HOUSE OF ASSEMBLY

Thursday 10 March 1994

The SPEAKER (Hon. G.M. Gunn) took the Chair at 10.30 a.m. and read prayers.

COURTS ADMINISTRATION (DIRECTIONS BY THE GOVERNOR) AMENDMENT BILL

The Hon. FRANK BLEVINS (Giles) obtained leave and introduced a Bill for an Act to amend the Courts Administration Act 1993. Read a first time.

The Hon. FRANK BLEVINS: I move:

That this Bill be now read a second time.

The Bill makes it quite clear that the Government can ensure that a system of resident magistrates continues in South Australia. At the present time magistrates are resident in the cities of Whyalla, Port Augusta and Mount Gambier, and there is a case for extending this system to the Riverland.

Resident magistrates were introduced in the late 1970s as an initiative of the then Labor Government. Since then, the presence of a magistrate in these localities has enhanced the services provided to country people.

During the last election the Liberal Party, in Opposition, made many statements in support of services being available to country people. Since then they have threatened action which will reduce the services to country people, including the closure of the Port Lincoln Gaol and the Cadell Training Centre.

The removal of resident country magistrates is another example of the Liberal Government ignoring the commitments that country people were given prior to the last election. A resident magistrate in these cities assists in the cities' infrastructure and ensures a quicker service for the community through the local legal profession.

If the resident magistrates are removed, this will also impact on the legal profession and probably result in less lawyers being located in these cities, and thus less services being provided to its citizens. Further, a lack of a resident magistrate will mean that urgent matters such as restraint orders will not be able to be dealt with as quickly or as effectively as previously.

There are no compelling arguments to do away with the system of resident magistrates. Virtually every other State in Australia has them. It costs less to provide resident magistrates compared with servicing these localities by circuit magistrates from Adelaide, but even if the cost advantage is marginal it is still important that they remain in place as a service to country residents.

Magistrates when they are appointed undertake to do service in the country and there are still a number who have given this undertaking but not done service. They should be made to comply with it.

The courts have opposed the system of resident magistrates primarily in my view for bureaucratic convenience and to avoid the management problems of ensuring that magistrates do reside in the country. In my view this is totally unacceptable and should be unacceptable to country people who are being deprived of a service by this initiative, which is apparently supported by the Liberal Government and the Attorney-General.

The Liberal Government, and in particular the Attorney-General, have sought to wash their hands of the matter by saying that there is an independent courts administration. This is not good enough. The independent courts administration is an important statement of principle about the independence of the judiciary; however, the Attorney-General, as Minister responsible for the courts, has to take ministerial responsibility for the expenditure of funds by the authority and the way in which those funds are expended. The Attorney-General should join me in making urgent representations to the Chief Justice and the Chief Magistrate to have this decision reversed. If they refuse to do so, the Government should use its powers under the Public Finance and Audit Act to direct the continuation of resident magistrates.

This Bill provides a more formal and clear-cut method of ensuring that resident magistrates are maintained in the State by providing that the Governor may give the necessary directions. It provides for the public notice of such directions to be given in the *Gazette*. I commend the Bill to the House and I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1: Short title

Clause 1 is formal.

Clause 2: Insertion of Part 2A

Clause 2 inserts a new Part 2A into the principal Act, dealing with accessibility of justice. New section 14A allows the Governor to give directions, by notice in the *Gazette*, to ensure that participating courts are properly accessible to the people of the State.

Subsection 14A(2) provides that a direction may, for example, require that a registry of a particular court, or courts, be maintained at a particular place, that members of the judiciary of a particular court, or courts, be resident in specified parts of the State or that sittings of a particular court, or courts, be held with a specified frequency in specified parts of the State.

New section 14B provides that the Council and the administrative head of any participating court affected by such a direction must take the steps necessary to ensure that a direction is complied with.

Mr BECKER secured the adjournment of the debate.

LOTTERY AND GAMING (TWO-UP ON ANZAC DAY) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 February. Page 254.)

Mr BECKER (Peake): I suppose the easiest way to sum up my attitude would be to say that I am going to have two bob each way! I do not really care very much for two-up: I think it is a revolting game. I do not very much care whether or not it is legalised, because the game of two-up, as the honourable member has said, has been around for a long time; it has always been around in Australia. It is synonymous with the armed forces in this country, particularly within the Army. Having been one of those fortunate (or unfortunate) people called up to do a stint of national service, albeit three months at Woodside and then two years of compulsory attendance at various parades, fortunately not being forced to go overseas to a war zone, I know that the occasional game of two-up was held behind one of the huts or guard huts whenever those who wanted to attend had the opportunity.

But I have found that the people who organised two-up in many cases were pretty ruthless sorts of characters. They took advantage of those who occasionally would have a gamble, generally associated with a few drinks, and I found that the

types of people I knew were always there to take down their mates—and I did not think that that was the Australian way of life at all. That is why I find I am having two bob each way on this thing; because if people want to gamble, that is up to them, but I do not like someone taking someone down. Probably more cheating has gone on in two-up over the years than in any other form of gambling. We know what you can do with the old fashioned pennies.

Mr Atkinson: What can you do?

Mr BECKER: If the honourable member has not seen a penny cut in half and two heads stuck together, then he has not lived. If he has not seen how people can manipulate the toss and how some people carry on, and if he has not studied the financial history of some of the cities in this country and looked at some of the most successful business men in Australia, he should find out who ran the two-up games on the ships when they came back from the armed conflicts.

Mr Atkinson: You tell us.

Mr BECKER: I will not name names, because I did it once in this House and got into all the strife in the world from my Leader. But that person went on to be one of the community leaders in the city, and was well known for running two-up games and well known for taking down his mates. That is the whole problem, and that is something I do not like about it. We know that Anzac Day is one of those traditional days when we celebrate and give thanks to those who served our country and who have made it possible for each and every one of us to enjoy a very comfortable life, and I am very grateful to those who volunteered and served, many of whom were cousins and uncles, and some of whom never came back.

Mr Atkinson: Don't make them criminals.

Mr BECKER: I do not think anyone is made a criminal. I do not think that the police really worry too much about two-up. Everyone knows it goes on. As I say, it has been going on ever since people started arriving in this country. As long as it is a fair and well run game.

If we legalise it, we have to bring in people to supervise it, inspectors and all sorts of things. Once you start that, you bring in the bureaucracy. Once you bring in the bureaucracy, somebody gets a quid. Leave it as it is. It is like prostitution. You will never solve the problem. Therefore, leave it as it is. If it is being well run, and nobody is being inconvenienced, nobody is being harmed, the police will not be involved. But if somebody is being taken down, if there are complaints from the wives about those who are losing all there money or being skinned, fair enough, somebody has to do something about it. Let us be honest: when it comes to gambling, nobody has yet convinced me that everything is above board. We have tried. We have brought in all sorts of legislation. We have tried everything to ensure that all forms of gambling are well run.

Mr Atkinson interjecting:

Mr BECKER: Apart from the Lotteries Commission. I have the utmost respect for those who monitor our lotteries, X lotto, and so on. I have no complaint in respect of that, but when it comes to other forms of gambling, where humans are involved, I am always suspicious. I always have doubts about it. I can understand that the honourable member probably dropped into one of his local RSL clubs and found that the chaps would like to—

Mr Atkinson interjecting:

Mr BECKER: Anybody can be a joint member of an RSL club these days.

Ms Hurley: Even women.

Mr BECKER: Yes, and that worries me; it is a problem! We do acknowledge the role that women play during armed conflict. Many men received loving tender care and attention from the nurses, and the way they were treated at the hands of some of our country's enemies is nothing short of disgraceful. We should never forgive the people who did that to our Army nurses and women in those fields. It does not mean that we have to legalise two-up and say, on one day—Anzac Day—the average bloke can go down and have a few drinks with his mates and finally get induced to go around the corner and have a game of two-up. That is not right. We have enough gambling in this State.

Mr Atkinson interjecting:

Mr BECKER: I was a great advocate of poker machines because I have seen what poker machines have done in New South Wales. I was there in the bank when they were first introduced. What went on is on the record. Some criminal activities certainly went on in those days. What the RSL clubs in New South Wales have done for their members through the proceeds of poker machines is to be highly commended. The facilities, the nursing homes, retirement villages, holiday homes and everything else are excellent.

When the legislation to legalise poker machines in hotels was introduced, they lost me, because I just did not believe that poker machines should go into hotels to the degree that they are. I still cannot justify poker machines in hotels. They will not benefit the clubs at all. From the number of applications, the clubs are not falling over themselves to introduce poker machines. I think we will be in a lot of trouble once poker machines come into this State, which is something I did not predict or believe. I am very critical of the previous Government for not preparing a financial impact statement on poker machines.

Mr Atkinson: You voted for poker machines all down the line.

The SPEAKER: Order!

Mr Atkinson interjecting:

The SPEAKER: Order! I point out to the member for Spence that this is not a debate on poker machines.

Mr BECKER: Once the hotels were brought into it, they lost me, because I was not prepared to see poker machines go into hotels. You go into a local hotel now, you can have a bet on the TAB or play X lotto and so on. You can have everything.

The SPEAKER: Order! I think the member for Peake has more than made his point. I suggest that he address the Bill now before the House which deals with the legalisation of two-up on a particular day. It does not refer to poker machines.

Mr BECKER: That is very true, Mr Speaker, but I am explaining to the uninformed on the other side that, although the impact of gambling on the State has already been felt, we have more to come. It is true that it is only one day of the year, but I do not think that it is necessary. Not one RSL club in my electorate has asked me to support the legislation; not one member of the RSL has come to me and said, 'Look, for goodness sake, back this; we need it.' Not one person has come to me in opposition to it, either.

Mr Atkinson interjecting:

Mr BECKER: The member for Spence—I will not worry about him; he's a bloody dill, anyway. I have been a member of Parliament much longer than the member for Spence and, if anybody wants something in my electorate, they know where to come and make their point. I do not go around manipulating the system.

The Hon. W.A. Matthew interjecting:

Mr BECKER: Actually, members of my electorate are stunned to think that someone is there to assist them. I have not heard any call or seen any demand for this legislation; there have not been any letters, phone calls or petitions, so I do not see any need for it and I oppose the Bill.

The Hon. H. ALLISON secured the adjournment of the debate.

WORKCOVER

Mr ASHENDEN (Wright): I seek leave to amend my proposed motion as follows:

Paragraph (a), line 9—Delete the words 'and legislative'.

Leave granted; proposed motion amended.

Mr ASHENDEN: I move:

That this Parliament—

(a) condemns the previous Labor Government for its lack of interest in employers in this State as evidenced by the lack of administrative control it required WorkCover to exercise in its claims and case management and for its politically motivated appointments to the WorkCover Board, Review Officer Panel and Appeals Tribunal and urges the present Government to take immediate steps to introduce administrative changes to ensure that workers' compensation in South Australia is fair to all concerned, is efficiently managed, and is provided at a realistic cost, and

(b) requires the WorkCover Corporation to be more objective in the assistance its claims staff provide employers in relation to claims management, case management, and false and fraudulent claims.

I wish to address an issue which was of very great concern to me in my previous professional employment as a group human resources manager, where I was able to see at first-hand the problems of and the expense to which employers were put because of very poor administrative procedures adopted within the WorkCover Corporation. Since I have been in this place I have been contacted by many employers who have passed onto me other examples of extreme cost incurred by them through unfair actions and claims that have been made by employees, who are usually supported and encouraged by their union. They have also pointed to examples where, when a matter has been before the WorkCover Corporation for consideration, the employers have not been provided with any assistance whatsoever in overcoming their problems.

I will outline briefly some examples of the sorts of problems that employers run into, the lack of help that they are given by the first line of the WorkCover Corporation and the troubles that they run into when trying to appeal decisions. Those problems are brought about by the political stacking of the review process and the legal areas of appeal that are available through the WorkCover system.

Mr Lewis: Who did that?

Mr ASHENDEN: That was done by the previous Labor Government. As an example of the problems that arise, I refer to a very happy, long-standing employee who unfortunately had problems at home. On many occasions the employee stated at work that the only thing that kept her sane was her work and that she appreciated the assistance of her employer and fellow employees in her day to day work and the fact that she had someone to bounce her problems off. The union got involved and the stirring started. The next thing the employer knew, he was hit with a claim for stress. It was alleged that the stress resulted from problems at work. I do not have time to go into all the detail, but there were over 20 alleged causes of stress at work, but none of these had ever been raised with the employer.

When the claim was made, the employer advised WorkCover to disallow it. In support of that view were eight independent witnesses, some of whom were fellow employees and others being from outside the organisation, who swore that this person had always indicated how happy she was at work, that there were no problems there, and that the only problems were at home. All this information was put before WorkCover, which still allowed the claim—it is important to make that point—despite the advice given to it by the employer that the claim was absolutely false.

The claim was allowed and the appeal process was set in motion. The employer appeared before the appellant officer and there were eight independent witnesses able to provide information as to the falsity of the claim. Despite that, the decision was taken purely and simply on the word of the employee and the union that the claim should be allowed. This is an extremely complicated matter and I only wish I had time to go into all the details, but this matter certainly makes a mockery of the so-called appeal processes that apply when WorkCover allows a claim.

I can cite many other cases. One case involved an employee who resigned from a company to take up a position with an exempt employer. He injured himself with that exempt employer and the exempt employer then coerced that employee—there was fault on both sides here—into stating that the injury occurred prior to commencement with the exempt employer, although a full pre-employment medical was conducted by the exempt employer and there was no sign of the injury.

The employee was dismissed for providing false information to the exempt employer. That employer then proceeded to sue the previous employer for income maintenance which was provided for 18 months to two years. WorkCover absolutely bungled the review and the former employer was stuck with an absolutely false claim. When this was appealed, once again WorkCover refused to assist or to act. A third case involves an employee who had a back injury—and there is no denying that. However, the employee refused to undertake a return to work program and raised every possible excuse as to why he should not have to do it. At one stage WorkCover said, 'You had better get back to work or we will be cutting off your payments.'

The employee returned to work for a short time but then went out because of high blood pressure, alleging that the high blood pressure was caused by his being forced to undertake a return to work program. WorkCover said, 'All right, I guess we'll have to accept that.' Thank you, WorkCover, for your assistance to the employer. After three months, when the blood pressure was still up, the employer quite rightly said to WorkCover, 'This problem is not work related and the benefits should therefore cease.' Seven or eight months after that WorkCover is still refusing to stop payments to that employee, despite his refusal to undertake a return to work program and despite the fact that the ailment for which he is obtaining benefits is not work related. Once again, where is the help to the employer from WorkCover Corporation?

Then we come to another situation where an employee lodged a claim and stated he was unable to attend work, but the employer received information that the employee was doing exactly the same work in another location and at the same time was building a pergola and water skiing on the River Murray. There were films to prove that this was

actually occurring. A review was undertaken, but the review was lost because the WorkCover Corporation did not prepare the necessary evidence to put before the review officer.

Mr Lewis: That is what happens when you give jobs to mates, I suppose.

Mr ASHENDEN: Exactly. Then we have another situation where an employee, who had had a number of WorkCover claims with his employer, went on leave. Eight days after he went on leave he injured himself putting in some cupboards in his home. He came back to work after his two weeks leave and nothing was said, but then he spoke to his union rep, who said, 'Hey, get into WorkCover; get into them again.' So the employee lodged a claim.

Mr Quirke interjecting:

Mr ASHENDEN: This is absolute fact. The employee lodged a claim months after the injury occurred. He did not go to a doctor.

Mr Clarke interjecting:

Mr ASHENDEN: Listen to the unions carrying on. We will just go over this, because they do not like it.

Mr Quirke: Name the union. Go on.

Mr ASHENDEN: The Metal Workers.

Mr Quirke: Name the person—

The SPEAKER: Order!

Mr ASHENDEN: Mr Speaker, this is typical. I will not use this as cowards' castle by naming names, but I make quite clear that every one of these cases can be verified. This employee had never gone to a doctor. The matter finally went before WorkCover 15 months later; still the employee had not been to a doctor; and the employee did not report it to the employer until months after the injury. It was said to WorkCover, 'Don't allow it', and at least WorkCover said, 'Okay, we won't allow the claim.' So what happened? We then had to go to appeal. The employer went to the appeal and the gentleman who was hearing the appeal asked the employer, 'Why are you here? It is only $600. You can afford to pay that.' This was before any evidence was taken.

Over a period of months evidence was put forward by the employer, but what a waste of time, because the review officer had already made up his mind that this would be allowed. The employer brought in evidence after evidence which showed that the injury had occurred during holidays, that it had occurred when the employee had been putting up cupboards, that the employee had not reported the injury to the employer as required under the Act, and that he had never gone to a doctor. In fact, during the appeal process the officer hearing the appeal said, 'You had better get a medical opinion.' This was two years after the injury.

Mrs Kotz interjecting:

Mr ASHENDEN: This is natural justice? Of course, when he went back with the doctor's report, it stated that the injury could have occurred during employment. What else could the doctor say? It was obvious from the actions of the reviewing officer that he was determined that the employer was going to pay and, surprise surprise, what was the decision?—employer to pay.

There was another situation with an employee in his mid 50s. It is well known that at that age a problem with hearing known as tinnitus can occur.

Mr Lewis: Pardon me?

Mr ASHENDEN: Tinnitus, which is a ringing in the ear. This employee thought, 'Well, here is another chance', and (this time with the Clerks Union) decided that there was a chance to belt the employer for a lump sum disability payment. So a claim was made against the employer for the tinnitus. The employer naturally put forward the case that it was not work related. The employee went to his own doctor, specialists reviewed the employee, and the statement was made by one of those specialists that the total problem was not work related. However, what happened? Once again, because the original medical practitioner said that in his opinion the condition was 3 per cent work related, a lump sum payment was allowed.

Here again, I am going to be very critical of WorkCover because, according to the employer, a deal was done by the WorkCover case manager without any reference to the employer. That is important to understand: an agreement was made by WorkCover with the union and the solicitor representing the employee to pay 3 per cent disability allowance, and the first the employer knew about it was when the WorkCover officer rang back and said, 'Don't bother to come to the hearing; we have already agreed what we are going to do.' The employer had no say in it. But of course it was the employer whose bonus/penalty situation got hit to leg.

It goes on and on. I and other employers have had so many experiences where the WorkCover case officers have not assisted the employer in putting forward information in relation to any appeals. It is extremely frustrating for employers time and again to come up against situations where employees, aided, abetted and encouraged by their unions—and that is the important thing to note; in many of these cases the employers have stated that until the unions became involved—

Mr Lewis: It's fraud.

Mr ASHENDEN: That is exactly right: it is fraud.

An honourable member interjecting:

Mr ASHENDEN: Well, would the honourable member deny that this case is fraud: where a man is water-skiing on the Murray River and undertaking exactly the same duties with another employer although he is getting benefits because he is supposedly injured and cannot work for his actual employer? If that is not fraud I would like to know what is. Unfortunately, time is rapidly passing for this debate, but I want to make the point that there are so many cases of which I have become aware as a member of Parliament as well as those of which I was aware not only with my immediately previous employer but also with others, where we see at first hand the rorts undertaken by so many employees. I am merely saying that, unfortunately, WorkCover has not provided to employers the support that it should have provided, and that, once the problem is pushed to the next level of review, the review officers who are political appointees, will come in and make the decision always—

Mr Clarke interjecting:

The SPEAKER: Order! The honourable member will resume his seat. The member for Ross Smith will immediately withdraw the comment 'gutless'; it is unparliamentary. This is not the first time I have spoken to the member for Ross Smith, and my tolerance for that member is running out. I require an immediate withdrawal.

Mr CLARKE: I withdraw the word 'gutless' and would use 'cowardly' instead, Sir.

The SPEAKER: Order! Comments of that sort do not enhance the standing of this Parliament in the eyes of the community. I suggest to the honourable member that he is sailing very close to the wind. The Chair is becoming particularly concerned about the tendency of members to make unnecessary, provocative comments across the

Chamber. I suggest that the honourable member withdraw that comment, too.

Mr CLARKE: I am trying to think quickly of a word other than 'coward', but I withdraw, Sir.

The SPEAKER: Order! When members are asked to withdraw comments, they will withdraw them without any conditions. Therefore, the honourable member cannot qualify his withdrawal. The honourable member.

Mr CLARKE (Ross Smith): I withdraw, Sir. I would like to make a few points here. First of all, the member for Wright has made a number of scandalous allegations in this House concerning the political motivation of review officers of the WorkCover Corporation and indeed of the judiciary—those who are appointed to the Workers Compensation Appeal Tribunal, headed by a judge of the South Australian Industrial Court, and employer and employee representatives who are appointed in equal numbers as members of those appeal tribunals. The member for Wright did not speak to his notice of motion; rather, he talked about a number of unsourced anecdotes. Any of us here could make up any invention to suit an argument. Not once, despite repeated requests, did he give the name of the union, the names of the individuals or, more particularly, the actual case reference numbers.

We must also appreciate that, like any matters that go before the various courts of law—whether it be the District Court, the Industrial Court, the High Court or whatever—each side puts an argument before a judge, or a review officer in the case of WorkCover in the first instance, and witnesses are called and sworn under oath. Lawyers usually represent employers and lay advocates usually represent union members. Witnesses can be sworn on oath and cross-examined and medical evidence can be called. Then, on the basis of the evidence before him or her, the review officer makes a decision in accordance with the Act. If WorkCover or the employer feels aggrieved they have the Workers Compensation Appeal Tribunal established under the Act.

Each tribunal is headed by an Industrial Court judge, and many such judges worked previously for legal firms that handled exclusively employer industrial cases, both under the old workers compensation legislation and in matters before the Industrial Court and Commission of South Australia, and they acted in a professional manner against the interests of the trade union movement. They never represented any of the unions. I could name a number of the judges of the Industrial Court and Commission who were employer advocates. The member for Wright is attacking their professional and personal integrity.

In addition, those tribunals consist of two other lay persons: one drawn from a panel of persons whose names are put forward by the trade union movement and the other drawn from a panel of names put forward by the employer organisations of this State. Those people are selected to sit on that appeal tribunal by the President of the Industrial Court and Commission of South Australia: not by any trade union movement person, but by the President of the Industrial Court and Commission. If the member for Wright was seriously questioning the integrity of the President of the Industrial Court and Commission of South Australia, and if he had any intestinal fortitude, he would say so outside this House, rather than using it to slur the President of the Industrial Court and Commission.

Mr ASHENDEN: I rise on a point of order, Mr Deputy Speaker. At no time did I refer to the President of the Industrial Court and Commission. I referred only to the review officer panels.

Mr CLARKE: No, it is in your motion.

The DEPUTY SPEAKER: Order! The Chair has not yet considered the point of order. I do not believe there is a point of order. The honourable member is debating the issue as raised by the member for Wright, but I will listen intently, as I generally do, to the honourable member's speech.

Mr CLARKE: Thank you, Sir. I draw members' attention to the first part of the motion, which refers to 'politically motivated appointments to the WorkCover board, Review Officer Panel and Appeals Tribunal'.

In relation to the WorkCover board, again, the member for Wright shows his lamentable lack of knowledge in this area, and that is no doubt why his former employer is delighted that he is in this House rather than stuffing up its human resources area. The WorkCover board, by legislation, has equal numbers of representatives from unions and employers, and from appointments by the Minister of the Chairperson. The Minister does not 'select' under the current legislation, unlike the proposal in the current Bill before the House. The trade union movement nominates the names of its representatives to the Minister, and the employer peak councils nominate their representatives to the Minister, and he must select those people named by their representative groups. There is no political bias. It is an absolute outrage and a slur on the good name of all the review officers, of the judges of the Industrial Court and Commission and of those lay persons who sit on those appeal tribunals with the respective judges.

I and my union have dealt extensively with WorkCover, and we are as well aware as, and probably better aware than, most members opposite in terms of some of the administrative failings that occur from time to time in an organisation such as WorkCover, because we deal every day with the shattered lives of injured workers. So, the member for Wright has no reason to preach to us, to me in particular, on this point. We have a very good record in respect of review matters: a 100 per cent success rate. We do not take every case. Many injury claims that have come before WorkCover involving our members have, in the first instance, been rejected by WorkCover. WorkCover was wrong in its interpretation of the law and the facts, which were supported in every case in a review by review officers, independent of WorkCover. Where those cases have gone to appeal before a workers compensation tribunal headed by an independent judge, we have won every appeal.

Mr Lewis: Who has won; who is 'we'?

Mr CLARKE: My union. It is sour grapes on the part of the member for Wright that perhaps his organisation has had a few claims that have rightfully been upheld by either WorkCover, in the first instance, or the review process.

If I remember correctly, we did have a claim that involved the member for Wright's former employer. It concerned hearing loss, because those employees were working in the control room of Emergency Services wearing headsets. We have had complaints before not just from the Royal Automobile Association of South Australia but from other institutions where part of the job requires the wearing of a headset. Anyone with the remotest knowledge of industrial hygiene and welfare would know that there are piercing, screeching noises which, even with the best will in the world, technicians cannot eliminate. Those headsets should be thrown away, but they are expensive so they try to persist with them. We have had a number of claims in that area involving not just the

RAA but also telephone answering services where headsets are worn 8 to 10 hours a day every day.

The member for Florey may well have had a few similar cases in the communications area of the Police Department. There would be a number of claims with respect to the Police Department. It is an occupational hazard and a genuine industrial injury where people have lost part of their hearing owing to their work circumstances. The member for Florey would be only too well aware of similar sorts of problems. So, I completely reject this absolutely outrageous attack on the independence and integrity of persons involved in WorkCover, in particular the review officers and members of the appeal tribunal. They have done their job well in trying circumstances. Unions have appeared before review officers and lost cases. It is simply the case that, as in every other court of law where there are contending forces, there are winners and losers. Obviously, the member for Wright has shown that he is a very poor loser, and in the process has been consumed by his own bile.

Mr LEWIS secured the adjournment of the debate.

WORKCOVER

Mr ASHENDEN (Wright): I seek leave to make a personal explanation.

Leave granted.

Mr ASHENDEN: I believe I have been misrepresented by the member for Ross Smith. I wish to make quite clear that I was not referring to all members of the panel and appeals tribunal. As my motion states, I was referring only to those political appointments by the previous Government.

BUSHFIRES

Mr QUIRKE (Playford): I move:

That this House congratulates those members of the CFS and the MFS who recently fought bushfires in New South Wales and recognises the contribution of all those other firefighters who remained in South Australia during this period minding the 'fort'.

It gives me a great deal of pleasure to move this motion. I hope that there will be bipartisan support for this issue and that it will be passed at what whatever point, whether today or in some other future private members' time, with the concurrence of every member of this House. It recognises the services of bush firefighters who risked their lives going to New South Wales fighting what could only be described as some of the worst bushfires seen in this country at any time. They were certainly reminiscent of bushfires here in 1980 and 1983.

As I understand it, about 10 per cent of the available fire fighting strength in South Australia went over to New South Wales. We were lucky because at a critical time, at the height of summer, the weather in South Australia in that week was such that we were experiencing long periods of rain. In the run up to that period the bushfire season in South Australia had hardly begun. There had been a few threatening moments from time to time with some 40 degree days, but the sorts of intensities of fires that we have seen and that we are used to in this generation in South Australia in 1980 and 1983 did not exist at that time. We were able to despatch a significant part of our firefighting capacity from South Australia to New South Wales.

Having said that, I think it is a credit to those who stayed behind and were able to keep up with those duties that were necessary during this time and were prepared should those conditions change in any appreciable way. I think those people who attend weekly training sessions at the CFS and those who work professionally in the MFS and have found time to contribute to our community in South Australia need always to be commended for those activities, but particularly in the instance of the New South Wales experience.

That brings me to those volunteers who went to New South Wales. Indeed, it was one of those moments when we saw the community, not only in New South Wales but across the whole country, rally around a State that was in serious trouble. I think the images that were conveyed on the media explained the whole situation as in South Australia we only know too well with our recent history of bushfire. It is a credit to those people, both men and women, who fought this fire that they did this willingly. They were volunteers, they did it in their own time and they took considerable risk. It also needs to be said that they left their families to go and fight what at one stage could have been one of the worst periods of bushfire in Australian history. Certainly in terms of the intensity of the fires in New South Wales, towards the end of that period they were reminiscent of the Ash Wednesday fires here. The fires in New South Wales went on for many days, whereas the two Ash Wednesday fires were a 24 to 36 hour experience.

Credit has to be given to all the men and women who went over there to fight those fires. I hope that the vote in this House will concur with what out in the community has been a sense of pride in its firefighters which was clearly evidenced when the Minister, myself and the Deputy Leader of the Opposition met many of those firefighters when they came back through Adelaide Airport. There is a sense of community pride in South Australia which was clearly shown when these men and women, the first contingents to come back, came to Adelaide Airport and met a reception of relatives, friends and well wishers. The Minister, myself and the Deputy Leader of the Opposition were there to welcome them. Indeed, the next day, when the units that were dispatched to New South Wales came back to a mass rally in Murray Bridge, I believe the community of South Australia was well represented there and would be very happy with this motion. I commend it to the House.

Mr LEWIS secured the adjournment of the debate.

INDUSTRY STATEMENT

Mr FOLEY (Hart): I move:

That this House urges the Federal Government to ensure that their forthcoming industry statement contains the following:

(a) industry development plans in industries that can be internationally competitive and maximise returns;
(b) boost in emphasis of Government purchasing policy towards imports substitution;
(c) improved access to finance for small and medium sized businesses;
(d) a continued export facilitation push into Asia; and
(e) special assistance to regional Australia,

and this House also cautions the Federal Government against accepting the principles of the recently released green paper on employment opportunities which state industry policy should swing towards addressing market failures rather than developing plans for particular sectors.

The green paper released by the Federal Government in the last couple of months, which will be the basis of its further push towards resolving the high levels of unemployment in this country, is good to the extent that it offers a few oppor-

tunities for Australian industry and industry policy, but there are parts which concern me and I should like to highlight them. The overview part of the document basically sets the tone of what this group of people see as being the way to address industry policy in this country. It states:

> Much has been done on this front in recent years in the areas of taxation and microeconomic reform. But much remains to be done in microeconomic reform and competition policy generally.

I do not think that any of us would have any great complaint about that, but this is where it is of concern to me:

> In the future, industry policy is likely to swing towards addressing market failures rather than developing plans for particular sectors where the Government has little influence. The difficulty faced by small firms in gaining access to finance is a case in point. We also need to reduce the burden of complying with Government rules and regulations.

Acknowledging the position held in the community by some of the authors of this document, I find it strange that they should say, '. . . rather than developing plans for particular sectors where the Government has little influence'. They are saying that industry plans do not work, that sectoral plans make little difference and that there is no role for Government in dictating or directing industry policy.

Among the authors of this report are the Secretary of the Department of the Prime Minister and Cabinet, Dr Michael Keating, Professor Barry Hughes and Derek Volker, Secretary of the Department of Employment, Education and Training. I am not sure where these people have been during the past 10 years, but clearly they have not been to South Australia very often.

There are two plans on which I should like to touch which have been critical to this country's development over the past decade and which have particular relevance to South Australia. They are the two industry plans put in place by the Federal Labor Government in the 1980s under the guidance of the former Industry Minister, John Button. The car industry plan is one to which I refer and also, of course, the steel plan. The steel plan was put together very quickly after the Hawke Labor Government won office in 1983.

Essentially, it set about transforming an industry that had become quite antiquated, quite poor in productivity and poor in its level of technology, and it had really been allowed to wind down by the 'big Australian' in the mid to late 1970s. The Hawke Government obviously realised that any major economy in this world, if it is to have a sophisticated manufacturing base, must produce its own steel. In the late 1970s or early 1980s, Australia faced the prospect of losing the steel industry. The Hawke Government devised a plan that would revolutionise the steel industry in this country and set about putting that in place, as I said, in the early 1980s.

In early 1984, BHP was producing only about 250 tonnes per employee per annum and, in the previous year, only 178 tonnes per employee. That was clearly not sufficient productivity and output to sustain the level of investment necessary to have a dynamic steel industry. The plan was put together by the Government in consultation with industry, and what we have seen, without going into too much detail, is the rapid injection of new capital into the steel industry and some quite remarkable transformations in the work practices in the steel industry. I acknowledge the work of the trade union movement because, without the trade union movement, these improvements in efficiencies simply would not have been achieved: it was a major player. It is difficult for any union to deal with a situation that ultimately will lead to fewer employees in an industry, but it had the foresight to understand that, if it did not improve the productivity of the steel industry, there simply would not be any jobs left at the end of the day.

Some 10 years later at the end of the steel plan, we now have output of about 500 tonnes per employee per annum. So what we have seen is almost in excess of a doubling of output per employee per annum, which now makes BHP one of the world's most efficient and productive steel makers. That is a tribute to the Button steel plan, to the trade union movement for working it through and, of course, to the company for sticking with what essentially is Australia's major manufacturing industry.

The other major industry sector that we have seen prosper through a very thoughtful industry policy is the car industry. This was the subject of great debate at the last Federal election, where the Federal Coalition promoted zero tariff options which ultimately would have decimated the car industry and, luckily for—

Mr Atkinson: Decimated?

Mr FOLEY: Decimated.

Mr Atkinson: Reduce by one tenth?

Mr FOLEY: 'Destroyed' might be a more appropriate word to use. The outcome of the car industry plan has seen a number of jobs lost as they have driven for efficiencies, and we are now seeing a leaner and meaner car industry but one that is now world competitive and is able to offer security for its present work force. Indeed, what we are seeing with companies such as GMH and Mitsubishi in this State is growth in employment. That program was first introduced in the early 1980s by John Button, and it was not simply a case of introducing tariffs and letting the market forces take over.

That was the policy put forward by the Federal Liberal Coalition at the last election—and, I might add, it seems to be the argument running through this green paper to which I have referred in this motion, namely, that not enough has been done on micro-economic reform. So let us simply allow market forces to drive reform and not have direct industry policies: that is clearly wrong. There was more to the car plan than a simple reduction in tariffs: there were measures such as the export facilitation scheme, along with a number of other elements. Of course, the Government highlighted at the commencement of that plan that we could not sustain the number of automobile producers in this country nor could we sustain the wide-ranging number of models produced.

We clearly had to lose a producer in this country, and we also had to accept that our range of models had to be greatly reduced to allow volumes to be arrived at that would sustain a viable automotive industry. There were many sceptics about the car industry plan, and I was probably one of them in the early stages. I was concerned that we may have been putting the steel industry at risk—the second most important industry in this country. Again, I say that any modern manufacturing economy in the world must have both a steel industry and a car industry.

As I said, I was somewhat sceptical in the beginning; that we were moving too fast too quickly; that we were going too far, but it would appear now that the car plant has been a success and is a success, with companies such as Mitsubishi announcing a $500 million investment, together with General Motors-Holden's plans to expand. We have also seen, of course, Toyota's commitment to a new manufacturing facility in Victoria. Again, with these plans comes much hardship, and we see the closure of Ford's Homebush plant in New South Wales, which is unfortunate but a necessary step in the path of rationalising the car industry in this country.

Again I pay tribute to the Federal Government and, in particular, to Senator John Button who I think without a doubt is the finest industry minister this country has ever produced. We owe him a great deal of gratitude for his foresight and courage to drive through Cabinet and to drive through the nation the pace of reforms that he was able to achieve. We now have an efficient car industry that is sustaining itself. That has been done in conjunction with the companies and associations involved but, very importantly, with the trade union movement. The VBU and other unions associated with the car industry were cooperative; they had a great deal of foresight and realised that the future of their members would be well served by a lean, efficient, productive and world competitive car industry, and together with the employers set about developing such an industry. We have two major industry policy initiatives which were sectorial plans that were quite deliberate and which did not allow industries to suffer at the hands of market forces without certain adjustments and certain areas of assistance by Government. That has meant that we have seen those two very important industries survive.

In my motion I also mention other issues that I would like the forthcoming Federal Government's industry statement to include. I refer to the area of Government purchasing policy towards import substitution. I think that is extremely important. The Commonwealth Government, together with the State Governments, would be the single largest purchaser of goods in the nation. It would be fair to say that we do not use that buying power anywhere near the way we should in terms of substituting imports for locally produced goods. It is incumbent on State and Federal Governments to ensure that they encourage local industries to manufacture products currently being imported.

I also refer in my motion to areas of need in relation to finance for small and medium sized businesses. I was interested to read in this week's *Financial Review* that another South Australian, Senator Chris Schacht, the Minister for Small Business, was taking to Cabinet this week a plan that would assist the venture capital market for small business. The article states:

> Under the plan, to be considered by Cabinet, Canberra would match venture capital provided by private lenders, but would see its loans subordinated to the private loans in the case of losses. The proposal would transform the $500 million venture capital market, and forms part of a three-pronged scheme to tilt capital markets in favour of smaller enterprises.

I am very encouraged that the Senator has developed such a policy, and I would hope that that would become a central element of the forthcoming industry statement; although, in the same article, the Federal Treasury cannot help itself, it has to have a view on these things.

I suppose that is relevant, given that they hold the purse strings, but the Treasurer (Ralph Willis) and even Senator Peter Cook (the senior Minister) were sceptical about this proposal. So, yet again we have a genuine attempt to assist small business in this country, only to have it stymied by the powers that be in the Federal Treasury. I sometimes wonder about the foresight of both our State and Federal Treasury officers when it comes to issues of industry policy. I also talk about the need for special assistance to regional Australia, which I think is an extremely important element of the forthcoming industry statement. If we leave this country's industry and economy simply to market forces, the reality is that some of the regions of Australia will be severely harmed.

South Australia is a particular region of importance to all of us in this Chamber, and industry policy that does not take account of the special needs of South Australia's economy can only further damage the very fragile recovery we are coming through. I would ask the Federal Government to look at regions such as South Australia when developing its industry policy; to ensure that there are sufficient safeguards and progressive measures to guarantee that we are not unduly harmed by the continuing reform that is needed within industry. I hope that is included in the statement.

Mr MEIER secured the adjournment of the debate.

RURAL POVERTY

Mr LEWIS (Ridley): With no pleasure whatsoever, I move:

That this House requests that, as a matter of urgency, the Social Development Committee should investigate the effects of rural poverty on—

(a) children, single adults, single parent families, married couples (as individuals and as a care-giving team), couples with dependent children, the aged (whether pensioners or not), and other groups of pensioners;
(b) the communities in which they live;
(c) the educational, social, recreational and professional organisations which they attend and/or to which they belong;
(d) the delivery of Government services to those people and their communities; and
(e) the ways in which more effective sources of help can be identified to alleviate distress, dysfunctional behaviour, mental ill-health, suicide, the demise of community organisations, structures and traditional activities, and any other consequences the committee discovers and considers relevant to the need for social redevelopment,

by taking evidence, in the most poverty stricken areas of rural South Australia (such as the Murraylands and Mallee), from individuals, groups and community representatives, and provide an interim report to the House of Assembly before the end of April 1994.

I will explain the last phrase first. An interim report by the end of April would merely identify those factors that have been referred to as having been effected by rural poverty, not the in-depth analysis of the ways to treat the symptoms discovered. That would come at a subsequent and further interim report and/or final report. During the last year or so of the last Parliament, within the limited time available to me then as a member of the Opposition, I continued to draw attention to the crisis that was confronting rural Australia in general but, more particularly and especially, rural South Australia in the area that I represent, and the way in which that crisis was—

Mr Quirke interjecting:

Mr LEWIS: I thank the member for Playford for that acknowledgment. I looked at the way in which that crisis was caused, the macro-economic policies that caused it, and the micro-economic effects. 'Macro' means the big picture, what Governments do and how that impacts on what we all have before us as life's chances and options. 'Micro' means the effects on the firms, the commercial entities and even corporate functions within that macro structure of policy. Finally, I looked at what that meant for the people who lived there or were trying to make a living being there.

In the course of doing that, I tried to identify how that would adversely impact very seriously on the rest of Australia, particularly urban Australia. Whilst those people living in the electorate I represent and elsewhere in rural Australia have a tradition of determination, guts and continuation of their commitment in the face of adversity, they cannot go on forever with no reward. Yet that is what they

were facing four years ago, and that is what they got each year subsequently, not only in increasing percentages but with increasing severity. In other words, greater numbers of them were being affected even more adversely by those macro-economic policy settings in the businesses from which they derived their incomes—that is, when they sold their farm products, and mostly to overseas markets—and how the limited amount of revenue so derived restricted their ability to buy goods and services like the clothes they needed, let alone the equipment they needed to replace, such as tractors and other farm machinery. That is now all worn out—its economic use-by-date has expired.

They work long and hard, with virtually no pay, through the night in their own farm buildings and so on to repair, restore and patch up with bandaid treatment in whatever ways they can to keep the equipment running for yet another year, yet another season, yet another harvest. And their wives or the husbands themselves in the homes have made the stoves keep working. If it is a wood stove, they have patched up the hole burnt in the back of the chamber. If it is an electric stove, they have done without the hotplate that went out of commission. If it is another appliance, they have done without it and used more primitive and manual means, or otherwise lived without the convenience. I know of more than one instance in which the house no longer has a serviceable hot water unit because they cannot afford to repair or replace it. It has become so unserviceable that it needs replacement in most instances. It is not even capable of repair.

That has a tremendous impact, not only on the families who suffer the deprivations of having to live in a more primitive way but especially and more particularly on the businesses that otherwise would sell them the goods and services, such as are sold to people in urban settings. That was my point of departure. The consequences for urban Australia, Adelaide and the metropolitan area are these: if we do not identify this problem to which I ask the House to address itself now, through the items I have identified and any others they come across, there will be a massive walk-out—forced or voluntary, it does not matter—of the population from rural South Australia as those enterprises collapse. When that happens, there will not be the $20 billion of income this country has derived from export sales every year from that sector. That will be significantly reduced.

Whilst the problem is probably most severe in South Australia in my electorate, it is still widespread; it is endemic throughout rural areas. The end result will be that, within three years at the outside, we will see production fall by more than a third. Within little more than 12 months, and maybe within only five or six months, we will see one in five farmers in rain fed agricultural production in the electorate of Ridley forced off their land, and no-one will then use that land to produce any crops, wool or meat. No-one will then take care of the explosion of the population of rabbits, mice and weeds and other diseases that could affect the crops on neighbouring properties for at least a year, because no-one will be left with the skills and the money to buy the land and incorporate it into their management plan.

In most cases people will not have the machinery to cover a larger area than the area they are already working. Therefore, even though the land may be put up by the banks for any individual who wishes to buy it or to lease it with the banks as mortgagors in possession, the capacity within those communities and the capacity with the machinery at the disposal of the people who have the skills to keep it in production and to keep the weeds down will not be there. Those people will not have the money or the inclination to control the rabbits, the mice and the weeds. Worse still, we will not only be deprived of the income that would have been derived from those farms as export income to meet our balance of payments but also those people will not be working in any productive way in the economy; they will be dependent on the rest of us as taxpayers for welfare payments such as the dole. I repeat: this will happen to one in five farmers in a matter of months.

The unfortunate consequences for us are that our standard of living will immediately fall because of those twin factors: insufficient income for those people other than the dole, so they will have to accept that and we will have to pay it; and, moreover, there will be no contribution from farm product to meet the cost of imported goods of our choice. Those are the consequences, and that is the seriousness of the problem for us, but for the people who are out there, who are in the most parlous circumstances, it is worse than that. They have done nothing wrong; they have not been incompetent. Their plight is in no way a consequence of any incompetence, inaction or lack of resolve on their part.

We have just had two of the best years in South Australia's agricultural history in terms of the season, and our farmlands in South Australia now have higher levels of soil organic matter than at any point in our history. That is an important factor because it means that we have had the highest yields of cereal grain, wool and meat than at any time in our history, yet the people who are producing it are poorer than they have ever been since I can remember. That is the consequence for the community.

It is not as though this has been caused through over-cropping, over-cultivation or over-grazing of their land and so on, such as that which occurred in the 1920s because the holdings were too small or whatever. The macro-economic settings, particularly the high interest rates, have had very serious consequences for these communities. Those macro-economic settings have kept the dollar value up, and that has meant that the farmgate price in Australian dollars has been lower than it would otherwise have been had the dollar been allowed to float cleanly.

It affected the cost of money to those farmers who bought land in response to the advice they were getting from the Government, through the Department of Agriculture as it was then known, and from their banks either to get big or to get out. They borrowed and bought out a neighbour who was willing to sell, and they now suffer the consequences. What are the consequences that need investigation? It is like this. Churches are simply letting their pastors go; parishes and circuits do not have any more than a lay preacher now. Whole football and netball associations have collapsed in the past few months, as they do not have the money to go on.

Children in school are not concentrating, because they are not eating properly; they cannot. Children in school are suffering the effects of inadequate supply of anything. There is guilt in the individual minds of their parents and other adults in the community, and they cannot cope with that. We must immediately identify that as a problem that needs the highest priority from the Parliament, otherwise we will be derelict in our duties to our own communities and to those people who are so adversely affected. I commend the motion to the House.

Mr LEGGETT (Hanson): I appreciate the concerns of the member for Ridley. As a country boy, I especially recognise the plight of country people. These concerns were

well documented in last Saturday's *Advertiser* of 5 March 1994 in an article on rural poverty. We thank the honourable member for bringing the plight of rural South Australians to the attention of the House. Also, we thank the member for Ridley for initially referring the matter to the Social Development Committee. However, we advise the House and the honourable member that, given the limited resources of the committee, the other matters before it, the terms of reference suggested by the member for Ridley and the limited time frame under the motion, it may be difficult to address all the concerns in the time available, but we will certainly endeavour to do so.

The terms of reference are extremely broad ranging and it may be that, if the committee is to meet that tight time frame by the end of April 1994, evidence will be taken from a small cross-section of the community. Of course, this was recommended by the member for Ridley, whose own electorate includes some of the most impoverished areas of South Australia. We greatly appreciate the honourable member's dilemma. The Social Development Committee will be looking at this matter in a real and significant way.

Mr ATKINSON (Spence): The Labor Party accepts that poverty is worst in South Australia's rural areas. We understand that rural South Australians rely on the international market for their prosperity. If Australia's commodities are not selling well or at a good price on international markets, rural South Australians will be most affected. We support the member for Ridley's motion and we are surprised by the mealy mouthed attempts to explain it away by his Liberal Party colleagues.

Rural South Australia needs urgent attention, and we commend the member for Ridley for what he has done. It seems that there is an emerging tension within the Liberal Party between, on the one hand, the rural members who have served in Opposition for 11 years and who see this Government as their salvation and, on the other hand, the city slickers, led by the member for Coles, who now have a clear majority within the Parliamentary Liberal Party and who seek to do down motions such as that moved by the member for Ridley. Let the member for Ridley, and the people of the Murray-Mallee, be assured that the Labor Party shares his concerns and supports his motion, even though the urban controlled and urban based Brown Liberal Party seeks to read it down.

The Hon. FRANK BLEVINS (Giles): I support this motion, and I congratulate the member for Ridley for raising this extremely important matter; it is a motion that ought to have the unanimous support of the House. I am absolutely appalled at the pattern that is emerging from this Government of its becoming a totally metropolitan or city based Party. I know that from time to time pressures are brought to bear on backbenchers in Government to sit down and be quiet: dreadful people such as Deputy Premiers and Leaders of the House do on occasions sit on them, but this is not such an occasion, I am sure.

I am absolutely confident that the Government would have no objection whatsoever to the Social Development Committee having a look at these problems. There are very real problems in South Australia but none of them are more important than those out there in country South Australia. I do not know whether anybody noticed—I am sure the member for Ridley noticed—a table that appeared in one of the papers earlier this week, I think, which showed the extent of poverty and where the worst poverty was located in South Australia. The top 10, almost without exception, were in country areas. I am just going from memory. But it did not shock those of us who live in country South Australia—it did not shock us at all—because we do know the degree of poverty out there. There are many, many reasons for this poverty. It is not a simple question: it is a complex matter. The member for Ridley is not suggesting that it is a simple problem with simple solutions, because it is not.

I take offence at what the Government has done: it has put up a city based member, the member for Hanson, to knock this proposal and to suggest that this problem ought not be looked at because of a lack of resources in some—

Mr LEGGETT: I rise on a point of order, Mr Speaker. I am not knocking—

The SPEAKER: Order! The honourable member is not raising a point of order. If the honourable member objects and feels he has been misrepresented, he does have the opportunity at the completion of the debate to make a personal explanation.

The Hon. FRANK BLEVINS: I repeat, Sir, just to make it perfectly clear: after the member for Ridley has gone to all this trouble and outlined this problem, clearly, cogently and not in an hysterical way, a city based member, a Government supporter, has knocked it, on the basis not that there is anything necessarily wrong with the proposal but that a parliamentary committee cannot afford it. We are talking about at least one-third of the people in this State who are living in areas where poverty and problems are rife. It does not bother me, even though it appears to bother the Government, if it has to put a few dollars into the Social Development Committee so that this issue can be thoroughly investigated. Is the Social Development Committee just a metropolitan committee? Is it just a committee for looking at things that are close at hand so that members or the staff of that committee are not disturbed too much? Is that what it is for? It certainly ought not to be. These committees and the Government have an obligation to all citizens of South Australia, whether they live in the country or in the metropolitan area.

I want to see bipartisan support for this proposal. There is no doubt that the member for Ridley and I have had some problems over the years, and neither of us would want to deny it. On certain issues we do have a difference in emphasis, and that is only natural in a Parliament where we are generally on opposite sides, but on issues of this type I can tell the member for Ridley and other members opposite who come from country areas that these are real and major issues for South Australia. I object in the strongest possible terms to a Government supporter coming into this House and saying that the poor committee cannot afford to look at the poverty of rural South Australia. I think the Government should be condemned for that.

The Hon. H. ALLISON (Gordon): I had not intended to speak on a motion which, when I heard the member for Ridley first propose it to the House, I believed would be unequivocally and wholeheartedly supported by all members of the House. I simply rise to dispel any doubts that members may have about the degree of support which exists on this side of the House for the member for Ridley. We are unanimously behind him. As the member for Giles said, the member for Ridley has six out of 10 of the most impoverished communities in his electorate. I hope the committee will examine the issues wisely, well and quickly.

Mr FOLEY (Hart): I would also like to contribute briefly to this debate and support the member for Ridley in what he is endeavouring to do. I was fortunate to work for the Minister of Agriculture for a period of some 2½ years—

The Hon. Frank Blevins interjecting:

Mr FOLEY: Not that Minister of Agriculture but another Minister of Agriculture; some would say a very good Minister of Agriculture.

The Hon. Frank Blevins: They still think of him very fondly.

Mr FOLEY: They do. In that time I was fortunate to travel quite extensively into rural South Australia. We spent quite some time looking at a number of rural issues on Eyre Peninsula; indeed, we spent quite a bit of time in the honourable member's electorate and that of the member for Custance, who was providing very welcome and good advice in his role with the former Government. The first time I met the member for Custance was through this, and we did respect his advice.

Clearly, there is great hardship throughout rural South Australia and indeed throughout rural Australia, caused, as the honourable member rightly said, through no fault of individual farmers but through corrupt international markets. The devastating impact that is having on rural Australia is quite significant and an issue that should be addressed. I am surprised that a committee of this Parliament that is being asked to look at what must be the most important issue that such a committee could cover is not willing to deal with it—certainly not in an effective and thorough manner. I am surprised. Whilst the member for Ridley has stipulated that he would require a report back from that committee by April of this year, I would have thought that, given the seriousness and importance of this, the member for Ridley might entertain moving back that date.

If the issue is time and resources, then time and resources should be given to the committee to do this work. I simply do not believe it is good enough for us to say that because the issue is so broad we must simply defer it or look at it only in part. It is a very serious issue, which will not go away. If we as members of Parliament have any responsibility or any way of helping South Australians, an inquiry such as this is one way of doing that, and I support the member.

I would hope that what we are talking about here is a simple issue of the management of a committee and not some broader attempt by the Government to hose down or to—

An honourable member interjecting:

Mr FOLEY: Yes, 'nobble' is a good word—nobble what may indeed uncover some unintended consequences that the Government would rather not face. I hope that when they vote on this issue members opposite will think it through carefully and support this motion for what it is, namely, a genuine and sincere attempt to look at some of the most tragic problems facing rural South Australia, and that they do not accept the Government's line, which is becoming all to obvious to us on this side; that is, attempts by this Government to nobble individual members who may be attempting to do some constructive work in South Australia.

An honourable member interjecting:

Mr FOLEY: Quite a lot. So I urge members opposite, should we vote on this today, to consider supporting the member for Ridley and not interfering in the role of a parliamentarian.

Mr VENNING (Custance): I must rise very briefly in support of this motion. As we all realise, the rural situation is at crisis point, notwithstanding that we have just had a very good harvest. I commend the member for Ridley for moving this motion. The honourable member's electorate encompasses 60 to 70 per cent of the most affected families in this State. I have a smaller number of them in my electorate of Custance, as would most of my rural colleagues.

Some of these families have a net income of $12 000 per annum. How can an average family of three exist on that sort of income? It defies thinking about how people in isolated areas could be expected to live on that amount. Yet, they do it and they do it willingly and cheerfully. It is high time that we took a very serious look at this.

I welcome the comments of the member for Hart. As he said, before I came into this place I had a lot to do with assessing this situation in relation to the Advisory Board of Agriculture and the Rural Advisory Council. This has been an ongoing problem. It was bad enough then, but who would have thought that it could get to the present level?

I also welcome the forthcoming rural debt audit which the Minister of Primary Industries has initiated. Hopefully we will have the results very shortly. I welcome this inquiry and urge the full support of the House.

Mr SCALZI (Hartley): I would also like to support this motion.

Mr Atkinson interjecting:

Mr SCALZI: Yes, I have always had a heart and I will continue to have one. In fact, I applaud the Labor Party for its bipartisan approach to this issue. It is good to see and it heartens me as a new member to realise that the old stereotypes do not really exist in terms of urban, rural, Labor, Liberal, and so on, and that the concerns of South Australians, whether they be in the rural area or in the urban area, come before those matters.

However, I deplore the trivialisation by some of the members opposite of this important issue for political gain—talking about city slickers, and so on. That does not help the cause and it does not relate to the matter. I think we should get behind the issue and do something about the rural problems in South Australia.

Motion carried.

MEDICARE

Adjourned debate on motion of Mr Venning:

That this House deplores the terms of the Medicare agreement with the Commonwealth Government signed by the previous Minister of Health, in particular, the requirement that the public/private ratio in public hospitals be maintained at the 1991 level and, noting with satisfaction the moves now made by the present Minister to alleviate such problems as long waiting lists, this House urges the Minister to negotiate with the Federal Government to ensure terms more in line with the reality of what the people of South Australia, and especially those in country areas, require of their hospital system.

(Continued from 24 February. Page 254.)

Mr ATKINSON (Spence): Medicare has three cardinal principles: first, a choice of services—eligible people have the choice of being treated at a public hospital free of charge to public patients; secondly, universality of services—access to public hospital services is on the basis of clinical need not the ability to pay; thirdly, equity in services provided—as far as possible public hospital services are available to eligible people wherever they live. After all the years we have had Medicare, the Liberal Party is still opposed to these princi-

ples. In this motion, the Party is still rattling the chains that public support for Medicare has placed on it.

The Medicare agreement was signed by every State Government, including of course the Fahey Liberal Government of New South Wales and the Kennett Liberal Government of Victoria. If the Arnold Labor Government was culpable for signing the agreement, as the motion states, will the member for Custance tell us why the Fahey and Kennett Governments were not similarly culpable? Will he tell us in what material respects the agreement signed by the Liberal Governments is different from the agreement signed by the South Australian Government?

The main point of the member for Custance is about the effect of the penalty clause in the agreement on country hospitals. A penalty of $405 per bed can be imposed on hospitals if their ratio of private patients to public patients exceeds that prescribed. It is an important point, one which the Labor Party takes seriously. Labor's Minister of Health (the Hon. Martyn Evans) understood the point well. In the House on 12 October last, he said:

> At my direction the Health Commission is investigating the possibility of ensuring that this part of the agreement with the Commonwealth is changed.

The Minister went on:

> I, as Minister of Health, am responsible for ensuring that the target is met across the State. We will do that, and individual hospitals will have to meet their targets or discuss with and explain to the Health Commission why that cannot be so. If it fits within the total State budget, we will make appropriate allocations where the reasons are good enough.

The member for Custance could not give one single example of a penalty being imposed on a South Australian country hospital. He could not do that because the former Minister and the current Minister apply the Medicare agreement with commonsense. They look for balance across the State, not precise balance within each country hospital.

This is a sterile motion. It is a waste of private members' time. There is no mischief that the motion seeks to remedy. The Medicare agreement was signed by the previous Government in 1993, and the new Government, of which the member for Custance is a supporter, does not propose to repudiate it. The Premier said on 2 October last that the agreement would cause a financial crisis for hospitals by the end of the financial year. Where is the evidence for this claim? The member for Custance adduced no such evidence. Indeed, in respect of the proposed penalty he said, 'To my knowledge no-one has been around to collect it.'

Does the member for Custance really think that under the wise and benign leadership of the current Minister for Health these penalties will be imposed on country hospitals? The member for Custance's rhetoric was exaggerated, as usual. He claimed that at the time South Australia signed the Medicare agreement most members of the House were aghast. That is false. Had the agreement been submitted to the House for ratification in 1993—and it was not required to be so submitted—it would have been carried by the House, and the member for Custance knows that. Most members were not aghast. Most members acquiesced in the $25 million of additional Commonwealth funding made available to South Australia under the agreement. Most members were pleased with an agreement that included incentives and penalties to encourage the principle of treating patients based on clinical need. The member for Custance said of the penalty clause in the Medicare agreement:

> Right through the election campaign there was not a single more important issue. . .

It was more important than the State Bank, more important than the State debt! I do not know where the member for Custance could have been during November and December last year. In his speech on the motion the member for Custance said:

> I do not think the health system in South Australia has been in a worse state across the whole gamut of modern times.

At the time I wondered whether by 'modern times' the member for Custance meant since the Renaissance, since the Enlightenment, since 1836 or since federation. Australians are, by any measure, the healthiest people in the world. They are cared for in hospitals at the second highest rate of any western country. Only Icelanders are more thoroughly cared for in hospitals. Australia's national spending on health has been maintained at about 8 per cent of gross domestic product. The South Australian Government's real spending on health is steady. Our health system is not in a bad state and I am confident that the Minister of Health will keep the good health system he has inherited in a good state.

Finally, the member for Custance said in his speech that he was confident this motion would pass with support from both sides of the House. Again, he is wrong.

The Hon. H. ALLISON secured the adjournment of the debate.

[Sitting suspended from 12.16 to 2 p.m.]

RETIREMENT VILLAGES (MISCELLANEOUS) AMENDMENT BILL

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

PAPER TABLED

The following paper was laid on the table:

By the Minister for Housing, Urban Development and Local Government Relations (Hon. J.K.G. Oswald)—

Local Government Act—Regulations—Superannuation Scheme.

QUESTION TIME

GRAND PRIX

The Hon. LYNN ARNOLD (Leader of the Opposition): Will the Premier advise the House when and how he invited the Victorian Government to make an offer to purchase the infrastructure for our Formula One Grand Prix, why he made such an offer and how he reconciles this with other statements he made within and outside this House about the issue? In December last year the *Advertiser* reported:

> Mr Brown said Victoria could 'get lost' over a call by organisers to hold the race from 1995, despite South Australia having the contract until 1997. 'They argued with me [he said] that they should have a right to run the race after 1994. I said, "Go and get lost".'

On 10 February the Premier told the House that he went to London to ensure that South Australia had the contract for the next three years. However, on ABC radio this morning, when asked if he expected the Victorian race organisers to make an offer for the race infrastructure, the Premier claimed that he had said last year, 'If they [the Victorians] were going to

make an offer, they should make an offer and make it quickly.

The Hon. DEAN BROWN: The first approach from Victoria to make an offer occurred on the day that Mr Ron Walker came to see me, and that was the day before I formally announced—I cannot think of the exact date but it was about mid-December—that the Grand Prix had been lost because, in fact, the contract had been signed on 16 September last year. I told Mr Walker then that we had a contractual right to the Grand Prix for the next three years. He had raised the possibility of buying the equipment, and I said, 'You make me an offer', because at the end of three years, if we can, we would like to be able to sell it. That is an obvious thing to do because, possessing this equipment and having lost the Grand Prix due to the negligence of the former Government, one would hope to be able to maximise for the benefit of all South Australian taxpayers the proceeds from the sale of those assets.

So, I asked Mr Walker to put forward an offer, and I have asked him since to do so. That does not in any way cut across the position that I have been stating, even though it would appear that the Leader of the Opposition has suddenly got excited about the prospect. The last thing we want is to end up with all the equipment to run a Grand Prix and have no race, due to the negligence, particularly, of the former Minister for Tourism. Incidentally, talking about the Grand Prix, I wonder whether the Deputy Leader of the Opposition has yet found that letter of invitation to Princess Di.

The Hon. M.D. Rann interjecting:

The Hon. DEAN BROWN: Good. Let's see it. Send it over.

Members interjecting:

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Deputy Leader of the Opposition. The honourable Premier.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Deputy Leader of the Opposition.

The Hon. DEAN BROWN: Mr Speaker, I think the Deputy Leader of the Opposition would have difficulty in identifying the truth.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: On a point of order, Mr Speaker, I ask the Premier to withdraw that remark.

The SPEAKER: Order! My attention was diverted. Will the Deputy Leader of the Opposition repeat the remark that he wants withdrawn?

The Hon. M.D. RANN: The Premier said that I would have trouble identifying the truth. I request that he withdraw that statement.

Members interjecting:

The SPEAKER: Order! I suggest to the Premier that it would be in the interests of the House if he withdrew that remark.

The Hon. DEAN BROWN: Certainly, Mr Speaker. So that we can get on and deal with the important business of the House, I withdraw that remark.

The point I would make is that at present, although we have a contractual right to the Grand Prix for three years, we have some commercial difficulties which were created by the negligence of the former Labor Government, and those difficulties involve two specific areas. The first is that, because the contract was signed on 16 September last year for the Australian Grand Prix to go to Melbourne, we now have Melbourne bidding very vigorously for a Pacific Grand Prix. I have again been in touch with FOCA and argued the case that no Pacific Grand Prix should be going to Melbourne in 1995, that it would immediately cut across our Grand Prix in Adelaide and that it is not viable to run two Grand Prix events in Australia in the same year. I have put that point very strongly to FOCA and reinforced it again in the past 24 hours.

The second significant problem arising as a direct result of the fact that the former Government allowed the Grand Prix to go to Victoria is that it is very difficult to secure a naming rights sponsor when it is known that we have the race for a limited period of perhaps only three years. That is a real difficulty that this Government is currently working through. However, I can assure the taxpayers of South Australia that we are, first, trying to work through the problem of the situation involving the Pacific Grand Prix for 1995; secondly, trying to secure a major naming rights sponsor and other major sponsorships; and, thirdly, trying to maximise the value to South Australia of any of the capital equipment items that we should have left over after the race is finished here.

BOMA CONGRESS

Mr EVANS (Davenport): Can the Premier advise the House whether Adelaide has won a major convention for the property industry in the face of strong competition from Sydney?

The Hon. DEAN BROWN: Yes, we have been very successful as a State in winning the 1995 Building Owners and Managers Association (BOMA) Congress which is to be held in Adelaide next year. The exciting part is that the congress had been designated for Sydney. Sydney officially had the congress but about a month ago South Australia put together a very strong presentation package. I was delighted to lend the support of the State Government in putting together that package and, as a result, the congress, when it is held next year, will attract over 1 000 people and will directly contribute well over $1 million to the South Australian economy. That is the sort of convention or congress we ought to be securing for this State because, if you put all of these congresses or conventions together, you will find that over 12 months they add up very significantly.

I have been impressed with the work currently being undertaken by the convention bureau in South Australia. Its total budget at present is only $250 000, but it is well known that it is securing a very substantial share of the Australian congress or convention market.

The Hon. G.A. Ingerson: It's 14 per cent.

The Hon. DEAN BROWN: As the honourable member says, it has 14 per cent of the market, when South Australia could expect, with our population, to have about 8 to 8½ per cent. Perhaps that is directly the biggest single factor which is starting to fill some of the hotel and accommodation beds in Adelaide. I pass on my congratulations to the Executive Director of BOMA, Mr David Duncan, and also the State Director on the BOMA Board, Andrew Fletcher, who put together the package and negotiated this congress for Adelaide.

UNEMPLOYMENT

The Hon. LYNN ARNOLD (Leader of the Opposition): What explanation can the Premier offer this House for the level of employment in South Australia falling 4 400 in February to its lowest level in 10 months, with the participa-

tion rate reaching its lowest level in six years? ABS figures released today show that in the past two months (under the Brown Government) total employment in South Australia fell by 9 200, following a gradual increase in South Australia under the last year of the previous Government.

Members interjecting:

The Hon. LYNN ARNOLD: These are the ABS figures. Members opposite may not like them, but these are the ABS figures. There were more jobs in the last year of the last Government—not fewer. South Australia's participation rate, which is a key indicator of competence in the job market, fell to 60.8 per cent in February to its lowest level in six years. I remind members that the participation rate is a key indicator of confidence. While the State's unemployment rate for February fell from 11.2 per cent to 10.7 per cent, this was due solely to the fall in the participation rate.

The Hon. DEAN BROWN: I find it absolutely unbelievable that the man who lost 21 000 manufacturing jobs from South Australia over a two year period can stand in this House and make the sort of statement that the Leader of the Opposition has just made.

An honourable member: Hypocritical!

The Hon. DEAN BROWN: It is incredible. The 11 years of Labor produced the highest levels of unemployment in South Australia compared to most other States, and certainly the highest levels of youth unemployment of any State in Australia. We all know that the 11 years of Labor destroyed South Australia's competitive position when it comes to attracting new investment and establishing or expanding manufacturing industry. The real test will be whether the Leader of the Opposition and his nine cohorts are prepared to support our industrial legislation and WorkCover legislation in an effort to make South Australia competitive once again. That will be the real test.

I am delighted that the Leader of the Opposition raises the issue of unemployment in South Australia because the level is unsatisfactory, but the real test will be whether members opposite are prepared to correct the mistakes that they made in Government. Now that they are sitting in Opposition, with their numbers substantially reduced, they have yet to see that this State cannot compete when it has the highest WorkCover premiums of any State in Australia.

Mr Clarke: Total labour costs are lower.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: Every single statistic produced substantiates the fact that WorkCover premiums in South Australia are the highest of any State in Australia. Heaven help our Opposition if its so-called spokesperson for industrial affairs has so little knowledge, or is prepared to bury the truth when it comes to a comparison between South Australia and the other States of Australia in respect of WorkCover.

Members interjecting:

The SPEAKER: Order! There are too many interjections, particularly from the member for Ross Smith.

The Hon. DEAN BROWN: We appreciate the fact that the member for Ross Smith is trying to establish himself amongst his own union cohorts as a spokesman on industrial matters. With respect to the member for Ross Smith, it was interesting to see what his own union colleagues had to say about the former Government and its consultation with the union movement. I will quote from a submission made to the internal Labor Party review on why it lost the election, reported in the *Australian* of 2 March 1994. I think there were thousands of reasons why, and anyone in the street could tell its members why—

Mr FOLEY: Mr Speaker, I rise on a point of order. What is the relevance of this to the question?

The SPEAKER: Order! The Chair was coming to the same conclusion as the member for Hart. The Premier was starting to stray considerably from the question. I suggest to the Premier that it may be a good idea if he rounded off his answer.

The Hon. DEAN BROWN: Thank you, Mr Speaker. It has a great deal of relevance, I assure you, Sir, because it relates to the fundamental issues as to why our State is competitive or is not competitive and therefore why we have high unemployment.

Mr FOLEY: Mr Speaker, I rise to repeat my point of order as to the relevance of this to the question asked of the Premier.

Members interjecting:

The SPEAKER: Order! There are too many interjections. The Chair has asked the Premier to round off his answer, and I would anticipate that he is doing that because he has taken considerable time to answer the question.

The Hon. DEAN BROWN: I can understand the embarrassment of the member for Hart in not wanting me to read this out. It is a very short quote. The submission from the union movement suggests that the relationship between the Arnold Government and the unions deteriorated to the following extent:

> . . . a large number of unions have said that the new Liberal Government has been far more willing to meet with them and discuss issues openly than the previous Labor Government.

Members interjecting:

The Hon. DEAN BROWN: It is no wonder the member for Ross Smith has been grandstanding. Finally, can I give the Leader of the Opposition some good news on employment. That is, 824 new apprentices were taken on in February this year compared with 523 in February last year, and 377 in February 1992. So, there has been more than a doubling of the number of apprentices signed in February this year compared with two years ago under the then Government.

TRAVEL BOOKINGS

Mr WADE (Elder): Will the Treasurer advise whether there have been any delays or any cost impositions in respect of travel arrangements involving regional airlines which have resulted from the previous Government's policy on managing travel bookings?

The Hon. S.J. BAKER: Of course, the answer is 'Yes'. The former Government had all these ideas that suddenly came to it very late in the piece, about how it could improve efficiency within the Public Service after 10 years of neglect. Prior to the election it decided that it had better look like it was at least producing some efficiencies in the Public Service.

One of those propositions was for a master travel agency arrangement; there was an instruction to all departments that they had to go through one agency, namely, Westpac Travel. That arrangement worked, except for those people in country and regional areas. Of course, the former Government did not understand that there were costs and delays confronting people in Government offices in Whyalla, Port Lincoln, Port Augusta or Mount Gambier who were called to meet Ministers or departmental heads with sometimes only five

minutes notice to get on a plane. They had to ring Westpac, which had to ring the regional airline.

There were problems with commissions, time delays and ticketing. I am pleased to report that the Government reviewed this policy very quickly and determined that the metropolitan arrangement will remain but for employees in regional areas the situation will return to the previous procedure whereby employees, with proper authority, will book directly with the regional airlines. Indeed, everyone is happy with that.

IBM

The Hon. LYNN ARNOLD (Leader of the Opposition): Can the Premier indicate to the House when he will sign an agreement with IBM and, therefore, meet his undertaking to the people of South Australia that, if he won government, within three months—I remind members that that is tomorrow—he would sign an agreement with IBM which would bring $50 million of investment capital into South Australia and create about 2 000 jobs? Just two days before the 11 December election, the now Premier and Mr Mark Bradley, the then State Manager of IBM, held a press conference under the dual logos of IBM (IBM's big blue) and the little blue of the Liberal Party. The Premier promised jobs and investment involving IBM if the Liberals won office, but soon after the election Mr Bradley left IBM in unknown circumstances and a signed agreement is yet to be announced.

The Hon. DEAN BROWN: I am delighted that the Leader of the Opposition has raised this issue, because it gives me a chance to highlight to the House exactly what actions and steps the new Government has taken already to start to clean up the appalling mess that existed in information technology under the previous Government.

Members interjecting:

The Hon. DEAN BROWN: I point out that first we had Information Utility Mk1, but that was about three years ago. Then we had Information Utility Mk2, and that was scrapped and then we had Southern Systems, which was Information Utility Mk3. Out of all this, over a three year period, not one substantial private sector contract was signed with private information technology companies that created new benefit to South Australia. What is more important—and members of the House probably do not realise the extent—is how much money was wasted under the former Government in the information technology area.

Members interjecting:

The Hon. DEAN BROWN: I will come to the IBM contract in a moment. As to the Justice Information System, it took $60 million to establish the software for the JIS. Regarding the E&WS, I am now told by a number of companies that the E&WS could have bought off the shelf software, done some minor adaptations and implemented such a scheme in the department. In fact, the Government had the opportunity largely to use a software package developed for ETSA. What did the former Government do? It signed a contract for $38 million to bring in new computer equipment and develop an entirely new software package. It is astounding.

I have sat down with a range of companies in the information technology area and discussed the losses and costs that have occurred under the former Government, and the waste and mismanagement that has occurred has astounded them. The first step the Government took was to bring together all the—

Members interjecting:

The Hon. DEAN BROWN: I urge the honourable member to be patient. I highlight that the first thing we did was to bring together all the information technology within Government. We established the Information Technology Office. Having done that—

Members interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: On a point of order, Mr Speaker, members opposite are making it impossible for the Premier to reply to the question. We have had this gaggle of geese over there that have been going full pelt throughout the answer, and they are making it impossible.

The SPEAKER: Order! I take the point that the Treasurer has raised, but his comments do not help the Chair to maintain order in the House so that everyone can hear. If members continue to defy the rulings of the Chair in Question Time, I will not continue to warn them: I will name them without further notice. The Premier.

The Hon. DEAN BROWN: We have established the Information Technology Office; we have been drawing together all the threads and the different areas of information technology that existed within the Government; we have sat down and been through a whole range of companies; and we are going through a due diligence process, and IBM is one of the companies involved. IBM itself has endorsed the due diligence process that we are going through with it and all the other companies. Why? Because we want to maximise the benefit to South Australia of new private industry investment and employment opportunity and, in particular, to establish a computer software development centre at Technology Park.

The answer is 'No, we have not yet signed the contract with IBM', but we are well into the process, and the MFP Board has already endorsed the establishment of a computer technology centre. So, there will be egg on the faces of members opposite when they find that in 3½ years they could achieve absolutely nothing in information technology except to waste millions of dollars of taxpayers' money compared with what we have put together in just three short months.

The Hon. FRANK BLEVINS: I raise a point of order regarding the length of this answer and relevance: the Premier has taken 9½ minutes just to say 'No.'

The SPEAKER: I cannot uphold that point of order.

Members interjecting:

The SPEAKER: Order! The Minister for Tourism. The member for Florey.

WATER RESEARCH

Mr BASS (Florey): Will the Minister for Industry, Manufacturing, Small Business and Regional Development explain to the House the involvement of one of Australia's top water researchers in a collaboration with the German Government? There has been recent publicity about the blight of blue-green algae in South Australia, and I understand we have one of Australia's leading scientists now involved in monitoring the situation and leading research into its prevention.

The Hon. J.W. OLSEN: After some considerable delay, it is great to have confirmation from the Australian Government that, with the German Government, it will contribute some $5 million towards a collaborative effort between the Australian and German Governments on water quality and that, further, some $3.5 million of that $5 million joint funding will be spent here in Adelaide. Professor Don Bursill,

Director of the Australian Centre for Water Quality Research, based in Adelaide, will be the team leader of the exercise. That is a significant coup not only in recognition of Professor Bursill's application as Director of the Australian Centre for Water Quality Research in South Australia but also in terms of national and international recognition that the German Government is prepared to commit its funds with him as team leader. Mr Speaker, you might well ask why Germany.

Members interjecting:

The Hon. J.W. OLSEN: I am glad the Opposition is interested in the answer, because it was going to get it either way. Germany has a high technological base in water and waste water treatment but has had little practical experience in dealing with water containing high natural organic carbon levels, something with which we in South Australia have had considerable experience. The highest priority for the program will be looking at the transport of organic material and associated phosphorus from catchments through reservoirs, that is, in the Adelaide Hills area.

This underscores another major policy direction of the Liberal Government, and that is the establishment of a centre for excellence in hydrology. Professor Don Bursill will play a key part in the establishment of that centre for excellence—

The Hon. Dean Brown interjecting:

The Hon. J.W. OLSEN: Yes, as part of the now refocused MFP with support from the Federal Government, the MFP board and the South Australian Government are achieving some clear direction. We have joint funding from an overseas country, most of which funding will be spent in South Australia. The team leader will be a South Australian, and that will not only reaffirm our international standing but will give great impetus to the centre of excellence for hydrology which will be established in the not too distant future.

IBM

The Hon. M.D. RANN (Deputy Leader of the Opposition): Will the Premier table the documents signed between the then Opposition and IBM prior to the last election? Will he confirm that since the election the advice he has been receiving from senior public servants is that that memo of understanding accepted by the then Opposition, with Mr Bradley then of IBM, may not be in South Australia's best interests? Prior to the election the Premier said that the much publicised deal with IBM was not based upon its being guaranteed a substantial slice of Government computer business. However, newspaper reports indicate that IBM would need to win a big slice of Government computer business to make the project viable.

The Hon. DEAN BROWN: The content of what was agreed to with IBM was released at a press conference several days before the election. It was put out in a detailed submission then. The document was freely available to the media, and you can obtain a copy of the material that was put out at the press conference. It covered all the detail.

The Government needs to go through a due diligence process before it can finally sign any agreement. We are well advanced in that due diligence process, and it will be to the benefit of this State. The important thing is that out of this we will find that we have a world class computer software development centre as part of our refocused MFP. We will have substantial export opportunity in the area of information technology, which is the fastest growing area of all, where this State has failed to secure substantial investment, even though opportunities did exist. In other words, the former Government lost those opportunities. We know the extent to which they have been lost because we have been talking to a number of the companies involved.

The other important thing is that we will have a computer outsourcing centre here in South Australia that will be able to do the information processing for companies that might be based in the Eastern States or overseas. For so long, people have been saying that we ought to be in there, in the field, attracting significant head office operations to this State, and this will give us that capability. It is interesting to see the extent to which we are now negotiating with a couple of other companies that could be established as part of this computer technology park and, therefore, part of the MFP.

I instance that sort of progress *vis-a-vis* one other point that has come to my notice, and I refer to the waste that occurred under the former Government within ETSA. In March 1990 the ETSA board and its computer processing committee authorised the expenditure of $600 000 on a contract for the purchase of personal computers within ETSA. They found that by August 1992, when this purchase should have been completed, they had spent not $600 000 but in fact $2.2 million and were committed to spending another $1.3 million before they could complete the contract. So, that was a six-fold blow-out in the size of the contract issued under the former Government. In fact, there was an audit within ETSA, the results of which were available prior to the election (so the former Government knew about this) as contained in a report received in October 1993, summarising the following three points:

1. Procedures were not in place to ensure the on-going monitoring of expenditure on this contract.
2. Formal contracts for the supply of hardware and services were not in place.
3. Formal procedures were not in place to ensure that at regular intervals new hardware was evaluated to determine its suitability for use by ETSA.

In fact, when they were asked for the formal working papers which evaluated the individual contractors or tenderers they could not find those working papers. That highlights the lack of standards and accountability that applied with information technology under the former Government. We have moved quickly and made substantial grounds already to rectify that situation.

MILE END DEVELOPMENT

Mr LEGGETT (Hanson): Will the Minister of Housing, Urban Development and Local Government Relations report on the Horwood Bagshaw residential development at Mile End and advise whether it has achieved the Government's objectives?

The Hon. J.K.G. OSWALD: I thank the honourable member for his question, knowing his intense interest in the urban development of the western suburbs, in particular the area around the Horwood Bagshaw site. The development of that site and the sales taking place there reflect the confidence and buoyancy created out in the community since the State election. It is no accident that house and property sales have greatly exceeded all predictions in June, July and August last year indicating a major downturn at this time of the year. Horwood Bagshaw is another example where we have seen through the Urban Land Trust, in cooperation with local government and the private sector, the encouragement of urban redevelopment.

On that site are some 86 allotments with a mix of old and new styles, and I would recommend that members keep an eye on progress at the site, as they will see a very interesting mix of medium density urban development tastefully combined with the provision of open space. Every allotment has been contracted, and that is a classic example of the confidence now running through the South Australian economy as a result of the change of Administration, which is being felt everywhere.

Members interjecting:

The Hon. J.K.G. OSWALD: Members opposite scoff at that: the former Government was certainly involved in the early stages of the concept, but they cannot get away from the fact that over the past months we have seen a tremendous resurgence of housing in this State with people now prepared to take a risk and go out and undertake what is probably the most expensive investment of their lives. They are doing that, and it is worth analysing why that is happening in South Australia at the moment.

We can go to the Horwood Bagshaw site, to the Northfield development or to areas being developed by the private housing sector and see this resurgence taking place. It is to the credit of the Government now in power that we have brought about a resurgence of confidence that this State has not had for many years.

HOSPITALITY COURSE

Mr De LAINE (Price): Will the Minister for Employment, Training and Further Education give an assurance that the diploma course in hospitality conducted at Regency College in my electorate will not be phased out to increase the number of students undertaking the alternative course offered by the International College of Hotel Management? Industry sources have expressed concern that the Minister is being pressured to phase out the Government diploma course and subsidise the International College of Hotel Management course being conducted under a joint venture by Regency College, Dr Rex Lipmann and the Swiss Hotels Association. The concern is that, while the fee for the diploma course is $4 500, the cost of the ICHM course is $46 500 and beyond the means of most students.

The Hon. R.B. SUCH: There is no intention to phase out that course.

GROUP ASSET MANAGEMENT DIVISION

Mr QUIRKE (Playford): Does the Treasurer have full confidence in the board and management of the Group Asset Management Division (GAMD) of the State Bank, and does he still support having an independent inquiry into the operations of GAMD? In July last year the Treasurer, then the Opposition Treasury spokesperson, called for an independent inquiry into GAMD following widespread criticism by him of the board and management of GAMD. The Treasurer previously criticised both the GAMD Chairman, Mr Robert Ruse, and the Deputy Chairman, Mr Robert Martin.

The Hon. S.J. BAKER: Certainly the criticisms made at the time were quite justified. I presume that every member of this Parliament has received a letter from someone disenchanted with the handling of matters involving the State Bank or GAMD. If they have not, I presume that they are not looking after their constituents particularly well. Some criticisms were justified but others, perhaps because of the individual's financial situation, were attempting to find some solace through the parliamentary system—trying to find a way out of their financial problems and put those problems back onto the taxpayer.

A number of legitimate complaints were received about the handling of GAMD. I dealt with them in a doorstop interview in one instance and we had a change of heart by GAMD on that occasion. I dealt with a number of other situations in which I believed GAMD had exceeded its authority and was placing businesses at risk through its operations. At the time I felt more than comfortable in terms of demanding an independent inquiry into GAMD. I have no difficulty in remembering occasions when businesses were failing through outrageous demands being made upon them at the time with nobody to help them out. I took up the cudgels and made clear that all transactions undertaken by GAMD should be subject to independent scrutiny.

Things have now changed: we have had a change of Government since then, and everyone in South Australia is very pleased about that event. We now have a Treasurer who is particularly interested in operations of the State Bank and GAMD and interested in ensuring that fairness prevails and taxpayers get a fair return for the massive losses sustained through the actions of the former Government. I now hold the reins. I take an active interest in those areas where a conflict arises without interfering in the process.

I am more than satisfied that we have GAMD and the State Bank back on track, and I will continue to ensure that we get value for money and a return on those non-performing loans. Indeed, where difficult occasions arise, where there are extreme conflicts (and we had some recently), we talk matters through, avoid getting into heavy litigation and resolve issues amicably to the benefit of all parties. I stand by my statement at the time and advise that the need for an independent inquiry no longer exists.

O'SULLIVAN BEACH

Mrs ROSENBERG (Kaurna): Will the Minister for Environment and Natural Resources advise whether he is aware that the Noarlunga council recently moved a motion for a 20 year moratorium on sand dredging off O'Sullivan Beach and, if so, what is his response to this move?

The Hon. D.C. WOTTON: I am aware of the honourable member's ongoing interest in this matter. The council wrote to me on 3 March advising me of the issue raised at its February meeting, at which it resolved to request from the State Government the 20 year moratorium on the removal of sand.

I have since been advised that the Coastal Management Branch has sought meetings with the council, Christies Sailing Club and Christies Surf Lifesaving Club to discuss the issue further and resolve any misunderstanding of any connection between the periodic loss of sand at Christies Beach and the sand dredging operations. I am also aware that at least three of my colleagues—the member who asked the question and the members for Mawson and Reynell—have met with the Coast Protection Board in order to seek a solution to the fluctuating beach conditions at Christies which are greatly affecting recreational use in their electorates.

I have asked for a report from the Coast Protection Board on the outcomes of the meetings, particularly between the council and the branch, to identify the problems of the beach conditions and, more importantly, to bring to me some solutions to this problem. I appreciate the concern that is

being expressed in coastal electorates. It is one that I will address with some urgency.

GROUP ASSET MANAGEMENT DIVISION

Mr QUIRKE (Playford): Why has the Treasurer refused to release the complete half yearly statements for the Group Asset Management Division of the State Bank (the so-called bad bank), and will he table in this House this afternoon the complete financial statements for GAMD for the period ending 31 December 1993? On 28 February this year the Group Asset Management Division of the State Bank issued a press release on its results for the six months to December 1993. GAMD, however, has been instructed by the Treasurer not to release its full financial statements for this period and he has not tabled those statements in Parliament as is normally the case.

The Hon. S.J. BAKER: The Parliament and people of South Australia, through a press release—and, if members want to ask additional questions, I am happy to answer them—have been provided with the results of GAMD's trading for the six months ended 31 December 1993. The statements are quite proper. At the end of the year, as is normal with every Government department or statutory authority, the Parliament will have a full statement on the operations of GAMD.

PRISON CLOSURES

Mr FOLEY (Hart): My question is to the Minister for Emergency Services. Did the Government order staff at all prisons to justify their existence or face closure on economic grounds, or was this instruction given only to staff at Port Lincoln and Cadell prisons? The Auditor-General's Report shows that the annual cost per prisoner at Port Lincoln is $46 000, which is less than the annual cost at Port Augusta, the Adelaide Remand Centre, Yatala Labour Prison and Mobilong.

The Hon. S.J. BAKER: I rise on a point of order, Mr Speaker. I think the record will show that this question is remarkably similar to one that was asked yesterday.

The SPEAKER: Order! The Chair has the difficulty of not having the question directly in front of it, so I will allow the member to continue with the question.

Mr FOLEY: Thank you, Mr Speaker. In the case of Cadell the annual cost per prisoner is $30 000, which is the lowest of all prisons in the State.

The Hon. W.A. MATTHEW: The question has a remarkable similarity to one that was asked in this House the other day. On that occasion the honourable member was told, and told clearly, that the cost of the prison system in South Australia is the highest of any State in Australia. For that reason—

The Hon. Frank Blevins interjecting:

The Hon. W.A. MATTHEW: The member for Giles might interject, but he was the Minister who in this House denied that the figures that I released were correct. They have now been shown by the Department of Correctional Services to be factual. The cost of our prison system is the highest in Australia. As a consequence, and as I have outlined in this House before, we have a review under way of all prisons to determine the most appropriate way to use our prison system to bring down the costs.

The honourable member refers to a memo. In fact, a memo was sent to all Correctional Services staff giving them the opportunity of participating in target separation packages. There is nothing new about that process. The only change is that Correctional Services officers now have access to those packages, too. That was sent to all officers at all institutions.

GRAND PRIX

Mr BROKENSHIRE (Mawson): Has the Premier seen a copy of the invitation sent by the former Minister for Tourism to Princess Di to attend the 1994 Grand Prix, and how does that relate to other information that he has on this matter?

The Hon. DEAN BROWN: The answer is 'Yes', I have now seen a letter of invitation from the Deputy Leader of the Opposition. When asking for the invitation, we conducted a search to see whether we could expect a response, and we found a certain letter signed by the then Premier, now Leader of the Opposition, dated 10 December—one day before the election. I will read the entire letter to the House so that it cannot be taken out of context. It is only two sentences, as follows:

> I refer to your letter dated 11 November 1993 regarding an invitation to the Princess of Wales to attend the 1994 Australian Formula One Grand Prix. I have not invited the princess on behalf of South Australia, nor at this stage are there any plans to invite her to next year's event.
>
> Yours sincerely,
>
> Lynn Arnold, Premier.

ADELAIDE CHILDREN'S HOSPITAL

The SPEAKER: The member for Spence.

Mr ATKINSON (Spence): Thank you, Mr Speaker.

Members interjecting:

The SPEAKER: Order! There are too many interjections coming from the ministerial bench. I suggest that the member for Spence should be given the opportunity to ask his question.

Mr ATKINSON: Thank you, Mr Speaker. Can the Minister for Health assure hospital staff and the parents of children in Colton ward of the Adelaide Children's Hospital that all equipment and facilities privately donated to the ward will shift with it from the fourth floor to the second floor of the hospital? Colton ward is used by children with cystic fibrosis, asthma and diabetes. On average, these children stay in hospital longer than other children. They have been provided with special facilities and attractions, such as the yellow brick road, by private donors, including Reynella Rotary, Bridgestone at Salisbury, Old Collegians Rugby Union Football Club, Carols by Candlelight, Naracoorte Lions and Radio 5AD listeners. I understand that many of these facilities and attractions will stay on the fourth floor when Colton ward moves to the second floor owing to the hospital's being insufficiently funded to make them part of the move.

The Hon. M.H. ARMITAGE: I am delighted to get a question on health. This is the tenth sitting day of this session. To date we have had 175 questions and today there have been another six or seven from this side and the Opposition side, so we have had approximately 185 questions since the Parliament started. Health spends 25 per cent of the State's taxes—

An honourable member interjecting:

The Hon. M.H. ARMITAGE: I do not intend to. Health is the largest public sector employer in the State—

The Hon. H. Allison: And the Opposition looks sick!

The Hon. M.H. ARMITAGE: Yes. The new Government has introduced the most major change in health funding in South Australia in the past 20 years in a system which is fundamental to the well-being of all South Australians, and we are getting our first question on health.

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: I rise on a point of order, Mr Speaker. Surely under Standing Orders a Minister, at some stage, must make an attempt to answer the question.

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: Mr Speaker, my point of order is: will you please ask the Minister to stop patting himself on the back and answer the question?

The SPEAKER: Ministers are given a great deal more latitude in answering questions than members are in asking them, but I draw the Minister's attention to the fact that the answer should be relevant.

The Hon. M.H. ARMITAGE: I was answering the question. I was pointing out that it was the one hundred and eighty-sixth question of the session. I would surmise that Labor is embarrassed about its record in health. The matter of private sector produced equipment in public sector hospitals does one thing only: it indicates how poorly this previous Government, our immediate Opposition, funded the infrastructure of our hospitals. It indicates that the only way that the hospitals were able to provide appropriate services was to call on the private sector to make up the deficiency. As far as the reorganisation of the hospital is concerned, this Government is committed to being as efficient as possible—

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: —with the resources, and it will—

The SPEAKER: Order! There is a point of order from the member for Lee.

Mr ROSSI: I rise on a point of order, Mr Speaker. Unfortunately, I sit on this side of the House and I cannot hear the Minister's reply due to the noise on my right. Could you please control the members to my right.

Members interjecting:

The SPEAKER: Order! Question Time has been particularly unruly this afternoon. There have been a great number of interjections and unnecessary points of order. It is entirely up to the House to conduct itself in a more appropriate manner. The Chair can take action, but that also will be disruptive.

The Hon. M.H. ARMITAGE: Thank you, Mr Speaker. I was pointing out that this Government intends to provide services that are as efficiently run as possible, which clearly was not a priority of the previous Government. In the reorganisation of the Women's and Children's Hospital—which is occurring as part of the agglomeration of the two hospitals—we are charging the organisation of the hospitals and the administration and the clinicians to provide efficient, effective and sensitive care, and I will ensure that that occurs.

ABERFOYLE PARK NEIGHBOURHOOD HOUSE

Mr QUIRKE (Playford): Can the Minister for Family and Community Services say whether he has agreed to the request by the member for Fisher to reinstate the funding for the neighbourhood house in the electorate of Fisher? Will the Minister provide the House with a list of those centres earmarked for funding cuts? Last week the *Messenger Press* carried a story that the member for Fisher had 'lashed out' at his Government's cuts to neighbourhood house funding, describing the cuts as a 'cruel hoax'.

The Hon. D.C. WOTTON: I think the member opposite should get his facts right. I think the honourable member should realise that the cuts he was talking about were brought down by the previous Government; this Government had nothing to do with those matters. I am currently reviewing the funding for neighbourhood houses and, when I am ready, I will advise the House of the outcome of that review.

STORMWATER

Mr ASHENDEN (Wright): Can the Minister for Housing, Urban Development and Local Government Relations advise a recommended course of action for home owners to take when their property is subject to run-off of water from neighbouring properties? My electorate is quite hilly, and a number of constituents have approached me with the problem of water run-off from neighbouring properties. The only recourse that these people have is to take civil action, which is expensive and time consuming. Councils presently do not have the power to require the party at fault to rectify the situation. Both residents and one council in my electorate believe the Local Government Act should be strengthened to provide councils with such powers.

The Hon. J.K.G. OSWALD: I thank the honourable member for the question, knowing of his ongoing interest in this matter from when he was a local councillor in the Tea Tree Gully area, and now that he is the member for the area. Many suburbs experience this problem with run-off when they build housing estates along the foothills. It is not an easy problem to address, as no provisions exist at the moment in the legislation.

The three areas of concern the honourable member has raised with me involve the run-off from properties across other properties; the lack of control by the local government authorities; and how we go about amending the Local Government Act. The honourable member and other members will be interested to know that I do not think it is appropriate at this stage to amend the Local Government Act, and I will explain why. A joint task group report, which proposes new metropolitan stormwater management and funding arrangements, has been released, and members would have that or I can provide them with copies.

This whole question of stormwater management is about to become the subject of negotiation between the State and local government. Also, members would be aware that we are about to undergo, through local government liaison, a new review of both the Constitution Act for local government and also a separate Act, which will pick up all the administrative roles of local government, one of which involves lands. I believe that the most appropriate place for us to look at legislation affecting stormwater and stormwater run-off across properties is in a rewrite of the Local Government Act (the lands or administrative section).

I ask the honourable member to take up the matter with his local council and urge it to take up the matter with the LGA, so that it can be included in the preparation of that legislation, which I intend—if everything runs to plan—introducing in the House during the budget session this year. I would urge the LGA, in consultation with councils, to put recommendations forward. I think that is probably the most appropriate vehicle in which to incorporate future legislation affecting

stormwater run-off from residential properties. I am certainly prepared to take evidence now, but it will be considered by the Parliament in the August session, and I believe that is the most appropriate time.

COMMUNITY HEALTH

Mr KERIN (Frome): Can the Minister for Health inform the House whether the Government sees its health advancement objectives being promoted primarily through the reform of hospitals and, in particular, what role does the Minister see for community health services?

The Hon. M.H. ARMITAGE: Two questions in one day—it is a busy day! At least Government members are interested in health, even if the Opposition is not. The short answer is that the Government does not see its health advancement objectives occurring only through hospital initiatives, because hospitals, by their very nature, tend to focus on illness, and we recognise there is a much broader picture, which includes avoiding illness and, indeed, what is known as 'wellness behaviour'.

As every member of the House would recognise, our policy prior to the last election had a large focus on health promotion, and community health services are a large part of that, from preventative health services to the local general practitioner, to the hospital, community nursing, domiciliary care, and so on. Community health services are an integral part of total health provision. I recently attended a number of hospitals in the electorate of Eyre, and I was pleased to see the services being provided in those hospitals.

I also visited the Gladstone District Community Health and Welfare Centre, which is in the electorate of Frome.The member for Frome and I and a number of my people were delighted to see the range of services. Community health nurses, child/adolescent/family health services, doctors, dentists, medical specialists, mental health services, psychologists, community nurses, health promotion units, mobile vans, and so on were all part of an excellent and integrated service. It is just such a service that this Government is committed to providing, and I commend the people of the Gladstone District Community Health and Welfare Centre for providing such services.

That will be promoted through the non-hospital initiatives of the casemix funding process for hospitals. I indicate to the member for Frome that, with such initiatives in his electorate and with his continued support for them and lobbying on their behalf, electors in the electorate of Frome will be well treated in their health needs.

The SPEAKER: Before calling on the Deputy Leader of the Opposition, I do point out to him and other members that personal explanations are quite restrictive. I quote from the Standing Orders:

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

The honourable Deputy Leader of the Opposition.

GRAND PRIX

The Hon. M.D. RANN (Deputy Leader of the Opposition): I seek leave to make a personal explanation.

Leave granted.

The Hon. M.D. RANN: Yesterday in this House I was referred to by the Premier as the 'Minister for misinformation' and he said:

> . . . [he had] been looking for the invitation that was apparently sent by the then Minister of Tourism to Princess Di. . . to attend the 1994 Grand Prix. In fact, I have found that no invitation was ever sent, even though it was a major issue during the election campaign immediately prior to the 1993 Grand Prix when he stood up, grandstanded, and got the publicity by saying, 'I have today invited the Princess of Wales to come to the 1994 Grand Prix'. What did I find? No letter was sent whatsoever. . .

and so on. I would like to read this letter, as follows:

> Your Royal Highness, since its inception in 1985, the Australian Formula One Grand Prix has been held annually in Adelaide, South Australia. Each year the event has been extended to the stage where it is now the largest annually held sporting event in Australasia. However, it is more than just a sporting event. Our Grand Prix—

The Hon. S.J. BAKER: On a point of order, Mr Speaker, this is supposed to be a personal explanation, not a second reading debate.

The SPEAKER: Order! The Deputy Premier is correct. The Deputy Leader is reading from a letter. I have previously pointed out to the Deputy Leader and other members that, in making a personal explanation, the subject matter must not be debated.

The Hon. M.D. RANN: I am just reading straight from the letter that apparently was not sent.

The SPEAKER: As long as the honourable member confines his remarks very precisely, I will allow him to continue.

The Hon. M.D. RANN: The letter continues:

> Our Grand Prix has become the centrepiece of a week long celebration involving hundreds of thousands of local citizens and tens of thousands of visitors in a wide range of social, cultural and sporting activities. The event has now been developed to the stage where it is telecast to over 100 countries reaching a world wide live audience of 520 million people.
>
> Each year the Australian Grand Prix adopts a new theme. This year the Grand Prix is actively supporting the United Nations 'Year of Indigenous Peoples'. This year the Grand Prix will be showcasing Aboriginal arts, crafts, music and dance. Next year the 1994 Australian Formula One Grand Prix will actively support the United Nations 'Year of the Family'. Given the extent of our global audience we are keen to promote a range of humanitarian cases, with a special emphasis on caring for our children.
>
> Whilst all Australians are currently looking forward to the 1993 Australian Grand Prix to be held early in November, our planning proceeds for the 1994 event and tenth anniversary to be held in Adelaide from Thursday 3 November to Sunday 6 November 1994.
>
> On behalf of the Board of the Australian Formula One Grand Prix, I would like to officially invite you to be our special guest at Australia's largest and most successful international and sporting entertainment spectacular. The event has proved an excellent medium for promoting Australia and Australian skills including technology and design. It attracts some 300 000 spectators over the four days, with a strong corporate representation.
>
> In addition to the Grand Prix, we would be very keen to involve you in other activities if you can accept our invitation. Following discussions with the Minister of Health, we would be keen to invite you to inspect our redeveloped Adelaide Women's and Children's Hospital, to visit the hospice at the Lyell McEwin Hospital in Elizabeth and a special new unit at the Salisbury Park Primary School dedicated to the care and educational needs of children with severe multiple disabilities. I know the parents and children at this school would greatly appreciate it if you could visit and inspect these world class facilities.
>
> I know that all South Australians would be delighted if you could accept our invitation to attend our award winning Australian international event, and join us in celebrating 10 years of the Australian Formula One Grand Prix festival. Your previous visits to South Australia have been most successful, and you have a strong following in our State.
>
> In accordance with official protocol, our Premier will officially invite you to visit South Australia through the Office of the Prime Minister of the Commonwealth of Australia. However, on behalf of the Grand Prix, I wanted to advise you of our invitation in advance in order to inform you of our tenth anniversary Grand Prix celebrations and to ascertain your availability.

With kindest regards,
Yours sincerely,
Mike Rann M.P.
Minister of Tourism.

The Premier's comments do not offend me, but I find it disgraceful that the head of Government of this State should seek to involve the Royal Family in controversy—

The SPEAKER: Order!

The Hon. M.D. RANN: —during a royal visit to this State.

The SPEAKER: Order! Leave is withdrawn. The Minister for Employment, Training and Further Education.

ABERFOYLE PARK NEIGHBOURHOOD HOUSE

The Hon. R.B. SUCH (Minister for Employment, Training and Further Education): I seek leave to make a personal explanation.

Leave granted.

The Hon. R.B. SUCH: During Question Time, the member for Playford raised an issue which related to me as member for Fisher, and that was the matter of funding for the Aberfoyle Park neighbourhood house and an article published in the Hills Valley *Messenger* some six or seven weeks ago. That article was completely inaccurate and, as a result of that inaccurate article, the following week the paper published an extensive apology and correction. It is important that that be put on the record and that in future the member for Playford check the facts.

GRIEVANCE DEBATE

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

Mr CONDOUS (Colton): All of us in this House are currently receiving information from an organisation called Mothers Opposing Pollution. On the top left-hand side, the document shows a logo 'Caring for children and our environment'. I have not had the pleasure of meeting these people as yet, but what they have written to me makes commonsense when it comes to the sale of milk in plastic containers. The previous Government and the former Minister, Kym Mayes, allowed this to come about, even going to the extent, just prior to the election, of talking about putting a recycling deposit on cigarette packets and chocolate wrappers as well.

What concerns me is that many of these containers are not getting to recycling depots. Here we are worrying about our children in an environment in which we have been allowed to grow up in possibly one of the cleanest places in the world, yet now we are allowing it to degenerate to a stage where the children of tomorrow may actually be in complete danger of not being able to live in a safe environment. The dairy industry is selling milk which is supposed to be a health product to stimulate good bone growth, yet it is put in a container which is totally dangerous to the community.

Many councils have already instituted recycling and each week people cart their glass, plastics, cardboard and paper to the front gate. They expect that their recyclables will be collected and put to good use, but several recycling experts say that in some cases it may be a waste of energy for the residents to go to that trouble, because plastics are the big problem, with more than half those collected and sorted not even getting to a recycling station. Plastic is used, instead, as land fill, despite the potential danger that plastic toxins may leak from the earth. During my time as Lord Mayor, enormous volumes of plastics were continually put into the ground eventually to become land fill. The dump at Wingfield is still operated.

I have taken the time in the past few weeks to go around and look at some of the recycling depots. What I found was enormous bales of plastic milk containers, crushed up and to be disposed of. They will probably finish up being recycled or used mainly in land fill. At present, more than one million plastic milk containers are being dumped in South Australia each month, and the plastic pollution problem has become an environmental crisis. This is also supported by the Mothers Opposing Pollution group.

Mr Atkinson interjecting:

Mr CONDOUS: As I said, I have not had the pleasure of meeting them, but they make common sense. The dumping of plastic milk containers in South Australia is an environmental disgrace and a legacy that has been left to us by the previous Government. We have a responsibility to do something about it. In the first instance, we should be pleading with the community to boycott them—not to buy milk in plastic containers—because that would soon send a message to manufacturers that people want to go back to cardboard containers that can be recycled. We would find that it would stop immediately. Secondly, short of banning plastic containers—and I wish the Government would do that—there should be a deposit system—

Mr Atkinson interjecting:

Mr CONDOUS: Yes, but you introduced it: you were part of it and you should hang your head in shame, because you were part of the Government that made that decision. I will take the honourable member to Wingfield so that he can see the disgraceful situation that exists there as a result of the action that he supported former Minister Mayes in implementing.

The SPEAKER: Order! The honourable member's time has expired. The Deputy Leader of the Opposition.

The Hon. M.D. RANN (Deputy Leader of the Opposition): I refer to tertiary education in my electorate. As to the royal invitation, or lack of invitation, I want the Premier today to announce whether or not he would like to see Princess Diana, the Princess of Wales, come to the tenth Grand Prix. I believe his attempt to involve the Royal Family in political controversy during a royal visit to this State by Prince Edward is disgraceful. I could not care less whether or not he apologises to me, because he is becoming comical in this matter. I remember when he was Minister of Industrial Affairs in the late 1970s and his nickname among journalists was 'Tricky Dean', but I prefer to call him 'the bare faced Premier'. I should explain—

Mr CUMMINS: Mr Speaker, I rise on a point of order. The Deputy Leader is casting reflections on a member of this House and I do not believe those comments are parliamentary.

The SPEAKER: Order! Can I say to the Deputy Leader of the Opposition that a trend is developing in the House to use words which may not be strictly unparliamentary but which do not assist the House. Therefore, I ask the honourable member and other members not to use those sorts of

words, otherwise the Chair will be forced to take action. The honourable member.

The Hon. M.D. RANN: Thank you, Sir. I should advise the Premier, because I know he is new to the area of protocol, that I was asked by the Grand Prix Office to see whether we could arrange for Princess Diana to come to South Australia for the tenth Grand Prix. It was pointed out to me by people who know these matters better than I do that, under the new rules relating to the Royal Family, particularly to the Princess of Wales, she had to be invited to attend functions formally through the Prime Minister's office, and those functions should be related to areas where she was the patron. It was suggested, too, that it would be useful for me on behalf of the Australian Grand Prix Board to ascertain her availability and to seek to involve her not just in the Grand Prix but also in a number of activities in which she was associated, such as children's health, hospice care, and hospital and health care generally. That is exactly what was done.

The former Premier was quite correct in informing the Governor that no official invitation had yet been made because we had yet to receive any response from Princess Diana relating to her availability. There was no point in inviting her to the tenth Grand Prix and being refused if she was going to be in the United States, Canada or some other place at that time. I acted on behalf of the Grand Prix people to ascertain her availability. I am surprised that the Premier should try to smear royal invitations and to try to involve the Governor of this State, as well as the Royal Family, in political controversy. It is disgraceful and it is a form of conduct that does him no honour.

I also want to talk about a matter of grave concern in my electorate and in the northern suburbs. When Parliament was opened, I was elected as the Opposition representative on the Council of the University of South Australia. As members would know, I played a significant role in establishing that university by being involved in many months of negotiations to bring about a series of amalgamations in the higher education sector. These changes included the amalgamation of the Sturt campus of the South Australian College of Advanced Education with Flinders University and a number of other mergers. In my view, this was a unique opportunity to establish an outstanding new Australian university drawing on the different but complementary strengths of two organisations of higher education whose roots went back to the last century. So, I was concerned to hear of plans—

Mr LEWIS: Mr Speaker, I rise on a point of order. I draw your attention to Standing Order 199:

> When the royal prerogative is concerned in any account or paper, an address is presented requesting that the account or paper be laid before the House.

In view of the fact that the Deputy Leader has raised that matter in the course of his remarks in the grievance, is it now not in order for a paper to be laid before the House?

The SPEAKER: Order! I will take the honourable member's point of order on notice and give him a considered response, as this is a matter on which I would want to seek advice.

Mr BECKER (Peake): Following on from that, I discussed the issue with my colleagues and I thought it was not wise and not according to protocol to extend invitations to the Royal Family during an election year. We know that during 1993 the Deputy Leader of the Opposition did all he could to try to whip up interest and publicity for the lagging Grand Prix, knowing that his Government had lost it. Not only did he talk and spruik about inviting Princess Di, for other publicity stunt reasons he claimed that they were going to invite Madonna and Michael Jackson—

Mr Atkinson: In the same breath?

Mr BECKER: No, on different occasions, whenever the publicity started to lag. Then they were going to invite Michael Jackson: what a great contribution to the young people of South Australia. Then there was to be the $2 million Indy car challenge.

Members interjecting:

Mr BECKER: We were going to put up $2 million to challenge the Indy car race in South Australia; we were going to pay $2 million for Michael Jackson—

Members interjecting:

The SPEAKER: Order!

Mr BECKER: We were going to pay $500 000 for some foreign artist when we had John Farnham and some of the best Australian talent in the country who would have saved us hundreds and thousands of dollars. What a fraud the previous Government was on this State; what a fraud it was in dealing with taxpayers' money. The former Government cost us the Grand Prix, it cost us hundreds of jobs and it cost the tourist industry dearly. Indeed, it destroyed confidence in South Australia.

However, as a matter of grievance I refer to an issue raised by a constituent. I am grateful to her for this information, and she states:

> I am writing to voice my concern regarding the employment situation of registered nurses and the entry to the Graduate Nurses Program (GNP). My daughter, who is bilingual, completed the Bachelor of Nursing at the University of South Australia (Underdale) in November 1993. Since October 1993 she has applied for entry to GNPs at various metropolitan hospitals without success.
>
> She was shortlisted and attended an interview at Modbury Hospital who had a vacancy for 18 positions. Of 350 applicants she was one of 100 selected to compile a questionnaire and consequently one of the 50 selected for the interview. She attended an informal interview sitting, in which a group of nine people sat in a circle and a question was put to them, the person with the quickest answer got a highest score as the rest were left to repeat what had already been said.
>
> The GNP is of one year's duration and is essential to postgraduates to gain work experience, i.e. practice in all their learnings/knowledge, consolidate and obtain further skills, and is a prerequisite to obtain employment as a professional, qualified general nurse in any hospital.
>
> I have been told that a good number of applicants who obtain entry to GNPs have parents or relatives who are sitting members of hospital boards etc. Unfortunately, we come from a non- English speaking background and have no such connections.

It is the old question of not what you know but who you know in this State. The letter continues:

> My question is: given the importance that the GNP plays in the career of graduate nurses, why does not the university structure the course to provide for GNP placements? That way, each graduate will have a fair and equal opportunity to gain entrance to the GNP. If there are not enough places available for all graduates, then the number of student intakes for the course should be scaled down. It is not fair to leave graduates such as my daughter to find GNP positions in these hard economic times.
>
> As it stands, she missed the chance of entry in this year's intakes and will have to wait and reapply for the October '94 intake, when she will be competing with an additional number of new graduates seeking entry to the limited places available. Consequently, the situation is: without a GNP she cannot get the required work experience and without experience she cannot find a job. In the past eight weeks my daughter has sent applications for a general nurse position to 15 local nursing homes and private hospitals, without success. The answer is always the same: 'No vacancy'. How much can young people take? After years of intensive study, they are left to sit at home and wait for negative responses, while they lose their skills and confidence.

Young people who choose a nursing career should be commended and assisted to excel in their skills/abilities, given the nature of, and the need for, their services to the community. Bilingual skills are an added essential and should be recognised as such in health care if one considers the needs and the ageing of our ethnic population. As a parent it is disheartening to bear witness to this state of affairs after years of commitment and sacrifice to give a decent education to our daughter. Therefore, I am appealing to you as our member of Parliament to take notice of the foregoing, as I am sure I speak for many parents in the same situation. From your letters to the electorate, before and after the election campaign, transpires a sense of mature understanding and sincere interest towards your constituents.

I have raised this matter with the Minister, who is aware of the problem and is addressing it. He has had discussions with the Australian Nursing Federation and recognises that there is a balance between supply and demand.

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

Mr BROKENSHIRE (Mawson): I would like to direct my contribution to this grievance debate towards the WorkCover Bill, and I refer here particularly to the member for Ross Smith, who seems hell-bent on not looking at the positive opportunities we are about to offer employees in the general economy of South Australia and intends rather to focus only on the negatives. The WorkCover Bill is prepared and presented—

The DEPUTY SPEAKER: Order! I am sure a point of order is about to be taken, but the honourable member should be aware that, when a matter is before the House in the form of a Bill, debate and reference to it are not permitted, so I ask the honourable member to ensure that he does not breach that convention.

Mr BROKENSHIRE: Thank you, Mr Deputy Speaker; I will continue when I get a chance to debate the Bill. My real concern is about the Repatriation General Hospital and the effect on the war veterans of South Australia if we are not very careful and prudent during the changeover. I have been out to the Repatriation Hospital on many occasions and noted the good work it has done in the past for the war veterans. It was obvious that the former Government was not interested in looking after the interests of the war veterans, and I am pleased to note the Minister for Health's statement that he will not allow the transfer of the Repatriation Hospital to the South Australian Health Commission unless we have set firmly in concrete the financial capacity to accommodate these war veterans. Most of the veterans of the Second World War are now in their late 60s to mid-70s.

Members interjecting:

Mr BROKENSHIRE: Some are even older, but most of them are in their 70s. The point is that these people are now at the age where they need even more care and attention. They put their life on the line for Australia, and I always understood that they would have good health care and total support from the Federal and State Governments for the rest of their life. Already it has been noted that there have been so many cut-backs that many of them have had elective and in some cases quite important surgery held back. The RSL has done a fine job in making sure it looks after the rights of the returned.

We also have the Vietnam veterans whom the member for Ross Smith continues to mention and who did a fantastic job in representing Australia in Vietnam, only to then come back and put up with the ramifications of non-acceptance by many people in the community, due to the attitude of a small element of people who were not prepared to accept the outstanding service they performed for Australia in Vietnam. Those people, also, are starting to suffer and need more in the way of health care.

So, it is critical that all members of this House, including the Opposition, support us in making sure the Keating Government does not handball the Repatriation Hospital over to us, to the detriment of our veterans, who have looked at after us so well in the past. Being an associate member of the RSL for 10 years now, I really do support the work the RSL does, and I ask all members in this House—

Mr Atkinson: Drinking and playing bowls.

Mr BROKENSHIRE: No, they do not just drink and play bowls; there is nothing wrong with a bit of social time. They get out there and work for their community and support one another. They also have affiliations with Legacy. I am very grateful to Legacy for what it has done for my own family, and drinking and playing bowls is a very minimal part of their whole operation.

We must not let the Repatriation Hospital suffer, because it will put a lot more pressure on Flinders Medical Centre and the Southern Districts War Memorial Hospital, not forgetting the problems that are already occurring at Noarlunga, where the waiting lists are proportionately longer than those of the Flinders Medical Centre. Let us be united and help our Minister for Health; let us write letters and lobby our Federal colleagues in Canberra to ensure that, in the event of this change, which I understand may ultimately be necessary, the Repatriation Hospital continues to provide the highly technical support services that are so vitally needed to give those veterans everything they deserve.

Mr CLARKE (Ross Smith): This afternoon, after one of my infrequent interjections during the course of the answer to a question, the Premier sought to imply that a newspaper article—I believe it was in the *Australian*—stated that there were some concerns about the trade union movement and its relationship to the former State Labor Government. I would place on record that, whatever difficulties there may have been in the relationship between the trade union movement and the former Labor Government over the past four years when we were in office—and as in any relationship there are strains—fortunately, we are a very good family, and we can have our blues but get together and face the common foe.

The trade union movement in South Australia recognises what the Minister for Industrial Affairs made so much clearer to them (and I thank him for that) when on 15 February the Government unilaterally announced it was withdrawing payroll deduction facilities for members of trade unions employed by the Public Service and various statutory authorities.

The Minister said at the time that this would provide a greater active choice for members of trade unions working in the Public Service to decide whether or not they would pay union membership through PRDs, as they are commonly referred to. I would draw the attention of the House to the fact that section 153 of the Industrial Relations Act 1972 already provides for that choice. Employers may deduct money from an employee's wages only if they do so with the written authority of the employee concerned, and the employee may at any time withdraw that concession in writing to the employer.

Mr Caudell interjecting:

The DEPUTY SPEAKER: Order! The member for Mitchell.

Mr CLARKE: That right is given to every employee and must be acted upon by employers once they have received that notification. We realise only too well that the reason for the Minister's action in this matter was to severely disadvantage unions. Indeed, the President of the South Australian Industrial Court and Commission last Monday requested the Government to delay the implementation date of 1 April to some more sensible date, such as 1 June or even 1 July, to enable unions that have not previously been consulted on this matter sufficient time to accommodate themselves to these new administrative arrangements.

The State Government considered it, I understand in Cabinet, and its decision was to reject the recommendation of the President of the Industrial Court and Commission. That is very significant, because here was the neutral umpire whom Government members, particularly when they were in Opposition, said the union movement should religiously obey and whose dictates or recommendations should be followed.

On this occasion, because it suited their convenience and their political agenda, they rejected that suggestion of the President of the Industrial Court and Commission of South Australia. Of course, they can do that and get away with it this time, but there will come a time in every Government's life time when it will be looking to the court and commission of South Australia to get it out of a jam into which it has got itself. I refer, for instance, to when it wants the union movement to adhere to recommendations from members of the Industrial Commission, to get itself off the hook in an industrial confrontation situation. It will be at that time when the coarse, barbaric, unprincipled and unethical type of decisions that the Government took on 15 February will come back and haunt it. I can assure the House that I will be there ever ready to point out that it made the hole into which it is ultimately bound to fall.

Mr VENNING (Custance): I draw attention to a cynical move by the Federal Government that has significantly disadvantaged many country secondary school students, and largely negated the value of an otherwise excellent initiative by our own State Education Department. I refer to the change in the curriculum criteria for the isolated children's allowance, something about which the member for Flinders will know. The Federal Government, without any fanfare or publicity, changed the rules at the beginning of this year, and it did so in such a way that many country secondary school students are effectively being denied the choice of their education.

Until that time, a student in a country secondary school who wished to continue a course not available at that school could be eligible to receive an isolated children's allowance to assist in attending a school away from home that did provide the required subject. A good example of the value of such assistance is provided by the constant popularity of the Cleve Area School's respected certificate in an agricultural course, which provides training and education in broadacre agriculture based on the Sims Farm property. Many of the children who have attended the Cleve Area School to take that course over the past few years have come from other country centres and have been assisted by the isolated children's allowance, an allowance that was intended to redress the inequality suffered by country children through a lack of ready access to a broad range of educational opportunities.

How often have I brought up this matter in the four years that I have been a member of Parliament? This move, which I very much doubt is saving the Federal Government any money overall, is a great cost to education and it swings the scales back against the rural communities yet again.

In a commendable move of its own to improve country education opportunities, the State Department of Education and Children's Services (DECS) has joined forces with the Housing Trust of South Australia and the YWCA to establish what is known as a rural students accommodation program: a very commendable move, indeed. I did a lot of work on this matter many years ago when I served on the Rural Advisory Council, and the member for Hart referred to this earlier today.

Under this program, now supervised by Mr Barry Budarick, student hostels have been established in several major regional centres whose schools provide specific courses in demand. The charges for this accommodation are subsidised, and until this year students likely to be eligible for the isolated children's allowance under the curriculum criteria, that is, a student using the program to gain access to a course not available at his or her own local secondary school, would be eligible. Unfortunately, that is not available any more. We get a brilliant scheme up and running, and what happens? We find that it is stymied.

The effect on this commendable program has been very dramatic. Thanks to the hard work by the management committee and the Housing Trust, the program had 60 places available this year throughout the State, and it was based on its experience with the pilot program run last year. It was confidently expected that all the places would be taken. In fact, only 17 places have been taken up, at a cost of $55 per unit, which is very cheap. This is an excellent idea that has been stymied by the Federal Government.

The Cleve course itself, which has had an average of 18 students in the past few years, has dropped to nine, and only two of those students are accessing the isolated children's allowance; so, there is proof indeed. It seems clear that the difference reflects the parents' decision in light of the changed rules. Despite this, the accommodation was worth while, and I have encouraged parents to make every effort to take advantage of it.

I congratulate the State Government on introducing this scheme, but I condemn the Federal Government for killing it off by withdrawing assistance to the 17 students who would have been able to take advantage of it. They have certainly been disadvantaged by that decision. This is not social justice, and I hope this House can get the message to Canberra to reconsider, so that the State scheme can be allowed to work and flourish. There is definitely a need for it, and I commend the Minister on the work he has done.

RACING (MISCELLANEOUS) AMENDMENT BILL

The Hon. J.K.G. OSWALD (Minister for Housing, Urban Development and Local Government Relations) obtained leave and introduced a Bill for an Act to amend the Racing Act 1976. Read a first time.

The Hon. J.K.G OSWALD: 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.

This Bill proposes amendments to the *Racing Act 1976*, relating to a number of disparate matters.

Firstly, it proposes amendments to provisions relating to the Racing Appeals Tribunal, viz, the definition of Registrar and the constitution of the Tribunal for appeal hearings.

Secondly, the Bill proposes an amendment to allow for TAB profit to be distributed—55 per centum to the racing industry and 45 per centum to the Government, effective from 1 July, 1994.

Thirdly, the Bill proposes to allow for funds, not exceeding $1 million, from the TAB Capital Fund to be used to supplement distributions to the racing codes for the financial year commencing 1 July 1993.

Fourthly, the Bill proposes to extend the opportunities of betting by bookmakers to include various events declared by regulation.

Fifthly, the Bill proposes to allow bookmakers to accept bets on various events at venues that are declared by regulation.

Sixthly, the Bill proposes to reduce bookmakers turnover tax, which will be phased in over a two year period commencing 1 July, 1994.

Finally, the Bill proposes to amend existing legislation which prohibits any unauthorised person within a racecourse from transmitting both bookmaker and totalizator information off the racecourse. The amendment will enable the communication of totalizator betting information off the racecourse without the necessity of those persons obtaining the prior approval of the Bookmakers Licensing Board. This betting information is freely available to persons off the racecourse through Teletext and Austext television monitors.

The present legislation governing the Racing Appeals Tribunal states that for the purpose of hearing any appeal the Tribunal is to be constituted of a President and two assessors from the code of racing to which the appeal relates.

The operating expenses associated with the Tribunal, including sitting fees of Assessors, are met by the Codes of racing on a 'user pays' basis. Discussions between the Department and controlling authorities resolved that some savings could be achieved if the President was given discretion as to whether an assessor or assessors are required for certain types of appeal.

The definition of 'the Registrar' has been amended by deleting the necessity for that person to be appointed by the Governor. It is considered unnecessary for the Registrar to be appointed by the Governor and now allows for a person to act as the Registrar when the incumbent is absent for any purpose.

TAB profit is currently apportioned 50 per centum to the racing industry and 50 per centum to Government. The current distribution ratio has been in operation since 1 January, 1981. Prior to that, TAB paid a flat 5.25 per centum tax on turnover to Government. The balance of profit, if any, was paid to the Controlling Authorities of the three codes of racing.

The racing industry is a significant contributor to the South Australian economy. The industry currently accounts for about 0.6 per centum of the State's GDP, amounting to some $175 million. Direct employment is about 11 000 people, representing 3 000 full-time equivalents.

It is proposed to amend the TAB profit distribution formula to give the racing industry 55 per centum of those profits with the Government retaining the balance.

The Government, in foregoing 5 per centum of its share of TAB profit, will provide a permanent injection of funds into the racing industry. Based on estimated 1993/94 profit figures this would amount to approximately $2 million per annum.

These additional funds will assist the industry in their basic objective to provide as high a rate of stakemoney to industry participants as is possible. Increased stakemoney also has the flow on potential of attracting better horses and greyhounds, which combine to produce better race fields and increased betting activity. Increased betting activity in turn increases Government and clubs revenue.

The estimated TAB distribution for the 1993/94 financial year will be $3.34 million less than the amount distributed for the previous year. In this regard the estimated shortfall from TAB allocations to the codes is $1.67 million.

To enable the codes to receive the same allocation this financial year as last year it is proposed to make a 'one-off' demand on the TAB Capital Account for up to $1 million and the Racecourses Development Board of $.674 million.

Should the final profit for the TAB this financial year be greater than the amount forecast in the revised budget, then it is proposed that the remaining shortfall, if any, be proportioned between TAB and the Racecourses Development Board in accordance with the maximum amounts currently required.

The *Racing Act* requires amendment to enable funds to be used from the TAB Capital Fund. There is already provision in the Act for funds to be used from Racecourses Development Board monies.

There is evidence to suggest that the Sports Betting Bookmakers in Darwin (who are permitted to accept bets by telephone) attract a significant amount of turnover from punters all over Australia. Annual turnover is in the order of $13 million.

One of the principal reasons for the success of this sports betting operation—other than the telephone service, which we now have—is that they are permitted to bet on any sport or any contingency, e.g., Federal and State Elections, Brownlow and Magarey Medals.

If bookmakers are permitted to offer a betting service on an expanded range of contingencies, and field at various sporting venues, turnover is expected to increase considerably.

The current rates for bookmakers turnover tax, which vary for turnover generated either in the metropolitan or country areas, and on whether the investment is on local or interstate race meetings, have remained unaltered for years, despite changes in bookmakers' circumstances such as the introduction of other competitive forms of gambling during the last few years.

It is proposed to reduce bookmakers turnover tax as follows:

Metropolitan Bookmakers betting on Local and Interstate Races, and Country Bookmakers betting on Interstate Races by one half of one percent, phased in over a two year period at the rate of one-quarter per cent per year, commencing 1 July 1994. The reduction is to apply to the share currently appropriated to Government.

With respect to Country Bookmakers betting on Local Races, the turnover tax reduction is to be 0.25 per centum for the first year, and 0.22 per centum in the second year. The reason for the reduction being only 0.47 per centum for non-Metropolitan bookmakers is that the present tax rate is 1.87 per centum. A reduction of 0.5 per centum would impact on the Codes share of taxation revenue, which is 1.4 per centum of turnover.

With respect to the rate of turnover tax on bookmakers sports betting, it is proposed that the current rate of 2.25 per centum be reduced by 0.25 per centum, to 2.00 per centum in the first year, commencing 1 July 1994, and by a further 0.25 per centum to 1.75 per centum for the period from 1 July 1995.

The reduction in turnover tax of 0.5 per centum will result in reduced Government receipts of $514 244 based on bookmakers turnover of $103 928 863 for 1992/93. The corresponding benefit to bookmakers will be $259 433 in the first year, with a further $254 811 in the second year.

It is proposed to proscribe the transmission of bookmakers betting information by a person, within a racecourse or an approved sporting venue, to any venue outside of that racecourse, during the period bookmakers are accepting bets. Previously it was not an offence to transmit betting information, from one racecourse to another racecourse, by an unauthorised person.

Bookmakers betting markets and price fluctuations are a major incentive for the genuine punter to attend race meetings, including the betting auditorium at Morphettville.

It is important that the integrity and security of the official Bookmakers' Prices Service be protected. It is therefore essential that the transmission of betting information, other than through the official sources be proscribed.

Finally, it is proposed to allow radio and television stations or anyone else to transmit totalizator information off the racecourse where previously it could only be done with the approval of the Bookmakers Licensing Board.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of long title

The long title of the principal Act is amended so that the Act provides for betting on sporting and other events.

Clause 4: Amendment of s. 41a—Interpretation

This clause provides for an amended definition of 'Registrar' to mean the Public Service employee for the time being assigned to perform the functions of the Registrar of the Tribunal.

Clause 5: Amendment of s. 41c—Constitution of Tribunal for appeals
This clause provides for an amendment to section 41c so that the Tribunal may be constituted by the President or Deputy President and, where the President considers that the assistance of an assessor or assessors is required, not more than two assessors.

Clause 6: Substitution of s. 41f
The substituted section 41f provides that there is to be a Registrar of the Tribunal who will be a Public Service employee assigned to the position.

Clause 7: Amendment of s. 69—Application of amount deducted by Board under s. 68
This clause amends section 68(2)*(a)* to provide that an amount equal to 45 per cent of the amount deducted by the Board under section 68 is to be paid to the Treasurer to be credited to the Hospitals Fund. It also adds three subsections to section 69 providing for a one-off payment to the controlling authorities.

Clause 8: Amendment of s. 85—Interpretation
This clause proposes to strike out the definition of 'approved sporting event' and to substitute definitions of 'approved event' and 'approved sporting venue' and makes a consequential amendment to the definition of 'registered premises'.

Clause 9: Amendment of s. 93—Functions and powers of Board

Clause 10: Amendment of s. 105—Registration of betting premises at Port Pirie

Clause 11: Amendment of s. 112—Permits for licensed bookmakers to bet on racecourses, at approved venues or in registered premises

Clause 12: Amendment of s. 113—Operation of bookmakers on racecourses
These four clauses provide for amendments consequential on the insertion of the definitions of 'approved event' and 'approved sporting venue' proposed by clause 8.

Clause 13: Amendment of s. 114—Payment to Board of percentage of money bet with bookmakers
This clause provides for the reduction of the weekly amounts payable by bookmakers to the Board in respect of bets laid with bookmakers on races or approved events. Amendments consequential on the amended definitions proposed by clause 8 are also proposed for this section.

Clause 14: Amendment of s. 115—Betting tickets

Clause 15: Amendment of s. 118—Effect of licence
These two clauses also provide for amendments consequential on the amendments proposed by clause 8.

Clause 16: Amendment of s. 119—Prohibition of certain information as to racing or betting
This clause proposes to strike out subsection (3) and substitute a new subsection (3) which provides that subject to this Act, a person who is (or was) within a racecourse or an approved sporting venue during a period when bookmakers are (or were) accepting bets on races or approved events must not, before the end of that period, communicate to a person who is outside the racecourse or approved sporting venue any information or advice as to the betting under this Part at that racecourse or venue. The penalty for an offence against this provision is a division 7 fine ($2 000) or division 7 imprisonment (6 months).

Clause 17: Amendment of s. 120—Board may give or authorise information as to betting
This amendment is consequential on the amendments proposed by clause 8.

Mr ATKINSON secured the adjournment of the debate.

PAY-ROLL TAX (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 23 February. Page 210.)

Mr QUIRKE (Playford): At the outset, I would like to thank the Deputy Premier for offering the full explanation of this Bill to the Opposition and for making available the resources of his office to help us formulate our response to this matter. I think that was a charitable act, given the level of resources that we have to deal with such issues, and I thank him very much for offering briefings on this and other issues.

The Bill is a relatively straightforward matter, and I do not intend taking up too much time of the House on this issue. In essence, neither Government nor Opposition in Parties in any of the States of Australia enjoys pay-roll tax. The Government of which I was a member from 1989 to 1993 sought at every stage to limit the amount of pay-roll tax, regarding it as a necessary evil. At the Federal level, on at least one occasion I can think of, the Federal Labor Party offered the complete abolition of pay-roll tax. Indeed, so did the Liberal Party at the last Federal election.

Payroll tax cuts in and affects businesses with a payroll of something of the order of $600 000. I believe that there is a clear understanding that the level of payroll tax is a deterrent to employment and indeed a significant oncost to employers of large businesses here in South Australia. No doubt successive State Governments have sought to limit the amount of payroll tax because they understand that it is a significant deterrent to employment in South Australia. Indeed, some South Australian businesses face very large payroll tax deductions. This Bill does not seek to alter the rate of payroll tax or to make any more amendments than those necessary to bring payroll tax up to date with modern instruments of payment of wages. Indeed, the bulk of the provisions of this Bill simply come across the way wages are paid today to persons in South Australia in the form of electronic funds transfer and other instruments of payment.

We see the Bill as simply updating the current regime agreed to in this House for payroll taxation. Later in the year the Opposition will look at whether the downward trend in payroll taxation is maintained in the budget that the Government will be bring down in late August. Certainly in terms of this Bill it simply contains a number of amendments to bring the legislation into the 1990s and, as a consequence, we support it.

The Hon. S.J. BAKER (Treasurer): I thank the member for Playford for his contribution to this debate. He has accurately reported the Bill. It is a means of getting us up to date with respect to the electronic means of paying wages and payroll tax. It is also to prevent double taxation which, of course, is good news for those who operate across interstate borders. It also ensures that group liability is not avoided. They are the three major provisions of the Bill. I note the honourable member's comments about the downward trend in respect of payroll tax. Payroll tax increased in real terms under the previous Government, and that should be remembered. During an 11 year period we saw an increase of 38 per cent in real terms—far greater than the rate of inflation but not as high as other taxation measures. The Government is very cognisant of the fact that over the past 11 years taxes in this State have increased in real terms by 180 per cent.

We can only draw the conclusion that the escalation in payroll tax has been less than other forms of taxation, some of which have been quite dramatic, including the introduction of FID and BAD taxes. The honourable member talked about the need to reduce the level of payroll tax. It will be reduced as a result of the Government's initiatives, as the honourable member would recognise. We will not necessarily get the great benefit that would normally prevail when the economy picks up because as a Government we have determined that it is important to give incentive to export effort.

The honourable member would recognise that there is a 10 per cent rebate for existing export effort based on the ratio of turnover to export dollars for any company operating in this State, and from 1 July there will be a special incentive for

new export effort with a 50 per cent rebate for new export effort relating to employees consistent with that general formula. I thank the honourable member for his support of the Bill. It is an important Bill, it is not controversial and I thank him for his cooperation.

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

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 23 February. Page 216.)

Mr ATKINSON (Spence): The Opposition is humbled by the election result and by the Government's mandate and, accordingly, having studied the Bill before us, I have no doubt that the Government has a mandate for it. We support it. However, I have some questions to ask in Committee.

The Hon. J.K.G. OSWALD (Minister for Housing, Urban Development and Local Government Relations): The Government thanks the Opposition for its support of the Bill. The legislation certainly was around in the former Parliament, although some questions will no doubt arise over the issue of the minimum rate. I am sure that we will discuss the question of the minimum rate at the relevant time. We are pleased that the Opposition supports the Bill and are happy to move into Committee.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Local government indemnity schemes.'

Mr ATKINSON: Why does the Minister think it desirable for the Local Government Association to have its own separate statutory scheme when I would have thought that it could achieve the same result by amending the deed? I ask the question in relation to the whole clause as it has the effect of setting up a special statutory scheme for the Local Government Association for its enterprise, an enterprise currently conducted by a private deed. On principle, I would have thought that, where the general law can be used to accommodate arrangements, it is undesirable to set up a statute to apply to a particular organisation when the affairs of that organisation could be handled by the amendment of an existing deed.

The Hon. J.K.G OSWALD: There is already a statutory scheme. All this does is give it statutory authority. The scheme already exists.

Mr ATKINSON: I know that the scheme already exists. Does it exist according to statute or does it exist as a deed under the general law applying to all other people and corporations? If this is the first time that a special statutory scheme has been set up for this Local Government Association enterprise, why are we using a special statute and not pointing out to the LGA that it could achieve the same effect by a deed privately entered into under general law?

The Hon. J.K.G OSWALD: It is set up under a deed of trust, which we accept.

Mr ATKINSON: Is that trust pursuant to separate statute or is it an ordinary trust under general law?

The Hon. J.K.G OSWALD: I understand that it is an ordinary trust at the moment. This clause gives it statutory recognition. This may be where the difficulty lies. We accept, and the honourable member would accept because it is part of his Party's former policy, that it gives it statutory recognition.

Mr ATKINSON: Yes, but why?

The Hon. J.K.G OSWALD: The whole purpose of the clause is to give it statutory recognition. All we have at the moment is a deed of trust.

Mr ATKINSON: With your indulgence, Mr Chairman—

The CHAIRMAN: I remind the honourable member that this is his third question. I have allowed asides and one supplementary question, so he should consider his question carefully before concluding.

Mr ATKINSON: I have one other question in addition to this one.

The CHAIRMAN: The honourable member has three questions.

Mr ATKINSON: I am trying to clarify the first question. My first question was: if this current Local Government Association enterprise is set up by deed under the general law in the same way as you or I may set up a trust deed, why is it necessary to set up a special statutory scheme for the LGA only?

The CHAIRMAN: Before I ask the Minister to respond, I advise the honourable member that I will be generous on this occasion, but the onus is on members to design their questions so that they obtain from the Minister the answer for which they are looking.

The Hon. J.K.G OSWALD: There is a problem with the deed of trust, and the advice from the Crown Solicitor is that something has to be done about it. The Crown Solicitor has advised that the trust deed of the LGA mutual liability scheme does not provide for the winding up of the fund, so the trust created by the deed may be void under the common law relating to perpetuities. Under this rule property subject to the trust must be vested for a specified period; otherwise the trust is void. The implication of this is that surplus past contributions over payments could be claimed by a disgruntled member. There would be difficulty in apportioning the funds to which the individual member may be entitled if this occurred.

The recovery of contributions was not intended by the scheme, nor has it been the basis upon which councils have contributed. Whilst at this time it is difficult to imagine any member council doing this, it could happen in future, although we do not expect it to do so. This amendment proposes to address the perpetuity problem and to make that solution retrospective in order to guard against any claims on the scheme to date. It does so by specifically exonerating the scheme from rules of law relating to perpetuities.

The CHAIRMAN: I intend to allow the honourable member to ask one more question.

Mr ATKINSON: You are very kind, Mr Chairman. My question relates to subclause (8), which provides:

> The enactments and rules of law relating to perpetuities. . . do not apply in relation to any scheme under this section. . .

Could the Minister explain the rule against perpetuities?

The Hon. J.K.G OSWALD: Perpetuity relates to the winding up of this scheme within a particular time—usually 21 years. I ask the honourable member to bear with me, because this is fairly technical. I am advised that it relates to the lifetime of a person plus 21 years.

Clause passed.

Clause 5—'The Local Government Equal Employment Opportunity Advisory Committee.'

Mr ATKINSON: I notice that this extends a sunset clause. At one time, when deregulation was perhaps more fashionable, sunset clauses were common. I understand that sunset clauses fit well with the Liberal Party's philosophy on deregulation. Can the Minister assure the Committee that, having moved to extend the sunset clause once, he will abide by the spirit of sunset clauses and not extend it again?

The Hon. J.K.G OSWALD: I think we have to bear in mind the EEO provisions. Whilst they are not embraced by all councils (and some members may have had correspondence from councils expressing concern about this issue), the fact is that a lot of good work has been done by councils, and approaches were made for an extension of time to allow some of that good work to be consolidated. I hope that it will not be necessary to provide another extension. Following consultations between the Equal Opportunity Adviser, the LGA and me it was felt that it would be appreciated if additional time could be granted on this occasion. It is difficult to look down the track and see what will be around in 12 months, but it is an acknowledgment of the work that is being done within councils to achieve objectives. Some councils have done a lot of extremely good work. The additional extension of time will allow others to come up to speed.

Mr ATKINSON: I point out that the extension of the sunset clause is for three years, not 12 months. Does the Minister think that three years will be sufficient?

The Hon. J.K.G OSWALD: The advice of the local government equal opportunity advisers is that three years is sufficient. I go back to my original statement: I trust that it is sufficient. The good work that has been done by the various councils is recognised, and would trust that the extension will be sufficient to make sure that all councils come into line.

Clause passed.

Remaining clauses (6 to 8) and title passed.

Bill read a third time and passed.

PETROLEUM (SUBMERGED LANDS) (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 23 February. Page 220.)

Mr QUIRKE (Playford): I would like to thank the Minister for offering a briefing on this issue; it was well received by me this morning. I would like to say that so far the working relationship between me and the Minister has been a very good one. We have discussed the business associated with a very important area in South Australia with a degree of professionalism that I hope will continue.

I will not take up the time of the House this afternoon with too many remarks, but a few things need to be said. First, the Bill before us today is not a very controversial measure but it is an essential one, being part of complementary legislation which, as I understand, is part of State and Commonwealth jurisdictions. The issue is the area from the high water mark to the old territorial limit, namely, the three mile limit. It has been some years since Australia has had a three mile territorial limit. My understanding is that, in the early 1970s, the Commonwealth extended the limit from three to 12 miles. This legislation, in essence, clearly lays claim for the State of South Australia for exploration under the sea floor from the high water mark to the three mile limit.

It would be appropriate to make a few remarks about where we are going in South Australia. Despite all the intentions of Governments over the past 30 or so years, South Australia has struggled to keep a manufacturing presence in this State. During that time, much of the wealth of this State has been generated from mineral exploration of one kind or another: from successful on-shore mining operations, from a number of other great discoveries of natural gas in South Australia, predominantly in the 1960s, and from some very limited petroleum exploration that turned out to be successful in the 1960s, 1970s and 1980s.

I will be asking a couple of questions as part of this address to the House so that, if the Minister wishes, he can respond to them in his reply and there will then be no necessity to proceed to Committee. I have had discussions with the Minister, but we would like to have some things on the record.

One issue concerns adequate provision in terms of accidents that may take place during oil exploration on the seabed. The Minister is well aware of some of the worst environmental disasters that have taken place in recent times. As I understand it, this Bill provides a list of charges regarding that sort of activity. Further, the Minister has the power to impose certain conditions on a licence for underwater exploration in respect of any environmental damage that may result from an accident. An oil spill on land is an environmental disaster, but a spill at sea has the potential to do enormous damage, particularly in areas of South Australia that contain very important fisheries. I bring that issue to the attention of the Minister. If he can give assurances, and I am sure he will, we can proceed straight to the third reading stage.

Apart from the issue of the adequacy of environmental controls, the Opposition raises the matter of the borders between the various States and how they relate to this question. Two issues stem from that matter. The first is that, as I understand it, the border between the various States for fisheries is different from the border that applies to undersea exploration. Will the Minister assure the House that that situation is unlikely to lead to any significant litigation in the future, or should the issue be cleared up at ministerial council at some stage in the future to avoid the risk of litigation.

When we talk about the problems of borders between the States, the much bigger issue is the Mabo legislation. A large part of South Australia has no existing title on the land and, of course, the whole impact of the Mabo judgment is that land claims can be made and can be successful if no title has ever been granted on that land. One of the pre-conditions to a successful Mabo-style land claim is that no title has been issued on the land since 1788. My understanding is that leases might have been granted for various areas between the high water mark and the three mile limit, but no land tenure as such, no land titling process, has taken place.

The question also arises as to what the Government intends to do about that situation. Is that a real danger? Is it a possibility that some litigation could be brought to bear, Mabo-style, regarding the seabed floor between the high water mark and the three mile limit? What are the implications of that? What is the Government doing about that? And, I guess, that takes the Minister's other portfolio into account, namely, fisheries, because that issue is relevant to the fisheries area.

Notwithstanding those issues, the Opposition supports the thrust of this legislation. Indeed, we recognise that the continuing wealth of our community in South Australia is tied

up with a great deal of the exploration work that is going on in this State and the successful mining operations of one kind or another that we have grown accustomed to over the past three or four decades. The Opposition is committed to the further development of South Australia and would be absolutely delighted if the Minister came into the House and announced a rather significant offshore find of oil or gas that would help South Australia to become a wealthier and more developed State.

The Hon. D.S. BAKER (Minister for Mines and Energy): I thank the member for Playford for his remarks and his contribution to the debate on this Bill. He said that he appreciated the briefing he was given: as long as I am a Minister, in both the primary industries and the mines and energy areas both shadow Ministers (Hon. Ron Roberts and the honourable member) will be offered briefings with or without me as they choose before Bills come into this House to see whether we can speed up their implementation. Many of the Bills that are introduced relate to the more efficient running of matters in the State, and it is always my view that consultation with the Opposition is good and proper in the better management of South Australia. I must say that that approach emanates from my time in Opposition as a shadow Minister or as the Leader: I received cooperation from the respective Ministers. I found that encouraging and the information was freely given: the same will apply while I am a Minister.

This legislation should have been before the House previously. It had been drafted and was to have been introduced in the last session of Parliament before the election. However, due to the pressures of the election, it did not see the light of day. But there had been a lot of consultation with industry, and within the former Government no doubt there had been discussions. It brings our legislation into line with that of other States of Australia and with Federal legislation. For once, I do not think this legislation is as controversial as many State and Federal pieces of legislation are, and most decidedly it is not as controversial as the Mabo Bill. To get States to pass complementary legislation on Mabo will be much more difficult.

The honourable member asked for replies to three questions to enable this Bill to proceed straight to the third reading stage. The first issue was accidents. I agree entirely that we must ensure that, if there is an accident of any type, those who cause it must be required by law to make good any damage to the environment. The Bill provides that, before exploration takes place, adequate insurance must be taken out. Under the old Act, there was provision for a bond to be paid, but one would never know the extent of the damage that might be done if an accident was caused. This is an improvement. Any company, before it starts exploration or drilling, and most decidedly before any production takes place, has to be adequately covered at a level of insurance that can deal with any problems that may occur in the future. That is relatively expensive but, in this day and age, accountability and the ability to clean up environmental damage is paramount. I support that clause and assure the honourable member that as Minister I will ensure that that is adhered to before any exploration activity takes place. It will be checked by me.

The honourable member referred to State borders. Some of the most protracted and prolonged arguments between State and Federal Governments have been about State borders and where they extend into the sea. It was the subject of a High Court case in the early 1970s; we all thought that the State border would run directly out into the sea, thus minerals or petroleum would be split up accordingly. Unfortunately, we were overridden in the courts. As the honourable member would know, the State border, as far as petroleum exploration is concerned, bends at about 35 degrees into South Australian territorial waters. That is an anomaly, because the fishing borders go straight out along the line of the natural borders of the State. I cannot assure the honourable member that there will not be any further argument about that in the future: I wish I could. It is quite clear at this stage where the petroleum borders are. They are gazetted and well established in law, but at present the fisheries boundaries lie along the old boundaries. It would be interesting if we got to some Mabo style claim between the two, so I will seek clarification on that. There will be much clarification as the Mabo legislation unfolds, in many cases through the courts.

The third issue that the honourable member raised was Mabo. If ever a High Court decision has caused heartache and loss of income to State Governments, especially the South Australian Government, it is this Act. In fact, many exploration licences are being held up within the department, and that is resulting in a considerable loss of income. We cannot give these people legal title to the area they want to explore. As the honourable member would know, mining was excluded from the final Mabo legislation that was passed by the Federal Parliament.

However, when it comes to the land between the high water mark and the three mile limit as far as Mabo claims are concerned, it is correct to say there is some uncertainty. But, as the honourable member would know, with respect to any claim along that coastal region, the Aboriginal people would have to prove a continuing association with the area in terms of fishing or other activity. It is not known to me or to the Government of South Australia that that could be substantiated: I do not believe that a claim of continual hunting, fishing or ceremonial activities in that area could be substantiated. However, I agree with the honourable member that many of these claims will have to be put to the legal system. We do not see any problem at this stage with that matter, because it is quite clear in the Federal Act that you have to establish continuous use.

I would have to say that the State Government and the people of South Australia generally will see more and more problems arising from the ambiguity of the Federal Mabo legislation. The shadow Minister for Mines and Energy, who has been briefed on several occasions, would be aware of the trouble it is causing and the uncertainty with respect to petroleum exploration in South Australia. I have to pay tribute to the previous Administration for the amount spent on aeromagnetic surveys in South Australia. The expenditure of $15 million has resulted in tremendous potential for South Australia.

However, we are not able to realise that potential because there is now this uncertainty as to whether the mining companies can get secure leases to go on exploring. I commend the Bill to the House. We are satisfied that it is legislation that complements the Federal legislation and that it will expedite exploration off-shore and remove some of those anomalies that have previously existed.

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

CRIMINAL LAW CONSOLIDATION (STALKING) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. D.S. BAKER (Minister for Mines and Energy): 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.

It seems that the continual harassment of one person by another is becoming an unpleasant feature of Australian community life in the 1990s. This sort of behaviour is known widely by its American name—stalking—and it seems we hear of it far too frequently. Sometimes, in notorious cases, it is accompanied by serious or lethal violence. It is usually very disturbing, to say the least, to those who suffer from it.

The legal problem that arises is that the criminal law has not caught up with this behaviour and so offers little protection to victims who are being harassed by outwardly innocent behaviour—behaviour that is not innocent because it is part of a course of conduct which, taken as a whole, is threatening. It is not illegal to follow someone, to watch them, to send them letters or unwanted gifts. And it might be very difficult to get a restraining order in such cases, particularly if overt violence has yet to surface.

It is also clear that, while many of the more infamous examples have arisen out of broken domestic relationships, many do not. In the United States, there are many examples of celebrities being stalked by crazed or obsessive fans. A badly escalated neighbourhood dispute can engender such harassment—and it can also happen in the work place, or simply at random. Thus, while this legislation forms a part of this Government's commitment to protect the victims of domestic violence, it cannot and should not be limited to cases of domestic violence.

This Bill is designed to target the worst instances of stalking behaviour. It creates a stalking offence punishable by three years imprisonment and an aggravated stalking offence punishable by a maximum of five years imprisonment. That means that both offences are indictable, indicating the seriousness with which the law should view serious threatening behaviour.

It has been held by the Supreme Court in *Stone v Ford* (1993) 59SASR 444 that following a person around in a manner that alarms them is 'offensive behaviour' within the meaning of the *Summary Offences Act*. Therefore, the Bill makes the summary offence of offensive behaviour an included offence where appropriate, thus giving a jury the option of summary conviction for offences of lesser seriousness.

The Bill now introduced differs from that introduced by the former Government in two main respects. Both have resulted from consultation on the form of the original Bill. The first is an expansion of the description of the behaviour that may trigger the offence. Stalkers vary greatly in the ways in which they may seek to intimidate or harass. The previous Bill listed following a person, loitering outside a place frequented by a person, entering property, keeping a person under surveillance and acting covertly in a way that could reasonably be expected to arouse a person's apprehension and fear. That list has been widened to include interfering with property of another person, giving or leaving offensive material to or for another person, and the word 'covertly' has been omitted from the general description of behaviour arousing fear and apprehension.

Second, the procedural aspects of the original Bill have been changed so that the offence of stalking may be charged in the same indictment as other offences committed by stalking behaviour—such as threats or assault—but the accused cannot be convicted of more than one offence arising from the same set of facts.

Some who have commented on the original Bill have expressed concern about the requirement of intention. The reasoning behind it is as following. If one takes the view that harassment and intimidation can take a great variety of forms, one begins with the idea that the offence should cover as great a variety of behaviours as possible. Indeed, one may describe the gap in the criminal law that the offence is designed to fill as consisting of a course of behaviour which is, in isolation, quite normal and innocent behaviour—such as writing a letter, walking down a street, driving a car and so on. If that is so, then the offence requires limitation. Otherwise the net would catch behaviour beyond its justifiable range—investigative journalists, residents picketing a demolition, private detectives investigating WorkCover fraud, and the like.

I believe that the answer lies in the thing that makes this innocent behaviour 'criminal'. That is the effect that it is *designed* to have. It is true that some might see the essence of the criminality in the effect that it actually has, but if that was the legislative criterion, that would be to discriminate against the strong-minded and capable victim. Hence, the requirement of intention reflects both the essential criminality of the behaviour and limits the offence to its target offenders.

I have no doubt that judges and juries will be quite ready to infer the intention in an appropriate case.

In addition, I am encouraging police to consider the experience of the Threat Management Unit in Los Angeles. This unit is tasked to use stalking legislation in a crime prevention way. Upon complaint, the police seek out the person concerned, point out that the legislation exists and will apply on repetition, and inform the person about the effect of his or her behaviour. In that way, if the behaviour recurs, the inference that the intention exists will be much easier to draw.

Therefore, I believe that this legislation can be used as a crime prevention tool as well as a punishment after the event.

The procedural provisions in the legislation preventing multiple convictions requires a brief explanation. As I have said, the object of the Bill is to create precisely drawn offences targeting a gap in the law. The physical elements of the charge of stalking have been deliberately drafted to be as wide as possible to catch the ingenuity of the obsessed in harassment, and therefore the overlap with other offences is likely to be correspondingly wide. If a person makes a threat, commits an assault, or does something that is against the existing criminal law, the appropriate offence can and should be employed. The problem that the Bill is designed to address is that, where that is not so, and the person concerned intimidates by mere presence on a constant basis (for example), no adequate offence exists for the protection of the public. This offence is not intended to be an additional offence to load up an indictment also charging assault, threats and so on.

This Bill fills a gap in the law and it is a gap that has clearly caused distress in the community. This Government is committed to help the victims of domestic and other violence. The Bill should be seen as part of an on-going commitment by this Government to do whatever is in the power of Government to address the concerns of those who are being subjected to intimidation, harassment and violence.

I commend the Bill to the House.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause is formal.

Clause 3: Insertion of section 19AA

This clause provides for the insertion of the heading *Stalking* and proposed section 19AA after section 19 of the principal Act. Proposed section 19AA provides that a person stalks another if, on at least two separate occasions, the person—

- follows the other person; or
- loiters outside the place of residence of the other person or some other place frequented by the other person; or
- enters or interferes with property in the possession of the other person; or
- keeps the other person under surveillance; or
- gives offensive material to the other person, or leaves offensive material where it will be found by, given to or brought to the attention of the other person; or
- acts in any other way that could reasonably be expected to arouse the other person's apprehension or fear; and

the person intends to cause serious physical or mental harm to the other person or a third person or intends to cause serious apprehension or fear.

The penalty for a person found guilty of the offence of stalking differs according to the circumstances surrounding the commission of the offence. If the offender's conduct contravened an injunction or an order imposed by a court, or the offender was (on any occasion to which the charge relates) in possession of an offensive weapon, the penalty is imprisonment for not more than five years. In any other circumstances, the penalty is imprisonment for not more than three years.

Proposed subsection (3) provides that a person who is charged with stalking is (subject to any exclusion in the instrument of charge)

to be taken to have been charged in the alternative with offensive behaviour so that if the court is not satisfied that the charge of stalking has been established but is satisfied that the charge of offensive behaviour has been established, the court may convict the person of offensive behaviour contrary to section 7 of the *Summary Offences Act 1953*.

Proposed subsection (4) provides that a person who has been acquitted or convicted on a charge of stalking may not be convicted of another offence arising out of the same set of circumstances and involving a physical element that is common to that charge. Proposed subsection (5) provides for the reverse of the situation provided for in the previous proposed subsection.

Mr QUIRKE secured the adjournment of the debate.

ADJOURNMENT

At 4.28 p.m. the House adjourned until Tuesday 22 March at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 8 March 1994

QUESTIONS ON NOTICE

ENTERTAINMENT CENTRE

3. **Mr BECKER:** What is the answer to Question on Notice No. 163 asked of the former Minister of Tourism on 8 February 1994?

The Hon. G.A. INGERSON: The reply is as follows:

1. The General Facility Licence authorises the sale and supply of liquor at any time on any day in the Tavern.

2. The Tavern operated for more than 55 event days in 1992-93. The Entertainment Centre does not keep a record on the total hours operated by the Tavern.

3.

	1992-93	1991-92
Turnover	$242 218.55	$370 657.44
Profit	$104 933.15	$ 95 870.35
Gross Margin	43.32%	25.86%

4. **Mr BECKER:** What is the answer to Question on Notice No 162, asked of the former Minister of Tourism on 8 February 1994?

The Hon. G.A. INGERSON: The Occupational Health and Safety Representative at the Adelaide Entertainment Centre is Geoffrey Whitehall, who is a full time employee with a certificate in Supervising Occupational Health and Safety. There are also three representatives of casual staff who are themselves casual employees who have undertaken the TUTA Occupational Health and Safety Certificate.

5. **Mr BECKER:** What is the answer to Question on Notice No. 161, asked of the former Minister of Tourism on 8 February 1994?

The Hon. G.A. INGERSON: The replies are as follows:

1. There are four full-time employees fully qualified and licensed to operate fork lifts at the Entertainment Centre.

2. The four full-time staff operate the fork lifts as required. An additional three casual staff (who are qualified and licensed to operate fork lifts) may also be required to use the fork lifts from time to time. Hirers staff who are fully qualified and licensed to operate fork lifts may also use fork lifts from time to time.

3. The Entertainment Centre owns two fork lifts.

GOVERNMENT VEHICLES

8. **Mr BECKER:**

1. What Government business was the driver of the ETSA truck registered UQZ-755 with a low loader, bobcat and attachments attending to at 8 Stithians Drive, Gawler East on the morning of Friday 3 September 1993 when the equipment was being used in the back garden of the property?

2. Were the terms of Government Management Board Circular 90/30 being observed by the driver of this vehicle and, if not, why not and what action does the Government propose to take?

The Hon. J.W. OLSEN: The replies are as follows:

1. The trenching equipment was being used by an ETSA employee on his approved rostered day off for private purposes. The equipment was not scheduled for use at any ETSA work site on that day.

2. Use of equipment in this way is not appropriate and action has been taken to prevent a recurrence of an incident of this type.

CREDIT CARDS

16. **Mr BECKER:** What is the answer to Question on Notice No. 96, asked of the former Minister of Consumer Affairs on 18 August 1993?

The Hon. S.J. BAKER: The replies are as follows:

1. The guidelines issued to departmental corporate credit card holders are an integration of internal policies and procedures and credit card guidelines as set out in Treasurer's Instruction 336. Copies of the guidelines, which are applicable to the Office of Fair Trading Division of the Attorney-General's Department, are attached.

2. Personal expenses and cash withdrawals are not permitted by this Department.

3. There is an internal three tier auditing of corporate credit cards. On a monthly basis Westpac issues the Department with three sets of statements: they are an individual cardholder's statement, a Divisional statement and a Departmental statement. The individual cardholder's statement is audited and authorised by the individual cardholder. This in turn is also audited and authorised by the Divisional Administration Officer. The divisional statement is audited and authorised by the Divisional Administration Officer and also audited by the Departmental Credit Card Controller. The departmental statement is audited by the Accounting Officer in the Financial Services Branch. All statements and associated vouchers/invoices are filed in individually named files in the Financial Services Branch, and are available to officers of the Auditor-General's Department for auditing.

BANKING CODE

17. **Mr BECKER:** What is the answer to Question on Notice No. 93, asked of the former Attorney-General on 12 August 1993?

The Hon. S.J. BAKER: The Attorney-General has advised that the Commonwealth Government has initiated the development of a Code of Banking Practice which was released by the Australian Bankers' Association in November last year.

It was developed in consultation with State and Territory Governments, banks, building societies, credit unions and consumer groups to improve bank/customer relations by establishing minimum standards of disclosure and conduct which banks, building societies and credit unions have agreed to observe when dealing with their personal customers.

The code provides that a bank shall have available for its customers free of charge an external and impartial dispute resolution process (not being an arbitration), having jurisdiction similar to that which applies to the existing Australian Banking Industry Ombudsman Scheme.

The Commonwealth Government is now seeking the cooperation of building societies and credit unions in adopting a code of practice which substantially replicates the Code of Banking Practice, which they have agreed to observe.

In relation to the particular issue of whether the Government will consider the establishment of an Ombudsman for building societies and credit unions, both industry peak representative bodies have advised that they are developing respective codes of practice which will substantially replicate the Banking Code and this will be progressed during 1994. The codes of practice will incorporate the establishment of external and impartial dispute resolution mechanisms having similarities to the Banking Industry Ombudsman Scheme.

The Government supports this initiative and will be monitoring progress.

PARKING

23. **Mr BECKER:** What is the answer to Question on Notice No. 33, asked of the former Treasurer on 11 March 1993?

The Hon. S.J. BAKER: State Services has no motor vehicle parking spaces set aside for non-State Fleet vehicles in the area described.

GOVERNMENT VEHICLES

24. **Mr BECKER:** What is the answer to Question on Notice No. 32, asked of the former Treasurer on 11 March 1993?

The Hon. S.J. BAKER: The replies are as follows:

1. This question should be directed to the Auditor-General.

2. Same as for 1 above.

3. No specific recommendations have been made by the Auditor-General in relation to State Fleet vehicles.

32. **Mr BECKER:** What is the answer to Question on Notice No. 12, asked of the former Minister of Transport Development on 12 August 1992?

The Hon. S.J. BAKER: The replies are as follows:

1. Accidents to State Services vehicles were as follows:

Financial Year	State Fleet	State Supply	State Clothing
1988/89	199	-	1
1989/90	249	-	-
1990/91	436	3	-

2. The following cost has been extracted from State Services records and includes cost to repair Government vehicle, third party repairs (if applicable) and any property damage.

Cost Year	State Fleet	State Supply	State Clothing
1988/89	$240 937	-	$300

1989/90	$288 667	-	-
1990/91	$627 736	$3 164	-

To ensure a meaningful comparison, it is necessary to relate the above statistics back to the average number of vehicles in the fleet as at 30 June. Numbers of vehicles for State Fleet are as follows:

- 1988/89 981
- 1989/90 1 256
- 1990/91 1 583

BUILDING INDUSTRY CONNECTION

39. **Mr BECKER:** Does the Office of Fair Trading support a magazine promoting a competition 'Test of the Best—Share in $40 000 of Power Tools' as advertised in the Summer Quarter, November 1993 edition of *Building Industry Connection* which promotes imported products to the detriment of Australian made manufacturers and, if so, why?

The Hon. S.J. BAKER: The Office of Fair Trading does not provide financial support to the magazine *Building Industry Connection* and does not provide support in the form of endorsement of the magazine, products referred to in the magazine or competitions and other marketing strategies contained in the magazine.

As the magazine is circulated to all licensed builders in South Australia, the Office of Fair Trading contributes material and information, pertinent to the building industry in South Australia, for publication in the magazine as a means of providing such information to members of the building industry.

SENTENCING

60. **Mr ATKINSON:** Can the Minister explain the Government's sentencing policy and how it might have changed the outcome in the case of Wayne McRae, who, having been found guilty in the Port Adelaide Magistrates Court on 17 December 1993 of assault on a 20 month old baby, was sentenced to 18 months imprisonment suspended on his entering a three year good-behaviour bond?

The Hon. S.J. BAKER: The Government's sentencing policy has two aspects. The first is that where a person is sentenced to a term of imprisonment the person will be required to serve the whole of the non-parole period fixed by the sentencing court before being released on parole.

The second aspect of the Government's sentencing policy is to ensure that there is parity of maximum penalties between offences so that offences which are regarded as being equally serious carry the same maximum penalty.

The Government's policy is not about setting minimum penalties or restricting the discretion of the sentencing court in taking into account all the circumstances of the offence, the victim and the offender when considering what penalty to impose within the maximum penalty laid down by Parliament.

In relation to the outcome of the case referred to by the honourable member, the Government's policy would impact should the offender breach the bond and be required to serve the sentence. The offender would be required to serve the whole of his non-parole period—there would be no remissions for good behaviour deducted from the non-parole period.

OPPOSITION LEADER'S STAFF

62. **Mr BECKER:** How many persons, by category and salary, are employed at Government expense in the Leader of the Opposition's office and what is the justification for that number in view of the number of Opposition members?

The Hon. G.A. INGERSON: A total of five staff are currently employed in the Leader of the Opposition's office as follows:

CATEGORY	SALARY
Personal Assistant	$29 822
Appointment Secretary	$35 716
Policy Adviser	$49 272
Policy Adviser*	$29 563
Press Secretary	$49 169

*this position is part-time at three days a week

The Premier has nominated a specific budget for the Leader of the Opposition to work within until the end of the current financial year. From this budget the Leader of the Opposition must pay all his day to day office expenses, purchase and repair any equipment and fund his staff's salaries. It is therefore entirely up to the Leader of the Opposition what proportion of his budget is expended on salaries, as long as his overall budget allocation is not exceeded.

GOVERNMENT VEHICLES

65. **Mr BECKER:**

1. What Government business was the driver of the vehicle registered VQO-237 attending to whilst travelling to Adelaide Airport on Sunday 13 February 1994 at approximately 12.05 pm and who were the passengers?
2. To which Government department or agency is this vehicle attached?
3. Were the terms of Government Management Board Circular 90/30 being observed by the driver of this vehicle and, if not, why not and what action does the Government propose to take?

The Hon. J.W. OLSEN: The Minister for Transport has provided the following response:

1. The driver of the vehicle registered VQO-237 was taking an artist, Lea De Laria, to the airport at the conclusion of her Adelaide season. The driver was the Festival Centre's Publicist.
2. The vehicle belongs to the Adelaide Festival Centre Trust.
3. Yes. The trust's vehicle, and other Government-plated cars, are currently being used for the Adelaide Festival. They will be seen constantly at the airport and other places around the city both during the day and late at night throughout the period of the Adelaide Festival.

FUNERALS, PREPAID

66. **Mr BECKER:** What were the findings and recommendations of the inquiry into the funeral industry, and in particular pre-paid funerals, and when will such recommendations be introduced for the protection of consumers?

The Hon. S.J. BAKER: The terms of reference of the pre-paid funerals working party were to examine methods by which moneys and arrangements with respect to pre-paid, pre-arranged and pre-funded funerals are lodged; to determine the potential risk for consumers; and to make recommendations for their control and supervision.

The first meeting of the working party was held in March 1993. It comprised members of the former Department of Public and Consumer Affairs and other representatives from both Government and the industry. The working party has so far conducted a survey of the industry to determine current practices and examined the legislation adopted to regulate the industry in some other States.

Options for further action were being developed and a number of legal and policy issues arising from the options are presently being examined.

Due to recent changes in personnel and organisational arrangements, and a requirement to deal with issues of high priority including a comprehensive review of all consumer legislation, there has been some delay with this particular project. However, the working party will be reconvened in the near future to fully and carefully consider the options and to then make recommendations to the Minister for Consumer Affairs for his consideration.