Under the Medicare agreement he introduces a penalty system which means that my chance of getting service in a private hospital diminishes if the private hospital or the Mount Gambier Hospital is up to the private quota, and obviously it is penalised if it takes me as an additional private patient. No wonder there is the encouragement for hospitals to manipulate the system in order to survive. The hospitals that could have profited by the occasional admission of extra private patients are now penalised and it is therefore little wonder that the private hospital association memberships are declining—

The DEPUTY SPEAKER: Order! We have a fire alarm and I ask members to vacate the building.

[Sitting suspended from 10.5 to 10.25 p.m.]

The DEPUTY SPEAKER: If members are interested, one of the new Very Early Smoke Detection devices, known as the VESDA, located in the lower ground floor, activated the alarm. A thorough check has revealed no fire.

The Hon. H. ALLISON: I must admit that it is the first time that any speech of mine has ever triggered off a fire alarm in Parliament House. I am sure that members will agree that this brings a new dimension to the expression 'parliamentary hot air'. Rather than emit any more this evening and risk triggering a further alarm, I seek leave to continue my remarks later.

Leave granted; debate adjourned

ADJOURNMENT

At 10.26 p.m. the House adjourned until Thursday 21 October at 10.30 a.m.